**Section 525.230 Procedure for Review of Publications**

a) A Publication Review Officer, hereafter referred to as Officer, shall review publications to determine whether to recommend prohibiting acceptance of any publications that he or she finds to contain material determined to be:

1) Obscene;

2) Detrimental to security, good order, rehabilitation, or discipline or if it might facilitate criminal activity, or be detrimental to mental health needs of an offender as determined by a mental health professional.

b) A publication may not be rejected solely because its content is religious, philosophical, political, social, or sexual or because its contents are unpopular or repugnant. A publication that may be rejected includes, but is not limited to, a publication or portion thereof that meets one of the following criteria:

1) It is obscene;

2) It is written in code or facilitates communication between offenders;

3) It depicts, describes, or encourages activities that may lead to the use of physical violence or group disruption or it facilitates organizational activity without approval of the Chief Administrative Officer;

4) It advocates or encourages violence, hatred, or group disruption or it poses an intolerable risk of violence or disruption;

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

6) It includes sexually explicit material that by its nature or content poses a threat to security, good order, or discipline or it facilitates criminal activity;

7) It is otherwise detrimental to security, good order, rehabilitation, or discipline or it might facilitate criminal activity or be detrimental to mental health.

c) If a review is initiated, the offender shall be notified in writing that the publication is under review and the notice shall include an explanation why the publication is deemed to contain unacceptable material in accordance with the standards set forth in this Section. If the publication was mailed directly from the publisher, a copy of the notice shall be sent to the publisher. The written notice shall be sent to the offender and the publisher, if applicable, no later than 30 days from the date the correctional facility receives the publication. The written notice shall indicate that:

1) The offender may submit a written supportive statement or other documentation within seven days after the date of the notice that the publication is under review. An extension will be granted if in the opinion of the Officer there is a legitimate reason why relevant information could not be submitted timely.

2) The publisher shall be allowed 21 days from the date of the notice to file an objection and to submit a written supportive statement or other documentation.

3) The offender may request to appear before the Officer. The appearance will be allowed if the Officer determines that the appearance is necessary for an appropriate review.

4) The offender may ask for assistance or information regarding the publication review procedure.

5) If the publication is approved, it will be forwarded to the offender upon completion of the review. If the publication is not provided to the offender within 60 days after the date of the written notice, the publication shall be deemed disapproved and the offender may file a grievance in accordance with 20 Ill. Adm. Code 504: Subpart F.

d) Any recommendation for denial shall be forwarded to the Chief Administrative Officer with an explanation. If the Chief Administrative Officer concurs with the recommendation to deny the publication, the publication shall be disapproved.

e) The Publication Review Officer shall maintain copies of decisions in a designated area for at least three years.

f) If after six consecutive issues of a publication have been denied and it is determined unlikely that future issues of the publication will be approved, the publication may be banned.

g) If the characteristic content of a banned publication significantly changes to no longer warrant denial of the publication in accordance with this Section, an offender may request another review of the publication by the Officer. A previously banned publication shall be subject to review no more frequently than every four months. If a review is to be initiated, the offender shall be advised to arrange for one or more issues of the publication to be submitted to the Officer at the offender's expense.

1) The review shall be conducted in the same manner as the initial review of the publication.

2) If an issue of a previously banned publication is approved, an offender may request subsequent issues to be reviewed notwithstanding the four month review period.

3) The Officer may recommend that a previously banned publication be approved.

h) The Director may establish a Central Publication Review Committee to periodically review and make recommendations regarding facility determinations or recommendations to the Director who may approve or disapprove the recommendations based on the standards set forth in this Section. If a Committee is appointed:

1) Committee members shall consist of at least one representative each from administrative and operational staff.

2) Reviews need only be conducted by one member of the Committee.

3) The facility and the offender shall be notified of any decision made by the Director.

(Source: Amended at 30 Ill. Reg. 14843, effective September 1, 2006)