



<p><b>STATE OF ALASKA</b> <b>DEPARTMENT OF CORRECTIONS</b></p>  <p><b>POLICIES &amp; PROCEDURES</b></p>	SECTION: <b>Institutions</b>		PAGE: Page 1 of 17
	CHAPTER: <b>810</b>	NUMBER: <b>810.03</b>	P&P TYPE: <b>Public</b>
	TITLE: <b>Prisoner Mail, Publications and Packages</b>		
	APPROVED BY:  Nancy A. Dahlstrom, Commissioner		DATE: <b>4-18-22</b> 04/18/2022
ATTACHMENTS / FORMS: <b>(A.) Prisoner Mail Action Form.</b>		AUTHORITY / REFERENCES: <b>22 AAC 05.155 AS 34.45.280</b> <b>22 AAC 05.400 AS 34.45.370</b> <b>22 AAC 05.510 AS 44.28.030</b> <b>22 AAC 05.520 DOC P&amp;P 302.12</b> <b>AS 33.05.010 DOC P&amp;P 808.03</b> <b>AS 33.16.180 DOC P&amp;P 811.05</b> <b>AS 33.30.011 DOC P&amp;P 815.05</b> <b>AS 33.30.021 DOC P&amp;P 1208.08</b> <b>AS 34.45.230 DOC P&amp;P 1208.16</b>	

**POLICY:**

- I. It is the policy of the Department of Corrections (DOC) that prisoners may correspond with anyone except those persons and businesses limited by this policy. To that end it is the policy of the Department to have in place uniform procedures for the handling of prisoner mail, publications, and packages.
- II. It is the policy of the Department that each institution shall make an effort to ensure conscientious handling of prisoner's mail to prevent theft, tampering, delay, or other interference. However, the Department is not liable for mail, which the U.S. Postal Service (USPS) or any other officially recognized mail or package courier system mishandles or loses.
- III. It is the policy of the Department that prisoners may receive mail, packages, and publications except as limited in this policy.

**APPLICATION:**

This policy and procedure will apply to all Department employees and prisoners.

**DEFINITIONS:**

As used in this policy, the following definitions shall apply:

**Business Transaction:**

A transaction involving the purchase of merchandise, commodities, or services.

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**Contraband:**

Any article or thing that a prisoner is prohibited by statute, policy, or directive from obtaining or possessing, or which the prisoner is not specifically authorized to obtain or possess, or which the prisoner alters without authorization.

**Immediate Family Member:**

Mother, father, sister, brother, son, daughter, grandparent, grandchild, stepchild, or spouse.

**Inflammatory Material:**

Material whose presence in the facility is deemed by the Department to constitute a direct and immediate threat to security, safety, health, good order, or discipline of the facility because it incites or advocates physical/non-physical violence against others.

**Inspection:**

To include, but not limited to, examination or viewing, including reading or photocopying, scanning, use of drug dogs and x-raying.

**Mail:**

Incoming or outgoing mail including, electronic messages, authorized by policy to be sent or received by a prisoner and delivered by the USPS, or any other carrier approved by the Department including, but not limited to, parcel service enterprises or electronic messaging services.

**Mailroom Staff:**

Department employees identified by the Superintendent or designee to handle incoming and outgoing mail within an institution.

**Mail Received:**

Mail is not considered to be in a received status until after the mailroom staff has made an examination for contraband, not to exceed 48 hours, excluding holidays and weekends.

**Money:**

Cash, money orders, personal checks, warrants, certified checks, and other remittances.

**Package:**

A completely wrapped parcel received that is more than 3/4-inch-thick regardless of other dimensions, received directly from the source with authorized postage.

**Photo:**

Any image or any duplication thereof, which includes any photograph scanned and printed from the internet or other photographs where the identity is unknown to the Department. Any graphic image sent with or attached to an electronic message will be considered a photo.

**Publication:**

A book or single issue of a magazine or newspaper, plus such other materials addressed to a specific prisoner as flyers and catalogs, received directly from the publisher.

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**Publisher, Distributor, or Book Vendor:**

A business, organization, or firm that issues and makes available to the public (generally for sale and wide distribution) magazines, newspapers, new and used books, and other publications.

**Security Threat Group (STG):**

Any group of three or more individuals who:

- a. Have a common name, identifying symbol, or characteristic that serves to distinguish themselves from others; and/or
- b. Have members, affiliates, or associates who individually or collectively engage, or have engaged, in a pattern of illicit activity or acts of misconduct that violates Department of Corrections rules; and/or
- c. Have the potential to act in concert to present a threat, to staff, public, visitors, prisoners, or the secure and orderly operation of the institution.

**Security Threat Group Paraphernalia:**

Any material, documents, or items evidencing security threat group involvement, symbology, or activities (e.g., rosters, constitutions, structures, codes, pictures, training materials, clothing, communications, or other security threat group related contraband.

**Sexually Explicit Material:**

Any publication, drawing, photograph, film, negative, motion picture, figure, object, novelty device, recording, transcription, or any book, leaflet, catalog, pamphlet, magazine booklet or other item, the cover or contents of which pictorially depicts nudity of any gender, or that graphically depicts through text any sexually explicit homosexual, heterosexual, or auto-erotic sex acts including fellatio, cunnilingus, masturbation, sadism, sadomasochism, bondage, bestiality, excretory functions, sexual activity involving children, an unwilling participant, or the participant who is the subject of coercion. Frontal nudity includes the genitalia of either gender and / or the female breast(s), nipple(s), areola(s), (including being visible through clothing). Rear nudity includes the buttock(s) and / or anus of either gender (including being visible through clothing).

**PROCEDURES:**

I. Mailroom Staff Assignment:

- A. Assigned mailroom staff shall be responsible for reviewing prisoner's mail and for carrying out the procedures described in this policy.
- B. Due to the risk of exposure to drugs and other contraband, staff involved in opening and inspecting incoming mail shall be provided with personal protective equipment that can cover the eyes, mucus membranes and skin to include:
  1. A disposable medical grade surgical mask;
  2. Powder-free nitrile gloves; and
  3. Protective eye wear.

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- C. Assigned mailroom staff shall also be trained in procedures for opening mail as well as response procedures in case an unidentified substance is encountered when opening / handling mail. Staff shall not be assigned to mail duties until such training has been completed. Training resources for this topic can be found in the Correctional Officer Field Training Program.
- D. Mail shall be delivered to prisoners in such a manner as to ensure it is received by the intended recipient only. A prisoner must never distribute mail or be allowed to look through mail to find their mail.
- E. Mailroom staff shall distribute and deliver prisoners' incoming mail and privileged mail (except packages and printed media) within 24 hours from the time the institution receives it; and staff shall pick up prisoners' outgoing mail within 24 hours (excluding weekends and holidays).
- F. Mailroom staff must distribute packages to prisoners within 48 hours of receipt after inspection for contraband (excluding weekends and holidays).
- G. Mailroom staff must distribute publications (books, newspapers, magazines, etc.) to prisoners within 48 hours of receipt after inspection for contraband (excluding weekends and holidays).
- H. Prisoners may not enter into credit agreements, installment purchase arrangements, or other contracts without the approval of the Superintendent or designee. The Superintendent has the discretion to approve special transactions such as selling property, college loans, etc.
- I. Prisoners may not represent any business firms or conduct any type of business operation without the proper approval in accordance with DOC P&P 815.05, Prisoner Businesses.
- J. Superintendents or designee may authorize photocopying Prisoner-to-Prisoner and General Mail. The following guidelines shall apply:
  - 1. Photocopies shall be in black and white.
  - 2. A copy of the envelop shall be made, which shows the sender and recipient information.
  - 3. Originals shall be stored in a secure location for 7 working days, then disposed of.
- K. Mail that is deemed to pose a safety or security risk to the institution shall be photocopied before being disposed of.
- L. Mail with personal or financial information presents a significant threat to the prisoner if the information is discovered by another prisoner. These documents should be stored in the prisoner's property, i.e., Bank cards, Social Security cards, Birth certificates etc.
- M. Mailroom staff shall maintain:
  - 1. An electronic log of all incoming and outgoing registered, insured, privileged, and certified mail to include the sender and recipient's name and address.

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2. A weekly electronic log of prisoners who are indigent.
3. A log of cashier's checks, money orders and cash received.

## II. General Information:

### A. The Department divides mail into three (3) categories:

#### 1. Privileged Mail:

This category is defined as incoming and outgoing correspondence with the person(s) or organizations listed below as privileged, if the individuals are acting in their official capacities and the mail is properly marked "Privileged":

- a. The Alaska Human Rights Commission.
- b. Any Alaska Legislators.
- c. Any attorney licensed to practice in the United States.
- d. Any court in Alaska or of the United States.
- e. The Attorney General of Alaska.
- f. The Chairman, Alaska Board of Parole.
- g. The Commissioner, Department of Corrections.
- h. Division of Occupational Licensing, Department of Commerce, Community and Economic Development.
- i. Division of Elections, Office of the Governor.
- j. The Grievance and Facility Standards Administrator, Department of Corrections.
- k. The Governor of Alaska.
- l. Members of the U.S. Congress for Alaska.
- m. The Ombudsman for the State of Alaska.
- n. The physician of record for the prisoner.
- o. The State of Alaska Americans with Disabilities Act (ADA) Coordinator (Division of Rehabilitation, Department of Labor); and
- p. Any organization, such as the American Civil Liberties Union, National Prison Law Project, or Alaska Legal Services Corporation, that assists persons in the exercise of their legal rights.

#### 2. Prisoner-to-Prisoner Mail:

Prisoner-to-prisoner includes all mail between prisoners.

#### 3. General Mail:

General mail includes all mail other than privileged or prisoner-to-prisoner mail.

### B. Envelopes:

1. Envelopes which cannot be effectively searched may provide a means of introducing contraband into an institution, posing a threat to the safety of individuals. Unless received directly from an approved vendor, publisher, treatment facility, health care provider or marked as "Privileged" mail, the following envelopes

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will not be accepted by mailroom staff and shall be returned, unopened, to the sender with a notification of the returned mail sent to the intended prisoner with a Prisoner Mail Action Form (810.03A):

2. Any non-white envelopes.
3. Envelopes larger than 9" by 12" (excluding privileged).
4. An envelope which is not commercially produced.
5. An envelope made of cardboard, padded, corrugated, or tear-resistant material.
6. An envelope constructed of heavy weight paper (i.e., greater than 24 Pound) or with security screening features.
7. Envelopes to which address labels, stickers, stamps, or other items are affixed with an adhesive. Labels and stickers affixed to an envelope by the U. S. Postal Service are excluded but should be removed from the envelope before being delivered to the prisoner.
8. Envelopes with drawings or markings on them.

C. Paper:

1. Incoming mail from outside the Department of Corrections must be written on white paper or white lined paper.
2. Mail must not be written on heavy weight (greater than 24 Pound) or construction paper.

D. Photos:

1. Photos must not be greater than 4" x 6" in size and may not have a sticky or magnetic backing.
2. Photos shall only be accepted directly from the following vendors:
  - a. Shutterfly
  - b. Pelipost
  - c. Free Prints Now
  - d. Walmart Photo
3. Photos shall not violate the prohibited mail requirements.
4. Received photos shall not exceed 10 per day and shall not exceed the quantity restrictions outlined in DOC P&P 811.05, Prisoner Personal Property and Release Clothing.

E. Media:

1. Privileged Electronic Data Storage Devices (i.e., CD, USB Device) are the only authorized media allowed to be sent into prisoners.

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- When Privileged Electronic Data Storage Devices are received, the prisoner shall be given a seizure report, (due to not being able to keep them in their cells) and placed in their assigned property box. When prisoners would like to review them, they must put in a Request for Interview (RFI) for review, requesting access to view them in the law library.

F. Money:

- Only a prisoner's approved visitors or verified immediate family members listed in ACOMS can send monetary gifts to be deposited into a prisoner's account. Monetary gifts may not exceed \$500 in a single month without the prior approval of the Superintendent or designee.
- Monetary gifts shall be sent using USPS mail. The sender's name on the cashier's check or money order must be on the prisoner's approved visiting list or be listed as a verified immediate family member in ACOMS.
- Checks from governmental agencies, tribal entities and businesses are subject to the restrictions set in Policy 302.12, Prisoner Accounts.
- Anonymous donations are not accepted. Mailed anonymous donations will be automatically deposited into the prisoner welfare fund. Anonymous cashier's checks and money orders will be sent to the generating entity.
- Personal checks and cash delivered through the mail are not accepted. Cash received through the mail will be automatically deposited into the prisoner welfare fund. Any personal checks will be returned to the sender.
- The mail room staff shall deliver a receipt to the prisoner and forward all money orders and cashier's checks to the Offender Trust Account Department for processing. The Offender Trust Account Department shall process the monetary instruments that meet the Department requirements and return those that do not meet the Department requirements to the sender at the intended prisoner's expense. The intended prisoner recipient shall be notified of the rejection of mail, including the reasons, on a Prisoner Mail Action Form (810.03A).

III. Inspection of Mail:

A. Privileged Mail:

The Department may not restrict or censor a prisoner's privileged correspondence. Prisoners (except indigent prisoners) shall pay all postage costs. If there is substantial doubt as to whether or not mail is in fact privileged, such as mail received from an unknown but official-sounding organization, the mail may only be opened in the presence of the prisoner and only to search for contraband, unless at that time it is determined not to be privileged mail. Mail marked as "Privileged" but found to be "general" mail during the verification process, will be treated as general mail and shall be subject to inspection and the general mail rules.

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I. Outgoing Privileged Mail:

Mailroom staff may not read or search outgoing privileged mail for contraband. However, mailroom staff will verify, in the prisoner's presence, that the intended recipient of the mail is the same person as the privileged addressee.

B. Prisoner to Prisoner:

1. All prisoner-to-prisoner mail received by a prisoner from another prisoner who is not a family member may be read by the Department prior to delivery. When a prisoner's mail to another prisoner is read, the Department shall provide the receiving prisoner with a written notice stating that the prisoner's mail was read due to its status as prisoner-to-prisoner mail, and that future reading of that prisoner-to-prisoner mail may occur without notice. The *Prisoner Mail Action Form* (Attachment A) shall be used for this purpose. This initial written notice must be provided to the prisoner recipient within two (2) working days, subject to any delay required by an investigation of criminal or prohibited activity.
2. The Department may not restrict mail between prisoners unless an individual's safety or the security of an institution requires a restriction.
3. The Superintendent may restrict prisoner-to-prisoner mail only on a case-by-case basis. The restriction must be no broader than necessary to address the safety or security concerns.
4. Federal regulations require permission from both State Superintendents and Federal Wardens to send or receive mail to an individual in Federal custody.

C. General Mail (excluding packages):

1. Mailroom staff will inspect all general mail for contraband outside of the prisoner's presence.
2. The Superintendent or designee may delay giving the prisoner mail if they have reason to believe that it will hamper an investigation of criminal activity referred to in the mail. The prisoner may receive the mail once the investigation is completed and the mail is cleared by security.

IV. Outgoing Mail:

Outgoing mail shall be enclosed in an approved envelope with United States postage. The outside of the envelope shall contain only the prisoner's committed name, offender number, return address, and the addressee's name and address. If the sender cannot be identified, the mail will be destroyed. A prisoner may send or receive any amount of first, second, or third-class mail, except when limitations may be placed on the mail to conduct or operate a business. Prisoners do not need the Superintendent's approval to receive or send mail to an individual.

A. Collection:

Prisoners shall have access to secured mailboxes. Mailroom staff shall collect outgoing mail at least once each day, Monday through Friday, excluding holidays.

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**B. Return Address:**

Prisoners must use the return address format below or mailroom staff shall return the mail to the prisoner along with the Prisoner Mail Action Form (810.03A) for them to put a proper return address on the mail item:

Prisoner's Name (ACOMS #)  
Name of institution (spelled out in full)  
Address of institution  
City, State, and Zip Code

**C. Postage:**

1. If funds are available, prisoners shall pay for their outgoing mail.
2. The Superintendent shall make postage available for prisoners to purchase.
3. Indigent prisoners may mail, at the Department's expense, up to five (5) pieces of mail per week, privileged or otherwise, weighing up to two (2) pounds each. This policy does not apply to shipping excess personal property. See DOC P&P 811.05, Prisoner Personal Property and Release Clothing.
4. In special circumstances a prisoner may be permitted to mail more than five (5) pieces of privileged mail at the Department's expense as approved by the Superintendent. The Attorney General's office may be consulted to verify that the prisoner has pending litigation which justifies the increase in mail.
5. Certified or registered mail shall be provided at the discretion of the Superintendent and only when necessary, such as for purposes of service of the summons and complaint in a legal proceeding. The Superintendent may confer with legal counsel to determine if certified or registered mail is necessary.

**V. Prohibited Mail:**

The Department shall prohibit any mail that:

**A. Outgoing Mail:**

1. Is written on state documents i.e., Request for Interviews, Commissary Request Forms etc.
2. Includes correspondence from any other prisoner, inside their own envelope.
3. Requests a recipient to forward correspondence beyond the immediate addressee.
4. Contains plans or threats of physical harm against a person or other criminal activity.
5. Contains contraband, plans for sending contraband in to or out of the institution, or indicates other activities prohibited under 22 AAC 05.400, Prohibited Conduct for Prisoners.

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6. Contains information that, if communicated, would create a risk of mental or physical harm to a person.
7. Contains material that could reasonably be expected to aid an escape or incite or encourage any form of violence.
8. Is in violation of a Court order.
9. Is written in a code that the reader does not understand.
10. By nature, or content (visual or written) poses a threat or is detrimental to the security, good order or discipline of the facility, prisoner rehabilitation, or facilitates criminal activity including, but not limited to, material that meets one or more of the following criteria:
  - a. Incites, advocates, aids, or abets criminal activity such as gang activity, illegal drug use, conversion of weapons, or promotes gambling.
  - b. Concerns plans for activities in violation of other Department of Corrections administrative directives.
  - c. Contain Security Threat Group related paraphernalia.

**B. Incoming Mail:**

1. Does not have a return address which has at a minimum, a first initial and a full last name listed along with the sender's address. Mail that violates this requirement shall be refused and returned to the U.S. Postal Service.
2. Incoming mail with unauthorized or insufficient postage shall be refused and returned to the U.S. Postal Service.
3. Contains additional mail from outside the sender's immediate family. Example a daughter or son could place something in the envelope from the mother or father sending, but not from a friend of the family.
4. Is taped, pasted, or otherwise joined to another item, unless taped by security staff.
5. That includes drawings or written content in a medium other than blue or black ink or graphite pencil.
6. Has glitter, stamps, stickers, or anything affixed to the paper with an adhesive.
7. Is non-commercially produced or multi-fold greeting cards, greeting cards made of non-standard card stock paper, greeting cards which have embellishments or greeting cards which exceed 6" X 8" in size.

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8. Contains lipstick or a foreign or unknown substance, including unusual stains, body fluids, perfumes, incense, or oils. If the substance is suspected of being a controlled substance, the mail may be turned over to law enforcement officials for further investigation.
9. Contains plans or threats of physical harm against a person or other criminal activity.
10. Contains contraband, plans for sending contraband in to or out of the institution, or indicates other activities prohibited under 22 AAC 05.400, Prohibited Conduct for Prisoners.
11. Is written in a code that the reader does not understand.
12. Is written with (or contains), gel pen ink, crayon, marker, colored pencils, colored paper, correctional fluid or tape, paint, warped papers, or powders.
13. Contains sexually explicit materials. However, the following sexually explicit material shall be allowed:
  - a. Departmentally purchased or acquired educational, medical / scientific, or artistic materials, such as books or guides purchased by the Department for inclusion in institution libraries and / or educational areas.
  - b. Educational, medical / scientific, or artistic materials, including, but not limited to, anatomy medical reference books, general practitioner reference books and / or guides, National Geographic, or artistic reference material depicting historical, modern, and / or postmodern era art, purchased or possessed by prisoners and approved by the institution head or their designee on a case-by-case basis.
14. Contains personal checks, cash or solicits gifts, money, credit, or contractual purchases without the approval of the Superintendent or designee.
15. Contains any item designated as contraband such as loose labels, postage stamps, oils, perfumes, incense, personal property, art, tattoo templets, crafts, hobby supplies, journals, diaries or blank books, candy, gum, or any food items, unused postcards, bookmarks, calendars, inspirational cards or medals, stationary, pens/pencils, envelopes, unused battery operated or non-single layer card stock greeting cards, or any item that requires and lacks prior approval from the Superintendent or designee.
16. Contains information that, if communicated, would create a risk of mental or physical harm to a person.
17. Contains material that could reasonably be expected to aid an escape or incite or encourage any form of violence.
18. Contains hard-bound books and leather-bound books, to include Bibles.

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19. By nature, or content (visual or written) poses a threat or is detrimental to the security, good order or discipline of the facility, prisoner rehabilitation, or facilitates criminal activity including, but not limited to, material that meets one or more of the following criteria:
  - a. Incites, advocates, aids, or abets criminal activity such as gang activity, illegal drug use, conversion of weapons, or promotes gambling.
  - b. Contains tattoo information or templates.
  - c. Concerns plans for activities in violation of other Department of Corrections administrative directives.
  - d. Contain Security Threat Group related paraphernalia.
20. Is in violation of a Court order.
21. Has been banned for good reason following an individualized determination by the Department.
22. Are received with prohibited items in part or in whole. In these instances, the mail will be considered unacceptable as a whole and will need to be disbursed as stated in policy.

VI. Disposition of Prohibited Mail:

If the mail is rejected, the intended prisoner recipient shall be notified of the rejection of mail, including the reasons, on the Prisoner Mail Action Form (810.03A). Illegal contraband or evidence of crime shall be confiscated and turned over to the Security Department and Alaska State Troopers. No notice of confiscation shall be given.

A. Prisoner's Case File:

A prisoner may be subject to disciplinary proceedings for attempting to mail prohibited material. Mailroom staff shall place a reproduction of the prohibited material from outgoing mail into a prisoner's case file and give the prisoner written notice of this within two (2) working days. Mailroom staff will fill out the Prisoner Mail Action Form (810.03A), to indicate that a copy of the prohibited material was placed in the prisoner's file.

B. Contraband:

1. Unauthorized property or material discovered in incoming mail shall result in the incoming mail to be held as contraband. A Prisoner Mail Action Form (810.03A), shall be completed and sent to the prisoner. Prisoners have 15 days to either have item(s) destroyed or returned to the sender. The Department shall not pay for the cost of notifying the sender of the prisoner's contraband arrangements or its mailing cost. Mailroom staff shall dispose of contraband in accordance with DOC P&P 1208.08, Searches of Prisoners, and Institutional Areas.

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2. Prior authorized packages which after opening are found to contain contraband not illegal (including unauthorized attachments or enclosures) or otherwise to be in violation of these or other Department procedures, shall be returned to the sender with the contents of the package intact at the prisoner's expense; or the prisoner may request the package be disposed of at no cost to the facility. If a prior authorized package is returned to the sender after opening, the intended prisoner recipient shall be notified in writing of the rejection, along with the reason(s) for the rejection, on a Prisoner Mail Action Form (810.03A).

C. Non-Delivery of Mail:

If mailroom staff opens mail and decides that it is prohibited, staff shall give notice to the affected persons as described below. The Department may delay notice if notice interferes with an investigation of criminal activity. See section III, C. 2. above.

1. Non-Delivery of Incoming Mail:

Mailroom staff shall send the prisoner written notice within two (2) working days after receiving the prohibited mail, that states the specific reason(s) why the mail was not delivered to the prisoner. The Prisoner Mail Action Form (810.03A) shall be used to notify the prisoner of the prohibited mail. The Superintendent or designee must sign the notice.

2. Non-Delivery of Outgoing Mail:

Mailroom staff shall send the prisoner a written notice within two (2) working days of receipt by the institutional mailroom, which states why the institution did not send the mail. The Prisoner Mail Action Form (810.03A) shall be used for this purpose and the Superintendent or designee must sign the notice.

VII. Forwarding Mail:

The Department shall keep a record of the last known addresses for each prisoner for one (1) year after the prisoner is transferred or released from the institution in the DOC offender management system. The institution shall forward prisoner's mail as follows:

A. First Class Mail:

The institution shall forward first-class mail for one (1) year from the time of address change.

B. Second Class Mail:

The institution shall forward second-class mail for 60 days from the time of an address change. All newspapers and magazines are considered second-class mail unless otherwise stated on the article. After 60 days, the institution shall return articles to the post office, with an explanation that the person has been at a new address for more than 60 days.

C. Third Class Mail:

The institution shall forward third-class mail for 60 days if it is stamped "Forwarding and Return Postage Guaranteed." The institution shall return mail stamped "Returned Postage Guaranteed" to the sender unless it is a publication or package.

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D. Publication or Package:

The institution shall forward a publication or package at the Department's expense or by inter-institution transportation for 60 days (if forwarding is not guaranteed, and if the item is second-class mail, third-class mail, or parcel post).

E. Fourth Class Mail:

Fourth-class mail is normally considered bulk mail. The institution shall discard fourth-class mail if the person is not at the address written on the article. Fourth class mail sent by private entities for the purpose of merchandising need not be delivered to prisoners and may instead be discarded.

VIII. Publications:

A. Mailroom staff must distribute printed media mail (books, newspapers, magazines, etc.) to prisoners within 48 hours of receipt after examination for content (excluding weekends and holidays).

B. All publications, including magazines, comics, graphic novels, books, or newspapers, must be ordered, and received directly from the vendor. Prisoners must have enough funds to pay for any order in advance. After a prisoner has received proper authorization from the superintendent or designee, family or friends may order publications for delivery to a prisoner if the publication meets the requirement of this policy and the property policy. Multiple copies of the same publication to a prisoner are prohibited. Multiple copies shall be considered as contraband and disposed of.

C. The Superintendent shall designate staff to review all incoming publications addressed to prisoners. Superintendents may not establish an excluded list of publications. Staff must review an individual publication to determine if it is approved for delivery to a prisoner. Rejection of several issues of a publication is not enough reason to reject the publication in its entirety.

D. Staff shall reject a publication, in whole or part if it:

1. Contains material that could reasonably be expected to aid in escape, incite violence, theft, or destruction of property in the facility.
2. Contains instructions or illustrations on how to construct or use weapons, ammunitions, bombs, explosives, incendiary devices, handguns, or rifles.
3. Depicts or describes procedures for brewing alcoholic beverages or making or cultivating drugs or poisons.
4. By nature, or content (visual or written) poses a threat or is detrimental to the security, good order or discipline of the facility, prisoner rehabilitation, or facilitates criminal activity including, but not limited to, material that meets one or more of the following criteria:
  - a. Incites, advocates, aids, or abets criminal activity such as gang activity, illegal drug use, conversion of weapons, or promotes gambling.

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- b. Contains tattoo information or templates.
  - c. Concerns plans for activities in violation of other Department of Corrections administrative directives.
  - d. Contain Security Threat Group related paraphernalia.
5. Contains sexually explicit material.
  6. Is written in code that the reader does not understand.
  7. Depicts, describes, or encourages activities that could reasonably be expected to lead to the use of physical violence or group disruption.
  8. Is musical media that has an affixed parental advisory label indicating "Explicit Content" and electronic games rated "Adults Only", "Mature" or otherwise labeled with descriptors indicating the inclusion of content that is unacceptable as defined above. Musical media or electronic games withheld under these restrictions are to be handled under section VIII, E below.

Note: Prisoners are already prohibited by statute from viewing video media rated "X", "R", or "NC-17".

E. Withholding a publication:

1. Mailroom staff shall give the prisoner written notice within 30 days when withholding a publication from a prisoner. The Prisoner Mail Action Form (810.03A) shall be used for this purpose. The notice must include:
  - a. The reason for withholding the publication.
  - b. A statement that the prisoner may challenge the decision by filing a grievance within 15 days.
2. If the prisoner does not file a grievance, the prisoner may request that the institution dispose of the publication in one of the following ways, within 15 days:
  - a. Mail the publication to a party specified by the prisoner.
  - b. Return the publication to the publisher for a refund; or
  - c. Discard the publication.
3. Publications involving credit or deferred billing (e.g., "bill me later" or "payment after delivery") transactions for the purchase of or subscription to publications (i.e., books, newspapers, magazines) are prohibited.

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4. The prisoner must pay the postage for any publication that they choose to return to the publisher or send to another party.
5. If the prisoner files a grievance, the institution must keep a copy of the rejected publication until the grievance is finalized.
6. Non-acceptable and grieved publications should be logged and stored in a separate secure area to avoid these publications being lost or inadvertently issued to the prisoner.

**IX. Packages:**

Packages, except books, magazines, and newspapers received directly from the publisher or distributor, require prior authorization from the Property Department. Packages are not accepted from outside sources other than from approved vendors. Family or friends on a prisoner's approved visitors list or a verified immediate family member may place money in a prisoner's account but may not send gifts to an institution. Deposits shall not exceed \$500 in a single month. (Per DOC P&P 302.12, Prisoner Accounts).

A. Mailroom staff must distribute packages to prisoners within 48 hours of receipt after inspection for contraband (excluding weekends and holidays).

**B. Search and Inventory:**

Prior to delivery, mailroom staff shall:

1. Inspect the contents of the package for contraband (mailroom staff need not open packages in the prisoner's presence unless it is privileged).
2. Inventory the contents, other than correspondence, and give the prisoner a receipt, or place the package in the prisoner's stored personal property. See DOC P&P 811.05, Prisoner Personal Property and Release Clothing. Staff shall process any non-approved packages and/or contraband in accordance with Procedures section VI, above.

**C. Unacceptable Items:**

Mailroom staff shall return the package to the sender, at the prisoner's expense if the package contains unacceptable items (providing it has a return address). Mailroom staff also shall send a written explanation to the prisoner via the Prisoner Mail Action Form (810.03A) of why the items were rejected.

**D. Forwarding:**

1. If the institution receives a package for a prisoner who was transferred to another institution within the Department, the institution shall:
  - a. Forward the package to the new institution within three (3) working days of receipt.
  - b. Keep a record to show when the institution forwarded the package and where they sent it to.

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2. If the institution receives a package for a prisoner who has been released, the package may be returned to the return address on the package.
3. If the package does not have a return address, staff shall send a letter to the prisoner requesting an address to forward the package to. Postal Service charges for forwarding will be billed to the prisoner. Mailroom staff shall dispose of the package if the prisoner does not respond within 30 days.

**X. Filing a Grievance:**

A prisoner may file a grievance regarding any action that the Department takes concerning this policy. Prisoners must follow the procedures described in DOC P&P 808.03, Prisoner Grievances, except for the shortened time period for publications in section VIII, E, 1 above.

**XI. Prisoner Mail Requests from outside the institution:**

Requests from outside law enforcement agencies or others relating to court proceedings require a subpoena, court order, or warrant.

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