

LETTER TO PUBLISHER

(To be sent to publisher following the decision of the Publication Review Committee)

Name of Publisher: MIM Distributors  
Address: P.O. Box 40799  
San Francisco, CA 94140

DATE: October 21, 2010

To the Publisher:


This letter is to advise you that the following issue(s) of publication(s) sent to an inmate of the North Carolina Department of Correction, Division of Prisons, has been disapproved for delivery to the inmate.

**Under Lock & Key, No. 16, Sept/Oct 2010 (page 3)**

This action was taken for the following reasons: **D**

These issues contain material which violates North Carolina Division of Prisons policy D.0100, Publications Received/Possessed by Inmates. This material could be detrimental to the security and good order of the prison facility and the rehabilitation of inmates and is disapproved for the reason(s) indicated. The numbers for those pages which were reviewed on which violations were found are listed above with the issues containing them. **Please note the pages listed may not be the only pages in the material that violate North Carolina Division of Prisons policy; however, any violation is grounds for disapproval of the entire publication.**

You may obtain an independent review of this decision by writing within fifteen (15) days of receipt of this letter to the Assistant Director of Support Services, North Carolina Department of Correction, Division of Prisons, 4260 MSC, Raleigh, NC 27699-4260.

Print Name: Fay Lassiter  
Title: Chair, Publication Review Committee  
Signature:   
Date: October 21, 2010

Sincerely,

Chairperson of the Publication Review Committee

cc: Assistant Director of Support Services  
Publication Review Committee File

**LETTER TO PUBLISHER**

This publication/material has been disapproved due to the violation of Division of Prisons Policy Chapter D, Section .0109 (f) because it contains threats to institutional safety and security including but not limited to materials which depict, describe or advocate or which include:

| <b>COMPLETE THE APPROPRIATE DISAPPROVAL REASON</b> |  |
|--|--|
| Reason<br>.0109<br>A                               | The commission of criminal activity and/or the violation of state or federal laws and/or the violation of the Division of Prisons policy and/or inmate disciplinary policy and procedures.<br>Page Number(s): _____ Comments: _____<br>_____   |
| Reason<br>.0109<br>B                               | The manufacture, simulation and/or concealment of weapons, ammunition, explosives, incendiaries, or escape devices and/or escape techniques.<br>Page Number(s): _____ Comments: _____<br>_____   |
| Reason<br>.0109<br>C                               | The ingredients and/or manufacture of poisons, drugs, intoxicants, abrasives, corrosives or other toxic or illegal substances.<br>Page Number(s): _____ Comments: _____<br>_____   |
| Reason<br>.0109<br>D                               | Violence, disorder, insurrection or terrorist/gang activities against individuals, groups, organizations, the government or any of its' institutions.<br>Page Number(s): _____ Comments: _____<br>_____  |
| Reason<br>.0109<br>E                               | Instructions and/or information, which contain technical specifications for or may be used to alter or defeat electronic, mechanical or other security devices, facility blueprints, procedures, diagrams and/or information concerning security techniques and training of personnel and/or canine units.<br>Page Number(s): _____ Comments: _____<br>_____ |
| Reason<br>.0109<br>F                               | Instructions and/or information, which may be used to alter or defeat institutional systems of communication.<br>Page Number(s): _____ Comments: _____<br>_____  |
| Reason<br>.0109<br>G                               | Instructions and/or information relating to the ability or attempt to physically assault, disable, injure or kill a person.<br>Page Number(s): _____ Comments: _____<br>_____  |
| Reason<br>.0109<br>H                               | Violence against any ethnic, racial or religious group or which reasonably appears likely to provoke or to precipitate a violent confrontation between the recipient or recipients or any other inmate in possession of same and a member or members of the target group.<br>Page Number(s): _____ Comments: _____<br>_____                                  |
| Reason<br>.0109<br>I                               | Materials which are used or which reasonably appear likely to be used to intimidate or sexually harass facility staff or visitors.<br>Page Number(s): _____ Comments: _____<br>_____   |

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|----------------------|--|
| Reason<br>.0109<br>J | <p>Material which is written for or supports the activities of a validated Security Threat Group; or material which in any way supports, incites, promotes, encourages or advocates any type of gang activity by pictorials or writings or sign gang language or insignia. Sign gang language alone, in isolation of other material that supports, incites, promotes, encourages, or advocates any type of gang activity, should not be cause for rejection.</p> <p>Page Number(s) _____ Comments _____</p>  |
| Reason<br>.0109<br>K | <p>Sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the institution, or facilitates criminal activity. Sexually explicit materials are defined as pictorial depictions of sex acts involving any person of any age, or written depictions of sex acts involving violence, sadomasochism, sex with animals, or sex with any person who is under age 18, (or, if the person's age is not stated in the text, who could reasonably be thought to be under age 18). The term sex acts means actual or simulated sexual acts, including sexual intercourse, oral sex, or masturbation. In addition, pictorial materials which depict exposed, full frontal view of uncovered human genitalia, exposed genitalia from the rear or the female breast are specifically deemed to be a threat to institutional order, security and safety and a threat to inmate rehabilitation and are prohibited. This prohibition shall not apply to patently medical, artistic, anthropological or educational commercial publications including but not limited to <i>National Geographic</i>, works of art displayed in public galleries, i.e., Art News, anatomy texts or comparable materials.</p> <p>Page Number(s) _____ Comments _____</p> |
| Reason<br>.0109<br>L | <p>Items or materials which can be used for the improper purpose of establishing personal information about a staff member, victim or any other citizen. This prohibition includes but is not limited to a drivers license, drivers license records check, property title or deed, tax listing information, social security card, birth certificate, passport, military discharge papers, personal financial documents such as credit cards, checkbooks or similar items. Items sent to aid an inmate who is being prepared legitimate transition to the community are received and maintained for the inmate in a secure location until the inmate is released.</p> <p>Page Number(s): _____ Comments: _____</p>  |
| Reason<br>.0109<br>M | <p>Publication is larger than "8-1/2 x 11" and/or more than two (2) inches thick, and the facility head determines that the size of the publication may create a space or security problem.</p> <p>Page Number(s): _____ Comments: _____</p>   |
| Reason<br>.0109<br>N | <p>Publication is hardboard or spiral-bound and the publication is addressed to an inmate who is assigned in H-con, M-con, I-con, or on Disciplinary Segregation.</p> <p>Page Number(s): _____ Comments: _____</p>   |
| Reason<br>.0109<br>O | <p>Publication is from a source that is not a legitimate marketer, and/or distributor of published material.</p> <p>Page Number(s): _____ Comments: _____</p>  |
| Reason<br>.0109<br>P | <p>Publication is from a source that is in conflict with the custody level of the inmate to whom it is addressed.</p> <p>Page Number(s): _____ Comments: _____</p>   |
| Reason<br>.0109<br>Q | <p>Publication contains contraband, such as money, postal stamps or objects that may be utilized as weapons.</p> <p>Page Number(s): _____ Comments: _____</p>  |