

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HUMAN RIGHTS DEFENSE CENTER,
a not-for-profit corporation,

Plaintiff,

v.

LANCASTER COUNTY, PENNSYLVANIA;
CHERYL STEBERGER, Warden, individually
and in her official capacity; MIGUEL CASTRO,
Deputy Warden of Operations, individually and
in his official capacity; and JOHN AND JANE
DOES 1-5, Staff, individually and in their official
capacities,

Defendants.

Case No.

JURY TRIAL DEMANDED

COMPLAINT

INTRODUCTION

1. Plaintiff, Human Rights Defense Center (“HRDC” or “Plaintiff”), brings this action to enjoin Defendants from censoring publications that Plaintiff mails to prisoners who are held in custody at the Lancaster County Prison (the “Prison”), in violation of the First and Fourteenth Amendments of the United States Constitution.

2. For decades, the United States Supreme Court has recognized that the freedom to read and correspond with the outside world while incarcerated carries important benefits to both prisoners and society as a whole. To this end, plaintiff, HRDC provides prisoners across the United States with publications about their legal and civil rights, as well as options for accessing education while incarcerated. Some of these publications are periodicals and some are books. At times

HRDC will send information that is requested by prisoners, and at other times HRDC will send information unsolicited to assist prisoners and in furtherance of its mission to educate prisoners.

3. Defendants have adopted and implemented mail policies and practices prohibiting delivery of written speech from HRDC. Defendants' actions violate HRDC's rights under the First and the Fourteenth Amendments of the United States Constitution. HRDC thus brings this action, pursuant to 42 U.S.C. § 1983, seeking injunctive and declaratory relief and damages to be proven at trial.

JURISDICTION AND VENUE

4. This suit is brought under 42 U.S.C. § 1331 (federal question), as this action arises under the Constitution and laws of the United States, and pursuant to 28 U.S.C. § 1343 (civil rights), as this action seeks redress for civil rights violations under 42 U.S.C. § 1983.

5. Venue is proper under 28 U.S.C. § 1391(b). At least one Defendant resides within this judicial district, and the events giving rise to the claims asserted here all occurred within this judicial district.

6. HRDC's claims for relief are brought pursuant to 42 U.S.C. § 1983, which authorizes actions to redress the deprivation, under color of state law, of rights, privileges, and immunities secured by the First and Fourteenth Amendments to the Constitution and laws of the United States.

7. This Court has jurisdiction over claims seeking declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202, and this Court also has jurisdiction to award damages against all Defendants.

8. HRDC's claim for attorneys' fees and costs is predicated upon 42 U.S.C. § 1988, which authorizes the award of attorneys' fees and costs to prevailing plaintiffs in actions brought under 42 U.S.C. § 1983.

PARTIES

9. HRDC is a not-for-profit charitable organization recognized under § 501(c)(3) of the Internal Revenue Code, incorporated in the State of Washington and with principal offices in Boynton Beach, Florida.

10. Defendant Lancaster County, Pennsylvania (the "County") is a unit of government organized and existing under the laws of the Commonwealth of Pennsylvania. The County operates the Prison, and it was and is responsible for adopting and implementing policies governing incoming mail and publications for prisoners at the Prison.

11. Defendant Cheryl Steberger is the Warden of the Prison. Steberger is employed by and is an agent of the County. As Warden, Steberger is responsible for overseeing the management and operations of the Prison, and for the hiring, screening, training, retention, supervision, discipline, counseling, and control of the personnel of the Prison who interpret and apply the mail policy for prisoners. As Warden, Steberger is a final policymaker for the Prison with respect to all of its operations, including for policies governing incoming mail for prisoners. She is sued in her individual and official capacities.

12. Defendant Miguel Castro is the Deputy Warden of Operations for the Prison. Castro is employed by and is an agent of the County and Steberger. As Deputy Warden of Operations, Castro is responsible for overseeing the management and operations of the Prison, and for the hiring, screening, training, retention, supervision, discipline, counseling, and control of the personnel of the Prison who interpret and apply the mail policy for prisoners. As Deputy Warden

of Operations, Castro is a policymaker for the Prison with respect to all of its operations, including for policies governing incoming mail for prisoners. He is sued in his individual and official capacities.

13. The true names and identities of Defendant DOES 1 through 5 are unknown to the HRDC. Each of Defendants DOES 1 through 5 is or was employed by or were agents of the County and/or Defendant Watkins. Defendant DOES 1 through 5 were personally involved in the adoption and/or implementation of the Prison's policy concerning publications and mail.

14. At all times material to this action, the actions of all Defendants as alleged here were taken under the authority and color of state law.

15. At all times material to this action, all Defendants were acting within the course and scope of their employment as agents and/or employees of the County.

FACTUAL ALLEGATIONS

A. HRDC's Publications

16. For more than 36 years, the focus of HRDC's mission has been public education, advocacy and outreach on behalf of, and for the purpose of assisting, prisoners who seek legal redress for infringements of their constitutionally guaranteed and other basic human rights. HRDC's mission, if realized, has a salutary effect on public safety.

17. To accomplish its mission, HRDC publishes and distributes books, magazines, and other information containing news and analysis about prisons, jails and other detention facilities, prisoners' rights, court rulings, management of prison facilities, prison conditions and other matters pertaining to the rights and/or interests of incarcerated individuals.

18. HRDC publishes and distributes an award-winning monthly magazine titled *Prison Legal News: Dedicated to Protecting Human Rights* ("*Prison Legal News*"), which contains

news and analysis about correctional facilities, the rights of prisoners, court opinions, prison and jail conditions, excessive force, and religious freedom. In 2013, *Prison Legal News* received the First Amendment Award from the Society of Professional Journalists. *Prison Legal News* is published on newsprint bound by two small staples, and is 72 pages long.

19. HRDC also publishes and distributes a second monthly magazine titled *Criminal Legal News*, which contains news and analysis about individual rights, court rulings, and other criminal legal-related issues. *Criminal Legal News* is also published on newsprint bound by two small staples, and is 56 pages long.

20. HRDC also publishes and/or distributes several different soft-cover books on criminal justice, health, and legal issues that are of interest to prisoners and others. HRDC publishes and distributes the *Prisoners' Guerilla Handbook: A Guide to Correspondence Programs in the United States and Canada* ("*Prisoners' Handbook*"), which provides information on enrolling at accredited higher educational, vocational and training schools. HRDC publishes and distributes the *Prison Education Guide*, which provides a comprehensive listing of correspondence programs available to prisoners including a detailed analysis of the quality and cost of each program. HRDC does not publish, but is the sole national distributor of *Protecting Your Health and Safety* ("*PYHS*"), which describes the rights, protections and legal remedies available to persons concerning their health and safety while they are incarcerated.

21. In addition to its publications, HRDC also communicates with prisoners through the United States Postal Service by mailing them: (a) informational brochure packets ("*Info Packs*"), which contain a brochure and subscription order form, a book list, and a published books brochure (each of which is a single page); (b) copies of judicial opinions of import to prisoners, which are marked "Court Ruling;" and (c) letters that provide pertinent information about HRDC's

publications and related topics and subscription renewal letters. HRDC encloses a self-addressed, stamped envelope with its informational brochure packets and subscription renewal letters, but does not enclose extra envelopes or stamps with the informational brochure packets, judicial opinions, or other letters that it mails to prisoners.

22. HRDC has thousands of subscribers to its monthly magazines in the United States and abroad, including prisoners, attorneys, judges, journalists, libraries, and members of the public. Since its creation in 1990, HRDC has sent its publications to prisoners and law librarians in more than 3,000 correctional facilities across the United States, including death row units and institutions within the Federal Bureau of Prisons, such as the federal Administrative Maximum Facility (“ADX” or “Supermax”) in Florence, Colorado—the most secure prison in the United States. *Prison Legal News* is distributed to prisons and jails within the correctional systems of all 50 states, including to dozens of prisoners housed in facilities in the Commonwealth of Pennsylvania.

23. HRDC has been attempting to send these important publications to persons incarcerated at the Prison. Yet Defendants maintain mail policies or practices that unconstitutionally prevent HRDC from sending these materials to individuals incarcerated at the Prison.

B. Defendants’ Mail Policies and Practices

24. The Prison’s “Inmate Mail Policy” is available on the County’s public website at <https://www.co.lancaster.pa.us/893/Mail-Policies-and-Procedures> (last visited October 6, 2026).

The Inmate Mail Policy provides, in pertinent part:

INCOMING INMATE MAIL

PROCEDURE CHANGE

Effective March 1st, 2019, incoming envelopes will be discarded in the mail room and will not be taken to the blocks. Anyone who wants to ensure the return address gets to the inmate must write the address on the letter itself. The return address is still required on the envelope.

NOTICE

Greeting cards of any kind will no longer be accepted by Lancaster County Prison unless they are directly shipped from an approved vendor of Lancaster County Prison. This decision has been made due to the recent issues across the state of Pennsylvania that pertain to drugs and other contraband entering correctional facilities via the mail.

Any cards that come via the mail and are not from the approved vendor will be marked “cards not accepted” and sent back to the return address listed on the envelope.

The approved vendor is below:

Pigeonly.com

DELIVERIES: As a reminder, all Amazon packages delivered for the inmate population will not be accepted and will either be immediately returned to the delivery driver or be destroyed regardless of contents.

25. In addition to the Inmate Mail Policy, the County’s public website also contains a link entitled “Contacting Incarcerated Individuals,” which can be accessed at <https://www.co.lancaster.pa.us/222/Contacting-Incarcerated-Individuals> (last visited October 6, 2026). This link provides the following information pertaining mail:

Effective June 2024 personal mail will no longer be accepted by the County Jail.

Mail – All personal Mail must be addressed:

Full Name
Address
City, State, Zip code
Incarcerated Individual and ID#
Lancaster County, PA Jail
C/O Securus Digital Mail Center-
PO BOX 25958
Tampa, FL 33622



Legal Mail – All legal mail will be sent directly, to the Lancaster County Prison marked as legal mail on the envelope. Legal mail will be delivered to the individual unopened to ensure confidentiality. The individual is required to open the document in front of staff and acknowledge receipt of the correspondence either written or electronically.

Lancaster County Prison

Incarcerated Individual's Full Name and ID # LEGAL MAIL

625 E. King Street

Lancaster, PA 17602

26. Although the Prison's posted mail policies and practices do not expressly address the mailing of books and publications to prisoners, the Prison's mail policies and practices have resulted in a complete ban on books and magazines mailed by HRDC in violation of HRDC's rights as a publisher under the Free Speech Clause of the First Amendment.

27. Furthermore, Defendants have unconstitutionally applied the policy by censoring correspondence that HRDC has sent to prisoners.

C. Defendants' Censorship of HRDC's Mail

28. Between June 2025 and October 2026, HRDC sent books, magazines, informational brochures, and correspondence to individuals confined at the Prison. Some of those items were mailed directly to the Prison, and some of those items were mailed to the Securus Digital Mail Center ("Securus").

29. Between July 2025 and October 2026, at least one hundred and twenty-five (125) of those items were returned to the HRDC. One hundred and eight (108) items were returned by the Prison, and the other seventeen (17) items were returned by Securus. The items returned were addressed to individuals confirmed to still be in custody at the Prison on the day that HRDC received the returned mail.

30. The one hundred and twenty-five (125) returned items received by HRDC consisted of: forty (40) copies of *Criminal Legal News*; thirty-seven (37) copies of *Prison Legal News*; twelve (12) copies of *PYHS*; eight (8) copies of *Prison Education Guide*; eight (8) copies of the *Prisoners' Handbook*; fifteen (15) Info Packs; and five (5) letters.

31. Many of the rejected items, including books, were returned to HRDC marked “RTS not legal mail.” Several other items returned by the Prison, including magazines, were imprinted with a stamp, which provided as follows:

RETURN TO SENDER
The new mailing address for
Lancaster County Prison is

Inmates Full Name and ID Number
C/O Securus Digital Mail Center
PO BOX 25958
Tampa, FL 33622

32. As noted above in paragraphs 28 and 29, HRDC attempted to send individually addressed publications and correspondence to prisoners using the Securus address, but many of those items were returned to HRDC.

33. Upon information and belief, the Prison and Securus failed to deliver any of the books, magazines, and other correspondence mailed by HRDC to prisoners confined at the Prison, including dozens of items that were never returned to HRDC.

34. Defendants failed to provide HRDC with any notice of these censorship decisions or any opportunity to appeal these censorship decisions. Therefore, Defendants' policies and practices also violate HRDC's Fourteenth Amendment rights to due process.

35. Because of Defendants' actions, as described above, HRDC has suffered damages, and will continue to suffer damages, including, but not limited to: the suppression of HRDC's speech; the impediment of HRDC's ability to disseminate its message; frustration of HRDC's non-profit organizational mission; the loss of potential subscribers and customers; and, the inability to recruit new subscribers and supporters.

36. Defendants, and other agents of the Prison, are responsible for or personally participated in, creating and implementing these unconstitutional policies, practices, and customs, or for ratifying and adopting them. Further, Defendants are responsible for training and supervising the staff members, whose conduct has injured and continues to injure HRDC.

37. Defendants' actions and inactions were and are impermissibly motivated, and were and are all committed under color of law with deliberate indifference to HRDC's rights.

38. Plaintiff will continue to send its books and magazines to subscribers, customers, and other individuals imprisoned at the Prison.

39. Defendants' unconstitutional policy, practices, and customs continue to violate HRDC's rights, and they were and are the moving force behind the injuries HRDC suffered and will continue to suffer as a direct result of the constitutional violations. As a result, HRDC has no adequate remedy at law.

40. Without relief from this Court HRDC will suffer irreparable injury, since its fundamental free speech and due process rights are being denied. The balance of hardship favors Plaintiff and the public interest will be served by granting injunctive and declaratory relief.

41. The accommodation of the free speech and due process rights of HRDC with respect to written speech protected by the Constitution will not have any significant negative impact on the Prison, its staff, prisoners, or the public.

42. HRDC is entitled to declaratory relief as well as injunctive relief prohibiting Defendants from refusing to deliver publications from HRDC and other publishers and distributors without legal justification, and prohibiting Defendants from censoring mail without due process of law.

CLAIMS

COUNT I – 42 U.S.C. § 1983

Violation of the First Amendment (Free Speech)

43. HRDC re-alleges and incorporates the allegations of Paragraphs 1 through 42 of the Complaint as if fully set forth herein.

44. The acts described above constitute violations of HRDC's right to communicate with incarcerated individuals under the Free Speech Clause of the First Amendment.

45. Defendants' conduct was objectively unreasonable, arbitrary, and undertaken recklessly, intentionally, willfully, with malice, and with deliberate indifference to the rights of others.

46. HRDC's injuries and the violations of its constitutional rights were directly and proximately caused by the policies and practices of Defendants, which were and are the moving force of the violations.

47. Defendants' acts described above have caused damages to HRDC, and if not enjoined, will continue to damage HRDC.

48. HRDC seeks declaratory and injunctive relief, and nominal and compensatory damages against all Defendants. HRDC seeks punitive damages against the individual Defendants in their individual capacities.

COUNT II – 42 U.S.C. § 1983
Violation of the Fourteenth Amendment (Due Process)

49. HRDC re-alleges and incorporates the allegations of Paragraphs 1 through 48 of the Complaint as if fully set forth herein.

50. Because HRDC has a liberty interest in communicating with prisoners, HRDC has a right under the Due Process Clause of the Fourteenth Amendment to receive notice of and an opportunity to challenge Defendants' decision to censor HRDC's written speech.

51. Defendants' policies and practices fail to provide HRDC and other senders with adequate notice and an opportunity to be heard.

52. Defendants' conduct was objectively unreasonable and was undertaken recklessly, intentionally, willfully, with malice, and with deliberate indifference to the rights of others.

53. HRDC's inquiries and the violations of its constitutional rights were directly and proximately caused by the policies and practices of Defendants, which were and are the moving force of the violations.

54. Defendants' acts described above have caused damages to the HRDC, and if not enjoined, will continue to cause damage to the HRDC.

55. HRDC seeks declaratory and injunctive relief, and nominal compensatory damages against all defendants. HRDC seeks punitive damage against the individual Defendants in their individual capacities.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests relief as follows:

1. A declaration that Defendants' policies and practices violate the Constitution.
2. A preliminary and permanent injunction preventing Defendants from continuing to violate the Constitution, and providing other equitable relief.
3. Nominal damages for each violation of the HRDC's rights by the Defendants.
4. Compensatory damages in an amount to be proved at trial.
5. Punitive damages against the individual Defendants in an amount to be proved at trial.
6. Costs, including reasonable attorneys' fees, under 42 U.S.C. § 1988, and under other applicable law.
7. Any other such relief that this Court deems just and equitable.

JURY DEMAND

Plaintiff, Human Rights Defense Center, by and through its attorneys, hereby demands a trial by jury pursuant to Federal Rule of Civil Procedure 38(b) on all issues so triable.

Dated: October 8, 2026

STAPLETON SEGAL COCHRAN LLC

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**Pro hac vice* application to be filed