

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.00.52	<b>Page</b> 1 of 5
	<b>Original Effective Date:</b> 12/14/16	<b>New Effective Date:</b> 08/22/22
	<b>Supersedes:</b> 309.00.52	<b>Dated:</b> 05/09/22
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator – 8/04/22	
	<b>Required Posting or Restricted:</b>	
<input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Writing and Seeking Publication of Written Works		

**POLICY**

The Division of Adult Institutions shall provide inmates with guidelines for writing and seeking publication of written works.

**REFERENCES**

Wisconsin Statutes s. 949.165 – Escrow accounts; moneys received as a result of the commission of a serious crime

Wisconsin Administrative Code s. DOC 303.36 – Enterprises and Fraud

Wisconsin Administrative Code s. DOC 309.02(16) – Definitions

Wisconsin Administrative Code s. DOC 309.04 – Inmate Mail

Wisconsin Administrative Code s. DOC 309.05 – Publications

Wisconsin Administrative Code s. DOC 309.46 – Deposit of Money

DAI Policy 309.00.50 – Pornography

DAI Policy 309.20.03 – Inmate Personal Property and Clothing

DAI Policy 309.45.02 – Inmate Trust System Deductions

**DEFINITIONS, ACRONYMS AND FORMS**

DCC – Division of Community Corrections

DOC – Department of Corrections

DOC-184 – Disbursement Request

Facility Coordinator – Staff person assigned by the Warden/designee to oversee this process.

ICRS – Inmate Complaint Review System

Manuscript – Fiction, nonfiction, poetry, music, lyrics, drawings, cartoons and other writings of a similar nature.

Publish – The process of production and dissemination of literature or information; the activity of making information available for public view.

Remuneration – Payment for goods or services.

STG – Security Threat Group

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## PROCEDURE

### I. Preparation

- A. An inmate may prepare a manuscript for private use, for outside typing, for copyrighting, for review by literary agent and/or for publication while in the custody of the DOC.
- B. An inmate may use only non-work time, non-program assignment time and library time not designated for legal work to prepare a manuscript.
- C. Consistent with Wisconsin Administrative Code Ch. DOC 303 and 309, manuscript material may be limited as necessary for security, sanitation and safety.
- D. Manuscripts shall not be created on any DOC owned computer but shall be handwritten or typed on the inmate's personally owned typewriter.

### II. Distribution

- A. Manuscripts shall be mailed at the inmate's expense.
- B. An inmate shall not circulate a manuscript within the facility or to another inmate, only to the assigned Facility Coordinator. The facility shall not be responsible for a manuscript that has been circulated contrary to this rule.

### III. Remuneration

- A. Any inmate seeking publication shall direct the financial remuneration received from such publication to the facility Financial Program Supervisor.
- B. Funds received as financial remuneration from a publication shall be deposited in accordance with Wisconsin Administrative Code s. DOC 309.46.
- C. Any inmate whose manuscript contains content depicting or describing specific details of the crime for which the inmate was convicted shall comply with Wisconsin Statutes s. 949.165.
- D. Funds received as financial remuneration shall be applied by the facility to the inmate's outstanding debts or obligations in accordance with DAI Policy 309.45.02.

### IV. Content

- A. The facility may not prohibit a manuscript on the basis of its general appeal to a particular ethnic, racial, or religious audience or because of the political beliefs expressed therein.
- B. Inmate manuscripts shall not:

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1. Teach or advocate violence or hatred.
2. Teach or describe the manufacture or use of weapons, explosives or other devices that create a substantial danger of physical harm to self or others.
3. Teach or describe the manufacture or use of drugs or intoxicating substances.
4. Pose a threat to the security, orderly operation, discipline or safety of the facility or inmates therein.
5. Facilitate criminal activity.
6. Contain information that, if communicated, would create a clear danger of physical or mental harm to any person.
7. Teach or advocate illegal activity, disruption, or behavior consistent with a gang or a violent ritualistic group.
8. Interfere with an inmate author's penological interests, goal or needs, as determined by the Warden/designee, on a case by case basis.
9. Be written in code.
10. Constitute pornography under Wisconsin Administrative Code s. DOC 309.02(16) and DAI Policy 309.00.50.

#### **V. Review**

- A. Prior to sending a manuscript outside of the facility for outside typing, copyrighting, review by literary agent, and/or for publication, the inmate shall submit the manuscript to the Facility Coordinator for review. The review of materials submitted shall be completed as staff time and resources allow.
- B. The Facility Coordinator may forward the manuscript to the STG Coordinator, Warden, treatment staff, DAI Security Chief or other DOC employees for review to ensure the manuscript does not contain content prohibited under policy.
- C. If the Facility Coordinator determines manuscript is not allowed to be sent out in accordance with Section V.A., the manuscript shall be retained and inmate may appeal the decision through the ICRS.

#### **VI. Confiscation**

Staff shall confiscate an inmate manuscript if it violates this policy and the inmate may be subject to discipline.

#### **VII. Procedure for Publication – After Approval is Received**

- A. Facilities shall develop a procedure for inmates to request photocopy services for personal copies.
- B. An inmate shall submit unsealed mailings of manuscripts to the Facility Coordinator with the DOC-184. The Facility Coordinator shall:
  1. Ensure the manuscript being mailed out is the approved manuscript.

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2. Ensure the cover letter to any publisher or agent explains the requirements of Section III of this policy.
3. Ensure that if the manuscript contains content that depicts or describes specific details of the crime for which the inmate was convicted, the inmate's cover letter request that the publisher or agent comply with Wisconsin Statutes s. 949.165.

#### **VIII. Receipt of Publications Authored by Inmates**

Inmates who purchase publications authored by other inmates shall do so in accordance with DAI Policy 309.20.03.

#### **IX. Miscellaneous**

- A. If a manuscript was drafted/written by the inmate prior to current incarceration, the inmate shall coordinate the receipt of the manuscript from the commercial source through the Facility Coordinator.
- B. Manuscripts shall be shipped/mailed directly to DAI facilities from commercial resources. Including but not limited to:
  1. Publishers.
  2. Printing companies.
  3. Other sources as approved by the Facility Coordinator.
- C. Staff may utilize the internet to verify the identity of the sender.
- D. Inmates shall not enter writing contests in which there is an entrance fee.
- E. Inmates shall not have their works published by any individual under the supervision of the DOC without the prior approval from the DCC supervising agent.
- F. Electronically prepared manuscripts/publications returned to the inmate by a publisher shall not be accepted by the facility and shall be disposed of in accordance with DAI Policy 309.20.03.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>New Effective Date:</b> 00/00/00	<b>Supersedes Number:</b>	<b>Dated:</b>
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Writing and Seeking Publication of Written Works		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS, AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
    - 1.
      - a.
  - B.
  - C.
- II.
  - A.
  - B.
  - C.