



FLORIDA
DEPARTMENT of
CORRECTIONS

Governor
CHARLIE CRIST

Secretary
WALTER A. McNEIL

An Equal Opportunity Employer

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I am in receipt of your letter regarding mailings you have sent to inmate [redacted] and we appreciate your concern. After conversing with the Warden and with his consideration and approval, the following is offered as a response to your inquiry:

I have personally reviewed the impounded publication/correspondence for the date of 12/22/09. This correspondence was returned based on FAC Chapter Rule 33-501.401(3)(g) due to direct reference to gang activity. Your points about this rejection are well understood; however, it does not change the fact that providing inmates with information about gangs and their allegiances/affiliations, even if a historical perspective, are still a violation of the rule and a threat to the institution. Due to the direct threat that Security Threat Groups (STG) pose on our system, we treat information regarding gangs with great sensitivity.

The grievance process regarding the impoundment of publications provides that if an inmate wishes to grieve an impoundment of a publication, they are to submit a formal grievance to the office of the Secretary. The Literature Review Committee reviews all impounded publications and determines if the impoundment was proper or not. If the impoundment is deemed to be incorrect, the institution is notified and the publication is returned to the inmate.

The issue with your correspondence is whether it meets the criteria as a publication pursuant to FAC Chapter 33-501.401(H). According to the aforementioned rule, your submission would be governed as routine mail due to the appearance to be a collection of letters submitted to MIM for discussion. This open forum would not be considered as a publication.