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Can Access be Meaningful Again?:

An exploration of the changing landscape of Prison Law Libraries

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**Summary**

The prison library is a completely unique and challenging environment that provides highly specialized and highly invisible service to the incarcerated populations of the United States. The number of people in prisons today is higher than it was ever before and continues to grow (Dixen & Thorson 2000), yet many states are cutting back on their prison library services if not getting rid of them altogether. The prison library by its very nature is an institution that exists almost in opposition to the higher function of the prison as institution (Singer, 2000). Where the prison as institution serves as a place of punishment that functions on a deprivational model that takes away the physical freedoms and many of the rights of prisoners, the prison library has a positive mission that entails “improving the daily life of inmates and providing them with long-term skills, training, and treatment.” (Singer, 2000). In this unique landscape the prison library is responsible for a multitude of roles, and though each library differs in what its main focus is (dependent on what roles will best satisfy the needs of the prison-patron population), scholars (Dixen & Thorson, 2000; Lehmann, 2000; Singer, 2000; Stearns, 2004) generally acknowledge that the three primary roles of the prison library is to meet the recreational reading needs of inmates (popular reading materials), supporting the educational pursuits of inmates, and providing law and legal collections.

In this paper I will explore the one of the main functions of the prison library, the legal, research aspect and how it has been shaped by two major landmark Supreme Court cases. From 1977-1996, it was the primary function of most prison libraries to provide legal collections to prisoners, and this is because it was mandated by law. I will discuss the historic landmark Supreme Court case *Bounds v. Smith*, which mandated that prisons had the responsibility of providing legal access for prisoners to the justice system. The Court, basing its ruling on the realities of prisoner life and on past rulings in lower courts (Gerken, 2003), believed that the meaningful access to the courts could be best provided through legal collections in prison law libraries or by individuals trained in providing legal assistance. Since many prisons already had working libraries, most decided to use them to comply with the Courts decision. This system worked for a long time, prisoners used the legal materials provided in prison law libraries as a primary source on obtaining legal information to file lawsuits in a variety of cases. As a result of the *Bounds* ruling, it was now the responsibility for prisons to make sure prison law libraries were adequate in their collections to provide meaningful access for all prisoners.

 As an unintended result of the *Bounds* ruling, prisoners who believed they prison law libraries where not provided adequate access to the courts due to insufficient collections or insufficient legal assistance filed many lawsuits against prisons demanding better prison law libraries. One such case filed by prisoners in Arizona, *Casey v. Lewis*, made its way up to Supreme Court in 1996. The conservative Court, ruling in favor of the Arizona prison system, thereby reversing the decisions made in the *Bounds* case changed the course of history when it stated that prisons didn’t have the responsibility to provide inmates with meaningful access through the courts via prison law libraries (or legal assistance alternatives). I will examine the court case in detail and discuss its impact on prisoner’s access to legal information along with its impacts on the roles of the prison library and the prison law library.

 Lastly, I will provide an overview of some problems of prison libraries and some ideas and solutions given by numerous scholars to these problems. Additionally, I will discuss some suggestions by scholars to counteract the *Lewis* decision, and some of the steps prison libraries and prison law libraries can take in wake of the *Lewis* decision to make sure that prisoner’s information needs can continue to be met.

**Annotated Bibliography**

Dixen, R., & Thorson, S. (2001). How librarians serve people in prison. *Computers in Libraries, 21*(9), 48-53.

In this article Rebecca Dixen and Stephanie Thorson discuss the role of the prison library and the way in which librarians serve people in prison. The authors argue that “prison libraries provide an important means of self-improvement for inmates” and that with the reality of “95 percent of inmates” that “will someday come out again and return to our communities”, “educating inmates in preparation for their release can only benefit all of us.” The authors also discuss the diverse forms that prison libraries take including “supporting the curriculum of in-prison education programs” to “mainly hobby or pleasure reading” collections and the extent to which the public’s attitude toward the incarcerated has changed the nature and extend of library service to prisoners. Specifically, they note that some prisons have shut down their libraries because “of the public feeling that entertainment should not be provided to criminals” and that too many “frivolous suits” were being brought to court by inmates, this sentiment echoed in the *Lewis v. Casey* Supreme Court ruling. The authors argue that the inmates “need for information is the same” as outside patrons, but prisoners are “even more dependent” because “they have limited access to other sources of information.” The authors note that “more than 2 million people are currently in prison in the U.S. and more than 300 are being added every day” which speak to the importance of the prison librarian profession and the reason why prison libraries are so critical.

Feierman, J. (2006). Power of the pen: Jailhouse lawyers, literacy, and civic engagement, the. *Harvard Civil Rights-Civil Liberties Law Review, 41*, 369.

In this article, Jessica Feierman discusses the history of federal law on “jailhouse lawyers” in the context of the concept of access to the courts, especially in relation to prisoners with limited or no literacy skills. Feierman argues in recent times “barriers to prisoner court access have simultaneously been severely restricted” by government acts such as the Prison Litigation Reform Act (PLRA) and the Supreme Court’s decision in *Lewis v. Casey*. Feierman notes that “litigation is one of the few means by which prisoners can bring public attention to serious health and safety risks” and that it is also “generally the only avenue available to a prisoner seeking to overturn a wrongful sentence of incarceration or even death.” Despite this importance Congress and the Supreme Court have passed “a variety of procedural obstacles to prisoners lawsuits” on the basis that prisoners file too many “frivolous lawsuits”, wasting the time and resources of the courts. Feierman argues that with these actions, cases with meritorious grounds are being dismissed on strict procedural grounds, and this is due in part to the fact that many prisoners have a limited or no literacy skills. Many of these inmates depend on the help of “jailhouse lawyers”, basically other inmates who help them prepare legal documents. Feierman believes that an alternative way to prevent “frivolous” lawsuits being brought to court while at the same time allowing valid cases that have the potential of being dismissed on procedural grounds (usually prepared by unskilled inmates who have inadequate legal training and/or assistance) would be to provide legal educational and training for inmates, especially “jailhouse lawyers” who already have a background in some form of legal knowledge. This process would help meet the initial concerns of preventing too many “frivolous” lawsuits because prisoners with potential claims would be aware beforehand if their claim would be viable in court or not, in addition to making sure that claims that are valid actually have a chance to be heard and ruled upon in court by making sure prisoners have a legal education background and understand on how to properly meet the requirements of bringing forward a case. Feierman argues that “the justification of judicial efficiency and invoking the specter of prisoners abuse of the legal system…have chipped away at prisoners’ access to the courts” and these changes “occur at the cost of important meritorious claims never receiving hearing” and that the “time has come to search for alternative strategies” including a possible solution of “increasing access to legal informational and education.”

Gerken, J. L. (2003). Does lewis v. casey spell the end to court-ordered improvement of prison law libraries. *Law Library Journal, 95*, 491.

Joesph Gerken discusses the *Lewis v. Casey* Supreme Court decision and its implications on the future of prison law libraries, namely he gives an overview of the case and discusses the ways in which the future of prison law library improvements are dependent on how the courts decide to incorporate the realities of inmate pro se (self- representation) litigation in future court decisions. Gerken argues that the *Lewis* decision “represents a critical departure in the analytical approach to access to court cases,” namely the *Bounds v. Smith* case which “premised on a sophisticated and somewhat sympathetic perspective of the real-life constraints facing prisoners seeking to pursue pro so litigation.” Gerken argues that the “affirmative obligation” of prisons to provide “meaningful access to the courts” through prison law libraries or through legal assistance as ruled in *Bounds* is notable for its “pragmatic approach” to the notion of access to court. In the years following *Bounds*, prisoners filed many lawsuits in regard to a “denial of access to court”, and in many of these cases the district court based conclusions on “adequacy of law library access on a careful analysis of the ways in which prisoners require law books in order to secure access to the courts.” In contrast, the author argues that in the *Lewis* ruling the “right of access to court applies specifically to litigation in which inmates…attack their sentences…or challenge the conditions of their confinement”, which “seems inconsistent with the real life requirements of inmates’ access to court.” The author also points out the “Catch-22” situation many inmates will be in due to the impact of the *Lewis* ruling stating requiring the need to show actual harm due to an inadequate law library in that, “the paradox that ability to litigate a denial of access claim is evidence that the plaintiff has no denial of access claim.” Gerken argues that inmates “who are stymied by an inadequate law library and unable to pursue their claims…arguably suffer actual harm; however they are effectively invisible, since they are not able to apprise the court of their claims.” Gerken also argues that the actual injury requirement placed in the forefront of the *Lewis* decision presents “a significant impediment to inmates’ efforts to obtain court-ordered improvements in prison law libraries.” Despite this fact Gerken also argues that the *Lewis* decision may not be as “devastating” as originally believed, and he outlines an approach to “defining actual injury that may be more consistent with the realities of prisoners’ pro se litigation” and though the task may be difficult it is not impossible. Ultimately, Gerken believes that cases that seek improvement of prison law libraries “will depend in large measure on whether courts choose to adopt the reality-based approach of *Bounds* or the more circumscribed approach of *Lewis*” and that the importance of right of access to courts by prisoners has not been diminished.

Lee Jr, R. D. (1996). Prisoners' rights to recreation: Quantity, quality, and other aspects. *Journal of Criminal Justice, 24*(2), 167-178.

While this article by Robert Lee Jr. focuses mainly on an overview of court cases related to the recreational rights of prisoners, a topic that is not the focus of my paper, he does provide an overview of prisoner’s rights in general that is helpful in providing an understanding of the fundamental rights prisoners are afforded. Notably, Lee distinguishes the way in which prisoners with different legal statuses (pre-trial or convicted) litigate and under what provisions they use to do so depending on the nature of their grievance. When pre-trial prisoners (innocent until proven guilty) challenge their conditions, the “constitutional provisions used are the due process clauses of the Fifth Amendment” (federal) and the “Fourteenth Amendment” (state/local). Prisoners who have been convicted of crimes however, “largely have been barred from using the due process provisions” and “have turned to the cruel and unusual punishment clause of the Eighth Amendment” (federal) and the “Eighth and Fourteenth Amendments” (state/local) in cases that challenge their conditions. The Court determined that these claims under these provisions are valid, though historically cruel and unusual punishment referred to concerns about torture the Court broadened their classification to “reflect contemporary standards of humane treatment.” This gives a good background to understand some of the litigation brought forward by prisoners who challenge the inadequate conditions of their law libraries, and the constitutional provisions they use to do so.

Lehmann, V. (2000). The prison library: A vital link to education, rehabilitation, and recreation. *Education Libraries, 24*(1), 5-10.

In this article, Vibeke Lehmann, discusses the many roles of the modern prison library, an overview of publications that serve as guidelines for these libraries, and the importance of the prison library. Lehmann argues that incarcerated persons “have the same reading interests and information needs as individuals in the free world”, that prison libraries provide “access to reading materials for recreational, educational and informational purposes”, and that prison libraries are used “up to ten times as much” as outside libraries with a circulation per capita and collection turnover rate “ten to fifteen times that of a comparable public library.” Some of the international and national standards for prison libraries she discusses include *Guidelines for Library Service to Prisoners* developed by IFLA, and *Library Standards for Adult Correctional Institutions* published by the ALA, which provide a foundation for the planning and establishing of prison libraries. Lehmann identifies 10 different roles for the prison library: a. popular reading materials center, b. independent learning center, c. formal education support center, d. leisure and recreation activities center, e. legal information center, f. treatment program support center, g. information center on outside community, h. personal retreat center, i. staff research center, and j. school curriculum support center. Prison libraries don’t have the resources to support all of these roles, and they usually focus on services that will serve the largest number of the inmate population; with a majority of prison libraries serving as popular materials and legal information centers. Lehmann notes that a prison library can meet a wide variety of needs and can be “very influential in the overall prison operation.” This article is helpful in understanding the many roles of the prison library and what the importance of legal collections are to prison libraries.

Schouten, J. A. (2003). Not so meaningful anymore: Why a law library is required to make a prisoner's access to the courts meaningful. *William & Mary Law Review, 45*, 1195.

In this powerful article, Joseph Schouten, introduces the topic of meaningful access to the courts, discusses the *Lewis v. Smith* Supreme Court ruling and how it has limited the right to access to the courts for prisoners, along with arguments on how the Supreme Court was incorrect in its ruling in *Lewis* based on the factors of meaningful access, adequacy, and standing. Schouten argues that the “components of access viewed as necessary to under Bounds are no longer considered to be so” and that the “Lewis characterization of right to access is essentially a mandate for keeping prisoners out of court.” Schouten also discusses the concept of standing, which “derives from the constitutional mandate that court many hear only cases and controversies” and essentially is in place to ensure “that there is an actual dispute…and that the court is not being asked for an advisory opinion.” The three main requirements of standing are to show that the plaintiff in case “to have suffered an injury in fact, to demonstrate…some connection between the injury and the conduct complained of…and….to show the likelihood that the court will be able to resolve the conflict.” Schouten argues that the courts must include a law library or an alternative in order to provide meaningful access to the courts for prisoners and that the inadequacy of a library is a “constitutional infringement…an infringement imperative for the courts to remedy” and that in this direct infringement, “the court clearly has standing in cases in which prisoners allege an inadequate law library.” Schouten believes that the *Lewis* ruling was made on “unsound footing”, ignoring a long line of past court decisions made in the context of prisoners’ rights and other similar groups seeking a right to access and that “without a law library or meaningful alternative, prisoners without the means to hire attorneys are essentially barred from accessing the courts.” He argues that “the Court must reconsider the question and bring meaningfulness back to meaningful access.”

Singer, G. (2000). Prison libraries inside out. *Education Libraries, 24*(1), 11-16.

This article by Glen Singer provides a general overview about prison libraries, including information on the roles of the library, the patrons of these librarians, the role of security, the common model of the prison library, the duties of the prison librarian, the collections, and the future of these libraries. Singer notes the unique and challenging environment of the prison library which is “embedded” within the larger institution of the prison whose main function is to “segregate its inmates from general society.” Namely the prison and prison library have conflicting roles, where the prison is a system is “deprivational” and “usurps the individual’s control of his or her life and vests it in the hands of the state” whereas the prison library has a “positive” mission that entails “improving the daily life of inmates and providing them with long-term skills, training, and treatment.” In discussing the many roles of the prison library Singer notes that “most prison libraries are divided into two distinct segments: the general collection and the law library” with the law portion of it “the most expensive component” and “its jewel.” Looking to the future, Singer argues that “prison libraries demonstrably lag behind their counterparts in academia and the public and private sectors” but that with the further professionalization of prison libraries along with consistent funding, adequate staffing, and access to future automated technology (on-line capability), prison libraries will have a better capability to deliver information to meet the many informational needs of prisoners.

Stearns, R. M. (2004). The prison library. *Behavioral & Social Sciences Librarian, 23*(1), 49-80.

In this article, Robert Stearns, discusses the role of the prison library, how it is viewed by society, and the way in which prison libraries are a benefit to all of society because of their multifaceted roles and services. Sterns begins by highlighting the fact that “because individuals serving life sentences amount to less than 10%, prisons around the county will be releasing 90% of their inmates over the next several years” and that “67% of inmates released from state prisons” (in 1994) were arrested again, the increase in this recidivism rate due in part to the shift in “emphasis on rehabilitation in the 1980s to punishment in the 1990s.” He also argues that one of most successful ways to “correct the behaviors” of inmates is when “professionals are brought in from outside the field of corrections itself”, such as the field of library science. Stearns defines the goal of the prison library to be “a public library, a school library and a law library all rolled into one.” He goes on to note the small size of the library in relation to the correctional institution itself, and the mixed feelings the public has about supporting libraries service for inmates, but notes the importance of the library as “an aid to crime reduction.” Stearns also discusses the important *Lewis v. Casey* decision, and argues that though it has been worrisome to prison librarians, he believes that instead of forcing states to get rid of their prison libraries it instead “frees them to make their own decisions about how to make court access available.” Lastly, Stern closes with the argument that “libraries in prisons with correctional issues can contribute significantly to public safety.”

Sullivan, L. E. (2001). The least of our brethren: library service to prisoners. *American Libraries, 31*(5), 56.

In this article Larry Sullivan discusses the role of reading and information both historically in terms of rehabilitation of prisoners and in modern times, bringing up important the important question of what role does information play in a prison setting? Sullivan argues that prisons today focus on a punishment model, with a limit on the freedoms allowed to prisoners including the freedom to read and internet access. Sullivan discusses the historic role of reading as a “reformative tool” for criminals in the late 18th century, and notes that prison libraries and reading programs are “instruments of cultural hegemony, designed to instill a desire to emulate certain behavior and morality.” Modern era prison practice focus on a limit on prisoners access to information, aided in part by decisions by Congress (through the Prison Litigation Reform Act) and Supreme Court (through *Lewis v. Casey*) that further restrict the legal actions of prisoners and access to legal information. The key dilemma, Sullivan believes is the lack access to information available to prisoners in the “midst of an information explosion” at a time that “online access is primary, essential, and paramount” and “fundamental to the well-being of Americans everywhere.” He argues that this limit on access to information “greatly impedes reenty into the free world” and that “until we come to terms with the normative tenets of punishment…our prisoner population will remain in the information bind of the impoverished.”

Trammell, R. S. (1997). Out of bounds. *AALL Spectrum, 2*, 10.

In this article Rebecca Trammell, discusses the re-definition of rights from the *Bounds v. Smith* case as presented in the *Lewis v. Casey* Supreme Court ruling. Trammell argues that this re-definition seriously undermines prison law libraries and the ability of inmates to seek justice. An important argument Trammell makes in this article is that the *Lewis* ruling requires actual injury be established in order to bring action to claim questioning the adequacy and/or availability of legal resources yet she brings up the important question of “how this inmate will be able to file a complaint alleging an inadequate law library if it must be grounded in the inability to file a complaint in the first place.” This article published in the *AALL* (American Association of Law Libraries) publication *Spectrum*, is a call to action by Trammell, for all members to “speak out in opposition to the closing of prison law libraries”, to continue to “advocate for adequate resources in these law libraries”, and to “remain firm in supporting legal information access for prisoners.”

Vogel, B. (1997). Bailing out prison libraries. *Library Journal, 122*(19), 35-37.

This article by Barbara Vogel was published after the 1996 *Lewis v. Casey* Supreme Court ruling, and in it she discusses the history of the prison library, the effects of the *Bounds* 1977 Supreme Court ruling along with the impact of the *Lewis* ruling on the missions and purpose of prison libraries across the country. A key point that Vogel makes in this article is the fact that most prisoners are actually released, and therefore it is to the advantage of society not to solely focus on the punishment aspect of prison but to also incorporate rehabilitation in order to be reintegrate and rehabilitate prisoners who will be participating citizens. Vogel discusses the key role of prison libraries after the *Bounds* 1977 Supreme Court ruling, which mandated that prisons provide access to legal materials, and most prisons chose to provide law books through prison libraries for prisoners. With the mandate in place, prison libraries used most of their resources to focus their energies on this sole function, neglecting their other previous services (recreational and educational books.) Because these books were mandated by prison administration and decisions of court rulings were made without the input prison librarian, prison libraries severely lacked in the technological advances made around them, especially pertaining to those of law book providers, making the law book approach both irrelevant and costly. Since legal access was in the form of law books, prisoners who were illiterate, non-English speaking, or under lock-down were left out of meaningful access, in turn causing many lawsuits by such prisoners against prisons. One such case (*Lewis v. Casey)* made it to Supreme Court who then decided that access was no longer the responsibility of the prisons, completely changing the face of the prison library. In this article Vogel notes that the prison library must adapt to change or face extinction. She suggests that the library must be creative in how they face the changing mission of the library to face these decisions, and urges the library community to support prison libraries, an area historically unsupported.

Westwood, K. (1994). Prison law librarianship: A lesson in service for all librarians. *American Libraries, 25*(2), 152-154.

This article by Karen Westwood, discusses the unique challenges of being a law librarian, and how despite the way the profession is seen as highly specialized in nature it has also strengthened her overall ability to be a better librarian. Westwood notes that when she was interviewing for her law librarian position “knowing legal research wasn’t the uppermost hiring criteria” but rather having good skills in communication and dealing with people was important. Westwood argues that “a solid ground in general principles of librarianship can enable you to serve professional in an area you may never have previously considered.” She also discusses the importance of the often blurry line between “legal references” and “legal advice”, an issue she deals with often with prisoner-patrons. Ultimately, Westwood concedes that she has learned much about prisons, prisoners, and criminal justice, but that she has gained the most in regards to “professional librarianship” and that this setting has helped her to be a better librarian in any setting.

Westwood, K. (1998). Meaningful access to the courts and law libraries: Where are we now? *Law Library Journal, 90*, 193.

In this article Karen Westwood notes the ways in which prison law librarians have looked to the *Bounds v. Smith* Supreme Court ruling to “determine which library services and collections constituted “meaningful access to the courts’ for inmates”, and the way in which the 1996 *ruling of Lewis v. Casey* “significantly altered the landscape of meaningful access.” She goes on to discuss the implications of both of these cases and provides a list of cases that have interpreted both *Bounds* and *Lewis*. In *Bounds*, it was established that “prisoners have a constitutional right of access to the courts” and that this right “requires prison authorities to assist inmates…by providing prisoners with adequate law libraries or adequate assistance from persons trained in the law.” In the *Lewis*, the Supreme Court, “substantially altered the concept of meaningful access to the courts” by stating that “an inmate must show *actual injury* from the lack of access to the courts in order to having standing to bring a suit.” Westwood argues that *Bounds* “had appeared to suggest that the state must enable the prisoner to discover grievances and litigate them effectively” where in *Lewis*, “the right of access to the courts provided in *Bounds* exists only for inmates attacking their sentences…or challenging conditions of confinement” effectively changing the question from, “‘Is the law library service *good* enough to meet the *Bounds* standard?’ to ‘Is any library service *so* bad as to *not* meet the *Lewis* standard?’” This article is important because it provides a foundational understanding of both Court cases and the key changes in what constitutes “meaningful access to the courts” and the duty of the prison law library in that regard.

Wilhelmus, D. W. (1999). A new emphasis for correctional facilities' libraries. *The Journal of Academic Librarianship, 25*(2), 114-120.

David Wilhelmus, takes a departure from many of the reviewed texts in this bibliography. Like many other prison law library advocates who have written articles about the potentially devastating effects of the *Lewis v. Casey* ruling, which essentially reinterprets and weakens the previous mandate of *Bounds*, Wihelmus acknowledges this change. But instead of seeing the decision as the end of prison law libraries he sees it as an opportunity to strengthen the other roles of the prison library. Wilhelmus discusses the “tripartite role” mission of prison libraries to serve the educational or academic needs of the prison population, to meet the recreational function (reading for leisure), and providing legal materials for inmates in order to meet the need of access to the courts. Wilhelmus believes that the “development of academic collections may be the emerging role of the prison library” and that the change of court interpretation of the role of the prison law library in providing prisoners access to the courts “seems to indicate a shift in direction and importance among the three roles that the prison library has to play.” While this is a different argument from those who believe the prison law library is essential to providing meaningful access to the courts, this shift could be an important way in which prison libraries can continue their services in the future without being completely removed from their prison institutions, a fear held by many scholars and prison library advocates after the *Lewis* ruling.

Wilhelmus, D. W. (1999). Where have all the law libraries gone? *Corrections Today, 61*, 122-127.

This article by David Wilhelmus, a criminal justice instructor at Martin University in Indianapolis and a former prison librarian, discusses the interpretation of the *Casey v. Lewis* case by the Supreme Court and its implications and effect on the role of the prison law library. He discusses the landmark Supreme Court ruling of *Bounds v. Smith* in 1977, where the court ruled that correctional facilities had to provide offenders with on-site prison law libraries with adequate law collections, or an alternative such as availability to individuals trained in legal research to assist prisoners with legal matters. Wilhelmus then goes on to discuss the details of the *Casey v. Lewis* case, which originated in the district court of Arizona where a group of inmates presented a class action suit against the Arizona DOC, stating that they were deprived of their right to access to the courts due to an inadequate law library. The court ruled in favor of the inmates, using the *Bounds* case in part as basis of their decision, but after two appeals the Supreme Court granted certiorari, agreeing to hear the case on appeal from the lower court. Ultimately, the Court ruled that the inmates failed to demonstrate actual harm and stated that *Bounds* did not establish the right of inmates “to a law library or to legal assistance”, rather it was just an enforcement of the already well-established right of access to the courts. Wilhelmus states that this change in stance by the Supreme Court will make it “more difficult for inmates to file lawsuits against correctional authorities” and that inmates cannot only claim that prison law libraries are inadequate, but they must “demonstrate that their access to the courts has been impaired by the…inadequacies to the extent that they have suffered actual injuries.” Wihelmus believes that this ruling will make it increasingly difficult for prisoners to seek “legal remedies as established by Bounds” and that this will have “long-ranging implications” for “correctional administrators, prison librarians, attorneys, members of the judiciary who review inmates’ pleadings…and the offenders themselves.”