

MCSP  
APPEALS OFFICE

# Memorandum

2007 FEB -08 AM 11:06

Date : January 22, 2007  
To : INMATE  
FACILITY A 3-204U

L3 0-24U

Subject: FIRST LEVEL APPEAL RESPONSE LOG # A-06-02773

## Appeal Issue

You claim your publication of "Prison Focus" was disallowed with a CDC-1819 Notification of Disapproval noting that it was deemed to be a threat to legitimate penological interests. You also indicate that you believe this denial is in error.

## Action Requested

You are requesting that the mailroom explain exactly what material caused the publication to be disallowed.

## Summary of Appeal

You were interviewed on January 22, 2007 by CCII J. Brazil, regarding this appeal. You indicated that you had been informed that your publication had been denied. You stated that you felt the mail room was obligated to inform you of what specific material was used for the justification to base their denial on.

Contact with the Mule Creek State Prison (MCSP) mailroom indicates that they have been operating under the direction of the 8/24/06 memorandum signed by Acting Warden R. Campbell. This memorandum stated that the California Prison Focus Newsletter/Magazine would be disallowed at MCSP. Contact with Correctional Counselor II (CCII) E. Reyes, MCSP Inmate Appeals Coordinator, indicated that the 8/24/06 memorandum is being rescinded and replaced with direction that the California Prison Focus Newsletter/Magazine will be allowed to be received by the inmate population at MCSP. The publication will be reviewed by mailroom staff per current operational procedures. Mailroom staff will continue to process mail by Mule Creek State Prison Operational Procedure MC4-54010 and California Code of Regulations, (CCR), Section 3147(a) (5) (B) Withheld/Disallowed Mail, should the publication contain specific material meeting the standard to be withheld/ disallowed.


Your appeal issue was found to have some merit and is being granted in part. You will be allowed to receive California Prison Focus publication after it has been reviewed by normal mailroom operating procedures on an individual issue by issue basis.

## Appeal Decision

Based on the above information your appeal is **granted in part** at the First Level of Review.

  
J. BRAZIL  
CCII  
MSF

  
J.C. BLIM  
Correctional Captain(A)  
Mule Creek State Prison

  
DAVID B. LONG  
Associate Warden/Central Services  
Mule Creek State Prison