



Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN

Location: IMSI

Offender Number: 82431

Number: IM 200000155

Category: TELEPHONES

Offender Grievance Information

Date Received: 03/18/2020

The problem is:

The following articles were denied from JPay messaging on 3-10-2020: Rebecca Boone, "U of I professor sues Idaho for Execution Records," and Tommy Simmons, "Idaho Faces Another Lawsuit Over Lethal Injection Secrecy." I've never before had a JPay message withheld, consider this unnecessary censorship, and I feel it serves no penological interest.

I have tried to solve this problem informally by:

Requesting reason for denial from investigations.

I suggest the following solution for the problem:

Explain why these articles were censored and retrain staff to allow the flow of public information between offenders and media.

Level 1 - Initial Response

Date Forwarded: 03/18/2020

Date Returned:

03/18/2020

Date Due Back: 04/01/2020

Level 1 Responder:

DEVELBISS,

The response from the staff member or person in charge of the area/operation being grieved:

The Jpay email in question was returned to the customer. It was not confiscated, therefore no notification was sent to offender Irving. Also, because it was returned to the customer and not confiscated, the customer did not lose a stamp in the process. The Jpay email was returned to the customer for violating Jpay and department policy giving information regarding another offender.

Level 2 - Reviewing Authority Response

Date Forwarded:	03/18/2020	Grievance Disposition:	DENIED
Date Due Back:	04/03/2020	Level 2 Responder:	HARTGROVE, GARY
Date Returned:	04/02/2020	Response sent to offender:	04/02/2020

Your grievance has been reviewed and I find:

Inmate Irving 82431 your grievance IM 200000155 is denied.

I reviewed this matter with IMSI investigations concerning the confiscation of J-pay correspondence. The correspondence you referenced was not confiscated but was returned to the sender. Therefore, I was not able to review the correspondence. However, the investigative sergeant advised that the content of the correspondence was concerning an inmate currently classified with a sentence of death.

This type of correspondence is not allowed and was appropriately returned to the sender.

402.02.01.001 Mail Handling in Correctional Facilities

3. Prohibited Use of Mail

Inmates are prohibited from using mail for the following:

8226 Information related to the crime, sentence, or identity of another inmate

Offender Appeal

Offender Comments:

I acknowledge the penological interest referenced, and that mail policy 402.02.01.001 prohibits information related to the crime sentence, or identity of another inmate. But please clarify how the aforementioned policy and interests are served when articles are prevented from entering the facility individually, yet allowed to be delivered when accompanied with the rest of the publication they belong to.

Level 3 - Appellate Authority Response

Date Appealed:	04/06/2020	Grievance Disposition:	DENIED
Date Forwarded:	04/06/2020	Level 3 Responder:	DAVIS, TYRELL
Date Due Back:	04/22/2020	Response sent to offender:	04/06/2020
Date Returned:	04/06/2020		

Your appeal has been reviewed and I find:

I have reviewed your grievance and find that I concur with the level two response.