



# North Carolina Department of Public Safety

## Prisons

Pat McCrory, Governor  
Frank L. Perry, Secretary

W. David Guice, Commissioner  
George T. Solomon, Director

November 7, 2014

[REDACTED] Legal Assistant  
MIM Distributors  
P.O. Box 40799  
San Francisco, CA 94140

Dear M [REDACTED]

I am in receipt of your correspondence regarding "Censorship of Under Lock & key No.39 (July/August 2014)." Since our policy provides the publishers or distributors an opportunity to request an independent review when a notice of a disapproved publication is received, your request is granted in accords with this stipulation. A review was conducted and the results of the review are as follows.

After review, the Committee's decision to disapprove for receipt by inmates Under Lock & Key No. 39 is being upheld. The contents of the article on page 13, titled Day of Peace and Solidarity are a problem. As relayed in your article, it is a day for inmates to exhibit solidarity in remembrance of the Attica uprising of 1971. This tumultuous event occurred on September 13, 1971 and when finally under control, left several inmates and hostages dead. The Attica uprising is considered the bloodiest prison confrontation in American history. The implicit understanding of that day could cause unrest in the inmate population. In combination with the encouragement to spend the day, networking, organizing and engaging in behavior as outlined under "cheat sheet" (which would occur in the dining room with mass inmates) could result in serious consequences. The sentiments expressed in the article appear to be calculated and have great capacity to incite a group demonstration, an insurrection or disruption in the prison. We are responsible for the safety and welfare of the public, inmates and staff, therefore it is critical that we guard against any causative or enabling factors for such.

Your concerns regarding the content of the Publication Review Committee's notification is noted and a review conducted. The notification does provide the page(s) within the publication where the cited violation is located and the specific reason code that has been violated by the content on the cited page(s). In addition, the notification provides the specific reason(s) the content on the page(s) cited in the publication does violate the reason code listed. The notification includes a listing of all the reasons a publication may not be given to inmates in our system for additional information and education. Lastly, the content of our notification has been found acceptable by the court and meets the requirements of our policy; but, because it our intention for our communication to be clearly understood, we will continue to study this process with the goal, if possible, of enhancing the clarity and specificity of the publisher and/or distributor's notification while staying within the guidelines and requirements of our policy.

As always, thank you for bringing your concerns to my attention.

Sincerely,

Cynthia Bostic, Assistant Director  
Support Services

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