



Arizona Department of Corrections

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To Whom It May Concern:

The Arizona Department of Corrections Office of Publication Review is responding to your appeal of the exclusion of Under Lock & Key, Issue 62, May./June 2018. The issue was withheld at the complex level pursuant to Department Order 914.07. You may review this DO online at www.corrections.az.gov.

DO 914.07 deems certain publication content contrary to ADC's legitimate penological interest to "assist with the rehabilitation and treatment objectives, reduce sexual harassment and prevent a hostile work environment for inmates, staff and volunteers....." see DO 914.07 § 1.1. Such content is Unauthorized Content as defined in the DO. The publication at issue here contains Unauthorized Content pursuant to the provision set forth above and the issue was withheld and contrabanded by the complex.

The complex is the first level of publication review. You and inmate recipients were subsequently notified of the opportunity to appeal.

The Office of Publication Review reviewed this publication on appeal and upheld the complex exclusion under the following 914.07 subsections:

- 1.1 Detrimental to the safe, secure, and orderly operation of the facility
- 1.2.3 Incite, Aid, Abet Riots, Work Stoppages, Means of Resistance
- 1.2.8 Promotes Superiority of One Group Over Another/Promotes Racism/Degradation
- 1.2.16 Promote Acts of Violence

The pages identified containing such content are throughout, including, but not limited to, pages 2, 3, 4, 5, 9, 10, 11, 12, 14, 17, and 21.

Pursuant to DO 914.06 § 1.13 "...The Office of Publication Review may cease removing or redacting unauthorized content when the practice places an unreasonable burden on resources due to the volume of incoming mail, publications, the required redaction or removal of unauthorized content and the dissemination thereof in redacted form."

All publications, including those that are part of a title or series, are reviewed on an individual basis, and rejection of one or several issues does not warrant rejection of subsequent issues unless those issues contain Unauthorized Content as defined in DO 914.07 (see DO 914.06 § 1.10). Accordingly, any future issues of Under Lock & Key that are addressed to an ADC inmate will be reviewed on an individual basis to ensure content meets the standard and guidelines set forth in DO 914. In the event of any future first level exclusions, inmate subscribers or MIM may appeal, and provided appeals are timely, OPR will conduct a second review and determine whether reasonable redactions may be accommodated (DO 914.06 § 1.13). This deliberative process is critical to facilitate ADC's legitimate penological interests in maintaining safe, secure, and orderly operation of its prisons.

If you have any questions or would like to discuss this matter further, please don't hesitate to contact us.

Sincerely,

Diane Miller, ASOII
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Office of Publication Review
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