

cal objectives of the corrections system.⁹⁸⁵ The identifiable governmental interests at stake in administration of prisons are the preservation of internal order and discipline, the maintenance of institutional security against escape or unauthorized entry, and the rehabilitation of the prisoners.⁹⁸⁶ In applying these general standards, the Court at first arrived at somewhat divergent points in assessing prison restrictions on mail and on face-to-face news interviews between reporters and prisoners. The Court's more recent deferential approach to regulation of prisoners' mail has lessened the differences.

First, in *Procunier v. Martinez*,⁹⁸⁷ the Court invalidated mail censorship regulations that permitted authorities to hold back or to censor mail to and from prisoners whenever they thought that the letters "unduly complain," express "inflammatory . . . views," or were "defamatory" or "otherwise inappropriate."⁹⁸⁸ The Court based this ruling not on the rights of the prisoner, but instead on the outsider's right to communicate with the prisoner either by sending or by receiving mail. Under this framework, the Court held, regulation of mail must further an important interest unrelated to the suppression of expression; regulation must be shown to further the substantial interest of security, order, and rehabilitation; and regulation must not be used simply to censor opinions or other expressions. Further, a restriction must be no greater than is necessary to the protection of the particular government interest involved.

In *Turner v. Safley*,⁹⁸⁹ however, the Court made clear that a standard that is more deferential to the government is applicable when the free speech rights only of inmates are at stake. In upholding a Missouri restriction on correspondence between inmates at different institutions, while striking down a prohibition on inmate marriages absent a compelling reason such as pregnancy or birth of a child, the Court announced the appropriate standard: "[W]hen a regulation impinges on inmates' constitutional rights, the regulation is valid if it is reasonably related to legitimate penological inter-

⁹⁸⁵ *Pell v. Procunier*, 417 U.S. 817, 822 (1974).

⁹⁸⁶ *Procunier v. Martinez*, 416 U.S. 396, 412 (1974).

⁹⁸⁷ 416 U.S. 396 (1974). *But see* *Jones v. North Carolina Prisoners' Union*, 433 U.S. 119 (1977), in which the Court sustained prison regulations barring solicitation of prisoners by other prisoners to join a union, banning union meetings, and denying bulk mailings concerning the union from outside sources. The reasonable fears of correctional officers that organizational activities of the sort advocated by the union could impair discipline and lead to possible disorders justified the regulations.

⁹⁸⁸ 416 U.S. at 396.

⁹⁸⁹ 482 U.S. 78 (1987).