



COMMONWEALTH of VIRGINIA

Department of Corrections

GENE M. JOHNSON
DIRECTOR

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January 16, 2007

MIM Distributors
P.O. Box 40799
San Francisco, CA 94140

Dear Mr. Summer,

I am in receipt of your letter mailed to the Division of Operations of the Virginia Department of Corrections (VADOC) on January 7, 2008. In this letter you discuss your discontent based upon the unfounded grievance by the VADOC Deputy Director of Operations regarding restricted publications of MIM Notes.

As you are aware the VADOC Publication Review Committee found cause to restrict issues of MIM Notes during the October 24, 2007 committee meeting. Your request to appeal the Publication Review Committee's decision was respectfully reviewed and after consideration denied by the Deputy Director of Operations on December 19, 2007.

This is the standard procedure per Operating Procedure #803.2 for publishers requesting to appeal the decision of the VADOC Publication Review Committee. A copy of this policy was mailed to your office on November 27, 2007. If you reference page 5 of this policy it explains the grievance process for both inmates and publishers.

Among your concerns you state that the VADOC is attempting to "cut a prisoner off from news about the outside world". The purpose of Operating Procedure 803.2 is to ensure the safety of both staff and the inmate population by restricting published content that could be detrimental to the good order and rehabilitative efforts of the Commonwealth. Please reference the letter mailed to MIM Distributors on December 19, 2007 for the complete listing of policy violations as defined in Operating Procedure 803.2. Operating Procedure 803.2 was developed based upon direction from the Code of Virginia section 53.1-35 as follows:

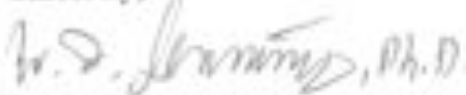
§ 53.1-35. Correspondence privileges; receipt of publications.

The Director is authorized to prescribe reasonable rules regarding correspondence privileges and the receipt of books, newspapers and periodicals by prisoners within state correctional facilities.

The Publication Review Committee consists of correctional professionals who work to review and determine if a publication meets or violates Operating Procedure #803.2. The purpose and intent of this work is to maintain safe, secure and productive prisons while ensuring public safety.

Thank you for taking the time to write the Virginia Department of Corrections.

Sincerely,



W.D. Jennings, Ph.D.
Management Lead Analyst
Office of the Deputy Director of Operations

cc: Deputy Director of Operations