

DOC Legal Division  
Attn: Jennifer Staples, Esq. - Regulations Counsel  
70 Franklin Street - Suite 600  
Boston, MA 02110

RE: CMR Public Hearings 9/27 & 29, 10/4 & 6, 2016 taking place  
in The Ashburton Cafe Function Room 1 in the McCormack Bld.,  
One Ashburton Place, Boston 10:00 AM.

Dear Attorney Staples and CMR promulgators:

I am writing again in response to a Notice of Hearings regarding - The airing of problems, complaints and/or suggestions for **changes in the Code of Massachusetts Regulations** (CMR's) as they relate to those Regulations promulgated by the Massachusetts Department of Correction. Please forward this letter to the appropriate Committee and/ or individuals responsible for the hearing sessions and/or action for changes in the Regulations.

Inmate Mail Regulation 103 CMR 481.06 Definitions:

I recommend removal from the definition of Nudity - the " pictorial depiction where genitalia, buttocks or female breasts are exposed." This inclusion is far too restrictive and absurdly prudish. Furthermore, There is nothing repulsive about viewing the human body and any legitimate objection to it's display or depiction is covered fully in the - Sexually Explicit definition within the same section of the Regulation. Allowing "the above" to continue within the Nudity definition runs counter to community and contemporary societal standards and gives licence to abuse by a censor inserting personal bias. Over the past year an administrator at MCIN barred art text books and media for use in a Boston University college art class for nearly the whole semester because of this broad inclusive definition - she even had art books removed from the MCIN general library for censoring. There is no place for such narrow minded censorship within adult correctional facilities - other than possibly the Treatment Center.

Inmate Property Regulation 103 CMR 403.11 Approved Inmate Property:

A. (4) a master list of items approved for retention should be **included within the regulation**. This will preclude whimsical changes by administrators or staff codifying the list.

B. Notwithstanding .... (1) typewriters (are allowed should specify with spell checking & memory); (9) Musical instruments may be authorized for retention and DO NOT have to be made with a Clear Plastic (see through covering / case). MP3, MP4's and similar devices with memory should be allowed and included within the Master list of items for retention.\*

**Note (1):** For years, prisoners were allowed to have typewriters with "spell checking" features yet the only typewriter prisoners can purchase from the canteen does not have that desirable feature. Where such is not available, prisoners should be allowed to purchase from another vendor or the canteen vendor should be compelled to sell a typewriter with a spell checking feature.

**\*Note (2):** See through (plastic) outer covering for every appliance and/or device is a foolish condition of possession. Such limits the availability (or choice) of an appliance to a very narrow range of options and increases cost of the manufacturing and ultimately to the consuming prisoner. Any restriction for this requirement should apply to newly purchased appliances NOT those ALREADY IN POSSESSION of the prisoner. Better supervision of prisoners (suspected of hiding contraband) would be a better strategy to include punishment of the offender/s that included loss of the appliance (item) as a good deterrent. Accountability should be stressed and "not painting everyone else with the same brush" - a favorite DOC option.

**Note (3):** Prisoners should be allowed to own and retain personal computers (lap tops) with word processing software (and/or approved variations along with necessary peripherals). Being able to store documents electronically would significantly reduce paper (in a cell) and more conveniently allow for security staff to search and check for content on the storage media (hard drive), etc. In the 21st century, prohibition of all memory and storage capacity in devices and appliances is absurd paranoia and backward thinking for an agency that is suppose to be preparing prisoners for reentry into a society that is technologically advanced - especially when compared to the 19th century the DOC wants to have prisoners confined too.