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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

FRANK CLEMENT

Plaintiff,

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

No. C 00-1860 CW

**DECLARATION OF LARA
STEMPLE IN OPPOSITION TO
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Date: August 9, 2002

Time: 10 a.m.

Before: Hon. Claudia Wilken

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1 I, Lara Stemple, declare the following:

2 1. I am currently the Executive Director of Stop Prisoner Rape
3 (“SPR”), a non-profit human rights organization based in Los Angeles,
4 California. Stop Prisoner Rape was founded in 1979. I submit this
5 Declaration in support of plaintiff Frank Clement’s Opposition to
6 Defendants’ Motion for Summary Judgment. Unless otherwise indicated, if
7 called upon to do so, I could competently testify of my own personal
8 knowledge to the facts set forth herein.

9 2. SPR seeks to prevent sexual violence against men, women and
10 youth incarcerated in prisons, jails and detention centers. To this end, SPR
11 works to increase awareness inside prisons, as well as in the community,
12 about the dangers of sexual abuse in prison. SPR also provides support and
13 information to victims of prison rape.
14

15 3. SPR publishes its information only on the Internet. SPR’s
16 website, <http://www.spr.org>, is the only method SPR uses to conduct its
17 education, outreach and advocacy activities.

18 4. SPR recognizes that its principal constituency, the two million
19 individuals incarcerated in the United States, do not have access to email
20 and the Internet in prison. As a result, SPR relies on families and friends of
21 incarcerated individuals who learn about SPR from the Internet and will in
22 turn download our materials and distribute them to prisoners. When we
23 receive requests through the mail from prisoners, we download information
24 from our website to mail to them.
25

26 5. The information posted on the SPR website includes: support
27 group information for survivors of prison rape, legal information pertaining
28

1 to state and federal cases and legislation concerning prison rape, directions
2 on how to get involved in the Stop Prisoner Rape movement, articles, books
3 and commentary on prison rape, and links to other resources. The website
4 currently receives over 37,000 hits per month.

5
6 6. These materials serve important rehabilitative functions.
7 Prison rape perpetuates the cycle of violence both inside and outside the
8 prison. Victims of prison rape may experience suppressed rage that
9 manifests itself in many ways, which may include violent and antisocial
10 behavior, the commission of rape on others, and depression and suicide.
11 Learning about how to cope with these feelings and hearing the stories of
12 other survivors helps prisoners to combat these tendencies. SPR also
13 provides information to prison administrators and interested prisoners on
14 how to prevent prison rape by making institutional, social and
15 environmental changes within the prison. SPR's website makes this
16 information available to those who need it.

17 7. SPR invests a significant percentage of its funds in developing
18 the website. SPR currently employs three staff members, including myself.
19 One of those three employees, Kimberly McGovern, is a webmaster.

20 8. SPR publishes its materials on the Internet because it cannot
21 afford to publish its materials in hard-copy form for distribution. Printing
22 costs, including the costs of pamphlets, handouts, and other materials, are
23 prohibitive. Our total annual budget is currently less than \$70,000.
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25 9. In addition, the information on SPR's website comes from a
26 variety of sources and SPR updates this information almost daily as new
27 law is decided, new projects are launched, and news stories break. The
28

1 expense of having all materials printed in hard-copy form, and updated on a
2 regular basis, would severely curtail SPR's ability to conduct its activities
3 on such a broad scale. As it stands now, SPR is actively involved in human
4 rights and prison rights activities across the country.

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6 10. SPR also sometimes conducts its human rights advocacy and
7 education projects on an international scale. Communicating with other
8 organizations outside the United States is most efficiently done over the
9 Internet.

10 11. Finally, SPR prefers posting its information on the Internet
11 because the website ensures that constituents, Board of Directors members,
12 and other interested parties all have the same, up-to-date information. Our
13 constituents can quickly and inexpensively learn about the most recent
14 developments by viewing the web site online. They can also be assured of
15 being "on the same page" with the main SPR office in terms of our
16 positions on key policy issues.

17 12. SPR occasionally receives written requests for information.
18 When we do, we download the requested information from the Internet and
19 mail it to the person requesting it via the U.S. Postal Service. We have
20 responded to these requests from prisoners across California.
21

22 13. Most often, we receive email and phone requests for
23 information from families and friends of inmates. We refer them to the SPR
24 website. In fact, our standard response to any request for information is
25 "all of SPR's materials are available on our website."

26 14. The policy at Pelican Bay prohibiting materials downloaded
27 from the Internet seriously hinders SPR's activities. Our constituency,
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1 prison inmates, is denied access to our materials, not because of what we
2 say, but because of how we say it. In essence, SPR is discriminated against
3 by the prison because it cannot afford to publish its materials in hard-copy
4 form.

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6 I declare under penalty of perjury under the laws of the United States
7 of America and the State of California that the foregoing is true and correct.
8 Executed this ___ day of June, 2002, at Los Angeles, California.

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11 _____
12 Lara Stemple
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