

Best Practices for E-reader Tablets in Carceral Institutions

*Produced by the Coalition for Carceral Access to Literature and Learning
(C.A.L.L.)*

The introduction of e-reader tablets to carceral institutions is a new and growing trend. When implemented in a way that prioritizes incarcerated people and their loved ones, e-reader access can expand incarcerated people's access to literature and educational materials. However, e-readers are today being introduced into prisons and jails across the country in ways that unfairly and counterproductively impact the rights and interests of incarcerated readers.

Namely:

- E-readers are being introduced in ways that *supplant* rather than *supplement* access to physical books provided through direct delivery or prison libraries.
- E-readers are often costly and should be offered free of charge to incarcerated individuals.
- E-readers tablets frequently avoid disclosing fees for tablet features that increase costs for individual users.
- E-reader content often comes with predatory pricing structures that exploit low-income families.
- E-reader tablets offer a limited selection of reading materials that can be woefully insufficient for incarcerated readers' needs.
- E-readers may allow carceral institutions to monitor and surveil incarcerated individuals.
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Recent statements from prison and jail officials underscore a troubling course of action, where the expansion of digital books is cited as *justifying* a reduction in access to physical books. For example, in September 2018, Pennsylvania prohibited the purchase of physical books and donations to incarcerated

individuals. The Pennsylvania Department of Corrections [cited](#) a “transition to e-books” to help justify the decision, which impacted over 47,000 incarcerated Pennsylvanians.

As advocates for the literary and educational needs of incarcerated people, we are very concerned over how these trends may undermine their access to literature and educational materials. We believe that the introduction and use of e-readers in prisons will accelerate, becoming an increasingly common avenue of access to literature. The policies that carceral institutions and e-reader vendors put in place today *may determine future access* to literature for more than two million incarcerated people across the United States.

To this end, we propose the following set of “best practices” to guide e-reader vendors and carceral institutions, in order to ensure that e-readers best serve the literary, educational needs, and interests of incarcerated people and their families.

Definitions

“*E-readers*” – refers to digital tablets used to access e-books and other digital content or literature.

“*Infrastructure*” – refers to the technological infrastructure needed to maintain the proper functionality of e-readers including, but not limited to: charging stations, internet connectivity with sufficient bandwidth for downloading, sync devices to kiosks, upload/download content, and coordinating local area networks (LANs) wirelessly.

“*Literature*” and “*Literary*” – refers to written materials, including but not limited to: books, magazines, newsletters, academic journals, and other academic and legal documents.

“*Digital Content*” – refers to literature, music, films, educational materials, applications, and other content for use on e-readers.

I. Expand Access to Literature

E-readers should supplement, not replace, access to physical books in carceral institutions or facilities. E-readers should contribute to the overall literary environment.

- Access to e-readers must never justify reductions in access to physical books and other physical literary materials. This includes, but is not limited to, physical materials available in libraries, chapels, and classrooms. Books ordered through or donated by prison book organizations and outside book vendors must also remain accessible or available.
- Access to e-readers must never justify a reduction in funds allocated to libraries in carceral institutions.
- Access to digital books must not be revoked as a disciplinary measure: access to literature is a right, not a privilege.
- Access to e-readers must not supplant or replace in-person education programs, including, but not limited to literacy, continuing education, and English as second language classes, as well as, college-in-prison programs.
- Facilities that adopt e-readers should explore how digital materials can support existing programs inside carceral institutions, including, but not limited to educational programs that provide opportunities to earn a GED, a college degree, trade skills, or any other higher education programs.

II. Pricing

E-reader vendors increasingly use predatory pricing structures for incarcerated persons to access digital tablet content. Departments of Corrections enable providers to extract fees and payments from incarcerated people with little oversight. The burden of communicating

with the outside world or accessing literature primarily falls on the families and friends of incarcerated people with few resources.

- E-reader tablets must be offered at no—or at minimum, drastically reduced—cost to incarcerated people. E-readers cannot be held up as expanding access to literature for incarcerated people if the cost of purchasing a tablet is prohibitive for a large portion of the incarcerated population—as is [currently the case](#).
- E-reader vendors must reject pay-per-use models. Per-minute payment plans unfairly penalize incarcerated people with learning and reading disabilities.
- E-reader vendors and carceral institutions must provide free access to digital books that are already a part of the public domain.
- E-reader vendors and carceral institutions must provide refunds or repayments to incarcerated users in instances where e-materials and e-books they paid for have been removed from the devices that they use or when devices malfunction or break.
- E-reader vendors and carceral institutions must cover the costs of e-book licensing fees, rather than pass the cost of these fees on to incarcerated people, and prison officials must reallocate a portion of prison budgets toward the provision of their incarcerated population’s literary needs.

III. E-reader Vendors and Content

E-reader vendors must prioritize and develop e-catalog offerings for incarcerated people’s literary, educational, rehabilitative, and recreational needs.

- E-reader vendors must make content that meets the literary, cultural, recreational, and educational needs of incarcerated populations, including by developing e-catalog collections in

consultation with librarians, educators, and formerly incarcerated people.

- E-reader vendors must make content in multiple languages available and be responsive to the cultural needs of incarcerated populations.
- E-reader vendors must make a public commitment to offer a wide range of free content and update catalogs regularly.
- E-reader vendors must make a variety of materials available for use, including but not limited to, educational and recreational materials. This includes offering content in partnership with libraries and public institutions.
- E-reader vendors must avoid or remove agreements that limit incarcerated people's access to materials made freely available to the public, such as Project Gutenberg.

IV. Infrastructure and Access

Digital infrastructure plays a critical role in incarcerated people's ability to access content through e-readers. Direct access to the internet is rarely available to incarcerated individuals.

- Carceral institutions must provide consistent and regular access to kiosks to upload and download content.
- Carceral institutions must provide a secure internet connection of sufficient bandwidth, capable of uploading and downloading all forms of digital content supported by e-readers (e.g., books, media, and video), within reasonable times.
- Carceral institutions must provide rechargeable devices.
- Carceral institutions must provide regular maintenance for all equipment needs, including through routine replacement schedules for devices, kiosks, chargers, and network equipment at no charge to incarcerated people.
- Carceral institutions must provide assistive technology for incarcerated individuals with disabilities. This assistive

technology must be used to supplement, not replace, assistive devices already in use.

- Carceral institutions must comply with ADA (Americans with Disabilities Act) [regulations](#). Carceral institutions should also develop plans to specifically measure and evaluate compliance within a specific time frame.
- Carceral institutions and e-reader vendors must provide continuous/uninterrupted access to their books and digital content through e-readers.

V. Privacy Rights

Carceral institutions, prison libraries, and e-reader vendors must respect the longstanding precept of library institutions and librarians preserving readers' right to privacy and confidentiality in their library use, such as in the American Library Association's [Library Bill of Rights](#) and [Code of Ethics](#).

- Carceral institutions and e-reader vendors must make their privacy policies and protect users' privacy rights.
- Carceral institutions and e-reader vendors must publicize all security, data management, and monitoring policies that apply to incarcerated people's e-book catalogs or e-reading practices.
- E-reader vendors must adopt guidelines for incarcerated users' privacy consistent with the privacy provisions in the ALA [Library Bill of Rights](#) and the ALA [Code of Ethics](#) that protects all readers' right to privacy and confidentiality during their library use.

VI. Transparency

Contract negotiations between carceral institutions and e-reader vendors lack transparency, making public oversight of these decisions functionally impossible. This includes a lack of visibility over profit-sharing provisions that may incentivize public officials to prioritize paid-for content over free content. Business agreements, payment structures, and other contractual provisions require greater transparency.

- Carceral institutions must proactively make public and accessible all contracts between e-reader vendors and their institutions, as well as all other contracts that affect incarcerated people's access to digital resources (such as with third-party suppliers of digital content).
- Carceral institutions must make e-reader vendors commit to making the complete catalog list, prices, and pricing structure of digital content offerings for readers publicly available online, as a precondition to any contractual agreement.
- Carceral institutions must make digital content restrictions transparent to the public, including all relevant regulations, content restrictions, and commitments to restrict content specified in contracts between e-reader companies.
- Carceral institutions must make publicly available transcripts or other documentation of any discussions with e-reader vendors regarding prohibited or restricted content, including through (a) maintenance of records of all conversations around content inclusion or removal, and (b) ensuring the public availability of these records.
- Carceral institutions must make public and accessible privacy policies for incarcerated readers to ensure transparency and public oversight.

VII. Working with Public Libraries

Public libraries near carceral institutions or with relationships to these facilities can provide critical resources through their collections of digital content or as a part of “e-resources” consortia. We encourage carceral institutions, existing prison libraries, and e-reader vendors to explore ways to work with public library systems to share licensed literature and other digital content. We also support agreements that would make incarcerated readers public library patrons and local lending library community members, including agreements that allow for physical book exchanges.

- Carceral institutions, in offering access to digital literature to their incarcerated populations, should abide by the principles outlined in the ALA document, “[Prisoners’ Right To Read](#),” as well as the [Library Bill of Rights](#) and uphold the [Core Values of Librarianship](#), including access to information, patron privacy, diversity, education, and lifelong learning, which should be applied to incarcerated library patrons as equally as non-incarcerated library patrons.
- Carceral institutions should include public libraries in crucial decision-making processes that involve incarcerated people’s access to literature.
- Carceral institutions should remove, to the greatest possible extent, discrepancies between digital content offered to the general public and offered to incarcerated people.
- Carceral institutions should proactively make public and accessible all contracts or formal arrangements between carceral institutions and public libraries.
- Carceral institutions and library systems should administer library cards to incarcerated library patrons and encourage access to public library resources to the greatest extent possible.

Signed,

Alabama Prison Arts + Education Project

ACLU of West Virginia

Alliance for Higher Education in Prison

Ameelio

American Library Association

Appalachian Prison Book Project

Be Frank 4 Justice

Black & Pink-Milwaukee

Books Through Bars, Philadelphia

Books To Prisoners

Center for Resilient Individuals, Families and Communities (CRIFC)

Chicago Books to Women in Prison

Delaware Library Association

Emerson Prison Initiative

EveryLibrary

Exchange for Change

Fight for the Future

Filling the Gap

First State First Chance Prison Education Initiative at the University of Delaware

Formerly Incarcerated College Graduates Network

From Prison Cells to PhD

Georgetown University Prisons and Justice Initiative
Hamilton-Herkimer CIPP at Mohawk CF (NY)
IL Coalition for Higher Education in Prison
Illinois Coalition for Higher Education in Prison
John Jay College Institute for Justice & Opportunity
Justice Arts Coalition
LGBT Books to Prisoners
Library Futures
Library Services to the Justice Involved
Nazareth College Jail Project
New York City Books Through Bars
All of Us or None, Ohio
PEN America
Pittsburgh Prison Book Project
Prison + Neighborhood Arts/Education Project
Prison Book Program
Prison Journalism Project
Prison Scholar Fund
Prisoners Literature Project
Rebuilding Independence My Style
Returning Citizens
Rochester Education Justice Initiative
San Francisco Financial Justice Project

San Francisco Public Library
Southwest Wisconsin Library System
Texas Advocates for Justice
The American Prison Writing Archive
The Chillon Project at Life University
The Community
The Jailhouse Lawyers Initiative of LEAH
The Petey Greene Program
Turning Points Resource Center
Wesleyan University Center for Prison Education
Worth Rises
X Books