



# DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS

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## Program Statement

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| <b>OPI:</b>        | <b>SECURITY</b>  |
| <b>Number:</b>     | <b>4070.4E</b>   |
| <b>Date:</b>       | <b>October 17, 2012</b>                                    |
| <b>Supersedes:</b> | <b>4070.4D (03/09/10)</b>                                  |
| <b>Subject:</b>    | <b>Inmate Correspondence and<br/>Incoming Publications</b> |

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1. **PURPOSE AND SCOPE.** To establish procedures governing the collection, distribution, and inspection of all incoming mail to inmates, including legal and non-legal correspondence, money orders and authorized checks, and all publications, and to establish procedures for the sending of mail by inmates outside of the DC Department of Corrections (DOC).
2. **POLICY**
  - a. It is DOC policy to allow inmates to freely communicate or correspond with persons or organizations.
  - b. DOC may read, censor or reject incoming and outgoing correspondence when there is a reasonable belief that such action is necessary for reasons of public safety, to abide by law and/or postal regulations and to maintain order and security within DOC. Subject to security interests, DOC shall notify an inmate in writing when withholding/ censoring/rejecting incoming or outgoing mail in part or in its entirety.
  - c. Inmate mail, both incoming and outgoing, may be opened to intercept cash, checks and money orders and inspected for contraband.
  - d. Inmates may send sealed letters to a specified class of persons and organizations, including but not limited to the courts, legal counsel, DOC officials, state and local officials and grievance systems administrators.
  - e. Pursuant to guidelines set forth herein, staff shall inspect incoming legal mail and may inspect outgoing legal correspondence. Staff shall inspect legal correspondence while in the inmate's presence.
  - f. Mail shall be held, stored, and handled in a secure manner which is intended to prevent theft, tampering, delay, or other interference.
  - g. This directive shall be made available to staff and inmates through posting on bulletin boards, and placement in the law library.

3. **PROGRAM OBJECTIVES.** The expected results of this program are:
- a. Inmates shall be able to maintain ties with their families and the community.
  - b. Inmates will be able to receive legal and non-legal correspondence, money orders and authorized checks, and numerous publications and send mail in accordance with this directive.
  - c. Inmates shall have access to the courts and counsel.
  - d. Inmates shall be able to communicate or correspond with persons or organizations, subject only to the limitations necessary to maintain security and order.

4. **DIRECTIVES AFFECTED**

a. **Directives Rescinded**

- 1) PS 4070.1D Incoming Correspondence and Incoming Publications (03/09/10)

b. **Directive Referenced**

- 1) PS 1280.2 Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences
- 2) PS 1340.2 Media/Public Relations
- 3) PM 2920.5 Emergency Response and Evacuation Plan
- 4) PS 4020.1 Inmate Orientation
- 5) PS 4030.1 Inmate Grievance Procedures (IGP)
- 6) PS 4050.1 Inmate Property
- 7) PS 4160.3 Access to Legal Counsel (Attorney Visits)
- 8) PS 5009.2 Searches of Inmates, Inmate Housing Units, Work and Program Areas
- 9) PS 5010.3 Contraband Control
- 10) PM 5300.1 Inmate Disciplinary and Administrative Housing and Hearing Procedures

**5. AUTHORITY**

- a. 18 U.S.C., § 1341, Frauds and Swindles - US Postal Services
- b. 18 U.S.C. § 1342. Fictitious name or address – US Postal Services
- c. Turner v. Safely, 482 U.S. 78 (1987)
- d. D.C. Code § 24-211.02, Powers; promulgation of rules

**6. STANDARDS REFERENCED**

- a. American Correctional Association Performance-Based Standards for Adult Local Detention Facilities, (ACA) 4<sup>th</sup> Edition: 4-ALDF-5B-07, 4-ALDF-5B-08, 4-ALDF-5B-09, 4-ALDF-5B-10, 4-ALDF-6A-02, 4-ALDF-6A-04, and 4-ALDF-6A-09.

**7. NOTICE OF NON-DISCRIMINATION**

- a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

**8. INMATE MAIL PRIVILEGES**

- a) Except as prohibited or otherwise restricted in this directive, an inmate may correspond with the public, the media, his/her attorney(s), the courts and public officials.
- b) Inmates in administrative segregation and special management units shall be able to write and receive letters on the same basis as inmates in the general population.
- c) Pursuant to ¶12 of this directive, inmates may receive funds from money orders and authorized checks.
- d) An inmate at his/her own expense may send and receive an unlimited number of letters. There will be no limit on the volume of letters he/she can receive or on the source of mail or publications, except when there is

reasonable belief that limitation is necessary to protect public safety or maintain facility order, safety and security.

- e) Inmates may purchase writing materials and stamps through the inmate canteen.
- f) Inmates may receive plain writing paper and no more than a book of stamps or a sheet of twenty (20) stamps through the mail. The writing paper must fit in a 9"x12" envelope.
- g) DOC shall accept ten (10) standard envelopes per week mailed to inmates for use in future correspondence.
- h) Inmates who maintain \$10.00 or less in their account during the entire thirty (30) day period prior to the request for postage assistance, may mail two (2) standard postage-free letters per week.
- i) Indigent inmates may mail two (2) "*Postage Free*" standard size (9x12) legal correspondences requiring standard postage per month to individuals and organizations such as the courts, legal counsel, law enforcement, federal and local authorities, embassies, news media representatives and public/private social service agencies. All requests to mail legal "*Postage Free*" legal correspondence must be submitted to the law library. The Law Librarian must verify legal mail.
- j) Inmates may have access to numerous publications as outlined in ¶14 of this directive.

## 9. MAIL RESTRICTIONS

- a. *US Postal Service.* DOC shall only accept letters and approved publications mailed to inmates via the US Postal Service.
- b. DOC shall only accept certified or registered mail addressed to inmates when the envelope is clearly marked as being from a government official or legal source.
- c. DOC shall document, return to sender or otherwise appropriately dispose of items that do not comply with specifications in this directive (Attachment B)
- d. *Inmate-to-Inmate Correspondence*
  - 1) *DOC Internal Mail System.* Inmates are prohibited from corresponding with other inmates in the CDF through the DOC internal mail system.
  - 2) *US Postal Service.* Inmates are prohibited from corresponding with other inmates in the CDF, DOC contract facilities or another jurisdiction through the US Postal Service *unless the inmate obtains prior written*

*approval* from the Warden of the CDF, contract facility or other jurisdiction. Inmates must obtain approval through the Warden every six (6) months.

- a) Inmates shall submit an Inmate Request for this privilege through the assigned Case Manager.
  - b) The Case Manager shall conduct a JACCS inquiry to determine if the requesting inmate has a court ordered or DOC imposed separation from the other inmate or there is any other reason set forth in this directive that would preclude correspondence privileges (Attachment A).
  - c) Upon the Warden's approval, the Administrator of Programs or designee shall forward the request to correspond to the Warden at the facility where the other inmate is housed.
  - d) Upon receipt of the notice of approval or rejection, the Administrator of Programs shall provide notice to the Case Manager and forward a copy to the Mailroom.
  - e) The Mailroom shall maintain the database of approvals and rejections.
  - f) The Mailroom shall query the database whenever the envelope is addressed to an inmate at another correctional facility.
  - g) The Mailroom shall return correspondence to the sender when there is no written prior approval.
- e. *Correspondence Between Inmates and Employees/Volunteers.* DOC prohibits correspondence between an inmate and a current or former employee, a current or former volunteer, or a current or former contract employee except with the written approval of the Warden.
- f. *Request To Block Inmate Correspondence*
- 1) Inmates shall not write to an individual who has made a written request to the CDF Warden to prohibit the inmate from corresponding.
  - 2) The CDF Warden or designee, and the Mailroom staff shall maintain a list of individuals who request correspondence restrictions.
  - 3) Mailroom staff shall forward the correspondence to the Deputy Warden of Operations. The Deputy Warden of Operations will provide written notification to the sending inmate to cease corresponding with the complainant.
- g. *Fraudulent or Other Illegal Use of the Mail System*

- 1) Inmates are prohibited from falsely identifying himself/herself as an employee, agent or representative of DOC;
- 2) Inmates are prohibited from using any DOC or DOC contract facility address or mail system in order to conduct business or illegal enterprises or for any other fraudulent purpose; and
- 3) Inmates are subject to discipline pursuant to PM 5300.1. "*Inmate Disciplinary and Administrative Housing Hearing Procedures*" for violation of requirements herein and may be subject to criminal prosecution for violation of federal and local law regarding illegal use of the US Postal Service.

h. *Prohibited Mail Items*

- 1) Padded or Bubble-Wrap Envelopes. Only paper envelopes are accepted. However, the Mailroom shall accept the letter and any approved contents and destroy the padded/bubble-wrapped envelope.
- 2) *Cash, Personal Checks and Non-Government Payroll Checks.* DOC shall attempt to return cash, personal checks, and private-industry payroll checks to the sender pursuant to guidelines set forth in ¶12 of this directive. DOC may, upon receipt of government subsistence checks and as required by law, provide written notification to the affected agency that the inmate is incarcerated.
- 3) Photos are prohibited as follows:
  - a) Polaroid or other photos that contain plastic or any other synthetic backing;
  - b) Photographs that contain/portray nudity, exposure of female or male genitalia or other sexually explicit subject matter;
  - c) Photographs that display cash, alcohol, drugs and drug paraphernalia;
  - d) Photographs that depict acts of violence or promote illegal activity against another person(s), to include gang related materials, gestures and insignia;
  - e) Photographs that display weapons, weapons in use against others, showing weapons aimed in the direction of another person;
  - f) Photographs that depict or imply physical violence, terrorist activity or physical resistance to governing authorities;
  - g) Photographs of crime scenes unless through legal mail;

- h) Photo negatives/slides;
  - i) Photos of current or former employees, and
  - j) Photos that are glued, taped, stapled, or otherwise affixed to a page.
- 4) News articles or magazines depicting gang activities or containing instructions on how to join a gang/crew.
  - 5) Materials containing instruction on self-defense, martial arts, guns or ammunition.
  - 6) E-mail/internet materials (printouts of pages from websites such as facebook, myspace, yahoo, etc.).
  - 7) Battery-operated greeting cards.
  - 8) Letters that contain decorative stamps, ribbons, bows, mirrors, or stickers on the envelopes or contents.
  - 9) Electronic documents including but not limited to CDs, DVDs, MP3s, cassettes, videos and audio tapes.
  - 10) Correspondence that concerns and/or attempts to send contraband into or out of any DOC operated facility.
  - 11) Mail containing a foreign substance which prevents an effective search or which contains an unknown substance. If the substance is suspected of being a controlled substance, the mail shall be turned over to the security department.
  - 12) Personal identifying information (e.g. birth certificate, social security number, driver's license number, etc.) of individuals other than the inmate/resident and his/her immediate family.
  - 13) Correspondence from DOC inmates that concerns and/or attempts to send, receive, solicit or contain money orders or any other items of value from other inmates or from relatives or visitors of other inmates.
  - 14) Correspondence or documents that indicate the inmate is entering into a contract or engaging in a personal enterprise/business.
  - 15) Junk mail to include, but not be limited to, pamphlets, ads and leaflets.
  - 16) Materials, publications or correspondence that contain:
    - a) Threatening messages, plans for escape or other criminal activity;

- b) Creates a substantial danger to the emotional or mental health of the receiving inmate;
  - c) Gang related materials including but not limited to gestures, symbols, codes and insignia or photographs that have been altered;
  - d) Sexual behavior, these materials include, but are not limited to, pictures, drawings, or photographs which display or suggest vaginal, rectal, or oral penetration by a person or object, ejaculation, bondage, bestiality, sadistic or masochistic behaviors, child pornography, or the suggestion of child pornography;
  - e) Obviously coded messages or messages written in such a incomprehensible format that the message appears coded;
  - f) Obscene drawings, pictures and materials;
  - g) Strong scented envelopes and articles of clothing;
  - h) Tablets or binders;
  - i) Maps or illustrations of the DOC facility or other government agency floor plans, maps of the District of Columbia or surrounding areas; and
  - j) Publications that have hardback covers.
- 17) When correspondence is rejected, the Mailroom shall notify the sender and the intended inmate in writing of the rejection and the reasons for rejection. Mailed items that are rejected and are in excess of (\$10) in value may be held for no longer than ten (10) business days for the sender, with identification, to retrieve. DOC shall give notice that the sender and the inmate may appeal the rejection to the Deputy Director.
- 18) When rejected correspondence contains plans for, or discussion of the commission of a crime or evidence of a crime, DOC shall refer the matter to appropriate law enforcement authorities and the sender and intended inmate shall not be notified.
- 19) DOC shall confiscate and appropriately dispose of contraband items that inmates attempt to mail in accordance with DOC policy.
- i. *Inmate Property Allowance Restrictions.* Inmates are subject to limits on the amount of personal property, to include legal materials, correspondence, papers, books, magazines and photographs as outlined in PS 4050.1, *Inmate Property*.

## 10. MAIL EXAMINATION, SEARCH AND CENSORSHIP

### a. Examination and Search

- 1) Mailroom staff shall open mail to intercept cash, checks, money orders and contraband.
- 2) Pursuant to PS 5009.2, *Searches of Inmates, Inmate Housing Units, Work and Program Areas* and PS 5010.3, *Contraband Control*, DOC shall use narcotic detection dogs to search DOC mail. Staff shall conduct K-9 searches as often as necessary to control and eliminate the possession of illegal drugs.
- 3) Contraband
  - a) Minor Contraband. The Mailroom may return or dispose of miscellaneous items valued at less than ten dollars pursuant to PS 5010.3 *Contraband Control*. Examples of such items include, but are not limited to, newspapers and magazines not sent directly from the publisher, telephone calling cards, chewing gum, pencils, pens and jewelry.
  - b) Major Contraband. The Mailroom shall confiscate and place major contraband in the safe and immediately contact the CDF Security Office. Security staff shall collect the contraband and follow procedures as set forth in PS 5010.3, *Contraband Control*. Major contraband may consist of, but not be limited to, narcotics, prescriptions, chemicals and other illegal substances, knives, tools or metal substances, food items, smoking materials and/or tobacco products, and cell phones parts/accessories.
- 4) Suspicious Packages. Mailroom staff shall follow procedures outlined in PS 2920.5, *Emergency Response and Evacuation Plan* for suspicious mail. Suspicious mail may include letters unusual in appearance or that appear different from mail normally received or sent by the individual, letters postmarked in a city or state that is significantly different from the return address, or the letter is leaking (to include powdery substances), stained or emitting a strange or unusual order.

### b. Censorship and/or Rejection

- 1) Mailroom staff and designated security staff may read and recommend censorship or rejection of non-legal mail based upon legitimate facility

interests of safety, security and order. Such may include but not be limited to:

- a) Plans for sending contraband in or out of the facility;
  - b) Plans for criminal activity;
  - c) Terrorism information;
  - d) Gang related materials such as codes, news clippings and/or symbols;
  - e) Instructions for the manufacture of weapons, drugs or drug paraphernalia, tattoo devices or alcoholic beverages;
  - f) Threat(s) of blackmail or extortion;
  - g) Plans for escape or unauthorized entry or information or maps which might aid in an escape;
  - h) Code(s) that is not understood by the reader;
  - i) Plans for activities in violation of facility rules;
  - j) Information that if communicated, would create a serious danger of violence and/or physical harm to a human being; or
  - k) Other material that would if communicated, create a serious danger to the security of the facility.
- 2) Mail written in a foreign language that can not be interpreted by institutional staff to the extent necessary to conduct an effective search may be subject to a delay for translation of its contents.
  - 3) If it is determined that only a portion of the correspondence meets the above criteria, that portion will be redacted or retained and the rest forwarded to the inmate. DOC shall maintain a copy of the original correspondence.
  - 4) The Deputy Director for Operations shall review the recommendation to determine if there are sufficient grounds to withhold and/or censor the mail; determine that the correspondence being withheld/censored is no more extensive than necessary to meet criteria for censorship; and correspondence being withheld/censored is done so in accordance with established policy.
  - 5) Subject to legitimate security concerns, DOC may notify the inmate in writing when censoring and/or withholding mail in part or full. Notice

shall include the reason for the actions and shall advise the inmate of any appeal process.

- 6) In each case where it is deemed necessary to censor and/or reject a particular letter/correspondence DOC shall document:
  - a) The inmate's name and DCDC number;
  - b) Sender's name and address;
  - c) Date the letter was received, censored and/or rejected;
  - d) The reason for censoring and/or rejecting the letter; and
  - e) The employee's signature.

c. Mail Fraud

- 1) Staff shall, pursuant to PS 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*, forward information or evidence of suspected mail fraud or other illegal activity or use of the mail system through the chain-of-command to the Office of Internal Affairs (OIA) for investigation.
- 2) OIA shall report incidents of actual mail fraud to US Postal Officials in accordance with federal laws 18 U.S.C. §1341 and 18 U.S.C. §1342.

## 11. INCOMING MAILROOM PROCESSING

- a. The Mailroom shall process incoming and outgoing mail within forty-eight (48) hours, excluding weekends and holidays. Reasonable delays may occur during the Christmas holiday and Valentine's Day.
- b. Mailroom or designated support staff shall compare the inmate's name and DCDC number against the JACCS database and write the inmate's housing unit and cell number on the envelope.
- c. With the exception of legal correspondence, Mailroom staff shall open all letters prior to taking them into secure sections of the CDF.
- d. Mailroom staff must be sensitive to the fact that information in correspondence is of a private nature and must be handled discreetly. Unless there is a legitimate concern relating to the facility's security, safety, or orderly operation, the contents of reviewed correspondence are not to be revealed to any other person.
- e. When reviewing correspondence, disagreement with the sender/receiver's apparent moral values, attitudes, or choice of words will not be used as a reason for withholding or delaying correspondence.

- f. The CDF mail transport officer shall deliver mail to the CDF Command Center Monday through Friday, except holidays or emergency situations.
- g. Staff shall inspect legal mail pursuant to ¶ 13 of this directive.
- h. No correspondence, printed material, inmate personal property, or money may be hand delivered to inmates by visitors. The Warden or designee may allow attorneys of record to hand deliver privileged mail directly to the inmate, subject to approval and examination for contraband.
- i. Disposable gloves will be provided for employees to use while inspecting/reviewing correspondence.

## 12. PROCESSING MONEY ORDERS AND AUTHORIZED CHECKS

- a. DOC shall only accept money orders, US or local/state government checks and cashiers checks that are mailed to the CDF for deposit in an inmate's personal account. DOC also accepts Western Union electronic money transfers.
- b. Mailroom staff shall stamp notice to an inmate's envelope when a money order or government check was included in the inmate's mail (Attachment C). Mailroom staff shall include on the envelope the amount of the money order/government check, the date received and signature of the employee who logged the deposit in JACCS.
- c. Upon logging the deposit in JACCS, mailroom staff shall take money orders and government checks to the Inmate Finance Office by the close of business of each working day Monday through Friday.
- d. Upon receiving money orders and authorized government checks from Mailroom staff, the Inmate Finance Staff shall post the amount to the individual inmate's account within two (2) business days.
- e. *Cash Received Through the Mail*
  - 1) When cash is received in correspondence, mailroom staff shall countersign receipt to include the amount and bill denominations. A photocopy of the cash will be made and be attached to the receipt.
  - 2) Mailroom staff shall make written notification to the Deputy Director for Operations or designee.
  - 3) Mailroom staff shall return cash to the sender with written notice that cash is not acceptable.
  - 4) Cash received with no return address and/or that was obviously hidden in the mail shall be deposited into the inmate welfare fund. In those

cases, a detailed description and photograph of the method used to conceal the money shall be made, and an explanatory letter will be provided to the sender and the inmate.

- 5) Any discrepancies or failure by staff to comply with the procedures outlined herein shall immediately be reported to the Deputy Director for Operations or designee.

f. Western Union Electronic Money Transfers

- 1) Individuals may transfer funds to individual inmate accounts through any of the methods listed below. Western Union may collect a fee for each transfer. DOC shall post notice of procedures for electronic funds transfer.
  - a) *Internet.* Using a credit or debit card  
[www.westernunion.com/corrections](http://www.westernunion.com/corrections);
  - b) *Phone.* Using a credit or debit card at 1-800-634-3422; or
  - c) *Walk-In Cash Payment.*
- 2) The individual must provide the following information to transfer money at any participating agent location, by phone or online.
  - a) Pay to: DCDOC
  - b) Code City: DCGOV
  - c) State: DC
  - d) Sender's account#: Include the inmate DCDC# and inmate Last Name.

13. **INCOMING LEGAL MAIL**

- a. Inmates/residents will be allowed to send/receive confidential correspondence with the following special correspondents:
  - 1) State and federal elected officials;
  - 2) State and federal officials appointed by the Governor;
  - 3) State and federal officials appointed by the President of the United States;
  - 4) State and federal judges and courts;
  - 5) Attorneys who can be verified as licensed to practice law in any state;

- 6) City, county, state, and federal officials having responsibility for the inmate/resident's present, prior, or anticipated custody, parole, or probation supervision;
  - 7) County agencies regarding child custody proceedings;
  - 8) Officials of a foreign consulate, and
  - 9) Verified legal service providers/organizations (e.g. American Civil Liberties Union, Prison Law Office, National Association of Criminal Defense Lawyers, etc.).
- b. Mailroom staff shall process and deliver to CDF all legal mail within forty-eight (48) hours of receipt, excluding weekends, holidays and emergency situations.
  - c. Incoming correspondence shall bear the sender/agency official name and address on the envelope. Correspondence with a public official using an address different than the official's business address will be returned.
  - d. Housing unit staff delivering legal mail to the inmate shall document in the facility's legal mail log book:
    - 1) The date the mail was received;
    - 2) The name and DCDC number of the addressee;
    - 3) The name of the sender;
    - 4) The date the mail was delivered to the inmate; and
    - 5) Signatures of the inmate and the staff member delivering the legal mail.
  - e. Incoming legal mail shall be opened and inspected in the inmate's presence and examined for contraband and other items. In the absence of adequate identification, staff may open and read the mail to the limited extent necessary to determine its legitimacy and ascertain whether it is, in fact, legal mail.
  - f. If staff observes that incoming correspondence is not legal mail as set forth in this directive, they shall notify the Warden for further disposition.
  - g. Any mail which has papers that are bound together by metal clips shall be disassembled by removing the metal clips.

#### 14. **INCOMING PUBLICATIONS**

- a. All publications, including books, newspapers and newsletters, magazines, pamphlets and other materials that will be provided to inmates for their use in their cells must be soft cover and mailed to the inmate directly from the original source or an authorized distributor.
  - 1) Original sources and authorized distributors include, but are not limited to: publishers, bookstores, book clubs, faith based organizations, community based organizations, and other entities as determined by the DOC.
  - 2) If a sender wishes to mail more than one soft cover copy in bulk for several inmates, they may be mailed to the Department of Corrections, c/o the Director of Chaplaincy Services, 1901 D Street, SE, Washington, D.C., 20003, who will distribute the materials to the appropriate recipients.
- b. Individuals and organizations that want to bring in soft cover materials for an inmate to use during a program, lesson, meeting or group, without having to mail the materials in advance, may bring the materials with them for the event where they will be searched upon entry. All materials must be collected from the inmate(s) upon completion of the program, lesson, meeting or group and taken out of the institution by the provider when they leave. If the authorized distributor, volunteer or program provider wants to allow the inmate(s) to keep the publications and materials and take them back to their cell(s), the mailing procedures set forth in ¶ 14a above must be followed in advance of the activity.
- c. Books received from an original source or authorized distributor must have a soft cover. No hard back books shall be accepted by Mailroom staff.
- d. Inmates may purchase publications, except those that:
  - 1) Provide instruction for the manufacturing of explosives, drugs, or other unlawful substances;
  - 2) Illustrate the making of weapons, alcoholic beverages, tattoos, and or narcotic substances;
  - 3) Advocate violence or gang activity;
  - 4) Have demonstrably caused violence or other serious disruptions of institutional security;
  - 5) Advocate racial, religious, or national hatred, or
  - 6) Contain sexually explicit material, nudity or pornographic material.
- e. Mailroom staff shall scrutinize publications for contraband and obscene content.

- f. DOC shall maintain and periodically update the list of publications that are banned from distribution.
  - 1) The Mailroom shall hold publications containing questionable content and by the next business day, contact the Deputy Director for Operations or the Office of the General Counsel for determination.
  - 2) An inmate shall be notified when a publication is disapproved, and the inmate shall be told the reason that the publication was disapproved.
- g. Upon release or transfer to another facility/jurisdiction, mail may not necessarily be forwarded to the inmate. It is the inmate's responsibility to notify publishers about a change in their address.

#### 15. **MAIL DELIVERY**

- a. The #3 Shift Commander shall ensure mail is distributed to the appropriate Housing Unit Officers-in-Charge (OIC) at roll call.
- b. Each OIC shall ensure mail is distributed to inmates before the tour of duty ends.
- c. At no time shall mail be distributed by an inmate or be accessible to any inmate other than the addressee.
- d. Staff shall not leave correspondence on beds or in cell doors.
- e. Inmates are responsible for notifying their correspondents upon transfer to another facility or jurisdiction.
- f. The housing unit OIC shall conduct a locator query in JACCS when an inmate has moved from the unit prior to mail delivery. If the inmate remains at the CDF, the OIC shall deliver the mail to the housing unit location of the inmate. If the inmate has been released or transferred to another facility, the OIC shall indicate the location on the envelope and deposit the correspondence in the inmate out-going mail box for return to the Mailroom.
- g. The Mailroom shall return the correspondence to sender if the inmate was transferred to an out-of-state or federal facility or, if the inmate was released, shall forward it to the inmate's last recorded address. The Mailroom shall forward mail to inmates transferred to the CTF or a local community correctional center.

#### 16. **OUTGOING MAIL**

- a. Case Managers shall inform inmates at Intake Orientation that letters they are sending through the US Postal Service are placed there at the inmate's request and the inmate shall assume responsibility for the contents of each letter. Correspondence containing threats, extortion, etc., may result in prosecution for violation of federal laws. When such material is discovered, the inmate may be subject to disciplinary action, the written material may be copied and all material may be referred to the appropriate law enforcement agency for further disposition.
- b. DOC shall not mail "bill-me-later" subscription requests from inmates to newspapers or publications.
- c. Each inmate shall include the following information on each envelope when sending mail.
  - 1) His/her name as appearing on the judgment and commitment order,
  - 2) His/her DCDC number,
  - 3) CDF address printed in a legible manner on the upper left corner of the envelope.
- d. Mailroom staff shall open envelopes not bearing this information and return it to the inmate sender when identity is certain.
- e. The inmate shall affix sufficient postage to all outgoing non-legal mail.
- f. Inmates shall deposit mail in the designated mail box in the housing unit.
- g. The CDF transport officer shall deliver inmate correspondence to the Mailroom Monday through Friday, except holidays and emergency situations.
- h. When the Mailroom receives mail without postage, staff shall run the JACCS query for inmates who meet indigence criteria. The Mailroom shall return letters with written notice to inmates when they are ineligible for postage free non-legal correspondence.
- i. Legal mail shall receive priority processing and mailing.
- j. The inmate shall include the recipient agency's name and/or individual's name and address. Upon reasonable suspicion, DOC may within forty-eight (48) hours, verify that the intended recipient meets established criteria for legal correspondence.
- k. Staff, in the presence of the inmate, may be allowed to inspect outgoing legal mail for contraband before it is sealed.

## 17. INMATE APPEAL PROCESS

- a. The sender may appeal to the Deputy Director for Operations when correspondence from them is rejected/returned, withheld or censored.
- b. An inmate may appeal a decision that results in mail being withheld or censored by filing a grievance in accordance with PS 4030.1, *Inmate Grievance Procedure (IGP)*.
- c. An inmate may appeal a decision that results in the disapproval of a publication by filing a grievance in accordance with PS 4030.1, *Inmate Grievance Procedure (IGP)*.
- d. When the IGP Coordinator advises the Mailroom that the inmate has filed an appeal, Mailroom staff shall hold all questionable correspondence/publications until the grievance process is completed.
- e. If the inmate chooses not to appeal, the publication shall be returned to sender or the censored materials shall be disposed of.
- f. If a decision to deny publication or censorship is reversed via the grievance process, the Deputy Director for Operations shall instruct the Mailroom to forward the publication/correspondence to the inmate within one business day of notification of the final decision of the grievance.



Thomas Faust  
Director

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| Attachments  |   |
| Attachment A | Request to Correspond - Inmate to Inmate                                    |
| Attachment B | Mail Room Correspondence Memorandum   |
| Attachment C | Money Receipt Stamp   |
| Attachment D | Message to Volunteers Regarding Incoming Publications and Program Materials |