

PRESS RELEASE

Human Rights Defense Center
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Publisher Settles Censorship Claim Against California State Hospital Officials

ATASCADERO, CA – The publisher of legal journals and books sent to people incarcerated at the California Department of State Hospitals (DSH) including at DSH-Atascadero has reached a pre-suit settlement with DSH over HRDC’s claims of unconstitutional censorship of books and correspondence in violation of HRDC’s free speech and due process rights under federal and California law.

The Human Rights Defense Center (HRDC) is a non-profit organization dedicated to protecting human rights in U.S. detention facilities. HRDC publishes *Prison Legal News* (PLN) and *Criminal Legal News* (CLN), monthly magazines that include reports, reviews and analysis of court rulings and news related to prisoners’ rights and criminal justice issues, as well as books that inform prisoners of educational opportunities, their rights and how to enforce them.

HRDC filed a state tort claim in March, 2025. According to the tort claim, DSH-Atascadero staff refused to deliver books and correspondence sent to patients incarcerated at the hospital. Many of the rejected items were returned to HRDC marked “RETURN TO SENDER” and/or with stickers marked “Non-Approved vendor,” “Over 16 oz Pkg,” and “Over ½ in Thick Pkg.” DSH-Atascadero maintained policies, practices, and customs that unconstitutionally prohibit delivery of publications and correspondence mailed to persons confined at the hospital for mental health treatment, and that deny due process of law to senders whose mail is censored by failing to provide adequate notice and an opportunity to challenge each instance of censorship, in violation of the First and Fourteenth Amendments to the United States Constitution and Article I, Sections 2 and 7 of the California Constitution.

On June 9, 2026, following a day-long mediation before a retired federal judge, the parties reached an agreement in principle resolving HRDC’s claims without the need to file a formal lawsuit. On June 22, 2026, DSH officials and HRDC entered into a formal settlement agreement in which DSH, without making any admission of liability, agreed to pay HRDC \$362,500 to resolve its claims. “We are pleased with the outcome of this case, though it could have been resolved earlier, at lower cost to California taxpayers, had the DSH acknowledged that the previous mail policy in effect at the hospital was flatly unconstitutional,” said HRDC Executive Director Paul Wright. “The hospital’s censorship has harmed many publishers and businesses

who wish to provide publications to individuals confined within DSH facilities” noted HRDC Litigation Director Jonathan Picard. And, Picard explained that “HRDC’s books and magazines inform prisoners about educational opportunities, their constitutional rights, and provide a means for self-improvement while incarcerated. Banning those publications from reaching those who are in a locked hospital is an affront to the First Amendment, as well as counterproductive to the goals of treatment, security, and rehabilitation. We will be watching to ensure that DSH makes needed policy changes.” As a result, he said, “the settlement agreement will have an enormously positive effect on the lives of many people.”

HRDC was represented by attorneys Ernest Galvan, Marc J. Shinn-Krantz, and Hannah Motley Davis of the San Francisco, CA law firm Rosen Bien Galvan & Grunfeld LLP,ⁱ and by HRDC Litigation Director Jonathan Picard

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ⁱ Rosen Bien Galvan & Grunfeld LLP, founded in San Francisco in 1990, focuses its practice on complex litigation and high-profile cases that move and shape public policy. RBGG partners have been consistently recognized as some of the top trial and appellate lawyers in California, and represent clients across the nation. Its trial, appellate, and U.S. Supreme Court practice emphasizes seven primary areas: complex commercial litigation; lawyer-to-lawyer assistance; trial and appellate practice; constitutional and civil rights; class actions in civil rights, employment, antitrust and consumer protection; workplace disputes; and alternative dispute resolution, both as providers of neutral services and as advocates. RBGG cases involve the most complex and sophisticated of issues, and each of us strives to be a client-centered lawyer, emphasizing personal service and responsiveness to a client’s overall business or personal interests.