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Lawsuit filed over Florida prisons' pen pal ban

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The Fort Lauderdale owner of a Christian pen pal service filed a federal lawsuit Tuesday charging the Florida Department of Corrections with violating the First Amendment by blocking her from putting churches in touch with Florida inmates.

Joy Perry runs Prison Pen Pals and the Freedom Through Christ Ministry, which gives prisoners' contact information to churches that want to send them Bibles and other religious materials. She filed suit in U.S. District Court in Jacksonville along with Adam Lovell of Edgewater, president of WriteAPrisoner.Com.

"My prison ministry connects prisoners nationwide who wish to hear the Gospel of Jesus Christ with churches," said Perry, 79, who says she has run the services since 1980 and has a list of about 5,000 prisoners nationwide. "Florida prisons have returned my correspondance and pen pal contact information."

Under Florida law, prisoners are allowed to send and receive mail but cannot place advertising soliciting pen pals, receive mail from ad services or be subscribed to ad services.

"How are you going to reach an inmate to write unless you have a service to find him?" said Randall Berg, a Miami lawyer representing the plaintiffs. Berg said the ban on ad services violates freedom of speech provisions of the First Amendment to the U.S. Constitution.

Jo Ellyn Rackless, a Department of Corrections spokeswoman, disagrees.

"This is a public safety issue for the department. Historically, we've had pen pals victimized by inmates, such as pen pals who get solicited for money," Rackless said. "We are trying to reduce fraudulent activity by inmates."

While Perry offers her services for free, Lovell, 31, charges \$40 a year to each prisoner who uses his site, which allows users to search for prisoners by sex, age, location and sexual orientation. About 5,000 inmates, including 200 in Florida, have 250-word profiles with photos on the site. He posts their addresses and mails them e-mail printouts twice a month.

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