



Operating Procedure

Effective Date October 1, 2017	Number 803.2
Amended	Operating Level Department
Supersedes Operating Procedure 803.2 (1/1/15) Operating Procedure 440.1 (1/1/15) Partial	
Authority COV §18.2-374, §18.2-374.1:1, §18.2-390, §18.2-391, §53.1-35	
ACA/PREA Standards 4-4490	
Office of Primary Responsibility Corrections Operations Administrator	

Subject
INCOMING PUBLICATIONS

Incarcerated Offender Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Attachments Yes <input checked="" type="checkbox"/> #1 No <input type="checkbox"/>
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I. PURPOSE

This operating procedure provides for the ordering, review, and processing of incoming publications for offenders housed in Department of Corrections facilities.

II. COMPLIANCE

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws and regulations, Board of Corrections policies and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

III. DEFINITIONS

Community Corrections Facility - A residential facility operated by the Department of Corrections to provide Community Corrections Alternative Programs

Disapproved Publications List - A document published periodically listing all publications that have been disapproved by the Publication Review Committee

Facility - Any Community Corrections facility or institution

Gang - A group of individuals who: (a) possess common characteristics that distinguish them from other offenders or groups of offenders and who, as an entity, pose a threat to the safety and security of staff, the facility, other offenders or the community; (b) have a common distinctive goal, symbolism or philosophy; (c) possess identifiable skills or resources, or engage in unauthorized/illegal activities. Criminal street gangs, neighborhood cliques, hate groups, cults, and domestic terrorists that meet these conditions are considered gangs.

Institution - A prison facility operated by the Department of Corrections - includes major institutions, field units, and work centers

Media Files - Content such as music, non-music audio files, games, etc. which are approved by the DOC for the offender to download onto their media device

Nudity - The showing (human or cartoon) of the male or female genitals, pubic area, female breast with less than a fully opaque covering of the areola, or male or female buttocks with less than a full opaque covering of the anus

Publication Review Committee - A panel whose members are appointed by DOC Senior Management to review publications submitted from DOC facilities to determine if they violate this operating procedure and are therefore not appropriate for possession by an offender in a DOC facility

Publications - Any communication such as newspapers, magazines, newsletters or other periodicals, books, brochures, catalogs, or pamphlets that can be subscribed to or ordered from a vendor.

Vendor - Any entity i.e. publisher, organization, business, or governmental agency that as a usual and regular business provides mail order service to the public.

IV. PROCEDURE

A. Incoming Publications

1. This operating procedure provides information to offenders concerning ordering, receiving, and possessing publications. (4-4490)
2. Due to the short duration and intense nature of rehabilitation programs in Community Corrections facilities, offenders at these facilities are not allowed to purchase or possess publications unless specifically approved by the Facility Unit Head.
3. Due to the short time spent in these facilities, transient offenders at reception centers should not be allowed to purchase or receive publications.
4. Offenders at DOC institutions should be allowed to subscribe to, order, and receive publications direct from any vendor so long as the publication does not:
 - a. Pose a threat to the security, discipline, and good order of the facility and is not detrimental to offender rehabilitation
 - b. Promote violence, disorder, or the violation of state or federal law
 - c. Contain nudity or any sexually explicit acts, including child pornography or sexual acts in violation of state or federal law
 - d. Violate any of the *Specific Criteria for Publication Disapproval*
5. Offenders may only receive publications directly from a vendor as defined in this operating procedure. Approved vendor lists for publications may only be established at the Department level and only apply to foreign language publications.
6. Vendors who consistently distribute publications designed to deceive the DOC or circumvent operating procedures and pose a threat to the security, discipline, and good order of facilities may be disapproved by the Chief of Corrections Operations. Once disapproved, the vendor will be placed on the *Disapproved Vendors - Publications and Commercially Distributed Photographs* list.
7. Any materials received at the facility that may be evidence of criminal activity i.e., child pornography, shall be provided to the institutional investigator or Special Investigations Unit in a manner that preserves its value as evidence. The original materials must be provided, COV §18.2-374 and §18.2-374.1:1 prohibits copying obscene materials and child pornography.

B. Rights of Offenders to Access and Possess Publications

1. Offenders retain certain First Amendment rights to free access to publications. Correctional administrators have equally valid responsibilities under the Code of Virginia to maintain security, discipline, and good order in their facilities.
2. These responsibilities include control of contraband, control over disruptive or illegal activities, and concern for the safety and well-being of offenders and facility staff.
3. In order to maintain security, discipline, and good order in DOC facilities and to assist with rehabilitation and treatment objectives, reduce sexual harassment, and prevent a hostile environment for offenders, staff, and volunteers, offenders are not permitted to send, receive, or possess material that emphasizes explicit or graphic depictions or descriptions of sexual acts or contains nudity as defined in this operating procedure.

C. Notification to Offenders - Upon initial assignment to a DOC institution, each offender should be informed of facility procedures governing publications. The offender should be informed that:

1. It is the policy of the DOC to permit offenders to subscribe to, order from, and receive publications direct from a vendor so long as they do not pose a threat to the security, discipline, and good order of the facility and they otherwise comply with the requirements of this operating procedure.
 - a. Subscriptions to periodicals (newspapers, magazines, or catalogs published on a regular schedule) may be ordered by either the offender or a third party without prior approval from the facility.

- b. The offender must secure permission from the Facility Unit Head, or designee (usually mailroom or personal property), prior to ordering or receiving a book or back issue of a periodical by submitting a [Personal Property Request Add/Drop](#) 802_F1 in accordance with Operating Procedure 802.1, *Offender Property*.
 - c. Publications received from private individuals and publications that have been altered (pages, advertisements, or pictures removed, blotted out, etc.), are not authorized, regardless of the source.
 - d. Catalogs and brochures shall be treated as magazines if they contain a publisher name, publication date, volume/issue number or other identifier, copyright notice, and publisher address in the publication. All other catalogs and brochures will be treated as general correspondence.
 - e. Offenders are not permitted to receive publications of any kind on a trial basis or which have not been prepaid. Publications which may be obtained free of charge will be considered prepaid if the offender provides documentation that the publication is free.
 - f. When a portion of a publication is disapproved, the entire publication will be disapproved. There will be no attempt to remove or censor the disapproved material.
 - g. For security purposes, some facilities may remove staples or other binding materials so that the publication must be disposed of on transfer to another facility that would consider the publication altered.
 - h. The review process may invalidate any return or refund policy of the vendor associated with the material. The DOC assumes no responsibility in this matter.
2. Third party purchase of publications
 - a. Friends and family of offenders may subscribe to periodicals and purchase books to be delivered directly from the vendor to offenders in DOC institutions.
 - b. An offender or friends, family, and visitors of that offender will not be allowed to purchase publications for another offender unless that offender shares a family relationship with the purchaser.
 - c. DOC staff (including other agencies, private contractors, or contract service providers within any DOC facility), or any DOC volunteer or intern will not be allowed to purchase publications for an offender without the prior approval of the Facility Unit Head. Both Facility Unit Heads must approve if the transaction involves staff or a volunteer from another correctional facility.
 - d. The third party purchaser of any book must be identified on the [Personal Property Request Add/Drop](#) 802_F1 before the offender will be allowed to receive the book.
 - e. All publications (books and periodicals) must be shipped directly to the offender from a vendor as defined in this operating procedure.
 - f. The offender may be allowed to submit the *Personal Property Request Add/Drop* for books purchased by third parties after the book arrives at the facility.
 3. Incoming publications must be properly addressed to the offender.
 - a. The following information must be on the address label: offender's name, offender number, and the full name and address of the facility.
 - b. The facility name should be spelled out; abbreviations are not acceptable.
 - c. Publications with incomplete addresses should be delivered if it can be determined which offender is the intended recipient.
 - d. If the address indicates the offender tried to hide that the publication is sent to a correctional facility, delivery to the offender may be denied and the publication returned to the sender.
 4. Whenever the offender is transferred from one facility to another, it is the offender's responsibility to notify the publisher of change of address.
 - a. The United States Postal Service provides free forwarding of periodicals for only 60 days and does not provide free forwarding for package service mail outside the local area.

- b. Each facility shall forward periodicals by adding the current address under the offender's name and returning the item to the Post Office.
 - c. The DOC will not forward periodicals or other items once the free forwarding period expires.
5. A media device is made available to all offenders for purchase in order to download media files from vendor kiosks.
- a. All downloaded and stored content on the offender's media device is subject to inspection by facility staff in accordance with Operating Procedure 445.2, *Facility Searches and Inspections*.
 - b. The media device must be purchased from the DOC Contract Vendor as provided in Operating Procedure 802.1, *Offender Property*.
 - c. Kiosks will be made available for offender access in designated areas of the institution, days and hours for offender access shall be established by the Facility Unit Head.
 - d. Audio files offered for sale through the DOC Contract Vendor will only be the radio edited version; all downloaded content must comply with the *Specific Criteria for Publication Disapproval* section of this operating procedure.
 - e. General rules regarding the access and use of kiosks for downloading media files.
 - i. Offenders may login to the kiosk up to 2 times per day with a minimum time of 1 hour between each login.
 - ii. Each session will last no more than 15 minutes.
 - iii. The system will time out after 2 minutes of inactivity.
 - iv. Offenders are limited to a maximum of 10 previews per 15 minute session, each preview will last no more than 30 seconds.
 - v. Only offenders who have purchased a media device can listen to previews.
 - f. Offenders may submit a trouble ticket through the kiosk to address any issues with the system. Only one trouble ticket will be active at a time, any additional trouble tickets submitted will remain inactive until the active ticket is resolved.

D. Facility Review - Publication Approval/Disapproval

1. The Facility Unit Head, or designee, should review and approve all offender requests to order publications in accordance with Operating Procedure 802.1, *Offender Property*. If the issue of the periodical or edition of the book which the offender requests has been reviewed and disapproved by the Publication Review Committee (PRC), the request should be denied and the offender notified that the issue/book is not approved for possession by an offender.
2. All publications received at the facility shall be reviewed prior to distribution to an offender.
 - a. Publications delivered to the offender should be marked with the offender's name and number in accordance with Operating Procedure 802.1, *Offender Property*.
 - b. Publications disapproved by the facility for offender possession and submitted to the Publication Review Committee shall not be marked until the PRC review is complete and the publication is approved for offender possession.
3. Any publication that contains unauthorized advertising inserts that the offender is not permitted to possess at the facility (to include but not limited to, stickers, CD's/CD ROM's, Collector Cards, Make-Up Samples, Calendars, etc.) may have the unauthorized advertising item removed and disposed of without notification so that the offender may receive the publication. Unauthorized advertising inserts should not be removed if the publication will be submitted to the Publication Review Committee.
4. Publications which have not been ordered in accordance with this operating procedure and Operating Procedure 802.1, *Offender Property*, and received directly from a vendor should be disapproved per Operating Procedure 802.1, *Offender Property*, and should not be sent to the PRC (see *Unauthorized and Improperly Received Publications* section of this operating procedure).
5. If the issue of the periodical or edition of the book is listed as disapproved by the PRC on the

Disapproved Publications List, the publication should be denied.

- a. The offender will be notified using [Notification of Publication Review Committee Disapproval 803_F10](#).
 - b. The offender should dispose of the publication in accordance with Operating Procedure 802.1, *Offender Property* and the publication should not be sent to the PRC.
6. The Facility Unit Head shall make a determination on a case-by-case and/or issue-by-issue basis to disapprove a publication for offender possession in accordance with the *Specific Criteria for Publication Disapproval* section of this operating procedure.
- a. Any issue of *Prison Legal News* that is disapproved at any facility must be sent immediately to the office of the Chief of Corrections Operations with detailed explanation of the disapproval. This publication shall not be sent to the Publication Review Committee.
 - b. Mail room, personal property, or other personnel may perform the initial screening of incoming publications for compliance with this operating procedure and recommend disapproval to the Facility Unit Head, but shall not be the Facility Unit Head's designee for the purpose of disapproving offender possession of a publication.
 - c. When a publication is disapproved, within ten working days of the arrival of the publication at the facility, the Facility Unit Head shall use the [Facility Notification of Publication Disapproval 803_F11](#) to advise each offender who received the publication in writing of the *Specific Criteria for Publication Disapproval*.
 - i. An offender that does not want the publication reviewed by the PRC must advise the Facility Unit Head, or designee, within seven days of notification of disapproval.
 - ii. The offender must indicate a choice of the means of disposal of the publication on the *Disposal Section* of the *Facility Notification of Publication Disapproval*. If the *Disposal Section* is not completed and returned within seven days, the publication will be sent to the Publication Review Committee.
 - iii. Disposal of such publications must be completed within 30 days of notification.
 - iv. An offender who chooses this option waives the right to appeal disapproval of possession of the publication.
 - d. The Facility Unit Head, or designee, is responsible for submitting a copy of all disapproved publications at least once each month to the PRC with a completed [Disapproved Publications Log 803_F12](#).
 - e. When multiple copies of the same publication are received at the facility, only one publication with a copy of the corresponding [Facility Notification of Publication Disapproval 803_F11](#) should be sent to the PRC for review; additional copies will be maintained at the facility.

E. Publication Review Committee

1. The DOC Senior Management shall appoint 3 DOC employees as Publication Review Committee (PRC) members.
2. The PRC shall maintain a roster of subject matter consultants for issues such as religion, gangs, literary value, health care, and mental health. The subject matter consultants shall not be voting members of the PRC.
3. PRC members may review submissions independently based on this operating procedure and submit votes on approval/disapproval for offender possession.
 - a. A majority vote of PRC members shall determine approval/disapproval.
 - b. The Director and Chief of Corrections Operations have the authority to veto PRC actions.
4. Designated support staff shall monitor submissions to the PRC to maintain a list of all publications submitted for review and the outcome of each review.
5. Each month PRC will review publications submitted by facilities for compliance with the *Specific Criteria for Publication Disapproval*.

- a. The PRC will provide written notification of PRC decisions on approval or disapproval to the Facility Unit Head for those publications submitted by the facility.
 - b. Within five working days of written notification of disapproval from the PRC, facility staff shall prepare and send a [Notification of Publication Review Committee Disapproval](#) 803_F10 to each offender who received the publication.
6. The PRC support staff shall notify the publisher (see [Notification to Publisher of Publication Disapproval](#) 803_F13) of the PRC decision to disapprove the publication for offender possession.
- a. Notification is not required if the publisher is located in a foreign country and does not have offices in the United States.
 - b. The publisher should be advised that an independent review of the disapproval is available in accordance with the *Appeals of Publication Disapprovals* section of this operating procedure.
 - c. If the publication was not disapproved, the publisher will not be notified of the review.

F. Appeals of Publication Disapprovals

1. When a publication is disapproved by the PRC, the offender may appeal the decision through the *Offender Grievance Procedure* within seven days of the date of written notification of the PRC decision.
2. When a publication is disapproved by the PRC, the publisher may appeal the PRC decision to the Chief of Corrections Operations within fifteen calendar days of receipt of the written notification that the publication has been disapproved. The office of the Chief of Corrections Operations will provide written notification to the publisher of the final decision within ten days of that decision.
3. Publications on the *Disapproved Publications List* are disapproved based on prior review by the Publication Review Committee and are not subject to appeal through the *Offender Grievance Procedure*. The offender must dispose of this property in accordance with Operating Procedure 802.1, *Offender Property* and the publication should not be sent to the PRC.

G. Publication Disposition

1. The PRC will return all approved publications to the facilities from which they were submitted and these publications shall be delivered to offenders.
2. Disapproved publications will be held by PRC and copies of these publications at the facility will be held for 30 days to allow for offender and publisher appeal of the disapproval in accordance with this operating procedure.
3. If the offender or publisher does not appeal the disapproval within the required time frame, the PRC will return all disapproved publications to facility for disposal.
4. Prior to returning disapproved publications to the facility, PRC support staff will notify facilities of publications pending publisher or offender appeal of disapproval.
5. Appealed publications will be held until completion of the appeal process.
6. Each month after expiration of the appeal period, PRC support staff shall compile PRC actions and update the *Disapproved Publications List* for posting on the DOC Virtual Library.
7. The Facility Unit Head will make a copy of the *Disapproved Publications List* available for offender review.

H. Unauthorized and Improperly Received Publications

1. Any publication that has not been ordered or received in accordance with all applicable procedures will not be delivered to the offender and will be returned to the sender in accordance with this operating procedure and Operating Procedure 802.1, *Offender Property*.
2. Denial of unauthorized or improperly received publications should be based upon the failure to follow applicable procedures. Such publications should not be reviewed or submitted to the PRC.

3. The offender and the sender will be notified in writing of the reason that delivery was disapproved and advised of the option to appeal the rejection to the Facility Unit Head.
4. The Facility Unit Head or designee should deny a publication as unauthorized or improperly received if:
 - a. The publication has not been subscribed to, ordered, and received direct from a vendor.
 - b. The publication is not properly addressed in accordance with this operating procedure.
 - c. The publication is unsolicited, generally mailed, or mass mailed material (bulk mail), such as catalogues, sales brochures, advertising fliers, etc. If this material was not sent as first class mail, it is not necessary to notify the sender or the offender and it should be marked "refused" and returned to the Post Office.
 - d. The publication received has been altered (pages, advertisements, or pictures removed, blotted out, etc.), even if the offender received prior approval to order the publication. If the publication was altered when received from a vendor, the Facility Unit Head should also notify the PRC of the name and address of the vendor, the publication name, issue number, and the nature of the alteration.

I. Specific Criteria for Publication Disapproval

The Facility Unit Head should disapprove a publication for receipt and possession by offenders and forward it to the PRC for final action if the publication can be reasonably documented to violate any of the following criteria:

A. Material that emphasizes explicit or graphic depictions or descriptions of sexual acts

1. Actual sexual intercourse (vaginal, anal, or oral) including inanimate object penetration
2. Secretion or excretion of bodily fluids or substances in the context of sexual activity or arousal
3. Bondage, sadistic, masochistic, or other violent acts in the context of sexual activity or arousal
4. Any sexual acts in violation of state or federal law

Note: This criterion shall not be used to exclude publications that describe sexual acts in the context of a story or moral teaching unless the description of such acts is the primary purpose of the publication. No publication generally recognized as having literary value should be excluded under this criterion. Questionable materials shall be submitted to the PRC

B. Material that contains solicitations for or promotes activities that are in violation of state or federal law including the abuse or sexual exploitation of children or contains nude depictions of children in the context of sexual activity

C. Instructions or information regarding:

1. Escape techniques
2. Maps, road atlas, directions, etc. that depict a geographic region that could reasonably be construed to be a threat to security
3. The manufacture, simulation, or concealment of weapons, ammunition, explosives, incendiaries, or escape devices
4. The ingredients or manufacture of poisons, drugs, intoxicants, abrasives, corrosives, or other toxic or illegal substances
5. Technical specifications for, or may be used to alter or defeat electronic, mechanical, or other security and communication devices
6. Security techniques
7. Training of personnel or canine units
8. The ability to physically disable, injure, or kill a person

- D. Material, documents, or photographs that emphasize depictions or promotions of violence, disorder, insurrection, terrorist, or criminal activity in violation of state or federal laws or the violation of the Offender Disciplinary Procedure

Note: This criterion shall not be used to exclude publications that describe such acts in the context of a story or moral teaching unless the description of such acts is the primary purpose of the publication. No publication generally recognized as having literary value should be excluded under this criterion. Questionable materials shall be submitted to the PRC

- E. Material whose content could be detrimental to the offender rehabilitative efforts or the safety or health of offenders, staff, or others based on the offender's specific criminogenic needs (see *Publications Detrimental to Offender Rehabilitative Efforts* in this operating procedure)
- F. Material that depicts, describes, or promotes gang bylaws, initiations, organizational structure, codes, or other gang-related activity or association
- G. Material written or communicated in code or in a language other than English or Spanish (unless obtained from an approved vendor, see *Attachment 1*)
- H. Books larger than 11 inches by 14 inches or books that contain pop-out or multiple thickness pages that cannot be easily searched for contraband
- I. Material that contains nudity (see *Publications Containing Nudity Exceptions* section in this operating procedure)
- J. Disapproval of Non-English Language Publications
1. Publications that are written or communicated in languages other than English or Spanish that cannot be readily translated and reviewed for content pose an overriding security concern for the DOC.
 2. Publications that are written or communicated in code or entirely in languages other than English or Spanish should be disapproved unless obtained from an approved vendor (see *Attachment 1*).
 - a. Publications that are written or communicated entirely in languages other than English or Spanish that are not from an approved vendor, but appear otherwise acceptable (no inappropriate pictures, etc.) should be disapproved and sent to the PRC for final action and consideration to add the publisher to the approved vendor list.
 - b. The Facility Unit Head has the authority to disapprove publications that are written in code; these publications should not be forwarded to the PRC.
 - i. Any publication containing material that is encrypted or encoded shall be forwarded immediately to the Gang Specialist or institutional investigator to determine if it should be forwarded to the Operations and Logistics Unit for investigation.
 - ii. The offender may appeal the Facility Unit Head's decision through the Offender Grievance Procedure.
 - iii. The facility should hold the publication pending completion of the grievance process
 3. Publications that are not completely written or communicated in a foreign language but that contain un-translated foreign text that cannot be readily translated and reviewed should be disapproved and sent to the PRC for final action.
 4. The restriction on foreign language publications does not apply to educational materials provided through an approved academic class. All materials placed in facility libraries must comply with this operating procedure.
 5. The restriction on foreign language publications does not apply to publications that contain complete, direct translations from a foreign language into English (i.e. English – foreign language dictionaries, language text books, and publications that contain parallel text in English and other languages).
 6. Offenders may order and possess specified foreign language religious texts from vendors approved by the Faith Review Committee as a source for foreign language religious texts (see *Attachment 1*).

K. Publications Made Available to Offenders through Facility Programs

1. Publications and other materials placed in facility libraries or provided to offenders through facility approved, on-going programs or special activities should be integral to the program or activity and will be reviewed and approved by the Facility Unit Head or designee, prior to being made available to offenders.
 - a. Publications and other materials should not be approved for offender access or use if their content would be disapproved in accordance with the *Specific Criteria for Publication Disapproval*.
 - b. Foreign language materials may be placed in facility libraries if there is an English language version of the same material from the same publisher that is not in violation of the *Specific Criteria for Publication Disapproval*.
2. The provision of any publication by the facility for offender use is discretionary and may be denied for reasons other than the criteria listed in this procedure, such as appropriateness for the program or activity for which such material has been requested. Therefore, the decision of the Facility Unit Head is final.
3. If desired, the Facility Unit Head may request the PRC to review program publications which may violate the *Specific Criteria for Publication Disapproval* but such review is not required.

L. Offenders under the Age of 18

1. Offenders under the age of 18 are not permitted to order or receive publications which state "not to be sold to persons under the age of _". If such materials are received by the facility for an under age 18 offender, this material is to be returned to the sender with a letter stating that the addressee is underage and cannot receive it. If the material does not contain any disclaimer regarding age but appears to violate COV §18.2-390 or §18.2-391, the publication should be sent to the PRC with a letter indicating that it was received by an underage offender.
2. Offenders under the age of 18 who are found to be in possession of sexually explicit materials are to be charged with "Possession of Contraband" in accordance with the *Offender Disciplinary Procedure*. The offense report should include the offender's date of birth. The contraband is to be seized pending disposal or confiscation in accordance with Operating Procedure 802.1, *Offender Property*.

M. Publications Detrimental to Offender Rehabilitative Efforts

1. *Specific Criteria for Publication Disapproval* provides for publications and other materials to be disapproved if they are determined to be detrimental to offender rehabilitative efforts (Criterion E).
2. This determination should be based on assessment of the individual offender's specific criminogenic factors.
3. Items may be determined to be detrimental by Program, Mental Health, or other appropriate facility staff. Mailroom staff should not be making this determination without offender-specific guidance and review from Program, Mental Health, or other appropriate facility staff.
4. If the offender disagrees with the determination and does not wish to send out or dispose of the item, the facility shall forward the item to the PRC for review and final determination. Specific pages or passages of the item should be marked with enclosed explanation of the specific criminogenic factors that apply to that offender.

N. Publications Containing Nudity Exceptions

1. The *Specific Criteria for Publication Disapproval* provides that publications containing nudity be disapproved for Criterion "I",
2. Publications containing nudity illustrative of anthropological, educational, or medical content may be acceptable; facility staff must review all publications containing nudity and determine if an exception applies subject to the following guidelines:
 - a. Anthropological exception applies to nudity in a publication where the content deals with the

origins, physical and cultural development, biological characteristics, and social customs and beliefs of humankind.

- b. Educational exception applies to nudity in a publication in conjunction with written content where the publication in its entirety is intended to educate, inform, or instruct an individual on a subject.
 - c. Medical exception applies to nudity in a publication that explains the science and practice of the diagnosis, treatment, and prevention of a disease.
 - d. Questionable materials shall be submitted to the Publication Review Committee for review and approval or disapproval for an exception.
3. Offenders requiring registration in the *Sex Offender and Crimes against Minors Registry* for conviction of a sexual offense are prohibited from receiving all publications containing nudity and are not eligible for an anthropological, educational, or medical exception to Criterion "I".
 4. Offenders requiring registration in the *Sex Offender and Crimes against Minors Registry* for conviction of a non-sexual offense are eligible for an exception to Criterion "I" unless the publication has been determined to be detrimental by Program, Mental Health, or other appropriate facility staff and the publication violates Criterion "E".
 5. Any materials found in an offender's possession that violate Criterion "I" and do not qualify for an exception will be considered contraband subject to seizure and confiscation in accordance with Operating Procedure 802.1, *Offender Property*, and grounds for disciplinary action in accordance with Operating Procedure 861.1, *Offender Discipline, Institutions*.

V. REFERENCES

Operating Procedure 445.2, *Facility Searches and Inspections*

Operating Procedure 802.1, *Offender Property*

Operating Procedure 861.1, *Offender Discipline, Institutions*

VI. FORM CITATIONS

[Personal Property Request Add/Drop](#) 802_F1

[Notification of Publication Review Committee Disapproval](#) 803_F10

[Facility Notification of Publication Disapproval](#) 803_F11

[Disapproved Publications Log](#) 803_F12

[Notification to Publisher of Publication Disapproval](#) 803_F13

VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

Signature Copy on File

8/21/17

A. David Robinson, Chief of Corrections Operations

Date