

b. Prisoner Emails

BOP inmates will commonly have access to the BOP's Trust Fund Limited Inmate Computer System (TRULINCS) - Electronic Messaging service. Inmates and their correspondents must consent to monitoring of all such emails. This applies to emails with attorneys. We can obtain copies of an inmate's TRULINCS emails on request to the BOP. Although, strictly speaking, any privilege that might otherwise apply to communications between an inmate and his or her attorney has been waived, it has been our general practice to avoid looking at emails between inmates and their attorneys. We have often used a "wall" AUSA to look through a BOP TRULINCS production to cull out attorney emails, but that is quite burdensome. Starting in the spring of 2016, BOP became able to cull out emails based on email address, as long as we specify the email address(es) in our original request. In order to comply with our policy of generally avoiding review of attorney-inmate emails, and to avoid burdening a wall AUSA with email review, you should attempt to identify an inmate's attorney(s) prior to making the request to the BOP and ask BOP to cull those from its production to you. (If you believe there is a strong reason we should be reviewing attorney-inmate emails in a given case, you must discuss with the Criminal Chief.)