



INMATE MAIL

POLICY.

It is the policy of the Deschutes County Sheriff's Office – Adult Jail (AJ) to ensure inmates may send and receive mail, mail is regulated and handled in a manner that does not compromise jail interests of safety, security, order and treatment, and consistent with the inmates' constitutional rights. Mail is an important written communication method for an inmate to carry out legal business and maintain family and community ties.

PURPOSE.

The purpose of this policy is to provide staff with guidelines to receive, inspect, distribute, and send mail in a way that complies with laws, postal regulations, and jail interests of safety, security, order and treatment. It also outlines instructions for disposing of contraband found in mail.

OREGON JAIL STANDARDS.

- C-404 Minor Violations: Criteria and Sanctions
- C-408 Major Violations: Sanctions
- D-101 Inmate Personal Mail
- D-102 Delivery Schedule
- D-103 Volume of Mail
- D-104 Length and Size of Letters
- D-105 Providing Writing Supplies and Postage
- D-106 Outside Mail
- D-107 Screening Unopened Inmate Mail
- D-108 Sexually Explicit or Inflammatory Mail
- D-109 Rejecting Incoming Mail on the Basis of Content
- D-110 Process for Rejecting Mail
- D-111 Opening and Inspecting Personal Mail
- D-112 Reading Personal Mail
- D-113 Publisher-Only Rule
- D-114 Packages
- D-115 Junk and Bulk Mail
- D-116 Cash and Other Negotiable Instruments
- D-117 Privileged Mail

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- F-102 Writing Materials

REFERENCES:

- ORS 169.076, Standards for local correctional facilities

DEFINITIONS.

Contraband. Anything that an inmate is not authorized to possess. This includes, but is not limited to, an altered item or an item that is or can be used as a weapon, explosive, intoxicant, tobacco, escape or fire-starting device, cash or negotiable instruments, drug or tattooing paraphernalia, gambling device or proceeds, or is an unauthorized medication or medication prescribed to another person (Refer to Appendix 1, Prohibited Mail).

Corrections Supervisor. A corrections sergeant, lieutenant or captain.

Gang-Related Material. Writings, drawings or items that contain gang signs, symbols, codes, tattoos, training materials, photographs, gang constitutions, enemy hit lists or any other reference that affiliates it with a criminal gang.

Indigent Writing Materials. Indigent supplies requested by an inmate in writing after being incarcerated in the AJ without funds. Indigent Writing Materials consist of two (2) stamped envelopes and six (6) pieces of paper.

Junk and Bulk Mail. Unsolicited (usually mass-mailed) printed materials, such as catalogs, advertisements, brochures, circulars and pamphlets whose primary purpose is to sell, promote or solicit for, a product or service, and when taken as a whole, lacks serious literary, artistic, political, educational, religious or scientific value. Junk and bulk mail may come using a variety of postage rates.

Legal Mail. Incoming or outgoing mail addressed to or from an attorney, Disability Rights Oregon, or the American Civil Liberties Union (ACLU), and is clearly marked “legal mail” on the address side of the envelope.

Mail. Includes written correspondence, hand-made drawings, photocopies, photographs (excluding Polaroids), pamphlets, legal mail and soft-cover books, magazines and newspapers of general circulation.

Mail Handler. A staff member who picks up, transports, sorts, delivers, inspects, reads, or performs other duties related to processing inmate mail.

Negotiable Instrument. A written document that represents an unconditional promise to pay a specified amount of money upon the demand of its owner. Examples include checks and promissory notes. Negotiable instruments can be transferred from one person to another, as when you write “pay to the order of” on the back of a check and turn it over to someone else.

Normal Business Day. Monday through Friday, except holidays.

Nuisance Contraband. Material which does not meet the definitions of “Mail” (as defined in “Mail” above) or “Contraband” (as defined in “Contraband” above). For example: Preprinted material, including, but not limited to, newspaper clippings, article clippings from books or magazines, joke and cartoon clippings, an excess of permitted materials or any other articles disallowed by AJ policy including stickers, stamps, blank paper, blank envelopes, perfumed mail, etc. No administrative hearing is held for the removal of nuisance contraband.

Official Mail. Incoming or outgoing mail addressed to or from the Sheriff, Corrections Captain, county administrator, probation authorities, district attorney, state attorney general, Governor court, a court official, and other confining authorities that is clearly marked “official mail” on the address side of the envelope.

Periodical. A magazine, newspaper, or other publication formed of printed sheets that are issued at least four times a year at regular, specified intervals from a known office of publication. Periodicals usually must have a legitimate list of subscribers and requesters.

Personal Mail. Mail to or from family friends, organizations, businesses, or other unofficial entities.

Sexually explicit. 1) A graphical depiction of any of the following: actual or simulated sexual acts (including sexual intercourse, oral sex, anal sex or masturbation); sexual penetration; bestiality; sexual violence; sadomasochism; excretory functions; and exposed genitalia, buttocks or female breasts, unless the exposure is for legitimate medical, religious or anthropological reasons. 2) A written or pictorial depiction of lewdness, licentiousness or graphic erotic behavior designed to cause sexual excitement (pornography). 3) Sex acts involving children. 4) Materials that violate state and local obscenity laws. (*Note: Whether the material is commercially produced or is personally made or written has no bearing on a definition.*)

The AJ will not maintain or use a list of sexually explicit periodicals, books or other materials presumptively excluded by name.

USPS. United States Postal Service.

PROCEDURES.

SECTION A: REGULATING INMATE MAIL

A-1. Mail Limits and Restrictions. Staff will normally not limit, censor, or restrict the volume, length, language, content, or source of mail or publications. A corrections supervisor will have the final decision to prohibit or restrict material.

- a. General reasons for limiting or restricting mail are listed below:

- 1) There is reason to believe such correspondence would jeopardize personal safety, jail security or good order, or inmate treatment.
 - 2) Based on articulated fact that an inmate needs restriction of communications with a specific person/contact due to their criminal case or established rehabilitation guidelines.
 - 3) The volume of mail would place an unreasonable burden on mail handlers.
- b. Specific reasons and examples for limiting, restricting, and prohibiting mail, which fall under general reason category, are in *Appendix I, Prohibited Mail*.
 - c. Inmates on Disciplinary or Administrative Segregation will be permitted to send and receive mail as any other inmate in general population unless a mail restriction has been imposed. Inmates may receive a disciplinary sanction that restricts personal mail. (See *Policy No., CD-6-3 Rules and Discipline*.) Restriction of personal mail should be used sparingly and only when there is a clear relationship between misconduct and mail. Restriction of mail must be authorized by a corrections lieutenant. If a disciplinary mail restriction is imposed, the corrections lieutenant will determine the length of time for the restriction on a case by case basis based on the safety and security of the facility. Any mail collected during the restriction will be placed in the inmate's property box, unless it is confiscated for evidence or returned to sender for mail violations.
- A-2. Correspondence with Victims.** Inmates may not correspond with an alleged victim of a crime that they are currently in custody for in either pretrial or sentenced status (unless authorized by a judge).
- A-3. Restrictions on Outgoing Mail Recipients.** A corrections supervisor may prohibit an inmate from sending unwanted mail to a specific person or address at the request of the person. In the case of a minor, the parent or legal guardian may make the request.
- A-4. Operating Commercial Business and Nonprofit Organization Mail.** An inmate may not operate a business or nonprofit organization from the jail by mail.
- A-5. Commercial Business Transactions and Government Services by Mail.** An inmate may not conduct commercial business transactions by mail or request services from a government agency without the approval of a corrections supervisor. Examples include:
- a. Buying or selling an item, real property, or service
 - b. Applying for a credit card
 - c. Applying for a commercial or student loan
 - d. Opening a bank account
 - e. Enrolling in a college course
 - f. Applying for food stamps or social security benefits
 - g. Any obligation of funds the inmate does not have access to

- A-6. Other Personal Business Mail.** Inmates may receive personal business mail related to maintaining their legitimate profession, residence, family relations, and fulfilling their obligations (See Section C-5).
- A-7. Correspondence Courses.** An inmate may not receive correspondence course material without a supervisor's approval.
- A-8. Mail-Handling Orders.** A corrections lieutenant may issue memo or e-mail written orders to limit or require other special handling of mail on a jail wide, jail area, or individual inmate basis. The order should include instructions, reason for the limit, its duration, and a review date. The lieutenant will give written notice to an inmate whose mail is being limited, restricted, or otherwise is subject to special handling.

SECTION B: CONFISCATING PROHIBITED MAIL

- B-1.** Normally, mail handlers will confiscate prohibited or limit-exceeding items. They may return prohibited mail to a sender if it is in the best interest of the jail not to store it, such as perishables.
- a. Mail handlers will confiscate letters, cards, and publications in whole rather than removing or obliterating individual pages, passages, or words with prohibited content or materials. They will confiscate items that exceed a number limit as an entire set rather than passing on a selection that would meet the maximum number allowed.
 - b. Mail handlers will use a *Property Confiscation Form No. 322* to inform the inmate of the confiscation and as a tag for the items. They will place confiscated items in the inmate's property storage, unless it is evidence in a jail disciplinary action or a crime. They will handle evidence according to the applicable policy, *Rules and Discipline Policy No. CD-6-3*, or *Criminals Acts Policy No. 8-17*.
 - c. Mail handlers will still deliver the letter portion of mail that a confiscated item came in as long as it does not contain prohibited content.
 - d. Mail handlers must notify the sender in writing that mail they sent was confiscated. They should use a *Confiscated Mail Notice Form No.321* for the notification. Any notice will give the reason why and explain how the sender can informally appeal the action.
 - e. A mail handler may destroy any item in mail that presents a health or safety risk if it were to be stored in the jail or returned to sender.

SECTION C: MAIL NEEDING SPECIAL HANDLING

- C-1. Legal and Official Mail.** Corrections staff must protect the rights of inmates for privileged, confidential communication with their attorneys, judges, the courts, state officials and confining authorities.

- a. The sender is responsible for legitimately, properly, and clearly marking and addressing legal and official mail so that corrections staff recognize it as such for handling it in a confidential manner.
 - b. The return address on all incoming legal and official mail must have the sender's job, agency, or firm title and address either commercially preprinted on the envelope or a label, or as an ink stamp. The sender's name should be at least handwritten if not preprinted. Staff will treat all mail with return addresses that are completely handwritten as personal mail.
 - c. Legal documents from AJ inmate must be indexed to accurately account for contents prior to delivery to the inmate. The attorney for the inmate is responsible for indexing all legal documents.
 - d. The words "Legal Mail," "Official Mail," or similar designation must appear on the address side of the envelope. Corrections staff will not assume the contents of any letter from an attorney, law firm or government official is legal or official mail.
 - e. Corrections staff will treat improperly marked or addressed mail as personal mail.
 - f. Staff must not open recognized legal or official mail outside the presence of the inmate. They may open it in the presence of the inmate to inspect it for contraband, but they must not read its contents.
 - g. A staff member must write a *Jail Incident Report Form No. 102* if he inadvertently opens a piece of recognizable legal or official mail outside the presence of the inmate. The opened mail will be stamped, notifying the inmate that it was inadvertently opened, but not scanned.
- C-2.** Before the letters leave the housing unit, deputies must verify that any letter marked as legal or official mail is addressed to a person that qualifies for that privacy protection. Deputies will contact a shift supervisor if they suspect fraud.
- C-3.** Corrections staff will pursue administrative, criminal and/or other remedies to the fullest extent against those involved if contraband found in mail designated as privileged that such attempts to violate jail security.
- C-4. Indigent Inmate Mail.** Indigent inmates may request and receive Indigent Writing Materials. The inmate may again request Indigent Writing Materials once each seven (7) days if he is without sufficient funds each seven (7) days thereafter. The pack will consist of two (2) pre-stamped envelopes and six (6) pieces of paper.
- a. Indigent Writing Materials must be requested in writing on Mondays and the packet will be delivered on Wednesdays.
 - b. A fee will be deducted from the inmate's account for the Indigent Writing Materials and such cost will be charged against any future balance on the inmate's account.
 - c. Inmates may also request and receive plain envelopes (not postage pre-paid) for sending correspondence to courts, counsel, corrections staff and the Corrections Captain.

- C-5. Personal Business Mail.** A corrections supervisor may approve mail that needs special handling so an inmate can conduct personal business. For example, the use of business reply envelope to send a document back to the originating firm or signing a mailed-in personal check to make a rent or car payment or renew a driver's license. Such a check must not have a blank payee line. The inmate must act to add a co-signer to a checking account or make other arrangements to prevent a reoccurrence of this need. Supporting documents, such as payment coupons or rent contracts, must accompany any personal business mail.
- C-6. Gang-Related Materials.** A mail handler will photocopy incoming or outgoing mail with gang-related material and send the copy to a shift supervisor. The mail handler will confiscate the mail as a prohibited item.

SECTION D: ADMINISTRATIVE ISSUES

- D-1. Mail Rules.** The Administrative Lieutenant will make sure mail guidelines and rules are posted on the DSCO website, part of inmate orientation and the *Inmate Manual*. The lieutenant will make copies of the *Inmate Mail Guide* available to the public. Inmates may mail out copies of the guide to those with which they correspond.
- D-2. Mail Complaints.** The public can file a mail complaint by filling out a Citizen Complaint Form. The form will be forwarded to a corrections lieutenant. The lieutenant should attempt to respond to the complainant within seven (7) business days. Inmates will use the inmate grievance process to lodge complaints or ask for the return of confiscated items.
- D-3. Mail Handler Supervision and Training.** The administrative lieutenant will supervise the day-to-day handling of inmate mail. He will assign an office assistant, deputy or jail volunteer to perform primary inmate mail duties. Staff that initially handle or open incoming inmate mail should receive training on the safe handling of strange or suspicious packages or receive similar training from another source. Those that open mail should also receive training on recognizing gang symbols and signs.

SECTION E: SOURCES AND DELIVERY OF INCOMING MAIL

- E-1. Sources of Incoming Mail.** Corrections staff will only accept USPS or Deschutes County Sheriff's Office Services delivered written correspondence, notes, parcels or documents for inmates. This includes legal documents. However, an attorney may have corrections staff pass a large volume of legal documents or those needing an inmate's signature. An attorney may also have corrections staff pass plea petitions on to inmates. A corrections lieutenant may approve other exceptions to sources.
- E-2. Postage-Due Mail.** The jail will not accept or pay for any inmate mail with postage due. When postage due mail is delivered by the USPS, it will be refused.

- E-3. Junk and Bulk Mail.** Corrections staff will accept solicited and unsolicited junk and bulk mail for inmates. Any junk and bulk mail received at the AJ and not addressed to a specific inmate will be held to the same standard of personal mail. However, if AJ staff deems a bulk mailing to be either rehabilitative or legally beneficial to the inmate population, reasonable access to such mail will be allowed.
- E-4. Delivery Schedule.** Mail should be delivered to inmates within 24 hours of receipt at the jail. Exceptions may occur in unusual circumstances, such as having the contents translated, a late afternoon delivery of mail, or mail being held as evidence in a criminal or disciplinary investigation.
- E-5. Return Address.** Incoming personal mail must have the full name and address of the sender. (As previously noted, the return address on legal and official mail must have the sender's job, agency, or firm title and address commercially preprinted or stamped.) Return address labels are prohibited. If incoming personal inmate mail does not have a full return address or has a return address label, the mail handler will confiscate the mail using *Property Confiscation Form 322*.
- E-6. Addressing Inmate Mail.** Incoming mail must have the inmate's booking name as part of the addressee information.
- E-7. Change of Address Responsibilities.** Inmates are responsible for submitting change-of-address requests to the publishers of the periodicals they receive and to others that send them mail at the jail.
- E-8. Forwarding Mail for Out-of-Custody Inmates.** Normally, mail handlers will not forward mail for inmates that are no longer lodged in the jail. They will return letters, periodicals, packages unopened to the sender. A corrections lieutenant may direct mail handlers to locate a current address and forward the mail to the former inmate. The AJ will attempt to return all mail or forward if possible.
- E-9. Mail for Inmates at the Work Center (WC).** Corrections mail handlers will open, inspect, and scan all personal letters, cards, and publications for prohibited content. Mail will only be read in-depth if there is a legitimate jail interest. Mail handlers will then place the WC mail basket in Jail Administration.
- E-10. Holding Mail.** Mail handlers will normally not hold mail for inmates released or temporarily transferred to another facility. A corrections lieutenant may make exceptions. If the inmate has been temporarily transferred to another facility and has a property box still issued, incoming mail will be stored in their property box.
- E-11. Returning Mail to Sender.** To return unopened mail, a mail handler will stamp the mail "return to sender," note the reason for refusal by the stamp, obliterate any mail-sorting bar code, and return it to the post office. To return mail that was opened, a mail handler must repackage it and send it at the expense of the jail to the sender. The mail handler

will include a copy of the *Returned Mail Letter Form No. 323* and the *Inmate Mail Guide Form No. 324* if he repackages the mail.

SECTION F: CONTENTS OF ENVELOPES AND PARCELS

- F-1. Contents of Envelopes and Parcels.** An envelope may only contain written correspondence, small pamphlets, photocopies, handmade drawings, photographs, computer-printed pictures, mail addressed to the inmate (originally sent to the inmate's home address), and personal-business-related documents. A parcel may only contain a book or periodical. Mail handlers will consider any other item in the envelope or parcel as contraband and treat it as prohibited mail.
- F-2. Photographs and Other Pictures.** A single piece of incoming mail for an inmate may contain up to five (5) pictures either in the form of photographs (up to 4 by 6 inches in size) or as a printed piece of paper or photocopy (up to 8-1/2 by 11 inches). Multiple pictures or pictures mixed with text on a single sheet will count as one picture.
- Staff will regard any picture that is mounted, framed, or is an instant-developing photograph (like Polaroid) as contraband.
 - Pictures of gang affiliates or other people wearing gang attire or using hand signals are prohibited.
 - Photos of criminal acts and/or violence are prohibited.
- F-3. Handmade Drawings.** An inmate may receive up to five (5) handmade drawings in a single piece of mail. The drawing may be done in lead, colored pencil, or ink. Other media forms or any foreign objects attached to the drawing are prohibited. A drawing may not exceed 9 by 12 inches.
- F-4. Pamphlets.** An inmate may receive up to five (5) pamphlets of eight (8) pages or less in a single piece of mail. Staff will consider pamphlets over eight (8) pages long as a book with book limits applying. (See Section G-2 below for book limits).
- F-5. Greeting Cards.** Staff will confiscate a greeting card if it contains metal, plastic, or other hard materials. They will also confiscate a card if they cannot thoroughly search it because of its construction, such as some fold-out designs and musical cards.
- F-6. Photocopies and Printed Sheets.** An inmate may receive up to five (5) sheets of photocopies, carbon copies, or mass- or computer-printed material (like internet pages or mass-mailed e-mail jokes or stories), that is not of a personal-correspondence nature, in a single piece of personal mail. The size limit on a sheet is 8-1/2 by 11 inches. Mail handlers will count sheets with pictures as pictures for limit purposes per Section F-2.
- F-7. Forwarded Inmate Mail From Home Address.** For several pieces of mail originally sent to an inmate at his home address that is repackaged in a single envelope and sent to the inmate at the jail, a mail handler will review each of the pieces of mail separately. He

will place the acceptable pieces back into the envelope addressed to the inmate and send it to the inmate in the housing unit.

SECTION G: PUBLICATIONS

- G-1. Publications.** An inmate must have someone outside the jail prepay for any publication he receives. An inmate may not engage in any delayed payment or credit ordering of publications while inside the jail.
- G-2. Books.** An inmate may receive up to three (3) books on a single mail delivery day. Books must come directly from the publisher, a book club, or a bookstore. Books may be new or used. They may not be larger than 9 inches by 12 inches. They may not have plastic or metal bindings. Paperback books are acceptable for general population inmates. Hardback books are prohibited. Inmates in segregation may only receive new paperback books.
- G-3. Periodicals.** An inmate may receive up to two (2) periodicals on a single mail delivery day. Periodicals must be new and come directly from the publisher or a bookstore.

SECTION H: PROCESSING INCOMING MAIL

- H-1. Initial Processing of Incoming Mail.** The primary mail handler will process incoming mail for inmates in the following manner:
- a. Return mail to the sender (unopened if possible) or the USPS if any of the following apply:
 - 1) The addressee cannot be identified because of missing or incomplete information.
 - 2) Prohibited items are affixed to the mail.
 - 3) Foreign substances or stains are on the mail.
 - 4) Odors, including perfume, are coming from the mail.
 - 5) The mail comes from an inmate lodged in the AJ, or other corrections-monitored facility that lodges in-custody inmates. This includes mental hospitals and treatment facilities.
 - 6) Drawing or writing on the outside of the envelope.
 - 7) It can otherwise be identified as being or containing prohibited mail before it is opened.
 - b. Mark the envelope with the date of receipt by the AJ and the date of delivery to the inmate, if different from the date of receipt.
 - c. Handle the mail received that is without a return name and address according to Section E-5.
 - d. Print a current Alpha List Sorted by Name report using the Jail Management System (JMS).
 - e. Look up the inmate's name on the report and write the inmate's housing unit or "WC" on the mail. Return mail to the sender if the inmate is not in jail or at the WC.

- f. Separate legal and official mail from personal mail.
- g. Open and inspect the contents of personal mail for contraband items and money.
 - 1) Remove and process money for deposit to an inmate's account according to Section I.
 - 2) Confiscate any prohibited item.
 - 3) Have a corrections supervisor look at personal business mail that may need approval for special handling per Section C. If approved, provide handling instructions to the floor deputy.
- h. Scan all personal letters, cards, and publications for prohibited content. Read in-depth only if there is legitimate jail interest (such reading furthers a legitimate penological interest)
- i. Remove postage stamps and gummed/adhesive envelope flaps.
- j. Remove subscription-ordering post cards from magazines.
- k. Remove books from their mailing parcel and write the inmate's name on the inside flap in black or red ink. Fill out *Property Received via Mail Form No. 316*.
- l. Sort mail by housing units; notify floor deputy that mail is ready.
- m. Place mail to return to the USPS in the outgoing mailbox.
- n. Place mail for WC inmates in the WC mail basket.

H-2. Passing of Incoming Mail. The shift supervisor or his designee will pick up the mail from administration when notified. The floor deputies will do the following to process the inmate mail:

- a. Open recognizable legal and official mail in front of the inmate and inspect it only for contraband – not content. (Deputies must not read the contents.)
- b. Deliver the mail to the inmate prior to 0600 hours the following day of receipt from administration, excluding weekends and holidays. Exception: Mail that is held for violation of law or jail regulation.
- c. Deputy will ensure the inmate's name is written, in black or red ink, on the inside flap of books received. For magazines without mailing labels directly attached, have the inmate write his or her name and I.D. number on the cover. Newspapers do not need marking.
- d. Enter the mail delivery date and time as event code "MAIL" in JMS.

H-3. Mail as Nuisance Contraband. Inmates are responsible for getting rid of any mailed item that puts them over the limits of what is considered nuisance contraband under [Rules and Discipline Policy No. CD-6-3](#). Staff will follow property room procedures if the volume of mail an inmate transfers to his property bin exceeds the remaining storage capacity of the bin.

SECTION I: MONEY-BY-MAIL.

I-1. Cashiers Check and Money Order Limits. Corrections staff will only accept, with limits, cashiers checks, money orders, and government checks, payable to the inmate, for credit to an inmate's account. Staff will call the issuer to verify the amount if they suspect forgery or the inmate or sender has a history of forgery. Acceptable sources are as follows:

- a. Money orders from the USPS only.
- b. Cashier's check or official check from banks.
- c. Government checks, but the check is subject to verification that the inmate is eligible to receive it. (Jail accounting staff will do the verifying.)
- d. Local attorney trust checks.

I-2. Processing Money. The primary mail handler will open all incoming mail and remove any cash and negotiable instruments.

- a. For cash and acceptable negotiable instruments within limits, the primary mail handler will credit the inmate's account and send the inmate a copy of the credit receipt. (The inmate does not have to sign the credit receipt. Staff should write "mailed in" on the signature line.)
- b. The primary mail handler will return negotiable instruments to the sender that exceed limits, are from unacceptable sources, or are otherwise unauthorized, such as payroll, personal, or two-party checks. To return the instrument, the mail handler will:
 1. Send the sender a *Returned Mail Letter Form No. 323* along with the instrument being returned. Note on the letter the amount, number, and issuing institution of the check. Note the payee's name if it was not the inmate.
 2. Include a copy of the *Inmate Mail Guide Form No. 324* in the letter returning the Instrument.
 3. Send the inmate a copy of the form letter and keep a mail file copy for reference.

SECTION J: OUTGOING MAIL

J-1. General Mail Rules for Inmates.

Inmates:

- a. May only use blue pen to write letters.

- b. Must send letters, notes, or other written materials using the USPS or other approved system.
 - c. May only use jail approved stationery sold through the commissary or issued by staff.
 - d. A letter should fit in a standard 4 X 9 inch business envelope and should not exceed one ounce. Exceptions and accommodations for size and weight limit will be approved by the shift supervisor.
 - e. Must put their first and last name, and the jail address as the return address.
 - f. May not draw or write anything on the outside of an envelope other than name and address information and “legal” or “official” mail designations.
 - g. May not send out jail forms for others to fill out on behalf of the inmate.
 - h. May not send prohibited mail. They are subject to disciplinary action for doing so.
 - i. Should pass on prohibited mail rules to people and businesses with whom they correspond.
 - j. May not correspond with inmates in other correctional facilities.
 - k. Inmates in segregation must have the opportunity to obtain writing supplies and postage status subject to limitations to accommodate safety, security, or other legitimate interests.
- J-2. Pre-stamped Envelopes and Postage Stamps.** The contracted provider will make pre-stamped First Class business size and airmail envelopes available for inmates to buy from the commissary. Corrections staff should have the commissary vendor pre-stamp the address of the jail on the envelopes. Inmates are responsible for limiting the weight of letters in pre-stamped envelopes to one (1) ounce or less. Inmates may not have stamps to affix to any envelope as postage. An inmate may ask to mail an oversize or overweight envelope using special postal services procedures in Section K.
- J-3. Plain Manila Envelopes.** Inmates may use the plain manila envelope, sold through the commissary, to send a legal or official letter that weighs more than one (1) ounce or legal or official mail or program-related certificates or diplomas that should not or cannot be folded. The staff member that verifies an envelope contains a certificate or diploma will put his or her initials and DPSST number on the back. Jail staff will forward mail in manila envelopes to corrections administrative staff. They will put on the required postage and deduct the cost from the inmate’s account.
- J-4. Inspection of Outgoing Envelopes.** Before the mail leaves the housing unit, deputies will inspect and feel the envelope and, *as appropriate*, return it to the inmate, confiscate it as evidence in disciplinary proceedings, or contact a shift supervisor if—
- a. The envelope is not sealed.
 - b. The return name, and address are incomplete or false.
 - c. There is drawing or non-address-related writing on the envelope.

- d. There is prohibited material on the envelope.
- e. Addressee information is missing that could cause the letter to be undeliverable and so returned to the jail.
- f. It is a manila envelope whose addressee does not meet the criteria for being legal or official mail or being a program-related certificate or diploma.
- g. They have reason to believe the envelope should be opened for a legitimate reason.

J-5. Opening and Inspecting Contents of Outgoing Mail. Mail handling staff will not open and read outgoing mail unless they have a corrections supervisor's approval.

- a. A shift supervisor may have staff screen, read, and if necessary open and inspect if deputies have some reason to believe the letter contains contraband or the letter otherwise represents a threat to the safety, security, order, or other legitimate interests of the jail. Exception: correspondence addressed to the Governor, Corrections Captain, Attorney General, judges, the Department of Corrections, Disability Rights Oregon, The American Civil Liberties Union (ACLU), and the inmate's attorney. If the letter is privileged/legal mail, it should be opened and inspected in the presence of the inmate who sent it. The authorizing shift supervisor shall submit an incident report by the end of the shift.
- b. Mail handlers will notify a shift supervisor if:
 - 1) They suspect outgoing mail contains contraband.
 - 2) It may present a safety or security issue based on the addressee.
 - 3) They have reasonable suspicion the mail may contain other contents that are of legitimate jail interest.

J-6. Posting Outgoing Mail. Inmates will give the deputy outgoing mail. Outgoing mail should be processed within one business day of being received. Exceptions may be allowed for mail held due to violation of law or jail regulation.

SECTION K: MAIL NEEDING SPECIAL POSTAL SERVICES

K-1. Requests for Certified Mail. An inmate may send up to two (2) letters as certified mail in a 30-day period. The inmate must have sufficient funds in his account to pay for the service. The Administrative Lieutenant may make exceptions to the volume of certified mail an inmate sends and may approve credit to allow an indigent inmate to send certified legal or official mail.

K-2. Supply. Deputies will keep a supply of these forms on hand. (Corrections staff will handle certified mail requests as requests for both USPS Certified Mail and Return Receipt services. These services provide receipts that the letter was mailed and then received by the addressee.)

- a. For a certified letter, an inmate will use the same type of pre-stamped First-Class or plain manila envelope that he uses for other mail.

- b. The inmate must hand the completed request form and envelope to a deputy. The deputy will do the following:
 1. Verify that the inmate signed the form and that the inmate's jail identification number is correct.
 2. Attach the form to the letter in some fashion (like with a paper clip, tape, or staple) so that the two do not become separated.
 3. Place the letter, with form attached, in the outgoing mail bin for delivery to administration.
- c. Administrative staff will verify if the inmate has sufficient funds in his account before processing any request. They will forward requests from indigent inmates to the Administrative Lieutenant.
- d. Corrections administrative staff will fill out the necessary USPS forms – *Receipt for Certified Mail (PS Form 3800)* and *Domestic Return Receipt (PS Form 3811)*. They will mail the letter and charge the inmate for the postal fees for these special services. The *Inmate Message Form No. 103* will be the source document authorizing the charge.
- e. Staff will pass the receipt on to the inmate when it returns in incoming mail. They will return the *Domestic Return Receipt* post card to the post office if the inmate is no longer in jail.

K-3. Other Special Postal Services. An inmate will use an *Inmate Message Form No. 103* to ask to mail oversize or overweight items or for other special postal services. The inmate must be able to demonstrate an adequate need to be exempt from the normal rules and practice. If a corrections supervisor approves such a request, corrections administration staff will mail the item and charge the inmate the postal fees.

FORMS USED

- Jail Incident Form No. 102
- Inmate Message Form No. 103
- Citizen Complaint Form
- Confiscated Mail Notice Postcard Form No. 321
- Property Confiscation Form No. 322
- Return Mail Letter Form No. 323
- Inmate Mail Guide Form No. 324
- Grievance Form No. 611
- Receipt for Certified Mail (PS Form 3800)
- Domestic Return Receipt (PS Form 3811)
- Appendix I – Prohibited Mail

Appendix I: PROHIBITED MAIL

Prohibited Mail. Staff will not allow an inmate to receive or send mail that:

1. Contains:
 - a. Threats of physical harm, blackmail, extortion, or other criminal activity.
 - b. Plans for escape, criminal activity, or activity that violates jail rules.
 - c. Gang-related material.
 - d. Information that, if conveyed, could result in physical harm to someone,
 - e. Sexually explicit materials.
 - f. Inflammatory material.
 - g. Contraband materials (see definition), including but not limited to such commonly mailed items as:
 1. Drugs (legal or illegal)
 2. Maps
 3. Schedules for any mode of transportation
 4. Over-the-counter medications
 5. Glasses and contact lenses
 6. Postage stamps, stationery, and writing or drawing instruments
 7. Stickers and decals
 8. Cosmetics and hair care and hygiene items
 9. Clothing
 10. Food
 11. Bookmarks and plastic cards;
 12. Locks of hair;
 13. Cigarettes, matches, and lighters;
 14. Dried or pressed flowers;
 15. Ribbons and tassels;
 16. Coupons and lottery tickets;
 17. Compact discs, cassette tapes, and other electronic media or equipment;
 18. Books larger than 9 by 12 inches or with plastic or metal bindings;
 19. More than three books in a single piece of mail;
 20. Picture frames of any material;
 21. Photographs larger than 4 by 6 inches;
 22. Copies of pictures on a sheet of paper larger than 8-1/2 by 11 inches;
 23. More than 5 photographs or picture sheets in a single piece of mail;
 24. Handmade drawings larger than 9 by 12 inches;
 25. Greeting cards with any attached or embedded parts;
 26. Return address labels.

- h. Items that could hide contraband material, such as:
 - (1) Origami objects
 - (2) Mounted or laminated sheets
 - (3) Elaborately folded or constructed greeting cards

 - i. A foreign substance, such as:
 - (1) Bodily fluids
 - (2) Lipstick
 - (3) Perfume
 - (4) Glue
 - (5) Anything with an unusual stain that indicates a foreign substance may be present
 - (6) Anything with an unusual odor that indicates a foreign substance may be present
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- 2. Concerns sending contraband within, into, or out of the jail.
 - 3. Encourages or instructs in the commission of a crime.
 - 4. Instructs in a form of physical violence or self-defense that could threaten deputy safety or negate a legitimate use of force.
 - 5. Instructs in the making of alcoholic beverages, drugs, poisons, hazardous materials, weapons, bombs, or other materials that may present safety and security concerns.
 - 6. Is written in code or suspected code.
 - 7. Is written in a foreign language not read by a mail handler or other reasonably available staff member.
 - 8. Was sent by an inmate to a third party who then forwarded to another inmate.
 - 9. Was a form of written communications not sent through the USPS or other approved system.
 - 10. Is incoming mail and comes from an inmate lodged in the AJ, WC, or other corrections-monitored facility that lodges in-custody inmates. This includes mental hospitals and treatment facilities.
 - 11. Is to or from an inmate on electronic monitoring.
 - 12. Is to or from a victim of a crime that the inmate is in custody for in either pretrial or sentenced status.
 - 13. Would violate a court order.
 - 14. May produce a hostile work environment, such as sexual harassment.
 - 15. Does not promote jail program and rehabilitation treatment goals.

16. Presents people as objects.
17. Is not an approved commercial business or government service transaction.
18. Is a credit or deferred billing transaction, such as “bill me later” subscriptions or merchandise bought on credit or collect-on-delivery terms.
19. Violates negotiable instrument limits on sources and maximum dollar amount.
20. Is fraudulently marked as legal or official mail.