



STATE OF NEW YORK
DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION
THE HARRIMAN STATE CAMPUS - BUILDING 2
1220 WASHINGTON AVENUE
ALBANY, N.Y. 12226-2050

BRIAN FISCHER
COMMISSIONER

JOSEPH F. BELLNIER
DEPUTY COMMISSIONER

MEMORANDUM

TO: All Superintendents

FROM: Joseph Bellnier, Deputy Commissioner for Correctional Facilities
Catherine Jacobsen, Acting Deputy Commissioner for Programs Services

DATE: January 27, 2012

SUBJECT: Publications containing advertisements in conflict with disciplinary rules

Prison Legal News and other publications have included numerous advertisements that offer inmates various goods and services, including a subscription to the publication itself, in exchange for the inmates' postage stamps. The use of postage stamps in this way constitutes the selling or exchange of personally owned articles in violation of Rule 113.15 of the Standards of Inmate Behavior. The publications also included advertisements that offer inmates call forwarding telephone services or services that allow inmates to place calls to wireless communications devices (e.g., cellular or PCS telephones, etc.). These activities constitute a violation of Rules 121.11 and 121.12 of the Standards of Inmate Behavior governing the inmate "call home" program.

Rather than barring the introduction of these publications altogether or attempting to redact or remove all such objectionable advertisements from each publication, correctional facilities are to include, along with each publication, the following notice to the inmate:

WARNING

This publication may contain advertisements that offer various goods and services to you, including a subscription to the publication itself, in exchange for your postage stamps in violation of Rule 113.15 of the Standards of Inmate Behavior that governs the sale or exchange of personally owned articles. It may also contain advertisements offering you call forwarding telephone services or services that allow you to place calls to wireless communications devices (e.g., cellular or PCS telephones, etc.) in violation of Rules 121.11 and 121.12 of the Standards of Inmate Behavior governing the inmate "call home" program. A response by you to these advertisements or any other advertisements that violate the Standards of Inmate Behavior will subject you to disciplinary action. This warning constitutes a Direct Order, the violation of which will also subject you to a Rule 106.10 disciplinary charge.

All Superintendents
January 27, 2012
Page 2

The publications described herein shall continue to be subject to Media Review processing, except that the advertisements identified herein need not be blotted out or removed and should not be counted toward the pages of objectionable matter referenced in Media Review Directive No. 4572(III)(D)(2).

If a publisher was added to a disapproved vendor list based solely upon the presence of the aforesaid objectionable advertisements in its publication, the publisher should be removed from that list at this time.

Correctional facilities should remain vigilant to guard against inmate attempts to sell or exchange their postage stamps, to use call forwarding telephone services and services that allow inmates to call cellular telephones as these activities jeopardize safety and security as well as the good working order of correctional facilities.