

**State of New Mexico
Corrections Department**

Central Office Administration
4337 State Road 14, Santa Fe, NM 87508
PO Box 27116, Santa Fe, NM 87502-0116
www.corrections.state.nm.us
Phone: 505.827.8600 - Fax: 505.827.8220

Gregg Marcantel
Secretary 505.827.8884

Aurora B. Sánchez
Deputy Secretary of Administration
505.827.8631

Joe W. Booker, Jr.
Deputy Secretary of Operations
505.827.8667



Susana Martinez
Governor

Administrative Services 505.827.8601
Adult Prisons 505.827.8767
Corrections Industries 505.827.8906
General Counsel 505.827.8698
Information Technology 505.827.8713
Probation & Parole 505.827.8830
Office of Recidivism Reduction 505.827.8541
Training Academy 505.827.8900

“We commit to the safety and well-being of the people of New Mexico by doing the right thing, always.”

June 13, 2014

Electronic Frontier Foundation
Dave Maass
Via email: dm@eff.org

**Re: Your July 23, 2014 Inspection of Public Records Act (“IPRA”) Request Received
Electronically on May 8, 2014 Regarding Documents Related to CD-044000**

Dear Mr. Maass:

This letter is in response to your IPRA Request concerning documents connected with CD-044000. Regarding your request or item number one, CD044000-044005 discusses social media usage with inmates, particularly:

M. Inmate Use:

1. Offenders in the custody or supervision of the Department are **not** permitted access to the Internet, nor are they permitted to obtain access to the Internet through third parties.
2. Inmates may be granted limited access to the Internet to complete educational requirements, or take tests such as the GED.

With regard to your item two, the Department orally contacted Facebook concerning the social media account of Eric Aldaz #76942, and the account (set up by his family) was deleted. There is no written record of this contact. There have been other communications with online services providers involving the enforcement of CD044000 (M) since March 30, 2012, but no logs or records were maintained concerning these communications. Therefore, the Department has no records responsive to your request.

With regard to your item three, I am electronically sending you the inmate disciplinary reports from the facilities which have disciplined inmates for violations of CD044000 (M). With regard to your item four, please see the documents responsive to request or item number three.

With regard to your item five, I would point out that during orientation, new prison employees are informed or trained regarding CD044000 and other policies. The new employees then sign an acknowledgement form indicating that they are now aware of the policies and that a failure to follow the policies can result in

disciplinary action. I would be willing to send a representative sample of the hard copies of the acknowledgment forms taken out of the personnel files of ten employees at no charge to you. However, if you want me to provide a copy of the acknowledgment form of each and every employee (encompassing approximately 1961 employees), this is going to take some more time. It will also require the use of a substantial amount of personnel time. In accordance with Section 14-2-9 (C) of IPRA, the Department will charge \$1.00 per page for copying the public records, and require advance payment before making or providing the hard copies. These documents are not available electronically.

With regard to your item six, the Department has no responsive documents. The Office of Constituent Services has received no complaints related to CD-044000(M).

Please let me know as soon as possible if you want all of the acknowledgment forms or only a representative sample of forms.

If you have any questions or concerns about what has and has not been provided to you, please promptly contact General Counsel Jim Brewster. Otherwise, the Department will reasonably assume that it has fully responded to your request in accordance with the law. Thank you.

Sincerely,



Catherine Earl
Paralegal
Office of General Counsel
New Mexico Corrections Department

cc: James R. Brewster