

POLICY TITLE: Inmate Mail		PAGE 1 OF 5
POLICY NUMBER: 14.1		
CHAPTER: 14 Prisoner Communications		
	SOMERSET COUNTY, SOMERSET COUNTY JAIL	ACA STANDARDS: 5B-05-10 MSJ STANDARDS: K.01-09, 21
	Approved by: -----Original Signed Signature of Sheriff	
	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. All incoming non-legal mail will be processed and inspected prior to being given to the receiving inmate. 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) Envelopes will be issued three at a time and when they are mailed out, up to three more will be issued.
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. Federal 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. Legal Mail envelopes after opening will be removed from the housing unit and shredded so as to limit access any contraband on or as part of the envelope.
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. This may be provided to indigent inmates in numbers and batches as determined by Administration with additional supplies provided once the previous batch is used and mailed.
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 shredded and disposed of.

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 copied, processed, and 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.
 - a. Mail **without any return address** will be treated as contraband and a contraband form will be sent to the inmate.
 - b. Mail with a partial return address that at least includes a deliverable address (street address and/or PO Box #, city, state, and zip code) **without a name** will be stamped return to sender due to incomplete return address and not opened.
 - c. Mail with a return address that **includes a partial name or identifiable initials** will be compared to the Inmate's IMC mail list prior to opening in an attempt to verify the sender. If this cannot be verified the mail will be stamped return to sender due to incomplete return address and not opened.
5. Inmates will be allowed to receive books though the US mail service from recognized publishers or book stores. Books will also be provided by the facility though the inmate library. Inmates will be authorized to keep up to 5 publications (includes personal, SCJ, Religious, or Educational) in accordance with P&P 5.5. Prisoner Property in their cell at a time. If the inmate is found to have more than 5 publications they can return the SCJ library items or they will sign a Contraband Disposition form for any books and/or publications in excess. Excess books and/or publications will not be stored in an inmate's personal property.
6. The Lobby Officer or an Administrative Assistant will receive the mail daily from the post office and deliver the mail to the mail room.
7. An Administrative Assistant will sort administrative mail from inmate mail in the mail room. The Administrative Assistant will deliver the administrative mail. Inmate mail will be processed as follows: it will be scanned and printed including envelopes, drawings, cards and photos/pictures. The inmate mail will be 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 an administrative 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 Assistant Shift Commander will sort, inspect, and process all inmate mail, in the mail room.
13. Authorized money received will be handled as stated in Procedure F. Monies Received.
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.
 - g. Hand made cards and/or artwork.
15. The Assistant Shift Commander will check all mail against the current Jail Population Report **prior to opening** of any envelopes/packages. If there is mail for an inmate no longer at Somerset County Jail it will be forwarded to the Jail Administrative Assistant for return to sender.
16. **Pictures are defined as: a visual representation of an image printed on paper or cardstock. This can be from a home printing system or professional system in color(s) or black and white.**
17. The Assistant Shift Commander will inspect all letters/packages for contraband. Any items not permitted will be documented on an incident report and forwarded to administration for review. Non-contraband contents of correspondence will be forwarded to the inmate i.e. an envelope contains an objectionable picture and a letter, the picture would be treated as contraband and the letter along with a Form 14.1.D. would be forwarded to the inmate. **Objectionable pictures are defined as: pictures displaying genitals and/or female breasts with nipples or depictions of sex acts.** All pictures will be copied prior to forwarding to the inmate.
18. As of 5/3/2020, all inmate pictures will be copied. Pictures and photos received prior to this date will continue to be authorized in the inmate's possession through the incarceration current as of 5/3/2020.
19. If contraband is found, the Assistant Shift Commander will forward the contraband to administration to be returned to the sender or destroyed, and fill out Form 14.1.D., Rejected Correspondence Notice which will be forwarded to the inmate.(K.07) If the contraband is a card, hand drawn picture, plastic covered card, perfumed correspondence, and the contents are not contraband then a copy will be made of the item and forwarded to the inmate.
20. The Assistant Shift Commander will notify the Shift Commander of any contraband found while inspecting the mail.

21. All non-legal mail will be processed in the following manner:
 - a. Wearing gloves
 - b. Envelopes opened and contents removed.
 - c. Any paper clips or folded connecting corners or paper connections will be removed or opened.
 - d. The envelope will be on top of each of each letter contents and placed at the top of the stack so that the printer rollers engage the envelope fully.
 - e. Once all of the mail is prepared it will be copied; double sided and color. Using the Job list function of the Admin copier the Supervisor will document on the Mail Copy log how many copies were done. This log will be turned into the Jail Administrative Assistant monthly on the first of the month.
 - f. The stamps on the envelopes will be removed and the envelope and stamp backing will be inspected for discolorations, inserts, or other evidence of contraband. If contraband is found follow the above procedure.
 - g. All original mail and envelopes will then be shredded to limit diversion for purposes of gathering contraband.
22. The Assistant Shift Commander will enter all mail into the jail management software mail log.
23. After all the mail is inspected and entered into the jail management software the Assistant Shift Commander will bring the mail to the SGTs Office. Day Shift Assistant Shift Commander will deliver it to the appropriate housing unit.
24. The day shift Housing Unit Officer will pass the mail to the inmates in his/her housing unit.

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(s) paper clipped to a completed Form 14.1.F.(2) SCJ Money Received Form in an envelope and forward this to the SCJ Administrative Assistant.

3. Sorting officers will then prepare a Form 14.1.F. Money/Check Receipt to be forwarded to the inmate along with the mail.
4. 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.
5. The SCJ Administrative Assistant will record the money on the inmate's account within the jail management software and forward a Inmate Accounting Transaction Report 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.
6. 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, inspected, and processed 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 8.1 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 Asst. Shift CDR will log in the outgoing mail into IMC.
6. 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.
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)