

# BUREAU OF PRISONS CAN'T DECIDE WHETHER THERE IS, OR IS NOT, A FIRST AMENDMENT

Apparently, when the Bureau of Prisons released environmental activist Daniel McGowan back to his halfway house last week (after having first detained him for writing a post at HuffPo), they made him sign something saying he wouldn't do anything radical like write another HuffPo post.

McGowan was forced to sign a document stating that "writing articles, appearing in any type of television or media outlets, news reports and/or documentaries without prior BOP approval is strictly prohibited." Violating that agreement, which he signed under duress, might mean going back to jail.

Well, now they seem to have rethought this whole Constitution thing, because when HuffPo called BOP on the document, BOP said McGowan could write something without being detained again.

When HuffPost contacted the Bureau of Prisons' regional office in Philadelphia, however, they quickly backtracked on the agreement.

"He's not prohibited from doing that, and we're going to address it with the (halfway house) contractor," said Lamine N'Diaye, a BOP public information officer. If McGowan wrote another HuffPost blog today, said N'Diaye, "he's not going to be punished."

Once upon a time foundational concepts like the First Amendment didn't used to be so confusing.