

FIRST LEVEL SUPPLEMENTAL PAGE

RE: PELICAN BAY STATE PRISON
Appeal Log PBSP-C-11-00752
First Level Reviewer's Response

PELICAN BAY STATE PRISON
SECURITY HOUSING UNIT

INMATE: [REDACTED]

APPEAL DECISION: DENIED

APPEAL ISSUE: (MODIFIED)

You contend that you were denied mail published by C.J. STUDIES. You state that this MAIL is within the parameters of the current policy and procedures of the Department of Corrections and Rehabilitation (CDCR). You state that your mail is Maoist International Ministry of Prisons not Maoist International Movement.

ACTION REQUESTED:

You are requesting that, you receive your mail back as it is not Maoist International Movement.

FINDINGS:

A review of your appeal has been completed. Your appeal and attachments, including your requested action, have received careful consideration. Correctional Sergeant M. Traylor was assigned to investigate your allegations by the First Level Reviewer.

Sergeant Traylor interviewed you on March 19, 2011. You stated basically the same information as you did in your appeal.

Sergeant Traylor reviewed the *Maoist International Ministry of Prisons* paperback publication; it was directly linked to the M.I.M. movement. Your claim that this publication is not affiliated to M.I.M. is false and therefore disallowed. Title 15, as it pertains to this matter.

CCR, Title 15:

Section 3006 Contraband. (c), (1) Any matter of a character tending to incite murder ; arson; riot; or any form of violence or physical harm to any person, or any ethnic, gender, racial, religious or any other group.

Section 3132. Responsibility and Compliance. (a) Correspondents are personally responsible for the content of each item of mail they send into or out of a correctional facility.

Section 3138. General Mail Regulations. (f) Publications.... (3) A publication received through the U.S. mail from the publisher or book store shall be excluded for the reasons stated in Section 3006(c).

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PELICAN BAY STATE PRISON
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DETERMINATION OF ISSUE:

A thorough review of your appeal has been completed, and it has been determined that *Maoist International Ministry of Prisons*, is not allowed per the Office of Legal Affairs, per the memorandum dated December 13, 2006, titled, *Ban of Maoist International Movement Publications*. The action requested to resolve this appeal is **DENIED** at the First Level of Review.

4) *R. Patten FC/A* 3/24/11
C. M. PATTEN
Facility Captain
Facility C
Date

K. L. McGUYER
Associate Warden
Security Housing Unit

Date