



STATE OF MICHIGAN  
DEPARTMENT OF CORRECTIONS  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

PATRICIA L. CARUSO  
DIRECTOR

December 29, 2008

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

MIM Distributors,

Your correspondence concerning the rejection of a publication entitled, "Under Lock & Key" 11/08, #5 Issue, which you distributed to prisoners ~~at the Alger Maximum Correctional Facility~~ has been referred to me for response.

You have requested that these prisoners receive the publication because your "current battles in the United States are legal ones" and you "encourage prisoners to join these battles while explicitly discouraging them from engaging in any violence or illegal acts." You also state, "It is a violation of the First Amendment to censor materials because they are critical of the department or promote ideas that people in the government disagree with." Therefore, you do not believe that the violations listed in our policy directive would apply to this publication.

After review, it has been determined the rejection of this publication by mail room staff was appropriate. An administrative hearing was conducted and the rejection was upheld. In addition, this publication has been reviewed by the Warden and forwarded to the CFA Deputy Director for consideration for placement on the Michigan Department of Corrections' Restricted Publications List. After the CFA Deputy Director makes his final determination the Warden will be informed of the decision.

If it is determined it will be placed on the list, it will be rejected at all facilities. However, if it is not placed on the list, it will be given to the prisoners.

Please contact this office if further information is necessary regarding this issue.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann Barsch".

Ann Barsch, Administrative Assistant  
Alger Maximum Correctional Facility

c: file