


POLICY TITLE: Inmate Mail		PAGE <u>1</u> OF <u>5</u>
POLICY NUMBER: 14.1		
CHAPTER: 14 Prisoner Communications		
	SOMERSET COUNTY, SOMERSET COUNTY JAIL	ACA STANDARDS: 5B-05-10
	Approved by: -----Original Signed Signature of Sheriff	MSJ STANDARDS: K.01-09, 21
Approved by: -----Original Signed Signature of Jail Administrator		
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**AUTHORITY:** Pursuant to M.R.S.A. 30-A, Section 1501, the Sheriff adopts this policy for Somerset County Jail.

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**POLICY:** It is the policy of the Somerset County Jail to permit inmates to correspond with family, friends, officials and other significant community contacts with a minimal amount of interference with those contacts, consistent with the legitimate security needs of the facility. Inmates at the Somerset County Jail will have unrestricted contact with the courts, and their attorneys as well as legal assistance from legal programs and/or agencies.

**PROCEDURE:**

**A Mail Services (5B-05)**

1. The length, source or volume of mail an inmate may send or receive shall not be limited, except where the Correctional Administrator determines that there is clear and convincing evidence to justify such limitation.(K.01)
2. Inmate mail, incoming or outgoing, shall not be read or censored except where a reasonable belief of a threat to the safety or security of the facility, staff, inmate, public officials, or the general public justifies such activities. In cases where mail is read or censored, a written incident report shall be completed and include justification for such action. (K.02)

3. Indigent inmates shall be provided with writing supplies and postage in an amount allowing them to send at least three one ounce first class letters per week.(K.08, 5B-06)
4. Indigent inmates shall be provided with unlimited writing supplies and postage for the purpose of corresponding with attorneys, courts, Maine Department of Corrections Inspection Division, and grievance review representatives. (K.9, 5B-06)
5. Any decisions or actions regarding withholding or reading incoming or outgoing mail are made by the Shift Commander or above. If mail or any portion of the mail is withheld from an inmate, the inmate is given written notification of the mail withheld and the reason for it being withheld.(5B-08)

**B Correspondence Materials**

1. Stamps, envelopes and writing materials may be purchased through the commissary.
2. Indigent inmates shall be provided the above items as stated in 14.1, Mail Services.

**C Legal Mail (K.21, 5B-09)**

1. Letters from persons or agencies listed below are considered legal mail and are not read by any employee of the jail however, they are inspected in the inmate's presence for contraband.
  - a. Attorneys
  - b. Federal or State elected or law enforcement officials
  - c. Court officials
  - d. Officials of the Department of Corrections including probation and parole officials
  - e. Government Organizations (e.g. IRS)
2. The Mail Inspection Officer will separate mail from the above persons or agencies, photo copy the front of the envelope and attach the photocopy to a Legal Mail Inspection Form that is paper clipped to the correspondence for forwarding to the housing unit.
3. The staff member performing the contraband inspection will complete Legal Mail Inspection Form (Form 14.1.C.) and have the inmate sign the form. Security Staff will inspect the Legal Mail, in the presence of the inmate, prior to giving it to an inmate. Once it is determined to not have contraband, it will then be turned over to the inmate. If contraband is detected then follow 14.1 Section H. Completed forms will be returned to the Mail Room and retained for 30 days and then forwarded to the Jail Administrative Assistant who will retain the forms for 1 year.
4. Inmates are permitted to send sealed letters without censoring, inspection, or restriction to any persons or agencies listed above.
5. Indigent inmates shall be provided with unlimited writing supplies and postage for the purpose of sending legal mail.
6. The Housing Unit Officer will retain the envelope before giving it to the inmate. The inmate may receive the return address if they request it. Envelopes will be returned to the mail room for disposal.

**D Incoming Mail/Publications**

1. All incoming inmate mail will be inspected for the purpose of intercepting contraband and money. Incoming mail from attorneys, courts, or government officials and representatives may be opened only to inspect for contraband and only in the presence of the inmate.(K.03, 5B-08,5B-09)
2. Incoming mail shall be delivered to the inmates by the next business day of being delivered to the facility.(K.05, 5B-10)
3. Inmates may receive newspapers from the publisher.(5B-07)
4. All incoming mail must have a return address. Mail without a return address will be placed into the inmate's stored property. Inmates will receive a Form 14.1.D., Rejected Correspondence Notice indicating the disposition of the received mail.
5. Inmates will be allowed to receive books through the US mail service from recognized publishers or book stores. Books will also be provided by the facility through the inmate library. Inmates will be authorized to keep up to 2 personal books and/or publications in their cell at a time. Any more than 2 personal books and/or publications will be forwarded to the inmate's personal property storage and received upon leaving the facility. Note: an inmate is authorized 2 personal books and/or publications, 2 books from the library, and books/publications provided to the inmate by SCJ Programs including religious and educational programs.
6. The Lobby Officer will receive the mail daily from the post office and deliver the mail to the mail room.
7. The Lobby Officer, will sort administrative mail from inmate mail in the mail room. The Lobby Officer will deliver the administrative mail and will leave all inmate mail secured in the mail room.
8. Any package received by U.S. Mail which clearly contains an item other than paper, either by visual inspection of the box or a packing list, shall remain secured in the mail room.
9. The Lobby Officer will notify the Supply Officer of the arrival of a package through the U.S. Mail.
10. The Supply Officer will respond to open the package, inspect for contraband or hazardous material, inventory and ensure delivery to the appropriate individual.
11. Any suspicious mail or package received which may include packages and letters unusual in appearance or which appear different from mail normally received or sent by the individual; packages and letters of a size or shape not customarily received or sent by the individual; packages and letters with a city and/or state postmark that is different from the return address; or packages and letters leaking, stained or emitting a strange or unusual odor, or which have a powdery residue will be immediately contained within the nearest trash bag and sealed. The Shift Commander will be notified to implement hazardous material containment in accordance with emergency plans, and necessary investigation, decontamination, and treatment if necessary. (5B-09)
12. The overnight Shift Commander will assign an officer to sort and inspect all inmate mail, in the mail room.
13. Authorized money received (see policy 14.1, Monies Received) will be left in the letter/package and forwarded as stated in policy 14.1.
14. Inmates will not be allowed to possess the following materials:

- a. Information regarding the construction, fabrication, or manufacturing of explosives, weapons, or drugs;
  - b. Material intended to encourage or assist in disruption of jail operations, such as through a criminal act, riot, work stoppage, or other breach of jail rules;
  - c. Contents which may constitute illegally mailable material, in which case the item will be referred to the proper authorities;
  - d. Polaroid pictures;
  - e. Material that contains pornography or encourage deviant sexual behavior.
  - f. Mail from inmates incarcerated in any correctional facility.
15. The officer will inspect all letters/packages for contraband. Any items not permitted will be documented on an incident report and forwarded to administration for review.
  16. If contraband is found, the officer will forward the letter to administration to be returned to the sender and fill out Form 14.1.D., Rejected Correspondence Notice which will be forwarded to the inmate.(K.07)
  17. The officer will notify the Shift Commander of any contraband found while inspecting the mail.
  18. The officer will enter all mail into the jail management software mail log.
  19. After all the mail is inspected and entered into the jail management software the officer will deliver it to the appropriate housing unit.
  20. The day shift Housing Unit Officer will pass the mail to the inmates in his/her housing unit.
  21. The Housing Unit Officer will retain the envelope before giving it to the inmate. The inmate may receive the return address if they request it. Envelopes will be returned to the mail room for disposal.

## **E SCJ Newspapers (5B-07)**

1. The Central Maine Morning Sentinel is delivered to the Somerset County Jail Monday-Friday.
2. The Shift Commander will ensure that a minimum of one newspaper per housing unit is supplied for the inmates.
3. Inmates may not receive newspapers until the housing unit passes inspections and the Housing Unit Officer approves the distribution of the newspapers.
4. Newspapers will remain in the day rooms at all times, at no time will an inmate bring a SCJ newspaper into his/her individual cell.
5. Inmates will not be allowed to save SCJ newspapers due to fire and safety concerns.

## **F Monies Received**

1. Generally no money will be accepted through the mail with the exception of government issued checks, postal money orders, and checks issued from another correctional facility are accepted for inmates through the mail.
2. Sorting officers receiving money, as stated above will place the check and paper clipped receipt (Form 14.1.F.) in an envelope with the following information:

- a. The inmate(s) name
- b. The inmate(s) booking number
- c. Amount of check in the envelope
- d. The officer's initials.

The Sorting officer will forward this to the SCJ Administrative Assistant.

3. The SCJ Administrative Assistant will coordinate getting the inmate to sign the check(s), if necessary. Checks, money, postal money orders, government checks, and checks from other correctional facilities will not be sent into the housing pods as part of the mail delivery.
4. The SCJ Administrative Assistant will record the money on the inmate's account within the jail management software and forward a receipt to the inmate stating:
  - a. Check amount
  - b. Amount of withheld cost recoveries
  - c. Amount of money added to the account.
  - d. New total balance on the inmates account.
5. If cash or personal check is received for an inmate through the mail, the officer that checks the mail will:
  - a. Fill out Form 14.1.D., Rejected Correspondence Notice
  - b. Forward the entire letter/package to administration to be returned.
  - c. Forward a copy of Form 14.1.D., Rejected Correspondence Notice to the inmate(K.07)

## **G Returned Mail**

1. Mail received for an inmate who is no longer incarcerated in the Somerset County Jail or is transferred to another institution, will be forwarded back to the sender indicating on the envelope that the inmate is no longer in the facility.
2. Inmate mail returned to the Somerset County Jail by the United States Postal Service due to insufficient postage or address is returned to the inmate who originally sent the letter.
3. Any mail sent by an inmate that is returned non-deliverable is opened and inspected for contraband as with any other incoming mail.

## **H Contraband**

1. Should criminal or possible criminal contraband be found in any incoming or outgoing mail the officer will:
  - a. Preserve the contraband as stated in policy 8.1000, Evidence and Contraband.
  - b. Notify the Shift Commander and forwarded the entire letter/package to him/her.
2. The Shift Commander will:
  - a. Fill out Form 14.1.D., Rejected Correspondence Notice forwarding a copy to administration and the inmate.
  - b. Follow policy 8.1, Evidence and Contraband.(K.07)
3. It will be the decision of the Correctional Administrator if any/all of the letter/package is given to the inmate after the investigation is complete.

4. Any non-criminal contraband seized, which is not needed for criminal investigation or prosecution and which can be legally possessed outside of the facility, is returned to the sender, if known, or disposed of.

## **I Outgoing Mail**

1. All inmate mail envelopes will be stamped stating the contents are from a Somerset County Jail inmate and the facility is not responsible for the contents. (K.06)
2. Inmates may obtain, at personal expense, registered or certified mail service. Requests will be completed by the inmate and forwarded to the Somerset County Jail Administrative Assistant. The Administrative Assistant will arrange for the service to be provided.
3. Inmates deposit outgoing mail in the mailbox provided in each housing unit. All outgoing mail must have a complete address and return address and include sufficient postage. All mail for the following day must be in the housing unit mail boxes before Night Count.
4. The Night Shift Commander or Assistant Shift Commander will collect all mail in the facility daily after the inmates have been locked down for the evening. (excluding Friday, Saturday and holidays) Mail will be picked up by the Night Shift Commander or Assistant Shift Commander Sunday thru Thursday.
5. The Night Shift Commander will secure all inmate mail in the mail bag in the Somerset County Mail Room. (Excluding weekends and holidays). Inmate Grievances will be placed in the Special Projects Officer's mail box and Inmate Requests distributed as indicated.
6. The Jail Administrative Assistant or designee will log in the outgoing mail into IMC, add postage, and debit inmate accounts as necessary.
7. The Jail Administrative Assistant or designee will mail all inmate mail with the daily facility mail.(K.05)
8. Outgoing mail is not read by employees of the Somerset County Jail unless there is clear and convincing evidence that a particular item of correspondence threatens the safety of any person, or is being used in the furtherance of illegal activities. This decision is made by either the Correctional Administrator or Assistant Correctional Administrator of the jail.(K.04)