



Written by [Dave Bohon](#) on April 18, 2011

ACLU, DOJ Suing South Carolina County Jail for Bible-Only Reading Policy

When you're locked up in jail and the days are dragging on, sometimes you just want something good to read. A novel, a newspaper, or maybe a magazine — just about anything will do. But up until recently, at least, if you were doing time in South Carolina's Berkeley County Detention Center, about the only thing you would be reading is letters from home— or the Bible.



Back in 2010, news that the jail only allowed prisoners to receive letters or a Bible through the mail sent the ACLU scrambling to file a lawsuit — in this case on behalf of a monthly publication called *Prison Legal News*, which claimed that periodicals it had sent to prisoners at the jail were returned or even discarded, according to [Courthouse News Service](#).

The official policy of the county jail stated that the “only mail allowed to be received by inmates are letters,” and, “No packages are accepted at the Detention Center.”

Apparently by way of clarification, one of the jail's officers, identified in the suit as First Sergeant K. Habersham, had e-mailed *Prison Legal News* Editor Paul Wright to explain that inmates would be allowed “to order from a publisher and receive by mail a soft-cover Bible, but no other books, magazines, or newspapers are allowed,” reported Courthouse News. “Among the books rejected was *Protecting Your Health & Safety*, which explains inmates' legal rights.”

Those named as defendants in the suit included Berkeley County Sheriff Wayne DeWitt, who, along with other employees at the jail, is accused of violating inmates' First and Fourteenth Amendment guarantees.

According to the [Christian Science Monitor](#), “A Jewish prisoner seeking a Torah said he was told by jail officials that the prison only provides Bibles. Two Muslim prisoners seeking copies of the Koran were told the same thing, according to the complaint. Jail officials reportedly told the prisoners that they could possess copies of the Torah or Koran in the jail, but only if a family member personally delivered the book to the jailhouse staff.”

David Fathi of the ACLU's National Prison Project said that the policy “in place at the Berkeley County Detention Center is nothing short of censorship, and there is no justification for shutting detainees off from the outside world in such a draconian way.”

On April 12 none other than the U.S. Department of Justice announced that it would join its friends at the ACLU in the suit — a move that came as a surprise to Sheriff DeWitt's attorney, Sandy Senn, who pointed out that for quite a while now the jail has allowed prisoners to receive pretty much any religious



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material they desire, as long as it meets some basic physical requirements based mainly on security. Nonetheless, U.S. Attorney Bill Nettles decided to wade into the fray late in the game, explaining in court documents that the government deemed it necessary to intervene because of the constitutional issues at stake.

In a statement about the suit, Assistant Attorney General Thomas Perez reminded one and all that the “freedom to practice one’s faith is among our most cherished rights, and the Justice Department is committed to defending that right.”

Of course, the ACLU is only too happy to have the federal government involved, even at this late date, with their man Fathi telling reporters, “The fact that the Justice Department has chosen to intervene in this case should send a clear signal to jail officials that systematically denying detainees access to books, magazines, and newspapers is unconstitutional.”

For what it’s worth, the ACLU said it had no beef with the distribution of Bibles in the jail, but was unhappy with how jail officials had decided to ban any literature other than Bibles. ACLU spokesman William Matthews told the *Christian Post* that the policy actually prohibited prisoner access to Christian literature as well as publications from other religions, along with periodicals from such groups as Prison Legal News.

According to the [Christian Post](#), through its National Prison Project the ACLU has worked with other Christian groups on legal action, such as when it “joined forces with Prison Fellowship and the Becket Fund for Religious Liberty in 2009 to petition the Rappahannock Regional Jail in Stafford, Va., to stop censoring biblical passages from letters written to detainees. The jail agreed to change its policy the following month.” Matthews insisted that the case against Sheriff DeWitt and the Berkeley County Detention Center is every bit as representative of the liberal legal advocacy group’s “commitment to protect religious freedom” as the earlier case.



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