

DC-804
Part 1
Rev 9/2010

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
P.O. BOX 598
CAMP HILL, PA 17001-0598

| |
|------------------|
| FOR OFFICIAL USE |
| GRIEVANCE NUMBER |

OFFICIAL INMATE GRIEVANCE

| | | |
|---|------------------------------|-----------------|
| TO: FACILITY GRIEVANCE COORDINATOR MS. JANE HINMAN | FACILITY: SCI-MAHANOY | DATE: 2/9/14 |
| FROM: (INMATE NAME & NUMBER) [REDACTED] | SIGNATURE OF INMATE: | |
| WORK ASSIGNMENT: BLOCK WORKER | HOUSING ASSIGNMENT: BA-54 | |

INSTRUCTIONS:

1. Refer to the DC-ADM 804 for procedures on the inmate grievance system.
2. State your grievance in Block A in a brief and understandable manner.
3. List in Block B any action you may have taken to resolve this matter. Be sure to include the identity of staff members you have contacted.

A. Provide a brief, clear statement of your grievance. Additional paper may be used, maximum two pages (one DC-804 form and one one-sided 8½" x 11" page). State all relief that you are seeking.

APPEAL OF PUBLICATION DENIAL (UNDER LOCK & KEY - JANUARY/FEBRUARY 2014, #36)

My grievance/appeal is as follows:

1. IPRC denied the above, on 2/6/2014. I was not permitted viewing, per Policy DC-ADM 803, "Inmate Mail And Incoming Publications," §3.E.2.d. The reason cited was: "writings which advocate violence...." [See: Attachment 3-C.]
2. I seek further review, to ensure that: IPRC's denial is not arbitrary/capricious; §3.E.2.g. is being adhered to; as well as guarding against any First Amendment violations.
3. IPRC's denial is vague. They do "not" quote any of the narrative, that may give the inmate any insight or detail, which might help him to: accurately base an appeal, formulate a decision to appeal, and/or forgo an appeal. [See: Attachment 3-C.]
4. Under Lock & Key "reports" on various headlines and news articles that are relevant to incarceration and other governmental issues. It is an
(cont. on Page 2)

B. List actions taken and staff you have contacted, before submitting this grievance.

Notified T. Brokenshire/Mail Room of my intent to appeal. Reviewed DC-ADM 803 & 804.

Your grievance has been received and will be processed in accordance with DC-ADM 804.

Signature of Facility Grievance Coordinator

Date

WHITE Facility Grievance Coordinator Copy
GOLDEN ROD Inmate Copy

CANARY File Copy

PINK Action Return Copy

CONT. from DC-804 Part 1 ([REDACTED], 2/9/14 [UL&K #36])...

informative publication, which can be compared to: GRATERFRIENDS, CORRECTIONAL FORUM, USA TODAY, etc. The inmate has no way of knowing if IPRC's decision is based on subjective opinion--taken out of context--or if it is in line with the publications objective intent. For I have received a number of previous issues (#'s 29, 30, 31, 34, & 35), permitted by this facility, and derived no such material suggested by IPRC's conclusion, in this instance.

5. As a "**Resolution**" I respectfully ask that I be permitted to receive my periodical/publication. Please retain the publication pending completion of the grievance process, including any appeal.

cc: File

Volume/Number and/or Issue: 35 Date of Publication: January/February 2014

MIM Distribution

P.O. Box 40799

San Francisco, CA 94140

| Section | Page Numbers |
|--|--------------|
| A. Security Issues: | |
| (1) Information regarding the design, use of weapons, explosives, weapons, traps, devices or other contraband. | |
| (2) Information regarding the ingredients or manufacture of poisons, drugs, or intoxicating beverages. | |
| (3) Anything which advocates violence, insurrection or guerilla warfare against the government or any of its agencies or which creates a danger within the content of the correctional facility. | 7,8 |
| (4) Anything that advocates, assists, or is evidence of physical assault or facility misconduct. | |
| (5) Excessively inflammatory material or material that could cause a threat to the inmate, staff, or facility security. | |
| (6) Maps, road atlas, etc., that would facilitate escape planning or pose a threat to staff, contractors, volunteers or facilities. | |
| B. Obscenity, Pornography & Nudity Issues: | |
| (1) Obscene material, explicit sexual material or nudity. | |
| C. Religious Materials and Sacred Texts: | |
| (1) Explicitly used, followers to act violently or encourage violence against persons of other races, nationalities, religions, and objects the use of instruments to harm oneself or others. | |

If you DO wish to appeal:

You have 7 working days from the date of this decision to notify the Facility Manager in writing. If you decide to appeal, the mail room officer will hold your publication until the appeal process is completed.

If you DO NOT wish to appeal:

You have the option to forward a cash gift with an addressed envelope to the mailroom within 15 working days from the date this decision to have the publication mailed out of the facility, unless doing so is illegal. Otherwise, the publication will be destroyed.

cc: Facility Manager