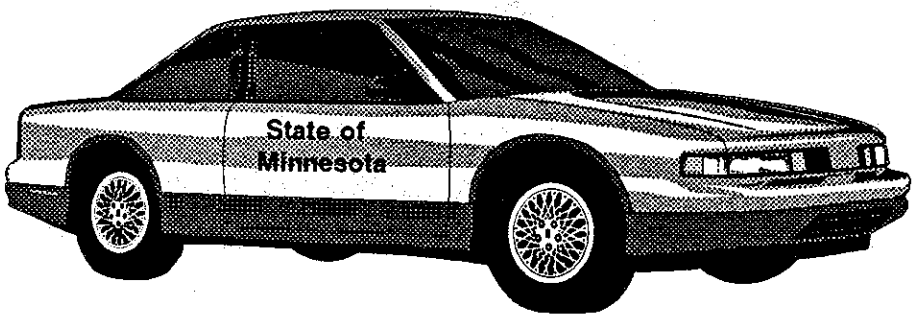
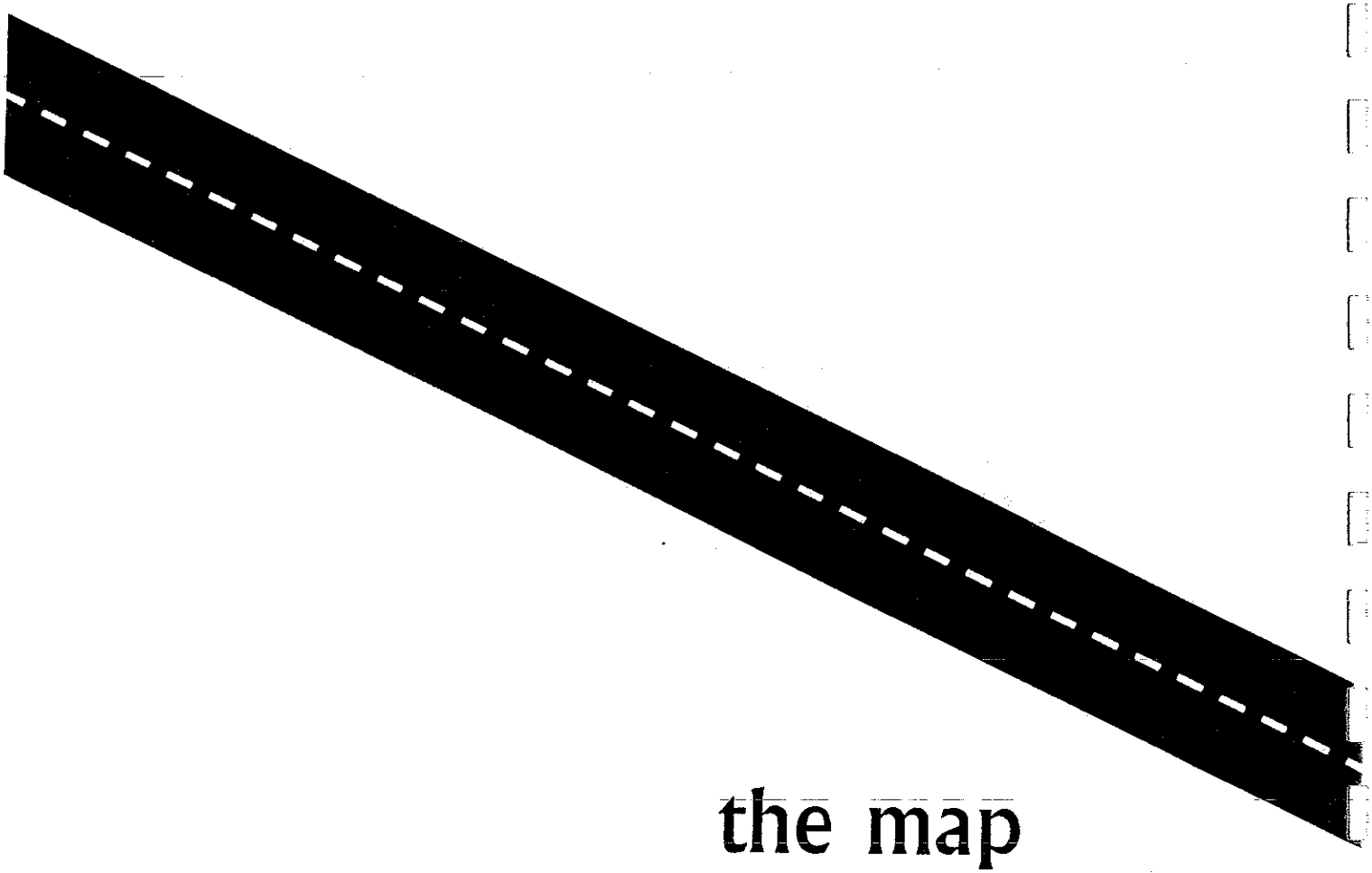
On the Road with

Law Library Service to Prisoners



In and Out of Prisons for Ten Years

1994 Annual Report



the map

ignition.....page 1
rear view.....page 2
on the road.....page 4
mileage.....page 5
odometer.....page 6
tune~up.....page 8
mileposts.....page 10
mapping the course.....page 11
historical marker.....page 12

Ignition

In the ten years since Law Library Service to Prisoners began as a six-month project, the program has grown in both size and sophistication. The current caseload keeps two full-time librarians, one half-time clerk, and one manager so busy that they sometimes collide in the hall. In 1994 eleven volunteers donated more than six hundred hours of service to keep the program running smoothly. A new core collection is on order for the Minnesota Correctional Facility (MCF) Moose Lake, and visits will start in 1995.

Legal research is done in traditional paper formats, but added to that is the ability to search many sources online and access libraries and librarians nationwide on the Internet. LLSP provides service to adult correctional facilities in Minnesota as well as to jails, workhouses, and other places of confinement. To better appreciate the significance of how far the program has come in ten years, let's take a look back.

"This job puts many qualities that one might have to the test: ability to do the research, ability to stay cool, a clearness of vision so that one might be direct when working with the inmates. There is satisfaction in being able to do successfully a job that demands so much."

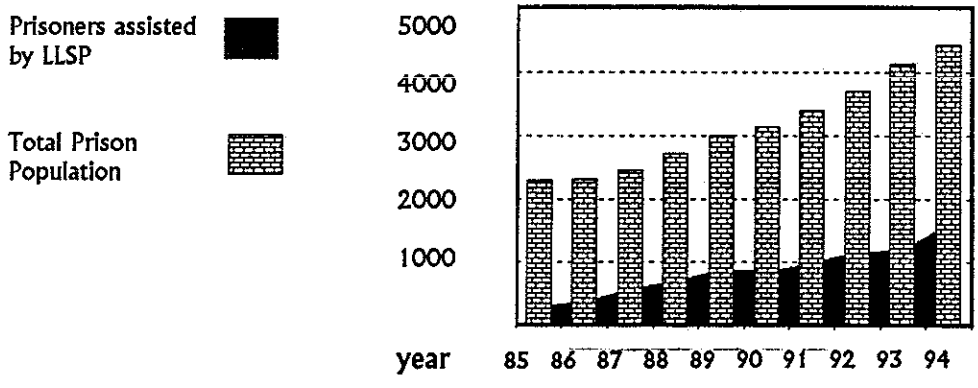
Marillyn - LLSP Librarian, 1985-86

rear view

On January 27, 1984, the Minneapolis *Star and Tribune* ran a story on page one titled "Prison Puts Law Library in Storage." Leroy Siegel, then Executive Assistant to the Warden at MCF-Stillwater, was quoted as saying, "I think if we get a little help we're going to be able to find space and solve this thing." The Minnesota State Law Library approached the prison with "a little help" and Law Library Service to Prisoners was born. The program began as a six-month pilot project in June of 1984 staffed by one librarian working three days a week and a clerk working two days a week. The librarian established the "core collections" in the institutions and visited five facilities on a regular basis. The pilot project was funded by the Minnesota Department of Corrections and was endorsed by the State Public Defender and the Law Library Committee of the Minnesota Supreme Court.

The philosophy of the program was to emphasize legal information services rather than to establish large prison libraries. The program set up small core collections consisting of primary Minnesota legal materials and treatises concerning inmate rights and criminal law. Through the circuit-riding librarian, inmates were able to discuss their research needs in person with a trained librarian, and the Minnesota State Law Library's extensive holdings were made available to them.

The report following the pilot project indicated a high level of inmate satisfaction with the program, along with a plea for a full-time librarian to ride the circuit. In subsequent years, with the increased awareness of LLSP and growth of the inmate population, staffing increased to two full-time librarians and a half-time clerk.



From the beginning, Law Library Service to Prisoners and the Department of Corrections recognized the need for periodic formal meetings. The annual meeting has always offered those who work directly with LLSP an opportunity to air concerns about the program, discuss the difficult issues of budget and policy, and provide continuing education opportunities. From in-house speakers to local legal authorities, the LLSP annual meeting has established itself as the vehicle for revisiting the question of "meaningful access to the courts" each year.

"... the fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law."
Bounds v. Smith
430 U.S. 817, 828

Annual Meeting Speakers and Topics

1985	Marillyn Soulen & Beth Peterson LLSP Program Review
1986	Melvyn Brown, C. Paul Jones &, Patrick Moran Providing Service to Prisoners
1987	Michael Cromett Criminal Appeals
1989	Slide Show Describing LLSP
1990	The Honorable Rosalie Wahl Providing Access to the Courts
1991	Karen Robinson Consent Decrees
1992	Clifford Greene & John Baker Civil Rights Actions
1993	John Stuart Role of the Public Defender
1994	Blair Rosenthal Frivolous Inmate Law Suits

"Your continued lies, lack of cooperation, deliberate indifference, and bullshit games, all in an attempt to deny me access to the courts, will be dealt with soon."
Inmate letter, 1994

"Each year we look through literally hundreds of cases on 'access to the courts' to monitor trends (we publish a bibliography which lists selected cases that speak specifically to providing law library services). So we're constantly comparing our program to those in other states and looking for ways to make our program better. There are always a few horror stories that amaze me. In fact, most states just don't measure up to the range of services provided to Minnesota inmates."
Barbara Golden ~ Head of Outreach Services, 1985--

on the road

At the Institutions

In on-site meetings with inmates, the librarian seeks to understand the individual's request. Often the librarian directs the inmate to books in the prison law library and instructs the inmate on how to do legal research using those tools available on-site. In addition to this one-on-one tutoring, librarians are involved in more formal educational tasks. The librarian who visits MCF-Shakopee offers an introduction to the LLSP program to each incoming inmate. In 1994, LLSP offered a class to inmates at MCF-Faribault, introducing them to the law books in the library there.

LLSP librarians also oversee the core collection at each institution. They check for missing books, file new materials to keep the collection current, and check items for missing pages and needed repair.

This year LLSP staff traveled to MCF-Moose Lake to evaluate the space and procedure for establishing an on-site law library. During the year, the program assisted corrections officials in ordering the core collection.

At the Minnesota State Law Library

The home office is where the librarians receive phone calls and mail from inmates, where correspondence is typed and records are kept. LLSP librarians spend a large amount of time researching legal issues at the State Law Library. Along with the considerable collection comes a corps of reference librarians who are able to assist with particularly sticky or obscure questions.

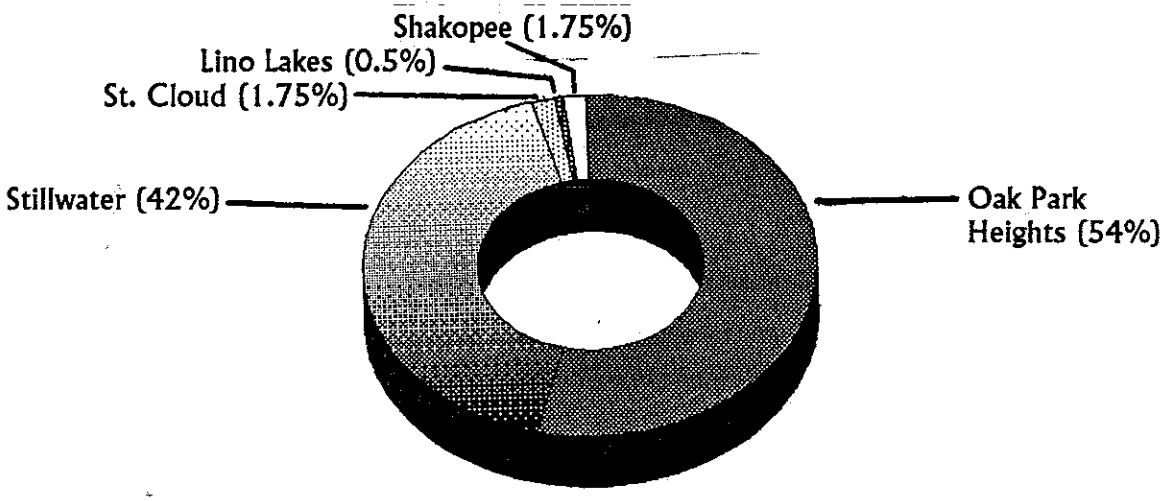
"My most heartbreaking request was from a 16-year-old who was in for murder. He had already spent three years there. He wanted information on how to get out. He didn't want to be there anymore."
Judy ~ LLSP Librarian, 1988-90

"One inmate wanted me to look up the 'Good Samaritan' law for him. He thought he might be able to use it, since he prevented his kidnap victim from jumping out of his car while he drove down the freeway."
Nancee ~ LLSP Librarian, 1986--

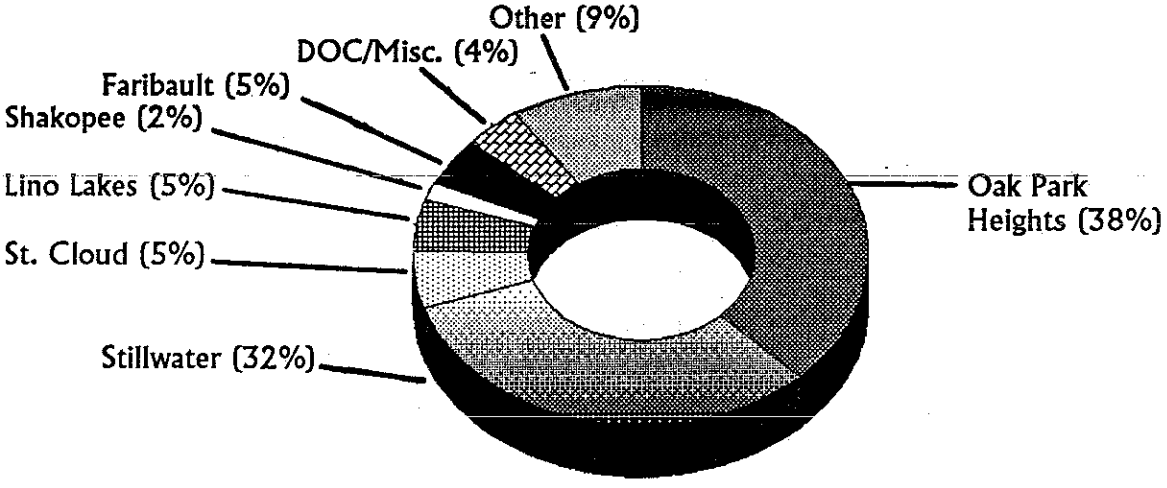
mileage

requests processed by institution

1985



1994



totals: 1985 = 2509, 1994 = 17550

DOC/Misc includes Red Wing, Willow River/Moose Lake, DOC Staff, and Minnesota inmates housed in facilities other than Minnesota correctional facilities.

Other includes prisoners housed in facilities not listed elsewhere, e.g., jails.

Odometer

These tables show the dramatic increases in Law Library Service to Prisoners activity from the first full year of operation to the present.

Institution	1985	1990	1993	1994	1985-94 % Change
Requests Processed					
Oak Park Heights	1359	5101	5521	6601	+ 385.7
Stillwater	1054	4056	5807	5666	+ 437.6
St. Cloud	41	617	1358	927	+ 2161.0
Lino Lakes	14	471	1043	868	+ 6100.0
Shakopee	41	209	227	282	+ 587.8
Faribault	--	94	641	810	
Red Wing	--	63	14	36	
Willow River/Moose Lake	--	32	49	108	
Housed Out-of-State	--	662	978	579	
DOC Staff	--	112	75	37	
Other	--	633	1282	1636	
TOTALS	2509	12050	16995	17550	

"Housed Out-of-State" includes inmates serving the remainder of their time in jails as well as those housed in other states.

"Other" includes inmates in institutions or categories not specifically listed. LLSP provides some assistance to any individual incarcerated in Minnesota as time and policy permit. In 1994 we processed requests from fifteen different jails, three federal institutions, and one state hospital, as well as requests from inmates in halfway houses, workhouses, on house arrest, and in a private prison. "Other" also includes requests from non-Minnesota prisoners housed in other states. We routinely refer them to law libraries near their place of incarceration. Prisoners from twelve other states contacted us in 1994.

Institution	1985	1990	1993	1994	1985-94 % Change
Individuals Assisted					
Oak Park Heights	100	210	162	294	+ 194.0
Stillwater	97	296	371	412	+ 324.7
St. Cloud	39	102	169	142	+ 264.1
Lino Lakes	13	45	120	120	+ 823.1
Shakopee	25	55	59	67	+ 168.0
Faribault	--	15	86	107	
Red Wing	--	2	2	3	
Willow River/Moose Lake	--	4	8	21	
Housed Out-of-State	--	7	12	25	
DOC Staff	--	24	26	20	
Other	--	86	171	208	
TOTALS	**274**	**846**	**1186**	**1419**	

"Individuals Assisted" is the total number of people LLSP provided information to within each institution. Due to inmate movement between prisons, an individual may have been counted more than once in the totals.

On-Site Meetings with Inmates					
Oak Park Heights	383	277	406	409	+ 6.8
Stillwater	308	332	593	483	+ 56.8
St. Cloud	72	200	301	269	+ 273.6
Lino Lakes	27	100	235	234	+ 766.7
Shakopee	35	95	86	101	+ 188.6
Faribault	--	9	134	195	
TOTALS	**825**	**1013**	**1755**	**1691**	

In addition, 161 MCF-Shakopee inmates received law library instruction during their orientation process in 1994.

tune~up

LLSP received three major donations in 1994 ~ all from the same source. Alliant Techsystems donated two copies of *American Jurisprudence 2d* (a legal encyclopedia) and a set of the *United States Code Service* (federal statutes). The encyclopedias went to MCF-Stillwater and MCF-St. Cloud, while the statutes went to MCF-Oak Park Heights. In addition, the Mower County Law Library donated *Corpus Juris Secundum* (a legal encyclopedia) to MCF-Moose lake.

The core collections suffered little theft at the institutions this year. Most facilities will only need to replace one or two missing items. LLSP is adding one title, *Federal Habeas Corpus* by Liebman and Hertz, to the core collection.

Three other titles will be dropped from the core collection: *Evidence* by McCormick and *Criminal Law* by LaFave cover materials handled elsewhere in the collection, and *Criminal Appeals* by Cromett and Gaut is no longer in print.

LLSP will order law books for any institution that requests it (payment will continue to be through the institution). As it has since the beginning of the program, LLSP will donate sets of *Minnesota Statutes, Minnesota Rules,* and *Laws of Minnesota* to the institutions at no charge.

"The purpose of this complaint is to make you aware that the law library here stinks and is grossly inadequate."
Inmate letter, July 1993

"The core collections continue to be an integral part of LLSP. Without these basic prison law libraries, providing effective law library service to prisoners would be next to impossible. LLSP evaluates the collections on an annual basis and seriously considers all inmate requests for new acquisitions. ... As important as the core collections are, it is equally important to recognize the connection with the State Law Library collection. ... As the prisoner develops theories, LLSP librarians can provide, from the State Law Library collection, further research tools to refine arguments and the primary resources to support them."
LLSP response to inmate lawsuit, 1992

Core Collection for Institution Law Libraries

RESOURCE	PUBLISHER
I. Research and Writing Aids	
1. Black's Law Dictionary	West
2. Legal Research (Elias)	Nolo Press
3. Uniform System of Citation	Columbia Law Review
4. Handbook of Appellate Advocacy	West
5. Guidebook to State Agency Services	Minnesota Documents
6. Minnesota Legislative Manual	Secretary of State
7. Minnesota Legal Research Guide (Soderberg)	Hein
II. Primary Sources	
1. Minnesota Reporter, 1978-current	West
2. Northwestern Reporter Advance Sheets	West
3. Minnesota Rules of Court	West
4. Minnesota Statutes (every even year)	Minnesota Documents
5. Minnesota Statutes Annotated (v. 16, 38/39, 40)	West
6. Minnesota Rules (every odd year)	Minnesota Documents
7. Laws of Minnesota (every year)	Minnesota Documents
8. DOC Policy Manual (Table of Contents)	Department of Corrections
9. United States Code Service Title 42 §§ 1861-2000e (3 vols) & Title 28 §§ 2241-2254 (1 vol)	Lawyers Co-op
10. Federal Civil Judicial Procedure & Rules	West
11. Federal Criminal Code and Rules	West
12. Federal Sentencing Guidelines Manual	West
III. Finding Tools	
1a. Minnesota Digest 2d	West
OR	
b. Dunnell's Minnesota Digest	Butterworth
2a. Minnesota Practice (v. 1-3, 7-11)	West
OR	
b. Minnesota Practice (v. 3, 7-11) AND	West
Minnesota Civil Practice	Butterworth
3. Shepard's Minnesota Citations	Shepard's
4a. Minnesota Practice (v. 14)	West
OR	
b. Minnesota Family Law Practice Manual	Butterworth
5. Custody Classification	Department of Corrections
6. Federal Habeas Corpus Practice & Procedure(Liebman)	Michie
7. Post-Conviction Remedies (Manville)	Oceana
8. Prisoners' Self-Help Litigation Manual (Manville)	Oceana
9. Rights of Prisoners (Mushlin)	Shepard's/McGraw-Hill
10. Sentencing, Corrections, and Prisoners' Rights (Branham & Krantz)	West

mileposts

Law Library Service to Prisoners staff are involved in professional and promotional activities: attending training sessions, going to professional meetings, etc. Nancee Downing attended a Correctional Education Association conference in Omaha, Nebraska, in April 1994. She also visited the Oakdale Correctional Facility in Iowa to evaluate a law library contained largely on compact disc. The LLSP program was highlighted in an article by Karen Westwood which was published in *American Libraries*. Barbara Golden attended the annual *Criminal Justice Institute*, which gathers people involved in all aspects of criminal procedure to examine emerging issues.

LLSP has tracked the number of requests coming from inmates in jails. In 1994, LLSP made an effort to identify corrections inmates who were serving the remainder of their sentences in a jail or workhouse. These inmates receive the same service as those incarcerated in an adult correctional facility, and the program now tracks these requests differently from other jail requests. In addition, LLSP identified two jails which were generating a large number of requests. LLSP developed formal agreements with Ramsey County and Washington County Law Libraries to provide legal research assistance to inmates in their jails. These agreements enable inmates in those jails to receive quicker service, and jail workload for LLSP is reduced.

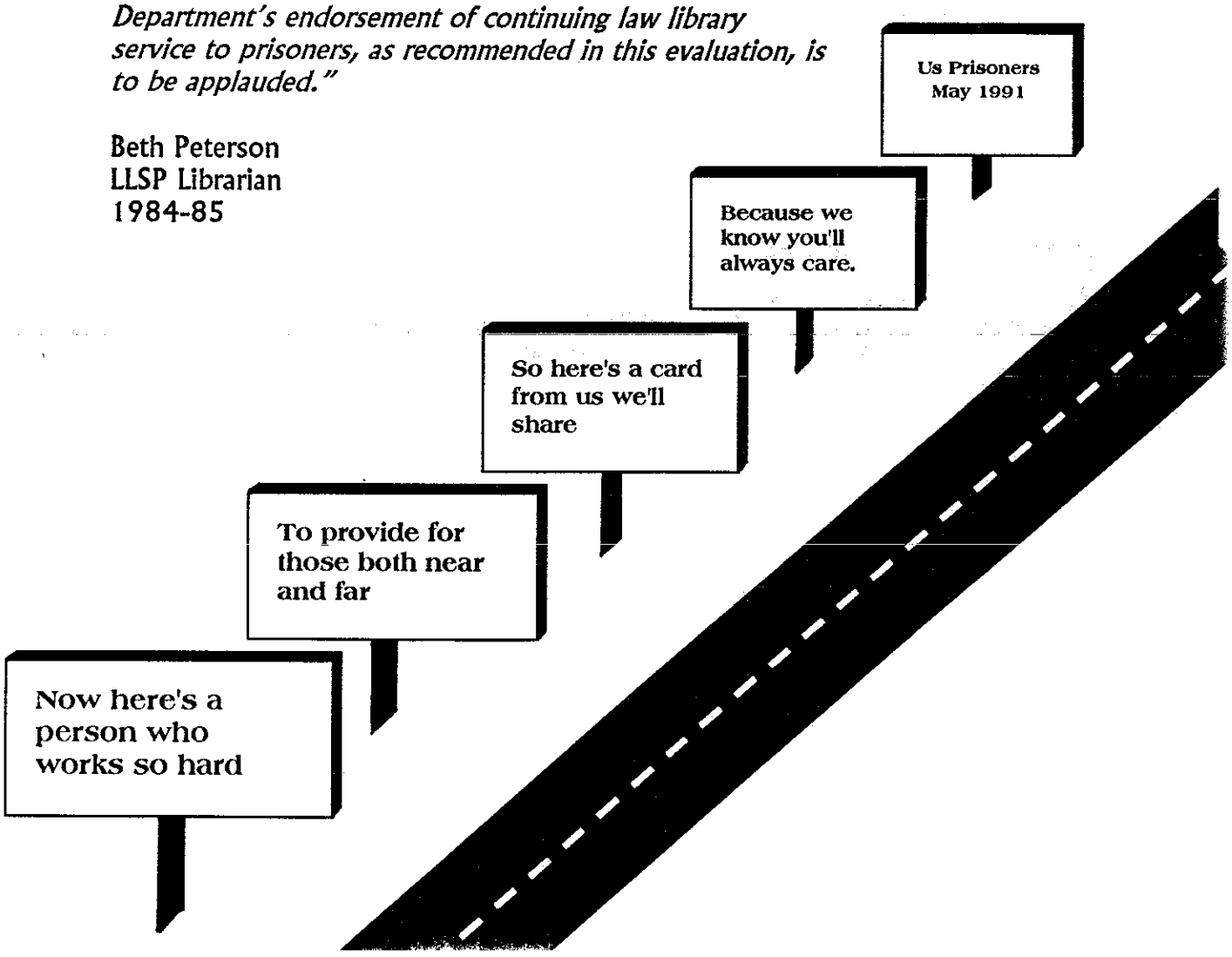
"This Law Library Service to Prisoners is great. To describe my gratitude is almost impossible, the best description I can give would be to compare it to a cold drink of water in the middle of the desert when you're dying of thirst."
Inmate letter, October 1986

mapping the course

In the ten years since LLSP began as a six-month project, what has remained constant is the commitment to quality law library service to inmates in Minnesota. This quote from *Law Library Service to Prisoners: Pilot Project Evaluation* is as true today as it was in December 1984.

> *"The Department of Corrections has embraced a comprehensive program of legal assistance and law library service to prisoners. This program is unique in the United States. The Department deserves to be recognized among corrections agencies throughout the country for its advocacy of inmates' rights to effective legal assistance through this program. It is to be commended for its support of the Minnesota State Law Library in this trial project. Where many state correctional agencies provide only one means of "access to the courts," the Minnesota Department of Corrections has laid the foundation for a multi-dimensional approach. The Department's endorsement of continuing law library service to prisoners, as recommended in this evaluation, is to be applauded."*

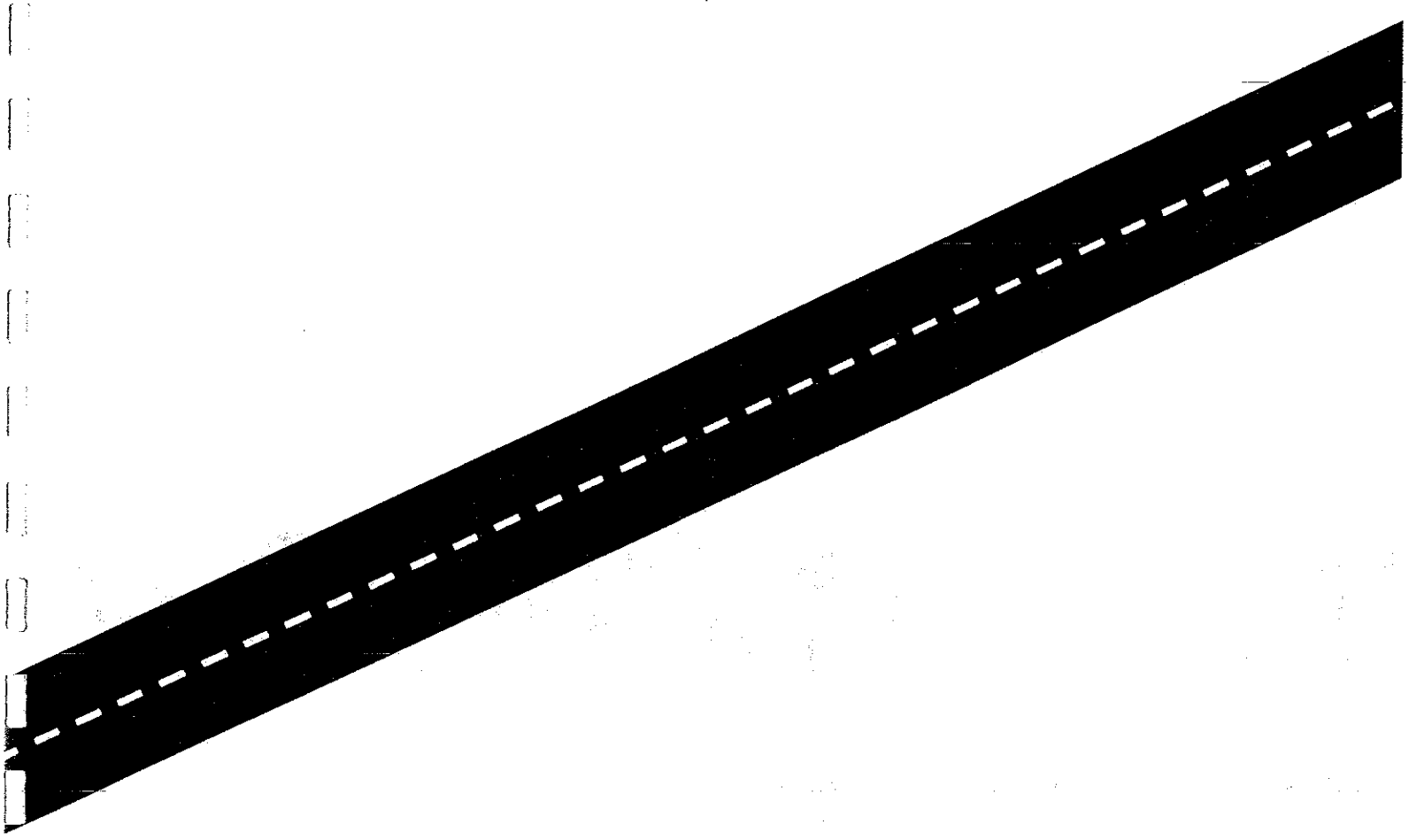
Beth Peterson
LLSP Librarian
1984-85



historical marker

Law Library Service to Prisoners is truly a cooperative venture. In looking back over ten years, it is apparent that the vitality and success of LLSP is due in large part to those agencies and individuals who we consult on a regular basis. We especially thank ~

- Founders Marvin R. Anderson~State Law Librarian and Beth Peterson
- Minnesota Supreme Court~Law Library Committee, especially The Honorable Rosalie Wahl
- Minnesota State Law Library Staff
- Department of Corrections Central Office Staff, especially Jim Zellmer
- Minnesota Correctional Facilities Staff - especially Education Directors and Librarians
- Ombudsman for Corrections and Staff
- State Public Defender and Staff
- Office of the Attorney General
- LLSP Volunteers



The Law Library Service to Prisoners
1994 Annual Report was prepared by:

Barbara Golden
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Karen Westwood
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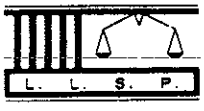

LAW LIBRARY SERVICE TO PRISONERS

STATE LAW LIBRARY
MINNESOTA JUDICIAL CENTER

25 CONSTITUTION AVENUE • ST PAUL, MINNESOTA 55155-6102