



Illinois Department of Corrections

Administrative Directive

Number: 04.01.108	Title: Publication Reviews	Effective: 8/1/2022
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Authorized by:	<i>[Original Authorized Copy on File]</i> Rob Jeffreys Director
Supersedes:	AD 04.01.108 effective 11/1/2019

Authority: 730 ILCS 5/3-2-2; 20 IAC 501, 504, and 525: Subpart C	Related ACA Standards: 5-7D-4490
Referenced Policies: 04.01.105	Referenced Forms: DOC 0211 – Publisher’s Notification of Publication Disapproval DOC 0212 – Publication Review Determination and Course of Action DOC 0213 – Program/Library Publication Review Determination

I. **POLICY**

It shall be the policy of the Department that to ensure the safety and security of the facility, staff and individuals in custody, all publications entering a facility shall be assessed before distribution or availability is made to individuals in custody.

II. **PROCEDURE**

A. **Purpose**

The purpose of this directive is to establish review and appeal procedures for the admissibility of publications to ensure the safety and security of the facility, staff, and individuals in custody.

B. **Applicability**

This directive is applicable to all correctional facilities within the Department and the Central Publications Review Committee.

C. **Facility Review**

A facility review of this directive shall be conducted at least annually.

D. **Designees**

Individuals specified in this directive may delegate stated responsibilities to another person or persons unless otherwise directed; however, such responsibilities may only be delegated to persons who have received the Department’s training on review procedures provided herein.

E. **Definitions**

Assess - for the purposes of this directive, is the initial screening and evaluation of a publication upon entering the facility by mailroom staff, the Assistant Chief Administrative Officer (CAO) of Programs, the Education Facility Administrator, Chaplain or Librarian.

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Nudity – a pictorial depiction of genitalia.

Program Coordinator – for the purposes of this directive shall be the person responsible for initial assessment of a publication under Paragraph II.F.6.b. through II.F.6.e.

Publication - any book, booklet, magazine, newsletter, newspaper, pamphlet, periodical or similar materials. For the purposes of this directive, publications shall not include individual or mass mailings of advertisements or letters.

Review - for the purposes of this directive, subsequent examination of publications following the assessment by the Publication Review Officer by the Central Publications Review Committee.

Sexually explicit material – for the purpose of this directive shall mean any publication that contains pictorial depictions of actual or simulated sexual acts including intercourse, oral sex or masturbation; and any publication that by word or picture depicts or describes illegal activity of a sexual nature, sadomasochism, bestiality, or sexual activity involving children (whether actual or perceived) or any publication that depicts or describes anything otherwise contrary to law. Publications that contain nudity without additional elements as provided above or publications that provide research or opinions, or news coverage on sexual assault, on sexual health, reproductive issues or are scientific in nature shall not be considered sexually explicit.

Statewide Publications Determination List – (commonly referred to as PUBS) a listing of publications for which an official determination of approval, disapproval or conditional approval has been made by a representative of the Central Publication Review Committee on behalf of the Director. The Statewide Publications Determination List shall be the official list used by facilities and facilities shall not maintain individual lists.

F. General Provisions

1. Individuals in custody may receive, subscribe to, solicit free copies of or buy copies of publications for delivery to the facility.
2. Individuals in custody visitors may bring publications to the facility. Publications brought to the facility by visitors shall be limited to a maximum of five per visit and shall not be packaged, wrapped, or otherwise contained in any way.
3. Individuals in custody shall be informed of the procedures governing publications during orientation.
4. Publications that have been redacted, altered or otherwise modified from the original published edition are prohibited and shall not be accepted for assessment or review.

NOTE: This shall not apply to materials received for programs or legal documents nor preclude individuals in custody from receiving materials such as newspaper clippings, wedding announcements or copied materials, including photocopies or material downloaded and printed from a computer etc. with personal correspondence. Personal correspondence shall be handled in accordance with the standard mailroom procedures.

5. Publications received on behalf of or for a program, including publications brought by volunteers, shall be subject to the review procedures contained herein. Any recommendation for disapproval of a publication shall be referred to the Central Publications Review Committee for final determination.

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6. All publications excluding those referenced in Paragraph II.F.4. shall be assessed and inspected for contraband.
 - a. Publications received for an Individual in custody via mail or through the gatehouse shall be assessed by mail room staff.
 - (1) Publications that are free from contraband and appear not to violate standards set forth in this directive shall be delivered promptly to the individual in custody.
 - (2) Publications that are listed as disapproved or approved conditionally on the Statewide Publications Determination List or appear to violate the standards set forth in Paragraph II.G.2. shall be referred to the facility Publication Review Officer for processing in accordance with Paragraph II.J.
 - b. Publications received for programs under the Office of Adult Education and Vocational Services shall be assessed by the Educational Facility Administrator.
 - (1) Publications that are free from contraband and do not appear to violate the standards set forth in this directive may be implemented into the program.
 - (2) Publications that are listed as disapproved or approved conditionally on the Statewide Publications Determination List or appear to violate the standards set forth in Paragraph II.G.2. shall be referred to the facility Publication Review Officer for processing in accordance with Paragraph II.J.
 - c. Publications received for an approved program or brought in by volunteers for an approved program shall be reviewed by the Assistant CAO of Programs.
 - (1) Publications that are free from contraband and do not appear to violate the standards set forth in this directive may be implemented into the program.
 - (2) Publications that are listed as disapproved or approved conditionally on the Statewide Publications Determination List or appear to violate the standards set forth in Paragraph II.G.2. shall be referred to the facility Publication Review Officer for processing in accordance with Paragraph II.J.
 - d. Publications received for the facility library shall be reviewed by the Librarian.
 - (1) Publications that are free from contraband and do not appear to violate the standards set forth in Paragraph II.G.2. may be entered into circulation and made available to individuals in custody in accordance with the facility's standard library procedures.
 - (2) Publications that are listed as disapproved or approved conditionally on the Statewide Publications Determination List or appear to violate the standards set forth in this directive shall be referred to the facility Publication Review Officer for processing in accordance with Paragraph II.J.
 - e. Publications received for religious programs shall be assessed by the facility Chaplain.
 - (1) Publications that are free from contraband and do not appear to violate the standards set forth in this directive may be implemented into the program.

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- (2) Publications that are listed as disapproved or approved conditionally on the Statewide Publications Determination List or appear to violate the standards set forth in Paragraph II.G.2. shall be referred to the facility Publication Review Officer for processing in accordance with Paragraph II.J.
7. Prior to disposal, publications removed from a library or an individual in custody's property for violation of the standards provided in Paragraph II.G. or as contraband or that have been identified as being detrimental to rehabilitation of mental health shall be referred to the facility Publications Review Officer for assessment and, if applicable, reviewed by the Central Publication Review Committee in accordance with Paragraph II.J.
8. Publications that are disapproved shall be considered contraband and disposed of in accordance with 20 Ill. Adm. Code 501: Subpart C.

NOTE: Upon request, publications may be returned to the publisher at the publisher's expense if the individual in custody does not designate a method of disposal or designates that the publication be destroyed.

G. Standards for Publications

1. Publications shall not be disapproved solely because its content is religious, philosophical, political, social, legal, or sexual, or because the content is unpopular or repugnant.
2. Publications that meet one or more of the following criteria may be disapproved:
- a. It contains sexually explicit material.
 - b. It is written in code.
 - c. It facilitates unauthorized communication between individuals in custody.
 - d. It blatantly encourages activities that may lead to the use of physical violence or group disruption.
 - e. It facilitates unauthorized organizational activity within the Department.
 - f. It overtly advocates or encourages violence, hatred, or group disruption.
 - g. It encourages or instructs in the commission of criminal activity as defined by Illinois and federal criminal laws.
 - h. It is detrimental to the safety, security, or good order of the facility: This shall include, but is not limited to publications that:
 - (1) Depict or describe procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices;
 - (2) Depict or describe procedures for making alcoholic beverages or manufacturing drugs;
 - (3) Depict, describe, or encourage methods of escape from correctional facilities or provides material that may assist in an escape attempt such as a detailed map of areas surrounding Illinois correctional facilities; or

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(4) Contain content concerning security threat groups (STG) or depictions of hand signs or symbols that appear to be related to a STG and could promote or enhance the image of a STG within the facility or may be interpreted as legitimizing gang behavior.

i. It is determined by a mental health professional to be detrimental to mental health or rehabilitation. Disapproval of publications under this criterion shall be made on a case-by-case basis and written documentation of the mental health professional's determination shall be provided to the Central Publications Review Committee with the Publication Review Determination and Course of Action, DOC 0212.

H. Central Publications Review Committee

1. The Director shall appoint:
 - a. A Central Publications Review Committee consisting of at least four representatives including one individual from the Operations Division and one individual from Program Services. The Committee shall confer with representatives from other areas including, but not limited to, library services, mental health, and chaplaincy as needed.
 - b. A Department attorney. The Department attorney shall serve as a non-voting, legal advisor for the Committee.
2. The Central Publications Review Committee shall:
 - a. As the designee for the Director, make final determinations, subject to the appeal process, regarding the admissibility of publications received at facilities.
 - c. Maintain an updated list of facility Publication Review Officers.
 - d. Provide training to facility Publications Review Officers, Chief Administrative Officers (CAO) of Programs, program coordinators, mailroom staff, chaplains, librarians, and Education Facility Administrators as approved by Legal Services and the Manager of Staff Development and Training.
 - e. Maintain an up-to-date Statewide Publications Determination list.
 - f. Refer publications written in braille or foreign languages to persons who can translate the publication for the Committee. All referrals shall be documented on the Statewide Publications Determination List.
 - g. Meet no less than bi-monthly to review questionable publications and requests regarding banned publications.
 - (1) Meetings need not be in-person provided that all members are given the opportunity to review any publications on which a determination is to be made.
 - (2) Meeting minutes shall be maintained by the Central Publications Review Committee Chairperson.
 - (3) A majority vote shall be required for all determinations made by the Central Publications Review Committee.

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I. Requirements

1. The CAO of each facility shall:
 - a. Designate at least two individuals to function as Publications Review Officers for the facility.
 - b. Submit the names of the Publication Review Officers to the Central Publications Review Committee Chairperson and update the names as necessary.
 - c. Ensure mailroom staff, Publications Review Officers, and program coordinators have access to the Statewide Publications Determination List.
 - d. Ensure individuals in custody:
 - (1) Are informed of publication review procedures at orientation and that they have access to the review procedures in the Orientation Manual in accordance with Administrative Directive 04.01.105.
 - (2) Have access to the Statewide Publications Determinations List in the facility library or another designated area.

2. Mailroom staff, Publication Review Officers, program coordinators, librarians, chaplains, and Educational Facility Administrators shall:
 - a. Receive appropriate training as approved by the Central Publications Review Committee, Staff Development and Training and Legal Services prior to conducting any publication reviews or challenging approved publications.
 - b. Ensure publications that have been disapproved are disposed of as contraband in accordance with 20 Ill. Adm. Code 501: Subpart C.

J. Review Procedures

1. Publications received for individuals in custody shall only enter facilities through the mailroom or gatehouse. This shall not prohibit publications already included in the individuals in custody's personal property from entering through transfers between Department facilities.

2. Gatehouse staff shall ensure that publications brought by individuals in custody visitors are:
 - a. Limited to a maximum of five per visit;
 - b. Not packaged, wrapped, or otherwise contained in any way;
 - c. Not redacted or otherwise altered from their original published format;
 - d. Clearly marked with the individual in custody's name and identification number; and
 - e. Are forwarded to the mailroom for assessment on the same day as they are received or as soon as reasonably possible.

3. Staff receiving publications shall assess the publications received at the facility within seven days of receipt and shall:

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- a. Ensure the publication has not been altered from the original published format except as otherwise provided in Paragraph II.F.4.
 - b. Check the publication against the Statewide Publications Determination List.
 - c. Promptly deliver to the individual in custody or integrate into the program any publication that does not violate the standards set forth in Paragraph II.G.2.
 - d. If the publication is questionable or disapproved or approved conditionally on the Statewide Publications Determination List, forward the publication to the facility Publication Review Officer.
4. As soon as reasonably possible and not to exceed 30 days from the date the correctional facility receives a publication under Paragraph II.F.5., the facility Publications Review Officer shall:
- a. For publications received for an individual in custody:
 - (1) Where a determination has previously been rendered by the Central Publication Review Committee and is listed as disapproved or approved conditionally on the Statewide Publications Determination List, or has been altered from the original published format:
 - (a) Notify the individual in custody of the previous determination for disapproval or conditional approval using the DOC 0212, and request the individual in custody complete Section V to choose a method of disposal in accordance with Ill. Adm. Code 501: Subpart C.
 - (b) If the publication was received directly from the publisher and previous notification of disapproval or conditional approval has not been provided to the publisher, so indicate on the DOC 0212 and forward the publication and DOC 0212 to the Central Publications Review Committee Chairperson who shall notify the publisher in accordance with Paragraph II.J.5.c.
 - (2) For any publication that is not listed on the Statewide Publications Determination List and the content is questionable or appears to violate the standards set for in Paragraph II.G.2, review the publication in its entirety.
 - (a) If the publication does not violate the standards set forth in Paragraph II.G.2., it shall be immediately forwarded to the individual in custody.
 - (b) If the publication appears to violate the standards set forth in Paragraph II.G.2 herein, the facility Publications Review Officer shall complete and forward the DOC 0212 and the publication to the CAO within 3 days of his/her determination. The CAO shall have 14 business days to review and make a final determination. Detailed justification for disapproval or conditional approval including specific rationale or examples and citation of page numbers shall be provided.
 - b. For publications received for or on behalf of a program or library,
 - (1) If the publication does not violate the standards set forth in Paragraph II.G.2., it shall be immediately forwarded to the program coordinator in accordance with

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Paragraph II.F.6. and may be integrated into the applicable program or library circulation.

- (2) If a determination was previously made and the publication is listed as disapproved or approved conditionally on the Statewide Publications Determination List or the publication appears to violate the standards set forth in Paragraph II.G.2., the facility Publications Review Officer shall complete and forward the DOC 0213 and the publication to the CAO within 3 days. The CAO shall have 14 business days to review and make a final determination. Detailed justification for disapproval or conditional approval including specific rationale or examples and citation of page numbers shall be provided.

c. If the CAO:

- (1) Does not concur with the recommendation to disapprove or conditionally approve the publication, the Publications Review Officer shall immediately forward the approved publication to the individual in custody or program coordinator.
- (2) Concurs with the recommendation to disapprove or conditionally approve the publication, the Publication Review Officer shall forward the DOC 0212 or DOC 0213, as applicable, and publication to Central Publication Review Committee for final review and determination. The Publication Review Officer shall forward the DOC 0212 or DOC 0213, as applicable, and publication to the Central Publication Review Committee for final review and determination no later than 4 business days after the CAO makes his/her recommendation to disapprove or conditionally approve the publication. The individual in custody or program coordinator, as applicable, shall be notified that the publication has been submitted for review.

5. Upon receipt of the DOC 0212 or DOC 0213, as applicable, and publication, the Central Publications Review Committee Chairperson shall:

a. Review the publication and the DOC 0212 or DOC 0213 and:

- (1) If the publication does not violate the standards set forth in Paragraph II.G.2., the approval shall be indicated on the DOC 0212 or DOC 0213 and entered on the Statewide Publications Determinations List within 7 business days of receipt of the DOC 0212 or DOC 0213 and the publication.
- (2) If the complete publication is found to clearly violate the standards for approval, the violation(s) shall be documented on the DOC 0212 or DOC 0213 and the disapproval entered on the Statewide Publications Determination List within 7 business days of receipt of the DOC 0212 or DOC 0213 and the publication.
- (3) If a portion of the publication is found to clearly violate the standards for approval, the violation(s) shall be documented on the DOC 0212 or DOC 0213, including the page numbers considered disapproved, and the determination shall be entered on the Statewide Publications Determination List within 7 business days of receipt of the DOC 0212 or DOC 0213 and the publication.

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- (4) If a publication, in whole or part, is found to be questionable as to whether the publication violates the standards for approval, the publication shall be brought before the Central Publications Review Committee and be reviewed at the next Central Publications Review Committee meeting or no later than 14 business days of receipt of the DOC 0212 or DOC 0213, as applicable, and the publication.
- b. If a publication is disapproved or approved conditionally and was received directly from the Publisher, the Central Publications Review Committee Chairperson shall, within 35 days of the official determination, complete a Publisher Notification of Publication Disapproval, DOC 0211, that shall be sent to the Publisher. The publisher shall be notified in writing that they shall be allowed 35 days from the date of the notice to file an objection and submit a written supportive statement or other documentation.
 - c. Document on the Statewide Publications Determination List the date the DOC 0211 was sent to the Publisher.
 - (1) Any publications for which a DOC 0211 was sent to the publisher shall be held by the Central Publications Review Committee Chairperson for no less than 45 days from the date of the notice.
 - (2) Any appeal received from a publisher shall be forwarded to the Chief of Operations and Chief of Programs for appropriate consideration. A written determination shall be provided to the publisher within 60 days of receipt of the appeal. Detailed justification of the determination shall be provided.
 - d. Return the DOC 0212 or DOC 0213 indicating final determination of the Central Publications Review Committee and the publication to the facility Publications Review Officer who shall:
 - (1) If the publication is approved by the Central Publications Review Committee, forward the publication to the individual in custody or program coordinator, as applicable.
 - (2) If the publication is disapproved or approved conditionally by the Central Publications Review Committee:
 - (a) For publications received for a program:
 - i. Forward to the program coordinator the publication and DOC 0213 indicating that the publication may not be introduced into the program/library.
 - ii. If the request to introduce the publication was received from a volunteer or outside person or organization, a copy of the DOC 0213 including reason for disapproval and statement that they have 35 days from the date of notice to file an objection shall be provided. Any appeal received shall be brought before the CPRC for appropriate consideration.

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NOTE: The approval of the program coordinator and, if applicable, the volunteer or outside entity shall be obtained before removing any pages from a publication for which conditional approval was granted.

- (b) For publications received for an individual in custody, forward the DOC 0212 to the individual in custody to complete Section V. indicating his or her desired course of action for disposal of all or part of the publication.

NOTE: If the individual in custody does not return the DOC 0212 indicating his or her requested course of action, the publication shall be held for 45 days from the date the individual in custody was notified. After 45 days, the publication shall be disposed of in accordance with 20 Ill. Adm. Code 501.

K. Conditionally Approved Publications

In accordance with 20 Ill. Adm. Code 525, the Central Publications Review Committee may approve a publication in whole or in part. Publications found to have a minimal number of pages that violate the standards for approval may, upon confirmation from the individual in custody (if applicable), have the disapproved portion removed while allowing the remaining portion of the publication to be provided to the individual in custody.

1. Any determination for conditional approval shall be limited to a number of pages whereby the integrity of the original publication, taken as a whole, is not altered.
2. Disapproved pages shall be disposed of as contraband in accordance with 20 Ill. Adm. Code 501.

L. Banned Publications

1. If after six consecutive issues of a magazine or newspaper or volumes in a series under the same title have been disapproved and future issues or volumes are likely to be disapproved, the publication may be brought before the Central Publications Review Committee who may ban the publication.
2. If the characteristic content of the banned publication significantly changes and no longer warrants disapproval of the publication, individuals in custody may initiate request for review and must arrange for one or more issues of the banned publication to be submitted, at the individual in custody expense, to the Central Publications Review Committee for consideration at the next meeting. A majority vote of the Central Committee shall be required to approve a previously banned publication.
3. Requests to review a banned publication shall be accepted no more frequently than every six months.