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From: (b)(6); (b)(7)(C) @bop.gov
Sent: Tuesday, August 24, 2010 8:56 AM
To: (b)(6); (b)(7)(C)
Cc: (b)(6); (b)(7)(C)
Subject: Requests for inmate emails

We have been getting more requests for copies of inmate emails from your office now that inmates at MCC Chicago have the capability to email family and friends. Many of the AUSAs are under the impression that they need to subpoena the emails. I have been sending them the memo distributed by OEO, which suggests requesting the emails with a written request vs. subpoena. See attached.

Because some of the AUSAs are not familiar with the memo, you may want to redistribute the memo as a reminder. We do not mind giving it to them but they may have questions regarding the rationale for it. Also, they do not need to submit the written request to the Warden. They may submit it in the form of an email to either myself (b)(6); (b)(7)(C) @bop.gov or (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) @bop.gov).

In addition, I would like to note that as with telephone recordings, we do not consider communications between the attorney and the inmate to be privileged or confidential since they are both informed ahead of time that their calls/emails are monitored. Therefore, when your staff request telephone recordings or emails, although they ask that we exclude these calls or emails, they may not be excluded from their requests as it is not always clear if the individual being contacted is an attorney. Moreover, when the request asks for any and all phone calls or emails, it is much easier (and faster) for staff to send them all rather than having to go through and attempt to sort out the calls.

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