

Clark, Kathryn A.@CDCR

From: Tang, Shirley@CDCR
Sent: Monday, January 11, 2016 11:48 AM
To: 'Peter Stern'
Cc: Edwards, Nolice@CDCR; Maldonado, David@CDCR; 'Andrea Kirkpatrick'
Subject: RE: Legal Basis to Restrict Inmates' Social Media Access

Hi Peter,

Thank you for your consideration and attention to this matter.

Under CDCR regulations, inmates are prohibited from internet access. Thus, this implicitly bars inmates from access to social media since internet access is required in order to access such social media. Given the prohibition on internet access and also the fact that inmates are barred from possessing cell phones or wireless communication devices, the manner in which California inmates access social media is in violation of the law.

Inmates' access to social media facilitates their ability to communicate amongst themselves and their associates outside of prison to plan prison assaults, plot prison escapes, harass and intimidate victims, and orchestrate a myriad of other illegal activity. We appreciate that Facebook recognizes that in some instances inmate accounts may pose a serious threat to public safety and has implemented an avenue to deactivate such accounts. We will continue to use the online reporting tool.


We hope to continue to work together towards a safer community. Please do not hesitate to contact me if further clarification is needed.

Best,

Shirley Tang

Attorney
Institutions and Parole Operations Legal Team
CDCR – Office of Legal Affairs
Tel: 916.322.9647
Fax: 916.327.5306

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From: Peter Stern [<mailto:pjstern@fb.com>]
Sent: Thursday, January 07, 2016 7:55 PM
To: Tang, Shirley@CDCR
Cc: Edwards, Nolice@CDCR; Maldonado, David@CDCR; Andrea Kirkpatrick
Subject: Legal Basis to Restrict Inmates' Social Media Access

Hi Shirley,

Thanks for your email and letter received on December 28. I'm a member of Facebook's Product Policy team and I work with Andrea in this area.

Your letter provides helpful background on California legal authority banning inmate access to cell phones and the Internet. However, none of the authorities you cite specifically references inmate access to social media, such as Facebook. Please confirm that under the authorities cited in your letter it is illegal for California inmates to access social media. Our policies call for us to disable inmate accounts upon request from a prison when applicable laws/regulations make it illegal for inmates to access our service. Where the law/regulation is not explicit, we require a representation of such illegality to back up the prison's request.

As you know, we will also disable inmate accounts that violate our terms of service by posing a serious safety risk — including where a prison informs us that the inmate in question has made threats of violence or engaged in online harassment of prison staff or persons outside the prison, has smuggled weapons, or is a member of a violent gang. This information can be submitted to us by using the text box in our online reporting form.

Regards,

Peter