

33-501.401 Admissible Reading Material.

(1) The provisions of this section shall apply to all publications, including books, newspapers, magazines, journals and diaries, calendars and any other printed materials addressed to a specific inmate or found in the personal property of an inmate. Personal correspondence and photographs are not publications. No photograph will be approved and issued to an inmate as admissible reading material. Policy governing the receipt of photographs by inmates through the mail is established in Rule 33-210.101, F.A.C.

(2) Definitions.

(a) Hard-cover – a publication with a rigid, pressboard or cardboard cover.

(b) Impoundment – the action taken by authorized department staff to withhold an inmate's incoming publication or a publication found in an inmate's personal property pending review of its admissibility by the Literature Review Committee.

(c) Inmate grievance appeal – a Request for Administrative Remedy or Appeal, Form DC1-303. Form DC1-303 is incorporated by reference in Rule 33-103.006, F.A.C.

(d) Mail order distributors and bookstores – business establishments that sell publications to the general public.

(e) Non-print media – publications published in formats other than on paper. Examples include microfilm, microfiche, computer disks, CDs, DVDs, audio cassettes, and VHS tapes.

(f) Periodical – a publication issued under the same title and published at regular intervals of more than once a year. Examples of periodicals include magazines and newspapers.

(g) Print media – publications that are printed or written on paper. These include hardcover books, soft cover books, magazines, newspapers, catalogs, and brochures.

(h) Publication – a document that is offered to the public by sale or by gratuitous distribution. Examples of publications include periodicals and books.

(i) Publisher – a corporation, governmental agency, private or public educational institution, church or other religious organization, professional, business or fraternal organization or association that prints publications for sale or gratuitous distribution to the public.

(j) Rejection – the act or procedure for declaring a book, periodical, or other single issue of a publication to be contraband.

(k) Soft-cover – a publication with a flexible cover, also referred to as a paperback.

(3) Inmates shall be permitted to receive and possess publications per terms and conditions established in this rule unless the publication is found to be detrimental to the security, order or disciplinary or rehabilitative interests of any institution of the department, or any privately operated institution housing inmates committed to the custody of the department, or when it is determined that the publication might facilitate criminal activity. Publications shall be rejected when one of the following criteria is met:

(a) It depicts or describes procedures for the construction of or use of weapons, ammunition, bombs, chemical agents, or incendiary devices;

(b) It depicts, encourages, or describes methods of escape from correctional facilities or contains blueprints, drawings or similar descriptions of Department of Corrections facilities or institutions, or includes road maps that can facilitate escape from correctional facilities;

(c) It depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs or other intoxicants;

(d) It is written in code or is otherwise written in a manner that is not reasonably subject to interpretation by staff as to meaning or intent;

(e) It depicts, describes or encourages activities which may lead to the use of physical violence or group disruption;

(f) It encourages or instructs in the commission of criminal activity;

(g) It is dangerously inflammatory in that it advocates or encourages riot, insurrection, disruption of the institution, violation of department or institution rules;

(h) It threatens physical harm, blackmail or extortion;

(i) It depicts sexual conduct as follows:

1. Actual or simulated sexual intercourse;

2. Sexual bestiality;

3. Masturbation;

4. Sadomasochistic abuse;

5. Actual lewd exhibition of the genitals;

6. Actual physical contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party;

7. Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

(j) It depicts nudity in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with a person's unclothed genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.

(k) It contains criminal history, offender registration, or other personal information about another inmate or offender, which, in the hands of an inmate, presents a threat to the security, order or rehabilitative objectives of the correctional system or to the safety of any person;

(l) It contains an advertisement promoting any of the following where the advertisement is the focus of, rather than being incidental to, the publication or the advertising is prominent or prevalent throughout the publication.

1. Three-way calling services;
2. Pen pal services;
3. The purchase of products or services with postage stamps; or
4. Conducting a business or profession while incarcerated.

(m) It otherwise presents a threat to the security, order or rehabilitative objectives of the correctional system or the safety of any person.

(4) The department shall maintain a list of all publications that have been reviewed by the literature review committee. The list of reviewed publications shall be updated after every meeting of the literature review committee. All institutions shall keep a current copy of the list of reviewed publications in every institutional mailroom and at a location accessible by inmates.

(5) A subscription to a periodical cannot be totally rejected by the institution, but each issue of the subscription shall be reviewed separately and impoundment or rejection shall be based on the criteria established in subsection (3).

(6) Inmates who are foreign nationals shall be permitted to receive publications in their native language that are mailed direct from government agencies, diplomatic missions, and consular offices of their country of citizenship. Such publications can be new or used, however, all other restrictions on admissible reading material established in this rule shall apply.

(7) Incoming publications previously rejected by the literature review committee. An incoming publication that has previously been rejected by the department's literature review committee due to inclusion of subject matter held to be inadmissible per the criteria established in subsection (3) shall not be reviewed again unless the publisher presents proof to the literature review committee that it has been revised and in the revision process the material resulting in the original rejection has been removed. When a rejected publication is received at an institution, it shall be impounded and shall not be issued to inmates. The warden or designee shall notify the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, within 15 calendar days of receipt that the publication has been rejected by the department's literature review committee and cannot be received. Form DC5-101 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is 6-16-09. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor. Form DC5-101, Notice of Rejection or Impoundment of Publications, shall address only one publication. If a single mailing includes more than one rejected publication, Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be prepared for each.

(8) Incoming publications that have not been previously rejected by the literature review committee.

(a) The warden or designee shall impound and not issue to inmates any publication that he finds to be inadmissible pursuant to the criteria in subsection (3) within 15 calendar days of receipt of the publication at the institution. If only a portion of a publication meets one of the criteria for rejection established in subsection (3), the entire publication shall be impounded. For the purposes of approving the impoundment of publications, the warden's "designee" shall be limited to the assistant warden.

(b) The warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific reasons for the impoundment within 15 calendar days of receipt of the publication at the institution and shall provide two copies of the form to the inmate. The warden or designee of the institution that originated the impoundment shall also provide a copy of the completed form to the publisher, mail order distributor, bookstore or sender, and to the literature review committee. The copy of the impoundment notice that is sent to the literature review committee shall also include as attachments a copy of the publication's front cover or title page and a copy of all pages cited on Form DC5-101, Notice of Rejection or Impoundment of Publications, as including inadmissible subject matter. The actual date that Form DC5-101, Notice of Rejection or

Impoundment of Publications, is mailed to the publisher, mail order distributor, bookstore or sender shall be documented by date stamp on the copies provided to the publisher or sender, the literature review committee, and the institution's copy.

(c) The impoundment of a publication by a warden or authorized designee of any correctional facility of the department shall result in that publication being impounded at all correctional facilities until such time as the literature review committee reviews the action. Inmates at other institutions who also receive the impounded publication shall be provided with Form DC5-101, Notice of Rejection or Impoundment of Publications, explaining that it has been impounded pending review for admissibility; Form DC5-101, Notice of Rejection or Impoundment of Publications, shall also detail the specific reasons why the publication was impounded. For purposes of this subsection, the warden's "designee" may include the mailroom supervisor.

(d) Due to the necessity of securing outside translation assistance, the time frames for review of admissible reading material specified in this section shall not apply to publications in languages other than English or Spanish.

(9) Admissible Reading Material in an Inmate's Property.

(a) The review criteria established in subsection (3) of this rule also apply to publications found in an inmate's personal property. If correctional staff find a publication that has been rejected by the department, the publication shall be impounded and Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. Form DC6-220 is incorporated by reference in Rule 33-602.201, F.A.C.

(b) If correctional staff believe that a publication found in an inmate's personal property is inadmissible per subsection (3) of this rule, it shall be impounded and Form DC6-220, Inmate Impounded Personal Property List, shall be completed as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the publication is found to be inadmissible, the warden or warden's designee shall prepare Form DC5-101, Notice of Rejection or Impoundment of Publications, advising the inmate of the specific reasons for impoundment. The inmate shall be provided with two copies of the form.

(10) Publications and any other printed material addressed to a specific inmate or found in the property of an inmate shall be impounded when circumstances detailed in an individual inmate's criminal conviction, detailed in departmental disciplinary reports, or detailed in prior criminal convictions, indicates it would be a threat to the security, order or rehabilitative objectives of the correctional system or the safety of any person to allow the inmate access to subject matter in that publication.

(a) When a warden or assistant warden believes that an individual should be denied a publication because receipt of same would be contrary to treatment or rehabilitative objectives or might encourage or contribute to the conduct or commission of acts that violate department rules, he shall forward the publication to institutional health or mental health services professionals for review and evaluation. If health or mental health services professionals concur that the inmate should be denied access to the publication, the warden or assistant warden shall impound the publication. The warden or assistant warden shall provide the literature review committee with a copy of the opinion prepared by the health or mental health services professional and any other information that justifies denying the inmate the publication.

(b) Publications received through the mail. Within 15 calendar days of receipt of the publication at the institution, the warden or designee shall advise the inmate in writing on Form DC5-101, Notice of Rejection or Impoundment of Publications, of the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. The warden or designee shall provide a copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, to the publisher, mail order distributor, bookstore, or sender. The actual date that Form DC5-101, Notice of Rejection or Impoundment of Publications, is mailed to the publisher, mail order distributor, bookstore, or sender shall be documented by date stamp on the copies provided to the publisher or sender, the literature review committee, and the institution's copy. The inmate also shall be provided two copies of the form.

(c) Publications found in an inmate's personal property. Correctional staff shall impound the publication and complete Form DC6-220, Inmate Impounded Personal Property List, as required by Rules 33-602.201 and 33-602.203, F.A.C. The publication shall then be forwarded to the warden or his or her designee for review. The warden or warden's designee shall review the publication within 15 days of impoundment. If the warden or designee agrees that the publication should be impounded, he shall prepare Form DC5-101, Notice of Rejection or Impoundment of Publications, identifying the specific subject matter that is cause for impoundment pursuant to this subsection, to include the page numbers in the publication where this information is found, and the specific security, safety, or rehabilitation concerns that justify denying the individual inmate access to the publication. Form DC5-101, Notice of Rejection or Impoundment of Publications, shall only address one publication. The inmate shall be provided with two copies of the

form.

(d) A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall also be sent to the Literature Review Committee, together with any other information that the warden or designee believes justifies the institution's decision to deny the inmate the publication.

(e) Publications that are impounded pursuant to this subsection shall be handled as provided in subsections (8) and (9) of this rule.

(f) Inmates may appeal impoundment decisions undertaken pursuant to this subsection through use of the inmate grievance procedure as provided in subsection (13) and paragraph (14)(c) of this rule and Chapter 33-103, F.A.C.

1. If the impoundment decision is disapproved, the institution shall give the publication to the inmate.

2. If the impoundment decision is approved, the institution shall advise the inmate that he has 30 days from date of receipt of notice that the grievance appeal has been denied to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it.

(g) Impoundment decisions that are approved pursuant to this subsection are individualized in nature and do not have affect on any other inmate. If institution staff believe that a publication is inadmissible per the criteria established in subsection (3) of this rule, and should be denied to all inmates, they shall follow the procedures established in subsections (8) and (9) of this rule.

(h) Inmates who otherwise secure publications that they were specifically prohibited from receiving pursuant to this subsection shall be subject to formal disciplinary action as provided in Rules 33-601.300-314, F.A.C. Any such publications found in the possession of the inmate shall be impounded as contraband, and may be destroyed upon conclusion of disciplinary proceedings and related grievance or legal appeals.

(11)(a) Rejected and impounded publications shall be held at the institution for 30 days. Upon receipt of Form DC5-101, Notice of Rejection or Impoundment of Publications, an inmate shall have 30 days to make arrangements to have the publication picked up by an approved visitor or sent to a relative or friend or the sender at the inmate's expense. If the publication is not picked up or mailed out within 30 days, the institution shall destroy it.

(b) The 30 day limit shall not include any time that a grievance is pending provided that:

1. The grievance is timely filed as prescribed in Chapter 33-103, F.A.C.; and

2. In grievances challenging the impoundment or rejection of publications pursuant to the criteria established in subsections (3) and (10) of this rule, the inmate provided the warden with written notice of his or her intent to file a grievance with the office of the secretary as prescribed in paragraph (13)(b) of this rule.

(c) At any time during the 30 day limit, an inmate may elect to have an impounded or rejected publication picked up by an approved visitor, relative, or friend or to pay to have the publication mailed to one of these approved individuals, or to have it disposed of or destroyed. If the inmate authorizes the institution to have the publication disposed of or destroyed before the 30 day limit or while a grievance appeal is known to be pending, such authorization shall be secured in writing.

(12) Institutions shall store impounded or rejected publications in a secure location that is inaccessible by inmates. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be kept with the impounded or rejected publication.

(13) Inmates may appeal the impoundment or rejection of reading material through use of the inmate grievance procedure, Chapter 33-103, F.A.C.

(a) When publications are rejected for reasons not relating to subject matter, inmates shall file an informal grievance as prescribed by Rule 33-103.005, F.A.C.

1. Only one impounded or rejected publication shall be addressed in the grievance;

2. A copy of the Form DC5-101, Notice of Rejection or Impoundment of Publications, that documents the rejection, must be attached to the grievance; and

3. The complaint must be filed within 15 days from the date of rejection.

(b) When publications are impounded or rejected pursuant to the criteria established in subsections (3) and (10) of this rule, inmates shall bypass the informal and formal institutional level of review, and file grievances direct to the office of the secretary as prescribed by Rule 33-103.007, F.A.C.

1. Only one impounded or rejected publication shall be addressed in the grievance;

2. The inmate shall identify the grievance as being related to admissible reading material by writing the words "Admissible

Reading Material” at the top of the grievance;

3. A copy of the Form DC5-101, Notice of Rejection or Impoundment of Publications, which documents the impoundment or rejection, must be attached to the grievance;

4. The complaint must be filed within 15 days from the date of impoundment or rejection;

5. The grievance appeal shall be addressed to the office of the secretary; and

6. The inmate must provide written notice to the warden on Form DC6-236, Inmate Request, that he intends to appeal the impoundment or rejection to the office of the secretary if he wishes to have the order to dispose of the publication within 30 days stayed while the grievance is pending. The written notice shall include a statement that the inmate intends to appeal the impoundment or rejection of admissible reading material and must specifically identify the publications on which the appeal is to be based. Form DC6-236 is incorporated by reference in Rule 33-103.005, F.A.C.

(14) Literature Review Committee.

(a) There shall be a literature review committee to act as the final reviewing authority for appeals regarding reading material impounded or rejected pursuant to criteria established in this rule. The committee shall be composed of:

1. Chief of bureau of security operations or designee;

2. Chief of bureau of inmate grievance appeals or designee;

3. Chief of Bureau of Re-Entry Programs and Education or designee.

(b) The chief of the Bureau of Re-Entry Programs and Education or designee shall be designated chairman of the literature review committee and shall be responsible for coordinating all activities of the committee.

(c) Upon receipt of a Form DC5-101, Notice of Rejection or Impoundment of Publications, from a correctional facility or receipt of inmate grievance appeals forwarded by the bureau of inmate grievance appeals, the chief of institutional programs or designee shall schedule a meeting of the literature review committee to review institutional decisions to impound publications and inmate appeals within 30 days of receipt. The committee shall review the inmate’s appeal, or, in the case of institutional impoundment decisions, the rule authority and reasons for the impoundment cited on the Form DC5-101, Notice of Rejection or Impoundment of Publications, the portions of the publication that have been cited as cause for impoundment, and any other specific material relating to the decision to impound the publications or the inmate’s appeal. The committee shall affirm or overturn the impoundment decision, or approve or deny the appeal based upon the criteria set forth in this rule. Decisions shall be by majority vote. The decision of the committee shall be final.

(d) Decisions relating to the review of impounded or rejected publications shall be communicated to all institutions of the department and any privately operated institutions housing inmates committed to the custody of the department. When an impoundment decision is overturned, institutions shall issue the publication to all affected inmates as soon as possible. Decisions relating to grievance appeals shall be communicated to the chief of the bureau of inmate grievance appeals or designee who shall then approve or deny the grievance based upon the committee’s decision.

(e) If the inmate’s grievance appeal is approved or if the literature review committee notifies institutions that the impoundment of a publication has been overturned, the institution shall issue the publication to the inmate. The following guidelines shall be followed:

1. The publication shall be retrieved from secure storage and turned over to security or service center staff authorized by the warden or designee to issue impounded publications to inmates.

2. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be attached to the publication.

3. The stamped Form DC5-101, Notice of Rejection or Impoundment of Publications, shall be presented to the inmate. The inmate shall be required to sign and date the form. The inmate shall be issued the publication only after he has signed and dated the form.

4. The signed form shall be retained by institutional or service center staff as documentation that the inmate was issued the publication.

(15)(a) The publisher, mail order distributor, bookstore or sender may obtain an independent review of the warden’s decision to impound a publication by writing to the library services administrator at 501 South Calhoun, Tallahassee, Florida 32399-2500 within 15 days following receipt of Form DC5-101, Notice of Rejection or Impoundment of Publications. The request for review must be accompanied by:

1. A copy of the completed Form DC5-101, Notice of Rejection or Impoundment of Publications; and

2. A copy of the impounded or rejected publication.

(b) The library services administrator shall forward this information to the literature review committee for review. The chief of institutional programs or designee shall provide the publisher, mail order distributor, bookstore or sender written notification of the literature review committee's decision. The decision shall also be communicated to all correctional facilities.

(16)(a) Inmates may subscribe to, purchase, or receive no more than one periodical which is printed and distributed more frequently than weekly and four other periodicals which are printed and distributed weekly or less frequently than weekly, except as otherwise provided in Rule 33-601.800, F.A.C. Religious publications as defined in Rule 33-503.001, F.A.C., shall not be counted against these limits.

(b) No inmate shall be allowed to receive or keep more than one copy of any volume, issue or edition of any book, periodical or other publication. For example, an inmate shall be allowed to keep the January and February 1994 issues of a specific magazine, but shall not be allowed to keep two copies of the January 1994 issue. No inmate shall be issued admissible reading material if he can not store it in his or her personal living area without creating a fire, safety, or sanitation hazard. Inmates shall be limited to no more than 2 single issues of a periodical which is printed and distributed more frequently than weekly and 8 single issues of periodicals which are printed and distributed weekly or less frequently than weekly, except as otherwise provided in Rule 33-601.800, F.A.C.

(c) Inmates shall be allowed to order single issues of periodicals from publishers' wholesale or mail-order distributors and bookstores in lieu of purchasing subscriptions; however, the possession limits referenced in paragraph (16)(b) shall still apply.

(d) Inmates subscribe to and purchase periodicals or other reading materials at their own risk and expense. Inmates will not be reimbursed by the Department of Corrections for materials that are rejected or for the expense for mailing rejected items to other persons or entities.

(e) Except as otherwise provided in Rule 33-601.800, F.A.C., inmates shall be limited to the possession of 4 personal books. Religious publications, correspondence study materials, and law books not available in the institution's law library collection shall not be counted against this limit.

(f) Inmates may only receive and possess print media publications. Incoming publications published on non-print media or print media publications that include non-print media that are an integral part of the publication will be rejected and returned to the sender along with an explanation as to why the material is being rejected. However, unsolicited promotional computer diskettes and CD-ROMs that are mailed with a publication, e.g., the CD-ROMs promoting America Online's Internet service, will be handled as provided in subsection (25) of this rule.

(g) If an inmate does not have space to store admissible reading material in his or her personal living area without creating a fire, safety, or sanitation hazard, the institution is authorized to not issue the items or to impound the items if previously issued until the inmate disposes of other personal property in order to create storage space for the publications.

(h) Inmates shall not order publications from publishers or senders on a "bill me later" basis. All publication purchases that are initiated by inmates shall include an Inmate Bank Trust Fund Special Withdrawal, Form DC2-304, that covers the complete cost of the purchase, and postage, if necessary, and shall include an envelope that is properly addressed to the publisher or sender. Such requests shall be submitted to the warden or designee for approval. If approved, the warden or designee shall forward the request to the Bureau of Finance and Accounting, Inmate Bank Section, for processing. Any outgoing correspondence that does not comply with these requirements shall be returned to the inmate. Form DC2-304 is incorporated by reference in Rule 33-203.201, F.A.C.

(i) Inmates who subscribe to a periodical shall notify mailroom staff on Form DC6-236, Inmate Request, if they want to discontinue receiving one title in order to receive another. Requests to discontinue receipt of specific periodical titles shall not be approved more often than once every 90 days unless the inmate presents evidence that the subscription has expired and shall not be renewed.

(j) Inmates in maximum management shall not be permitted to receive or possess publications except as provided in Rule 33-601.820, F.A.C.

(17) Bindings and covers.

(a) Bindings

1. Metal bindings, other than staples are not allowed. Metal bindings include: paperclips, binder clips, and other metal fasteners. Staples are not allowed in the following types of housing units: death row, administrative or disciplinary confinement, close management, maximum management, and mental health in-patient housing including transitional care units, crisis stabilization units, and correctional mental health institutions.

2. Spiral bindings are not allowed.

3. If a publication is only available with a metal or spiral binding and no alternatives exist to allow access to it, the inmate may receive the publication only after the metal or spiral binding has been removed. The inmate shall make the decision whether to return the publication to the sender or to receive it after the institution has excised the metal or spiral binding, and the inmate may appeal an institution's determination that the metal or spiral binding must be excised or returned. The institution shall not take any action to excise the metal or spiral binding or return the publication to sender until the inmate's appeal is concluded or the time for appeal has passed. Documentation of the inmate agreeing to the removal of the metal or spiral binding shall be obtained prior to removal of the binding. This documentation shall at a minimum be filed in the inmate file. If the inmate does not agree or does not provide documentation that he wishes to have the metal or spiral binding removed, the publication shall be returned to the publisher or sender.

(b) Covers

1. Due to security concerns, inmates at Florida State Prison Main Unit or in death row or close management status in any institution shall not be allowed to receive hard-cover publications. However, if a publication is unavailable in soft-cover and no alternatives exist to allow access to the publication, the inmate may receive the publication only after the hard-cover has been removed. The inmate shall make the decision whether to return the publication to the sender or to receive it after the institution has excised the hard-cover, and the inmate may appeal an institution's determination that the hard-cover must be excised or returned. The institution shall not take any action to excise the hard-cover or return the publication to sender until the inmate's appeal is concluded or the time for appeal has passed. Documentation of the inmate agreeing to the removal of the hard-cover shall be obtained prior to removal of the cover. This documentation shall at a minimum be filed in the inmate file. If the inmate does not agree or does not provide documentation that he wishes to have the cover removed, the publication shall be returned to the publisher or sender.

2. Hard or soft covers may be made of paper or leather materials and shall not be made of metal.

(18) Periodicals or other publications shall be sent directly from the publishers, mail order distributors or bookstores to the inmate unless otherwise authorized by the warden.

(19) Periodicals or other publications forwarded to inmates must be sent through the United States Postal Service. Materials received from other sources or without return addresses identifying the sender shall be refused.

(20) The address of all incoming periodicals and other publications must contain the inmate's committed name, identification number, and institutional address.

(21) Training materials and correspondence study programs.

(a) Publications and training materials selected for use in authorized programs of the Department, or any privately operated institutions housing inmates committed to the custody of the Department, PRIDE or the Corrections Medical Authority shall be reviewed by the department head or person designated by the warden to ensure that the subject matter contained therein is admissible and does not meet any of the criteria for inadmissibility in subsection (3).

(b) Institutions shall permit inmates to enroll in correspondence study programs provided that the subject matter of course materials is not inadmissible pursuant to the criteria stated in subsection (3). The warden shall designate one or more department heads to screen and approve all materials received pursuant to participation in correspondence study programs. Individual items shall be inspected by institution staff upon receipt and shall either be approved and issued to the inmate, or rejected and handled as contraband in accordance with Rules 33-602.201 and 33-602.203, F.A.C.

1. Inmates shall secure prior approval from the warden or designee to receive any item not listed on the Inmate Property List, Appendix One, to Rule 33-602.201, F.A.C. Any such item that was not approved by the warden or designee in advance of receipt shall be rejected as contraband and handled in accordance with Rules 33-602.201 and 33-602.203, F.A.C.

2. All educational correspondence study materials shall be mailed directly from the course provider to the institution's education department via U.S. Postal Service mail.

(22) Inmates shall be prohibited from posting or otherwise displaying any pictures or portions of publications. Such activity will subject the inmate to disciplinary action and the posted or displayed material shall be confiscated as contraband.

(23) Calendars.

(a) Restrictions.

1. Quantity – limited to one per inmate;

2. Size – limited to 12 inches by 12 inches or smaller (if multi-page, then 12 inches by 12 inches or smaller when closed, and no greater than 24 inches by 12 inches when opened);

3. Medium – limited to paper;
4. Can not have any audio or electronic components.

(b) Authorized sources:

1. Inmates shall be permitted to receive calendars from publishers, mail order distributors and bookstores.
2. Chaplaincy services and other authorized programs of the department shall be authorized to accept donations of calendars for distribution to inmates, however, the calendars must comply with the requirements of this rule.
3. A calendar which conforms to the requirements of this rule shall be sold in the canteens.

(c) Calendars that contain written or pictorial matter that is inadmissible per subsection (3) of this rule shall be rejected and shall not be issued to inmates.

(d) Inmates shall be prohibited from posting or otherwise displaying calendars. Such activity will subject the inmate to disciplinary action and will cause the posted calendar to be confiscated as contraband.

(24) Blank journals or diaries.

(a) Restrictions.

1. Quantity - see possession limits set forth in paragraph (16)(e);
2. Size - limited to 9" x 12" or smaller;
3. Medium - limited to paper;
4. Can not have any audio or electronic components.

(b) Authorized sources:

1. Inmates shall be permitted to receive diaries or journals from publishers, mail order distributors and bookstores.
2. Chaplaincy services and other authorized programs of the department shall be authorized to accept donations of diaries and journals for distribution to inmates, however, the diaries and journals must comply with the requirements of this rule.

(c) Diaries or journals that contain written or pictorial matter that is inadmissible per subsection (3) of this rule shall be rejected and shall not be issued to inmates.

(25) Whenever an otherwise admissible periodical or other publication is received that includes product samples or advertising with product samples attached, the products shall be removed and the publication itself shall be issued to the inmate recipient. Any inmate who wishes to object to the removal of product samples from his or her publications shall submit a written request on Form DC6-236, Inmate Request, to the warden asking that product samples not be removed. Thereafter, any publication sent to the requestor that contains product samples shall be held by the institution for 30 days or 30 days after exhaustion of grievance appeals. It shall be the inmate's responsibility to arrange for the mailing of the entire publication out of the institution at the inmate's expense. Any publication not mailed out within the 30 days shall be destroyed.

(26) No packaging other than standard envelopes shall be given to inmates. The following types of packaging shall be removed by staff before providing the contents to the inmate: boxes, padded envelopes, envelopes that include metal parts, multilayer packaging, bubble wrap, packing peanuts, or other forms of extra packaging.

Rulemaking Authority 944.09, 944.11 FS. Law Implemented 944.11 FS. History—New 10-8-76, Amended 3-3-81, 9-24-81, Formerly 33-3.12, Amended 6-9-87, 3-11-91, 12-17-91, 3-30-94, 11-2-94, 5-10-98, 10-20-98, Formerly 33-3.012, Amended 3-21-00, 8-10-00, 10-13-02, 7-2-03, 12-30-04, 9-5-05, 8-1-06, 6-16-09, 11-22-10.