

**LEVEL ONE
STAFF RESPONSE
UTAH STATE PRISON**

GRIEVANCE NUMBER: 990871309

INMATE NAME:

INMATE NUMBER:

NATURE OF GRIEVANCE:

Inmate _____ is grieving the mailroom stating that they returned his mail from M/M Distributors marked "REFUSED".

He states that he received no notice as to why his literature is being censored and withheld.

REMEDY SOUGHT:

_____ wants written memos sent to all that were violated in returning this literature.

He wants proof that the mailroom will discontinue this violation.

He wants to be compensated for punitive damages as well as for other damages.

He wants to know why they stopped Jac Brown Bookstore's mail from coming in and going out.

RESEARCH OF GRIEVANCE:

Book, magazines, newspapers, etc. shall be sent in accordance with the publisher-only rule. (FDr03/03.03 D.; FDr03/02.03; FDr03/07.00)

Standard mail will be refused unless it fits with the following exceptions: religious mail, catalogs within the exceptions to the "no catalog rule", non-profit mail as listed in the DMM, subscription material as defined under the Publishers-Only Rule, and with notice as per FDr03/02.01 M. (FDr03/02.09)

Refused mail shall be returned to the post office and does not require inmate notification, except mail that fits into the exceptions in FDr03/02.09. (FDr03/03.03 O.)

It is the inmate's responsibility to promptly notify the Mail Unit and the Property Unit in writing of his/her standard postage publication subscriptions (i.e. magazines, newsletters, etc.) regardless of whether the subscriptions are paid for by the inmate or by any other person. (FDr03/02.01 M.)

"Censor" is defined as cutting or blacking out information or otherwise modifying the text of a letter, publication or other document; rejecting on the basis of content. (FDr03/01.03)

Incoming and outgoing inmate mail is processed in a timely manner and without unreasonable delay. (FDr03)

**LEVEL I GRIEVANCE
STAFF RESPONSE
UTAH STATE PRISON**

Page Two

GRIEVANCE NUMBER: 990871309

INMATE NAME:

INMATE NUMBER: / Mail

FINDINGS:

On 2/28/09, M/M Distributing wrote to the Prison to inquire as to why this facility "Refused" mail (Issue 6 – Under Lock & Key) they had sent to twenty inmates. Without being able to see/view one of the items in question, it is difficult to determine if the issues were sent pre-sorted standard, if they were inadvertently returned due to human error or if there is an explanation as to what caused them to be returned. At this time the Mail Unit is still awaiting additional information from M/M Distributing in order to further resolve this issue.

will not receive monies for damages as he may wish to request to have this publication resent.

There is no documentation on file to show that [redacted] has notified the Mail Unit informing them that he has a subscription he believes is being sent with standard postage.

Refused mail does not require inmate notification.

Refusing mail is not censoring/withholding mail.

The Mail Unit does the best they can to properly process all inmate mail. However, inadvertent errors do/will occur.

There is no documentation to show that the Mail Unit "stopped" incoming/outgoing mail from/to Jac Brown Bookstore.

CONCLUSIONS:

This grievance is RESOLVED.

STAFF SIGNATURE:

Kenny Galatka

DATE:

3/17/09