

APPENDIX B—Continued

- than the publisher or distributor without prior approval
- (3) Failure to develop specific written criteria of non-acceptability
 - (4) Routine surveillance of incoming recorded tapes prepared by private individuals and others
 - (5) Exclusion of materials which are not obscene under the applicable constitutional criteria as established by the United States Supreme Court, including photographs of wives and girl friends which would not be obscene if published commercially
 - (6) Failure to employ a decision making panel at the institutional level as required by paragraph 4(b) of the Court's order
 - (7) Failure to give prompt notice of any kind to the inmate/addressee indicating the material withheld, the reason for the prohibition, and his right to a hearing at the institution
 - (8) Failure to provide a meaningful hearing at the institutional level
 - (9) Failure to provide the inmate/addressee with a written decision on admissibility within one week following the initial arrival of the material at the institution
 - (10) Failure to provide the inmate/addressee with a meaningful reason for any decision to exclude material
 - (11) Failure of the Publications Screening Committee to decide an appeal to it within two weeks of the time such appeal is lodged

- (12) Failure to maintain complete records of all censorship activities at the institution for a period of one year or longer

The Special Master finds compliance with Paragraph 4 only in that references of proceedings relating to excluded material are not placed or referred to in any inmate's file.

PARAGRAPH 5

Paragraph 5 of the Court's order requires the institution to purchase 117 books and magazine subscriptions comprising 91 titles, subject to the availability of library funds. These materials relate to Black experience, culture, history, and art.

METHOD OF INVESTIGATION

Information relating to compliance with this paragraph was obtained from interviews with the Director of the Education Department of the institution whose jurisdiction includes the library. The Special Master made a visual inspection of all titles on the shelf as well as library check out cards indicating that inmates were in possession of certain of the required volumes. The Director of the Education Department made available a copy of his book order and the subsequent requisition issued for the purchase of books relevant to this paragraph of the Court's order.

EVIDENCE RELATING TO COMPLIANCE

Data submitted by the Director of the Education Department and information gained through visual inspection of the institution library produced the following data:

No.	TITLE	NUMBER REQUIRED BY ORDER	ON SHELF OR CHECKED OUT 1/16/76	NUMBER ORDERED BY M.C.I.	NUMBER ON STATE REQUISITION 2/4/76
1	African Affairs	1		1	1 ^a
2	Afro USA	1		1	1
3	I Know Why Caged Birds Sing	3	1 on shelf	1	1
4	Negro Slave Revolts	1		1	1

^a Appears on separate State Requisition

413 FEDERAL SUPPLEMENT

APPENDIX B—Continued

No.	TITLE	NUMBER	ON SHELF OR	NUMBER	NUMBER ON
		REQUIRED BY ORDER	CHECKED OUT 1/16/76	ORDERED BY M.C.I.	STATE REQUISITION 2/4/76
5	Go Tell It on the Mountain	1			
6	Tell Me How Long the Train's ...	1		1	1
7	Freedom Summer	1		1	1
8	What Manner of Man?	1	1 checked out	1	1
9	Black Scholar	1			
10	Black World	1			
11	American Negro Poetry	1			
12	Negro Leader in Time of Crisis	1		1	
13	Life & Loves of Mr. Jive-Ass Nigger	1			
14	Manchild in the Promised Land	1			
15	Die Nigger Die	1		1	1
16	Five Plays	1			
17	Black Power	1		1	1
18	Malcom X: Man & His Times	1		1	1
19	Dark Ghetto	1		1	1
20	Soul on Ice	1		1	1
21	Justice Denied	1		1	1
22	Rivers of Blood, Nights of Darkness	3		1	1
23	Black Theology	1		1	1
24	Black Moses	1		1	1
25	Crises of the Negro Intellectual	1		1	1
26	The American Slave Trade	3		3	3
27	If They Come in the Morning	1		1	1
28	Black Reconstruction	3	2 on shelf 1 checked out		
29	Souls of Black Folk	3		3	3
30	Invisible Man	3		1	1
31	Black Nationalism	3		3	3

TAYLOR v. PERINI
Cite as 413 F.Supp. 189 (1976)

217

APPENDIX B—Continued

No.	TITLE	NUMBER REQUIRED BY ORDER	ON SHELF OR CHECKED OUT 1/16/76	NUMBER ORDERED BY M.C.I.	NUMBER ON STATE REQUISITION 2/4/76
32	Black Skin, White Mask	1		1	1
33	Wretched of the Earth	1	1 on shelf	1	1
34	Negro Slave Song	1		1	1 ^b
35	Negro Slave & Protest Songs	1			
36	Conjure Man Dies	1		1	1
37	Walls of Jerico	1		1	1
38	Emancipation Procla- mation	1	1 on shelf		
39	From Slavery to Freedom	3	2 on shelf		
40	Reconstruction	1	1 on shelf		
41	The Negro Family in the U.S.	1	1 checked out		
42	Freedom Ways	1			
43	Black Feeling, Black Talk	1		1	1
44	Rebellion in Newark	1			
45	Blood in My Eye	1		1	1
46	Autobiography of an Ex-colored Man	1		1	1
47	Blues People	1	1 on shelf		
48	The Dutchman & the Slave	1		1	1
49	Home	1		1	1
50	The Journal of Negro History	1			
51	And Then We Heard Thunder	1		1	1
52	Stride Toward Freedom	1	1 on shelf		
53	The Trumpet of Conscience	1	1 checked out		
54	Where Do We Go From Here	1			
55	Why Can't We Want	1		1	1
56	King: A Critical Biography	1		1	
57	Black Folk Tales	1		1	1

b Plus one additional volume added to the State Requisition by error

413 FEDERAL SUPPLEMENT

APPENDIX B—Continued

No.	TITLE	NUMBER REQUIRED BY ORDER	ON SHELF OR CHECKED OUT 1/16/76	NUMBER ORDERED BY M.C.I.	NUMBER ON STATE REQUISITION 2/4/76
58	Look Out Whitey; ...	1		1	1
59	Black Muslims in America	1	1 checked out		
60	Autobiography of Malcom X	3	1 checked out	2 ^c	2 ^c
61	Riots & Rebellion	1	1 checked out		
62	The Hit	1		1	
63	Banjo	1		1	1
64	Home to Harlem	1		1	
65	My Daddy was a Number Runner	3		1	1
66	Inside	1		1	1
67	American Negro Revolution	1		1	1
68	African Traditional Religions	1			
69	Diary of a Sit-in	1	1 on shelf		
70	Black Abolitionist	1	1 ^d on shelf		
71	Mr. Lincoln & the Negroes	1	1 on shelf		
72	The Negro in the Civil War	1	1 on shelf		
73	Black America	1		1	1
74	Seize the Time	1		1	1
75	Crisis in Black & White	1	1 checked out		
76	Mississippi; The Closed Society	1	1 checked out		
77	Rhetoric of Black	1		1	
78	The Peculiar Institution	3	3 on shelf		
79	The Story of Jazz	1			
80	Black Political Power in the United States	1		1	1
81	Letters from Mississippi	1		1	
82	Black Religion	1		1	1

c Plus one additional volume ordered by the institution in error and reflected in the State Requisition

d Plus one additional volume ordered by the institution in error

APPENDIX B—Continued

No.	TITLE	NUMBER REQUIRED BY ORDER	ON SHELF OR CHECKED OUT 1/16/76	NUMBER ORDERED BY M.C.I.	NUMBER ON STATE REQUISITION 2/4/76
83	From Race Riot to Sit-in	1		1	1
84	Freedom Now!	1		1	1
85	The Man Who Cried I Am!	1	1 on shelf		
86	Strange Career of Jim Crow	1		1	1
87	Native Son	3	1 on shelf		
88	Uncle Tom's Children	3		3	3
89	The Choice, Issue of Black Survival in America	1		1	1
90	Beyond Racism	1		1	1
91	The New Abolitionists	<u>1</u>	—	<u>1</u>	<u>1</u>
	TOTAL	117	28	67	61

These data establish that only 28 of the 117 required volumes are presently available in the library. Of the missing 89 volumes, 67 have been ordered by the institution, and 61 of these 67 are reflected in the state requisition. It thus appears that 22 volumes have not been ordered by the institution and that 28 cannot be established as having been ordered by the Department.

Although not altogether relevant to the question of compliance with Paragraph 5 of

the Court's order, the Director of the Education Department requested that he be permitted to submit a list of titles of books relating to the Black experience which are presently held by the M.C.I. library although they are not required to be purchased by Paragraph 5 of the order. That list, which evidences the bona fide interest of the institution in purchasing materials which will be of interest to Black inmates, follows:

Black Experience Materials Not Included on Court Order

- Daniel J. Leab, From Sambo to Superspade
- Philip Durham and Everett L. Jones, The Adventures of the Negro Cowboy
- Richard Durham, The Greatest Muhammad Ali: My Own Story
- Robert G. Weisbord, Genocide?: Birth Control and The Black American
- Chester Himes, Black on Black
- Robert W. July, Precolonial Africa
- Elliott P. Skinner, People and Cultures of Africa
- John Hope Franklin, The Negro in 20th Century America
- John S. Mbiti, Introduction to African Religion
- Langston Hughes, An African Treasury
- Darwin T. Turner, Black American Literature Essays

413 FEDERAL SUPPLEMENT

APPENDIX B—Continued

Black Experience Materials Not Included on Court Order—Continued

- Arthur P. Davis and Michael W. Peplow, The New Negro Renaissance
- Richard Wright, The Outsider
- James Baldwin, If Beale Street Could Talk
- James Baldwin, Blues for Mister Charlie
- Francis Joseph Kichak, The Serpent and The Dove
- Booker T. Washington, Up From Slavery
- Editors of Ebony, 1,000 Successful Blacks Vol. 1
- Editors of Ebony, Famous Blacks Give Secrets of Success Vol. 2
- Editors of Ebony, Career Guide Vol. 3
- Editors of Ebony, The Ebony Handbook
- Harry A. Ploski, Ph. D. & Ernest Kaiser, The Negro Almanac
- Robert Ewell Greene, Black Defenders of America: 1775-1973
- Editors of Ebony, Pictorial History: Black America Vol. 1, 2, 3
- Editors of Ebony, Pictorial History: Black America 1973
- Rhoda Hoff, America: Adventures in Eyewitness History
- August Meier & Elliott Rudwick, Core: A Study in the Civil Rights Movement
- Marc Howard Ross, Grass Roots in an African City
- Gresham M. Sykes, Social Problems in America
- Michael Dorman, We Shall Overcome
- Sarah Patton Boyle, The Desegregated Heart
- Major J. Jones, Christian Ethics for Black Theology
- Janet Harris, The Long Freedom Road
- Carl Becker, The Declaration of Independence
- Immanuel Wallerstein, Africa: The Politics of Unity
- Jim F. Heath, Decade of Disillusionment:
- Peter Ritner, The Death of Africa
- J. E. Baker, The Right To Participate:
- Alan Reitman, The Pulse of Freedom
- Margaret B. Young, Martin Luther King Jr.
- Gerald Astor, And A Credit To His Race: Joe Louis
- Peter J. Parish, The American Civil War
- Wole Soyinka, Poems of Black Africa
- Gladys-Marie Fry, Night Riders: In Black Folk History
- George Lynn Cross, Blacks in White Colleges

APPENDIX B—Continued

Black Experience Materials Not Included on Court Order—ContinuedArthur Widder, Adventures in BlackAllen B. Ballard, The Education of Black FolkCarl T. Rowan, South of FreedomNikki Giovanni, The Women and The MenPeter Davies, The Truth About Kent State:John Hope Franklin, The Emancipation ProclamationLance Jeffers, When I Know the Power of My Black HandHenry Blakely, Windy PlaceDavid Delman, One Man's MurderLeonard Levitt, An African SeasonJerry Rubin, Do It!C. Duncan Rice, The Rise and Fall of Black Slavery

The state form requisitioning 61 volumes required by P. 5 refers to "Federal Grant I-6AA-6-73S" from which payment for these volumes will be drawn. The most recent report of the status of funds in that grant account indicates a "total available to expend" by Marion Correctional Institution of \$21,000. Thus it appears that more than sufficient funds are available to effectuate compliance with the requirements of the Court's order.

FINDING REGARDING COMPLIANCE

[15] The data presented above established beyond doubt that the institution is in a state of noncompliance with this Paragraph of the Court's order. While the list of materials which are available though not required by the order demonstrates that the institution has made a good faith effort to provide materials of interest to black inmates and to improve the overall holdings of the library, the fact that only 28 volumes of a total of 117 required by the order are available presently to inmates almost three and one half years after the issuance of the consent order in *Taylor v. Perini* cannot be justified. The state purchase order indicates an average cost per volume of \$5.22

for the more than 60 volumes ordered. If this figure represents a fair average cost per volume for the 117 volumes required by the Court's order, the total cost of compliance will be slightly more than \$600.

PARAGRAPH 6

This Paragraph prohibits the imposition of any disciplinary sanction or the making of any adverse disciplinary reference in an inmate's file in the absence of definite and specific written rules and regulations. These rules and regulations must be distributed and/or posted so as to provide fair notice to inmates of conduct which is prohibited and the permissible range of sanctions for each violation.

METHOD OF INVESTIGATION

The investigation of the state of compliance with Paragraph 6 began with a careful reading of the Inmate Manual prepared by M.C.I. and distributed to all inmates upon their arrival in Marion. Similarly, a Correctional Employees Reference Manual distributed to all incoming staff was read. Interviews with staff and inmates, as well as discussion with members of the Inmate

APPENDIX E

STATE OF OHIO



DEPARTMENT OF REHABILITATION AND CORRECTION

1050 Freeway Drive, North, Suite 403
Columbus, Ohio 43229
(614) 466-6190

GEORGE F. DENTON, Director

JAMES A. RHODES, Governor

PUBLICATIONS TO BE PERMITTED
IN THE INSTITUTIONS

1. Ace Boon Coon (A play)
2. Advantage of Dope, The (A play)
3. Advocate, The
4. Akwesasne Notes, Mohawk Nation
5. Albizu Campos and the Ponce Massacre, by Juan Antonio Corretjer
6. All You Can Eat
7. Ann Arbor Sun
8. Anatomy of the Feminine Itch, The
9. Art of Sensual Massage, The, by Gordon Inkeles and Murray Todris
10. Atlas of Human Anatomy for the Artist
11. Bachelor's Best, Magbab Pub. Corp.
12. Berkeley Barb, The
13. Bi Plane, A Magazine
14. Black America and the World Revolution, by Claude M. Lightfoot
15. Black and White - One Class, One Fight, by Henry Winston
16. Black Belt Magazine, Los Angeles, California
17. Black Panther International News Service, The
18. Black River Press
19. Black Voice
20. break de chains
21. Call, The
22. Cavalcade
23. Cavalier
24. Challenge
25. China, The Struggle Within
26. Columbus Free Press
27. Communist Councilman from Harlem, International Pub. Co., N.Y., N.Y.
28. Comrade George, Red Prison Movement, Eric Mann
29. Cress Theory of Color - Confrontation and RACISM (White Supremacy) by
Frances Gess Welsing
30. Crime of Martin Sostre, The, by Vincent Copeland, McGraw Hill Co.
31. Doctor Kinsey and the Studies of Sex Results
32. Do It, by Jerry Rubin, Simon and Schuster
33. Door, P.O. Box 2022, San Diego, California
34. Dragon Seed Newspaper, The
35. Duke
36. Easyriders
37. El Griro Del Norte, Inc., Box 466, Espanola, New Mexico
38. Eugene Augur, The
39. Exotic Life of the American Wife, The
40. Family Voice, The

11-14-75

APPENDIX E—Continued

41. Fifth Estate, The, Detroit, Michigan
42. Five Articles, by Mao Tse-Tung
43. Fling
44. Fortune News
45. Four Year's Score in Freedom's Fight, by Claude Lightfoot and Wm. L. Patterson
46. Free World Times, The
47. Frolic, Frolic Magazine
48. Forum, The International Journal of Human Relations, New York, N.Y.
49. Gent
50. Getting into Deep Throat, by Richard Smith
51. Getting It Together (A play)
52. Good Times, The Picadilly Book Company, New York, N.Y.
53. Great Speckled Bird, The
54. Guardian, The
55. Highest Stage of Capitalism War in the Mid-East, V. L. Lenin, Imperialism
56. How Socialism will come to the United States, The View of the Communist Party
57. Hustler
58. Indonesia, The Second Greatest Crime of the Century, Deidre, World View Publishers, New York
59. Inside News (Newspaper)
60. Insurgent Publications - Booklist
61. Insurgent Publications Newspaper, The
62. Intercontinental Press
63. Jailhouse Lawyer's Manual, The
64. Jaquar
65. Joy of Sex, The, Edited by Alex Comfort, M.B., Ph.D. - Crown Publishers
66. Judo Jiu-Jitsu, Self Defense, Universal Body Building, Inc.
67. Karate, Book I, Book II, Universal Body Building, Inc.
68. Karate Illustrated, Rainbow Publications
69. Karate, Official
70. Knight, Sirkay Pub. Co.
71. Kung Fu, Universal Body Building, Inc.
72. Latin America, An Empire Report
73. Lenin on the National and Colonial Questions
74. Manifesto of the Communist Party
75. Man to Man
76. Mao Tse-Tung on Guerilla Warfare
77. Mao Tse-Tung Quotations from and Statements By
78. Midnight Special, The, Prisoners News, National Lawyers Guild (N.Y.)
79. Mixed Literature from American Literature on Africa
80. Modern Man, The Adult Picture Magazine, Publisher's Develop. Corp.
81. Movin' on Up
82. Mr.
83. Muhammad Speaks
84. My Lustful Adventures, by Harry Temple
85. Najrelease
86. National Committee for the Defense of Joanne Chesimard and Clark Squire
87. National Leader
88. New Banner, The
89. Nudist Society
90. Nugget

APPENDIX E—Continued

91. Ohio Connections, Columbus, Ohio
92. Ohio Prisoners Speak Out, Prisoner Support Group, Yellow Springs, Ohio
93. On Ice, Illinois Congress of Ex-Offenders, (Chicago Connections), Chicago, IL
94. Organizing in the Prisons: Notes from Champaign County Jail, by John Lombardo,
Prisoners Solidarity Committee, New
York
95. Origin of the Family, Private Property, and the State, The, Frederick Engels
96. Outlaw, The
97. Pacific Research and World Empire Telegram
98. Passion's Acres, by Rodney Middleton
99. Penal Digest International, The
100. Penthouse
101. People's Record, The
102. Pierre Louys
103. Playboy
104. Playboy on Sex
105. Players, Players International Publications
106. Prison Letters of George Jackson, The
107. Prisoners Call Out: Freedom, Prisoners Solidarity Committee, N.Y.
108. Prisoners Free Press, Philadelphia, Pennsylvania
109. Quotations from Mao Tse-Tung, Statements by Comrade Mao Tse-Tung, published
by Foreign Languages, Press, Peking
110. Raven Special
111. Realist, The
112. Restless Night of Mademoiselle
113. Right On
114. Rising Up Angry, Chicago, Illinois
115. Rockwell, Lincoln - Tape recordings of Speeches
116. Rouge, Rotop, Inc.
117. Savate Boxing and Wrestling, Universal Body Building, Inc.
118. Selected Reading from the Works of Mao Tse-Tung
119. Sex Book, A Modern Pictorial Encyclopedia
120. Sex is a Laughing Matter, from Playboy
121. Show Business Laid Bare, by Earl Wilson
122. Sir
123. Socialist Revolution (Bimonthly Publication), Agenda Publishing Company,
San Francisco, California
124. Stud
125. Swinger's Dairy, by Iris Brent
126. Take Over
127. The Thunderbolt, The White Man's Viewpoint, published by The Thunderbolt, Inc.,
Dr. Edward R. Fields, Editor and
Publisher, 591 Cherokee Street,
Marietta, Georgia 30061
128. Topper, Captain Publications, Inc.
129. Topper, Rotop, Inc.
130. Tri-Continental, North American Edition
131. Verlaine, Paul Verlaine
132. Vertes, Marcel Vertes
133. Vietnam Veterans' against the War, Winter Soldier Organization
134. Viva (Marysville Only)
135. Western Nudes
136. White Power - The Newspaper of White Revolution

APPENDIX E—Continued

137. Wobblies, by Patrick Renshaw, A Doubleday Anchor Book, Doubleday and Company, Inc., Garden City, New York
138. Work Force - Vocational for Social Change
139. Worker's Voice
140. Worker's World, The
141. Yellow Room, The, by LeCompte DuBouleau

NOV 24 1975
MARION COMPTON INSTITUTION
SUPT. OFFICE

GEORGE F. DENTON, Director

11-14-75

TAYLOR v. PERINI

277

Cite as 413 F.Supp. 189 (1976)

APPENDIX E—Continued

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GEORGE F. DENTON, Director

PUBLICATIONS NOT TO BE
PERMITTED IN THE INSTITUTIONS

1. Advocate, The (Los Angeles, California 90004)
2. All Pleasure (Newspaper)
3. American Journal of Revenge, The - Straight to Hell (New York, N.Y. 10019)
4. Aquarius, The Dawn of (A Swinging Publication)
5. Barbaron's Black Book for Swingers
6. Best of the San Francisco Ball
7. Black Dragon Fighting Society
8. Body Politic, The
9. Cadre P.E.
10. Castle of the Whip, by A. Degranamour
11. Catalogs of Sexual Objects, Paraphernalia, Films, Movies, Photographs,
Magazines, Books
12. Champion of Love, The, by Victor D-Andorra
13. Contact - Monthly Magazine
14. Dick
15. Digest, The, Philadelphia, Pennsylvania
16. Dolls for Guys
17. Fag Rag
18. Fountain, The (Portland, Oregon 97204)
19. Free Martin Sostre
20. Gay Liberator
21. Gay Scene Personals (TCS Publications, Rutland, Vermont 05701)
22. Gay Sunshine
23. GEM
24. Hypnotism Revealed, by Melvin Powers, Wilshire Book Co., North Hollywood,
California 91605
25. Inez Garcia Defense Committee
26. International Action
27. It's Happening (Newspaper)
28. Kindred Spirits, Chicago, Illinois 60660
29. King Alfred - National Security Council
30. Los Angeles Free Press
31. Lover's Annual, Pendulum Combos, Inc., Los Angeles, California
32. Memoirs of a Paris Madam, The - Marquis de Sade
33. National Informer, The
34. National Informer Reader (Newspaper)
35. National Times (Newspaper)
36. National Times, The
37. Newsletter of the "National Committee for the Defense of Political Prisoners
38. One Bed, Many Loves, by Jackson Delaney
39. Photographs, (nudes, etc.), individual or of persons purported to be somehow
related (wife, girl-friend) to resident

11-14-75

APPENDIX E—Continued

40. Rampage
41. Rogue
42. Rogue Manual
43. San Francisco Ball
44. Screw
45. Seekers
46. Select
47. Sensual Madness
48. Sexual Freedom
49. Small Talk Sex to Sixty
50. Swastika, "stickers": "Hitler was Right"
51. Swing (Newspaper)
52. Swingers
53. Swingers International
54. Swingers World Magazine (Los Angeles, California 90046)
55. Truth (Newspaper)
56. TVIS Educational Services, Inc. (Spencer, NC)
57. We Are Aware
58. Win
59. World's Deadliest Fighting Secrets

JOHN
BENN

GEORGE F. DENTON, Director

11-14-75