

# **CHELAN COUNTY REGIONAL JUSTICE CENTER**

## **POLICY**

**APPROVED BY: Director Phil Stanley**

**DATE APPROVED: 02-07-12**

### **POLICY-111 INMATE MAIL SERVICES**

The Chelan County Regional Justice Center (CCRJC) has established procedures governing mail services for inmates.

#### **PROCEDURE**

##### **I. GENERAL REQUIREMENTS**

- A. Inmates are responsible for informing their correspondents the rules governing mail, including legal mail. Inmates are also responsible for informing their correspondents, including publishers, of any change of address.
- B. Outgoing mail for indigent inmates is limited to five (5) letters per week at the facility’s expense. Indigent inmate mail will consist of standard first class, one ounce letters. Manila envelopes, other than those marked as legal and containing legal documents will not be processed for postage at the facility’s expense. (See Section V - Legal Mail). There is no limit on the volume of letters non-indigent inmates can send at their expense or receive, except when there is reasonable belief that limitation is necessary to protect public safety and or the safety and security of the facility. There is no limit to the volume of legal mail sent or received.
- C. An inmate’s writing privileges to a particular person or group may be withdrawn under authorization from the Director or designee for the following reasons:
  - 1. At the request of the recipient;
  - 2. If the recipient is a minor and his/her parent or guardian has requested, in writing, that the privilege be terminated;
  - 3. To comply with a court-ordered decision;
  - 4. For specific cause supported by criteria in this policy.
  - 5. An inmate may grieve any withdrawal of writing privileges.
- D. Inmate mail will not be processed or handled by inmates other than the writer or the inmate to whom the mail is addressed.

- E. Inmate to inmate mail will not be allowed, unless approved by the Director or designee. Inmate to inmate mail that is not approved by the Director or designee will be returned to the sender along with a mail denial notice (See Section VI).
- F. Excluding weekends and holidays or emergency situations:
  - 1. All mail will be delivered to the inmates within two (2) days of receipt.
  - 2. All legal mail will be delivered within 24 hours of receipt.
- G. If the inmate has been released from custody at CCRJC, first class mail received for that inmate will be returned to sender.

## **II. MAIL INSPECTION**

- A. Designated Jail staff are authorized to inspect and review incoming mail to prevent:
  - 1. Receiving contraband, or any other material that threatens the safety and security of the facility, and
  - 2. Criminal activity
- B. Endorsed money orders will be logged and sent directly to Control for processing. Receipts will be printed and forwarded to the inmate with the incoming mail. If an inmate refuses to endorse the back of the money order and/or check, a comment will be added to the inmate's Property Update in the Jail Management System, stating "refused to sign", the check number, amount, and sender. The updated property sheet and the money order and/or check will be placed into the inmate's property. The only checks that will be accepted are those received over CCRJC's Western Union terminal in the control room and those from other agencies, unless approved by a sergeant or corporal.

## **III. INCOMING MAIL**

- A. Incoming mail will only be accepted from the U.S. postal service or other authorized commercial carriers, except for legal mail from those agencies within the criminal justice system (e.g. prosecutor, public defender, courts, etc.).
- B. Mail sent to inmates will be addressed with their full committed name. Staff will make reasonable effort to identify the inmate for whom the mail is intended.
  - 1. Money orders may be sent to inmates – made payable to CCRJC with the inmate's name recorded in the memo section of the document.
- C. Incoming mail for inmates must have a viable return address as defined by the U.S. postal service. Mail without a viable return

address will be rejected and placed into the inmate's property and a mail denial notice issued (See Section VI).

- D. Incoming mail containing cash or unauthorized items will be returned to sender along with a completed mail denial notice (See Section VI).
- E. Incoming mail, including registered and certified mail with postage due, will be charged to the inmate.
- F. Packages are not allowed except for those containing publications or clearly identified as legal mail.
- G. CCRJC currently provides the Wenatchee World newspaper to all housing units.
- H. Inmates may receive publications provided they meet the requirements of this policy (See Section VIII).
- I. Incoming mail must contain only correspondence and/or property for the addressed inmate. Correspondence/property for a third party is not permitted.
- I. Certified and registered mail for inmates will be signed for and accepted, provided that such mail meets other criteria as set forth in this policy.
- J. All mail returned to the facility by USPS as undeliverable will be opened and inspected for contraband. Any re-mailing of the returned letter will be done at the inmate's expense.

#### **IV OUTGOING MAIL**

- A. Letters from inmates must have a complete return address that includes their full committed name and housing assignment. The return address may include any other legal name, as long as it is listed below the inmate's committed name. Other than the return address referenced above and complete mailing address, no other markings or drawings on the envelope are allowed.
- B. Jail staff will collect outgoing mail at lockdown/count and confirm indigent status on all outgoing correspondence. Each indigent inmate will be allowed to mail five (5) standard first class, one ounce letters free of charge per week, and the free mailings for each indigent inmate will be logged daily on the indigent list located in booking. Excluding extraordinary situations, the mail will be sent out via the U.S. postal service on the next available day.
- C. If contraband (homemade necklaces, bracelets, picture frames, commissary items, etc.) is suspected in an outgoing letter, the letter will be opened and contraband confirmed. An infraction will be issued to the inmate and the contraband secured as evidence for potential disciplinary action.

- D. Outgoing homemade envelopes of any kind will not be allowed. A mail denial notice will be completed indicating the unauthorized item(s) (See Section VI). The envelope will be placed in the inmate's property.
- E. Outgoing mail with any foreign substance on the envelope is prohibited. A mail denial notice will be completed (See Section VI). The envelope will be placed in the inmate's property.
- F. Outgoing mail from an inmate must contain only his/her correspondence and/or property. Correspondence/property from a third party is not permitted.

## **V LEGAL MAIL**

- A. Incoming and outgoing mail must have the mailing address/return address on the front of the envelope, if the address is readily identifiable as being from or to the courts, court staff, attorneys, law enforcement officers in their official capacity, or established groups involved in representing or corresponding to inmates in judicial proceedings it will be treated as "LEGAL MAIL".
- B. The front of an envelope that is stamped "LEGAL MAIL", "Attorney/Client", "Confidential", or similar designation will be treated as "LEGAL MAIL".
- C. Incoming legal mail will be opened in the presence of the addressed inmate by designated jail staff. Any returned mail qualifying as legal mail will be opened and inspected for contraband in the inmate's presence.
- D. Certified, return receipt requested, etc., on outgoing indigent legal mail will not be paid for by the facility.

## **VI MAIL DENIAL NOTICE**

A. A Mail Denial Notice will be completed and given to the inmate for any unauthorized mail or item included in out-going mail pursuant to this policy, or for any incoming mail that is not able to be returned to sender.

Once completed, mail denial notice copies will be distributed as follows:

- One copy to the inmate;
- One copy placed in the inmate's property;
- One copy to records department to be placed in inmate's file.

B. A Mail Denial Notice will be completed and returned to the sender, along with any unauthorized incoming mail, including currency. Once completed, mail denial notice copies will be distributed as follows:

- One copy returned to the sender of the unauthorized item;
- One copy returned to the inmate;
- One copy to records department to be placed in inmate's file.

When currency is received in the incoming mail, the deputy opening the mail will count it, and complete a mail denial notice, including listing the sender's name and full mailing address. The copies of the mail denial notice and unauthorized currency will be taken immediately to the Control Room. The Control Room operator will verify the currency, and maintain possession of the currency and mail denial notice until retrieved by the Administrative Program Manager. The Administrative Program Manager will ensure that a check equal to the amount of the currency and copy of mail denial notice be returned to the sender via U.S. mail, and a copy of the mail denial notice returned to the inmate.

## **VII UNAUTHORIZED MAIL**

- A. Unauthorized items that arrive in the mail will be returned to sender along with a completed mail denial notice indicating the unauthorized item(s) (See Section VI).
- B. If any contraband or illegal items are found in the incoming mail, it will be treated as evidence for potential disciplinary or criminal action.
- C. When an inmate is prohibited from sending or receiving mail, the affected inmate is entitled to have such decision reviewed by the disciplinary hearing body upon written request and the inmate shall be informed of this right to appeal. If the inmate's appeal is denied, the denial shall be in writing and delivered to the inmate.
- D. Inmate to inmate mail is prohibited, unless approved by the Director or designee. Inmate to inmate mail that is not approved by the director or their designee will be returned to the sender along with a completed mail denial notice. This includes mail to inmates housed at other jails or prisons.
- E. Repeated violations of unauthorized mail and or the CCRJC mail policy may result in denial of mail privileges to the sender.

## **VIII PUBLICATIONS RECEIVED BY INMATES**

- A. Inmates may receive publications (periodicals, magazines, paperback books, pamphlets) as follows, provided they meet the requirements of this policy and Section IX below:
  1. Publications must be sent directly from the publisher or Amazon.com, or equivalent national distributor.

- B. Publications not meeting the requirements of this Policy and Section IX will initially be rejected. The initial rejection will be reviewed by the Director or his/her designee prior to a mail denial notice being given pursuant to Section IX.
- C. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, religious, or political group or sexual orientation.
- D. Items such as product samples, CDs, DVDs, etc. will be removed from publications and placed in the inmate's property. Items such as perfume samples and product order cards will be discarded.
- E. Any ribbon or bookmarks attached or included with any publication will be cut away and discarded.
- F. Once an inmate is released, the facility will not forward any publications. It is the inmate's responsibility to initiate a change of address with the publisher.
- G. An inmate may request to have the cost of a periodical deducted from his/her inmate fund account. The inmate must submit a completely filled-out, signed property release, a stamped, addressed envelope, and a publication order form or appropriate correspondence to the Corrections Program Manager. The Corrections Program Manager will verify that the periodical fits policy criteria, then submit all documents to CCRJC Control for fund verification and processing.

**IX LIST OF UNAUTHORIZED INCOMING MAIL**

- 1. Mail unauthorized by policy.
- 2. Cash received will be returned to sender.
- 3. Items not permitted by jail rules.
- 4. Mail to or from an individual with whom contact is restricted.
- 5. Material that threatens or is detrimental to the safety, security, or discipline of the facility.
- 6. Mail containing information that, if communicated, could create a risk of violence and/or physical harm to any person.
- 7. Mail containing items available for purchase on the commissary.
- 8. Gang-related material such as signs, drawings, language, and symbols – to include pictures of persons displaying gang signs and or gang activities.
- 9. Mail that is in code.
- 10. Mail in a foreign language with contents not understood by the inspecting staff, when reasonable efforts to have the mail interpreted have been unsuccessful.

11. Mail that contains contraband, or relates to sending contraband in or out of the facility.
12. Mail containing plans to escape, or mail depicting or describing blueprints or operational details of existing facility security devices (e.g. locks, electronics, facility grounds/buildings etc.).
13. Mail containing instructions for the manufacture or use of weapons, ammunition, explosives, drugs, alcohol, other unlawful substances or contraband.
14. Mail that is deemed a threat to specific and articulated legitimate penological objectives.
15. Mail containing threats of physical harm against any person or any other threats or criminal activity.
16. Mail containing blackmail or extortion threats.
17. Any item, other than magazines or periodicals, larger than 8 ½" by 11".
18. Envelopes or contents altered from original form or soaked/permeated in a liquid, solid, or gaseous solution.
19. Homemade envelopes of any size are prohibited.
20. Mail containing greeting cards that are padded, laminated/layered, musical, and/or larger than 8 ½" by 11".
21. Other than the cancelled stamp attached to the front of the envelope or package, no item shall be glued, taped, or affixed to the envelope or its contents.
22. Polaroid type photographs or photograph wherein the non-photo side is, or can be, separated from the photo side.
23. Electronic items (including batteries).
24. Glue, paperclips, clasps, staples (with the exception of magazines and periodicals), magnets, stickers, tape, plastic, wood, cloth, glass, ribbon, liquids, metal, or any like materials.
25. Negotiable instruments such as un-cancelled stamps, blank paper, envelopes, stickers/labels or other items that can be traded or sold.
26. Profanity on envelopes.
27. Lipstick on envelopes, packages or contents.
28. Mail that is misidentified as "legal mail"
29. Hardbound books of any kind.
30. Mail advocating that any group is inferior based on national origin, race, color, religion, age, gender, marital status, sexual orientation, status as a Vietnam Era Veteran, Wartime Veteran, or Disabled Veteran, or the presence of

- a physical, mental, or sensory impairment and makes such group the object of ridicule and scorn, and may reasonably be thought to precipitate a violent confrontation between the recipient and a member(s) of the target group.
31. Mail containing photocopies or carbon copies, except:
    - a. Photocopies/carbon copies that meet the definition of legal mail,
    - b. Photocopies/carbon copies between inmates verified as co-parties in a legal matter and the copy (ies) are Legal Pleadings or Discovery documents,
    - c. A single copy or carbon copy of an item that would otherwise be allowed. Multiple copies of the same document are not allowed.
    - d. Photocopies of birth/death certificates, marriage licenses, or other legal documents affecting status from:
      - 1) A city, county, state, or federal court, or
      - 2) A person initiating visiting privileges and the copy(ies) pertains to the visitor approval process.
  32. The outside of the envelope or package does not contain a return address as defined in policy.
  33. The outer envelope contains envelopes of correspondence and/or loose letters addressed to a party other than the party whose address appears on the outer envelope, that are, or appear to be, intended to be mailed by a third party.
  34. Mail that is obscene, violent, pornographic, sexually illicit, sexually erotic, sexually enticing, sexually prurient, or sexually explicit\*\*.
    - a. \*\*The term “sexually explicit” refers to any pictorial representation or written material that is intended for sexual gratification and shows male or female genitalia, partial or full frontal nudity, or depicts sexual acts or behaviors including, but not limited to, intercourse/penetration, sodomy, fellatio, cunnilingus, anilingus, or masturbation, or depicts any of the following sexual behaviors:
      - 1) One or more of the participants appears to be:
        - a) Non-consenting,
        - b) Acting in a forceful, threatening, or violent manner,
        - c) Dominating one or more of the other

- participants,
    - d) In a submissive role,
    - e) Degraded, humiliated, or appears to willingly engage in behavior that is degrading or humiliating, or
    - f) A minor that is depicted in a sexually suggestive way,
  - 2) Bodily excretory behavior that appears to be sexual in nature, and
  - 3) Bestiality, sadomasochistic behavior, and/or bondage.
- b. The term sexually explicit also refers to written materials that are intended for sexual gratification and describe any of the following sexual behaviors as the predominant theme of the publication or letter:
  - 1) Sexual behaviors including, but not limited to, intercourse/penetration, sodomy, fellatio, cunnilingus, anilingus, or masturbation.
  - 2) One or more of the participants appears to be:
    - a) Non-consenting,
    - b) Acting in a forceful, threatening, or violent manner.
    - c) Dominating one or more of the other participants,
    - d) In a submissive role,
    - e) Degraded, humiliated, or appears to willingly engage in behavior that is degrading or humiliating, or
    - f) A minor that is depicted in a sexually suggestive way,
  - 3) Bodily excretory behavior that appears to be sexual in nature, or
  - 4) Bestiality, sadomasochistic behavior, and/or bondage.
- 35. Publications that have been altered after publication (e.g. pages or portions of pages removed, extraneous markings, etc.).
- 36. Publications (i.e. reproduced handwritten, typed/printed, or pictorial materials including paperback books, periodicals, magazines, and pamphlets) and catalogs (i.e. a publication predominantly/substantially focused on offering items for sale) not mailed directly from publisher.

**CHELAN COUNTY REGIONAL JUSTICE CENTER**

**MAIL DENIAL NOTICE**

Mail addressed to: \_\_\_\_\_, Name # \_\_\_\_\_, Housing Unit \_\_\_\_\_, is in violation of POL 111-INMATE MAIL SERVICES. The material has been rejected and returned or placed in your property for the following reason(s): (Circle the correct number)

1. Mail between inmates is prohibited, unless approved the Director or designee.
2. Mail shall not contain correspondence to anyone except the inmate whose name appears on the front of the envelope.
3. Inmates shall not request anyone to forward correspondence beyond the immediate address.
4. Inmate's committed name must appear on the front of the envelope.
5. Sender's complete name and return address must appear on the front of the envelope.
6. Unauthorized attachments or enclosures in or on packages.
7. Other than the cancelled stamp, address, and return address attached to the front of an envelope or package, no item or other marking shall be glued, taped or affixed to the envelope or package or contents.
8. Other than written correspondence, newspaper or magazine clippings, small pamphlets, approved photo/carbon copies, hand-made drawings, and photographs, no unauthorized item shall be enclosed in the envelope. \_\_\_\_\_
9. Sexually explicit material, gang-related material, inflammatory material or correspondence that is in code is prohibited. \_\_\_\_\_
10. Material that is considered contraband, threatens or is detrimental to the security, good order, or discipline of the facility is prohibited. \_\_\_\_\_
11. Negotiable instruments, uncanceled stamps, and stamp collections are prohibited. \_\_\_\_\_
12. Items, other than a magazine, larger than 8 1/2" x 11" are prohibited. \_\_\_\_\_
13. Electronic items, including batteries are prohibited. \_\_\_\_\_
14. No foreign substance is allowed in or on any mail items. \_\_\_\_\_
15. Polaroid-type photographs with a chemical substance on the back of the photograph are prohibited. \_\_\_\_\_
16. Items available for purchase on commissary will not be accepted. \_\_\_\_\_
17. No other forms of currency other than money orders are accepted. \_\_\_\_\_
18. Other as described in POL 111 Inmate Mail Services. \_\_\_\_\_

Items denied may be placed into the inmate's personal property. A sender who has received a mail violation notice may obtain an independent review or waiver of the rejection by writing to the Deputy Director at 401 Washington Street – 2<sup>nd</sup> Level Wenatchee, WA 98801, requesting an administrative review. Administrative review shall be available to the intended inmate recipient only for rejected correspondence based on its written or pictorial content. A request for an Administrative review must be in writing and received within 15 days of the date of notice, and should specify the reason(s) why the rejection should not be sustained. If the correspondence is returned with the mail violation notice, the rejected correspondence must be submitted with the review request. If no review is requested, the sender may correct or remove the portion of the document that violates jail policy; then re-send the non-violating mail back to the inmate.

Sender: \_\_\_\_\_ Deputy Signature & PIN \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_