

Section 13.6 *Prohibited Items in Incoming Packages*

(a) When an item found in an incoming package involves a criminal offense, it may be forwarded to the appropriate authority for possible criminal prosecution. In such situations, the notice required by Section 13.6(c) may be delayed if necessary to prevent interference with an ongoing criminal investigation.

(b) A prohibited item found in an incoming package that does not involve a criminal offense shall be returned to the sender, donated or destroyed, as the prisoner wishes.

(c) Within 24 hours of the removal of an item, the Board and the intended prisoner shall be sent written notification of this action.

This written notice shall include:

- (i) the name and address of the sender;
- (ii) the item removed;
- (iii) the reasons for removal;
- (iv) the choice provided by Section 13.6(b); and
- (v) the appeal procedure.

(d) After removal of an item, all other items in the package shall be forwarded to the intended prisoner.

Section 13.7 *Appeal*

(a) Any person affected by the determination to remove an item from an incoming package may appeal such determination to the Board.

(i) The person affected by the determination shall give notice in writing to the Board and to the Department of his or her intent to appeal the determination.

(ii) The Department and any person affected by the determination may submit to the Board for its consideration any relevant material in addition to the written determination.

(iii) The Board or its designate shall issue a written decision upon the appeal within 14 business days after receiving notice of the requested review.

Section 13.8 *Effective Date*

This Part shall take effect September 1, 1978.

PART 14—PUBLICATIONS

Section

- 14.1 Policy
- 14.2 Number and Language
- 14.3 Incoming Publications
- 14.4 Appeal
- 14.5 Effective Date

Section 14.1 *Policy*

Prisoners are entitled to receive new or used publications from any source, including family, friends and publishers. "Publications" are printed materials including soft and hardcover books, articles, magazines and newspapers.

Section 14.2 *Number and Language*

There shall be no restriction upon the receipt of publications based upon the number of publications previously received by the prisoner, or the language of the publication.

Section 14.3 *Incoming Publications*

(a) Incoming publications shall be delivered to the intended prisoner within 24 hours of receipt by the Department unless the prisoner is no longer in custody of the Department.

(b) Incoming publications may be opened and inspected pursuant to the procedures applicable to incoming packages.

(c) Incoming publications shall not be censored or delayed unless they contain specific instructions on the manufacture or use of dangerous weapons or explosives, or plans for escape.

(d) Incoming publications shall only be read to ascertain if they contain material prohibited by Section 14.3(c).

(e) Within 24 hours of a decision to censor or delay all or part of an incoming publication, the Board and the intended prisoner shall be sent written notification of such action. This notice shall include the specific facts and reasons underlying the determination and the appeal procedure.

Section 14.4 *Appeal*

(a) Any person affected by a determination made pursuant to Section 14.3(c) may appeal such determination to the Board.

(i) The person affected by the determination shall give notice in writing to the Board and the Department of his or her intent to appeal the determination.

(ii) The Department and any person affected by the determination may submit to the Board for its consideration any relevant material in addition to the written determination.

(iii) The Board shall issue a written decision upon the appeal within five business days after it has received written notice of the requested review.

Section 14.5 *Effective Date*

This Part shall take effect May 1, 1978.