

# WEBER COUNTY CORRECTIONAL FACILITY

---

Volume

## INMATE COMMUNICATION

---

Chapter

### JE 01 - MAIL

---

Effective Date:

**08-01-10**

Review Date:

**1-13-12**

Pages

**29**

**Signature on file**

Approved

---

JE 01/01.00 GENERAL

JE 01/01.01 Purpose

JE 01/01.02 Rationale

JE 01/01.03 Cross Reference

JE 01/01.04 Definitions

JE 01/02.00 GENERAL INMATE MAIL REGULATIONS

JE 01/02.01 Policy

JE 01/02.02 Procedure: General Regulations

JE 01/02.03 Procedure: Intra-Facility Mail

JE 01/02.04 Procedure: Business Mail

JE 01/02.05 Procedure: Books Received by Mail

JE 01/03.00 INCOMING MAIL

JE 01/03.01 Policy

JE 01/03.02 Rationale

JE 01/03.03 Procedure: Receiving Mail at the WCCF

JE 01/03.04 Procedure: Processing Incoming Prisoner Mail

JE 01/03.05 Procedure: Prohibited Mail

JE 01/03.06 Procedure: Withholding/Denying Mail

JE 01/03.07 Procedure: Photocopying

JE 01/04.00 OUTGOING MAIL

JE 01/04.01 Policy

JE 01/04.02	Rationale
JE 01/04.03	Procedure: Processing Outgoing Prisoner Mail
JE 01/04.04	Procedure: Screening/Withholding Outgoing Mail
JE 01/05.00	INMATE TO INMATE MAIL
JE 01/05.01	Policy
JE 01/05.02	Rationale
JE 01/05.03	Procedure: Inmate-to-Inmate Mail
JE 01/05.04	Procedure: Granting Exceptions
JE 01/05.05	Procedure: Misuse or Abuse of Inmate-to-Inmate Mail
JE 01/06.00	LEARNING OBJECTIVES
JE 01/06.01	Incoming Mail
JE 01/06.02	Outgoing Mail
JE 01/06.03	Inmate-to-Inmate Mail

JE 01/01.00 **GENERAL**

JE 01/01.01 **Purpose**

The purpose of this directive is to provide the WCCF policies, rationale, and procedures for receiving and processing prisoners' mail.

JE 01/01.02 **Rationale**

- A. Prisoner mail should be regulated to prevent misuse of the mail system which may undermine safety, security, order or other legitimate penological interests.
- B. Prisoners should be provided notice concerning mail rules and regulations to:
  - 1. assist prisoners to comply with requirements; and
  - 2. serve as a basis for disciplinary action when prisoners violate mail regulations.
- C. Prisoners' First Amendment rights are met if there are alternative means of exercising the basic right of freedom of speech (prisoner communication with the free world).

JE 01/01.03 **Cross Reference**

JE 05 - Sexually Oriented Material  
JG 01 - Legal Access  
JG 03 - Inmate Funds and Accounting

JE 01/01.04 **Definitions**

<b>personal mail</b>	is limited to metered or pre-stamped plain postcards. Which includes any mail not legally entitled to a designation of privileged; mail to family, friends, business associates, clergy, the news media.
<b>privileged mail</b>	correspondence with an attorney or other entity identified by this directive which has been properly labeled to claim privileged status

E mail	Electronic mail sent or received using approved computer system
<b>prisoner</b>	for the purpose of this policy shall mean prisoner, inmate, or arrestee
<b>contraband</b>	any item which has not been specifically approved for use or possession by prisoners in the WCCF
<b>illegal contraband</b>	any substance or item for which use or possession violates the laws of the United States or State of Utah
<b>currency</b>	any paper money, coins, checks, postage stamps, or other negotiable instruments
<b>nuisance</b>	any of a myriad of seemingly innocuous items which can be
<b>contraband</b>	misused to thwart security, endanger safety, or damage the facility or equipment, including, but not limited to paper fasteners, paper clips, two-hole fasteners, hair, ribbons, pins, rubber bands, gum, pressed leaves or flowers, balloons, and other such items

JE 01/02.00 **GENERAL INMATE MAIL REGULATIONS**

JE 01/02.01 **Policy**

It is the policy of the WCCF that:

- A. prisoners shall be allowed to send and receive mail while incarcerated at the WCCF;
- B. prisoners' personal mail shall be regulated;
- C. prisoners shall be provided notice of personal mail regulations; and
- D. prisoners are not entitled to engage in business while incarcerated; therefore, prisoners have no entitlement to business mail;
- E. books may be received for inmates only through the U.S. Postal Service, unless otherwise pre-authorized in writing by the Jail Commander.

JE 01/02.02 **Procedure: General Regulations**

A. **Procedure Postcards**

- 1. Incoming and outgoing prisoner personal mail must be on a metered or pre-stamped standard plain postcard. Prisoners shall be permitted to send and receive a reasonable number of postcards. Mail other than postcards will be returned to sender.
- 2. This restriction does not apply to privileged mail. Prisoners requiring envelopes for privileged mail must submit a request to accounting.
- 3. Any prisoner wishing an exception to the postcard rule must provide his request in writing to the Jail Commander or designee with the justification for the exception. If the justification is found to be compelling the Commander/designee shall provide the mail room with written authorization for the exception with any restrictions or instructions listed.

B. **Description of Postcards**

- 1. Post Cards shall be plain metered or pre-stamped.
- 2. The authorized size for incoming postcards is:

- i. minimum size allowed is 3.5" by 4".
- ii. maximum size allowance is 8.5" by 11".

3. Postcards are not authorized when they:

- i. do not meet the size requirements;
- ii. have pictures or photos printed on them;
- iii. include gang symbols or writings;
- iv. have watermark, stains, stickers or labels;
- v. are marked with paint, cosmetics, markers, highlighters, crayons, or other such substances;
- vi. are treated with chemicals (e.g., drugs, perfume, cologne) or other substances; and/ or
- vii. are altered, defaced or tampered with.

C. **Availability of postcards**

- 1. Authorized postcards may be purchased by prisoners from the WCCF commissary.
- 2. The public may purchase authorized postcards from the Post Office.

D. **Prisoners E-mail**

- 1. Prisoners may receive e-mail messages. Currently, prisoners cannot send e-mail messages.
- 2. The public can send e-mail messages by visiting [www.offenderconnect.com](http://www.offenderconnect.com).

E. **Photographs**

- 1. Photographs will be accepted in the jail lobby or through the mail, ONE time per prisoner.
- 2. Each prisoner will be allowed a total of FIVE (5) 4x6 photographs in their possession.

3. Photographs must be unaltered and may not contain stickers, labels or sexual content.

F. Amount of Correspondence

1. Prisoners shall be permitted to send and receive a reasonable number of postcards and e-mails. Limits may be imposed on the volume of materials which may be stored in the housing units.
2. Regardless of the amount of mail prisoners may be permitted to receive, accumulations of mail shall not be permitted to exceed the authorized in-cell storage capacity. Prisoners will be required to dispose of excessive mail either by mailing the excess out of the facility or disposing of it in a waste receptacle.

G. Packages

Prisoners are not permitted to receive packages.

H. Money

Cash or money orders will not be accepted via the mail. Cash may be deposited in the Jail Lobby or money may be deposited by credit card online at [www.govpaynow.com](http://www.govpaynow.com) or at 888-277-2535.

I. Foreign Language Mail

1. Non-privileged mail written in a language other than English may be delayed for a reasonable period of time for translation.
2. Mail delays to permit translation should not exceed 48 hours from the date of receipt.
3. In situations requiring delays in excess of 48 hours:
  - a. the prisoner shall be notified in writing of the delay and the reason for the delay; and
  - b. the Jail Commander/Designee must approve the delay.

J. Exceptions to Mail Regulations

Any exceptions to the standard mail procedures shall be documented by incident report and/or other appropriate forms or log entries.

K. Change of Address

It shall be the responsibility of prisoners prior to release from the WCCF to arrange for change of address notifications.

L. Bulk-Rate Mail

Bulk-rate mail shall be refused.

M. Indigent Mail

Prisoners who qualify for indigent status may receive mail privileges as defined in WCCF policy JG 03, Inmate Funds and Accounting.

JE 01/02.03 **Procedure: Intra-Facility Mail**

- A. Intra-facility mail sent by prisoners shall be processed using the electronic Kiosks located in each housing unit. The appropriate staff member will respond and the response will appear on the Kiosk.
- B. Prisoner-to-staff mail may be posted in regular mailing envelopes and shall contain the name of the staff member or area (e.g.: grievance, accounting, etc.) To whom it is intended.
- C. Envelopes not containing complete return address information shall be returned for correction. Any prisoner mail that cannot be identified will be forwarded to the Jail Commander/Designee for disposition.
- D. Envelopes shall be plain and not have messages, comments, or drawings written on the envelope.
- E. Prisoner-to-staff mail that displays threatening, negative gestures or comments, offensive materials, or grossly offensive sexual comments within its contents shall be referred to the Jail Commander/Designee to determine whether it should be investigated as an administrative rule and/or criminal violation.
- F. Prisoner-to-prisoner mail is not permitted without proper authorization.



- G. Inmates of the WCCF may not correspond with any other prisoner of the WCCF without proper authorization.
- H. Unauthorized mail to an inmate of any correctional facility shall be returned, consistent with the provisions of this policy and procedure.
- I For exigent reasons, a prisoner of the WCCF may petition, in writing, the Inmate Services Coordinator for permission to correspond on a provisional basis with another prisoner, outlining in sufficient detail the exigent circumstances which require correspondence.
  - 1. The Inmate Services Coordinator shall determine if sufficient cause exists to recommend that the prisoners be allowed to communicate through the mail.
  - 2. Approval must be given, in writing, by the WCCF Commander for the communication to take place, the reason the communication is allowed, and any limitations regarding the correspondence.
  - 3. All authorized prisoner-to-prisoner correspondence by mail is subject to policy and procedure.

JE 01/02.04 **Procedure: Business Mail**

- A. Prisoners are not entitled to engage in business while incarcerated. Prisoners who have a need to correspond concerning a legitimately held business, shall correspond through their legal counsel or other legally authorized individual.
- B. Prisoners requesting an exception may petition the Jail Commander.
  - 1. Exceptions shall only be granted in those cases where the prisoner can demonstrate a compelling necessity.
  - 2. Exceptions, if authorized, shall include all restrictions and limitations which apply.
- C. Prisoners' business mail, when an exception is authorized:
  - 1. shall not be sealed by the prisoner;

2. shall be inspected and read by the Mail Staff/Clerk;
  3. may be photocopied when photocopying is reasonably related to the legitimate facility interest; and
  4. shall be sealed by the Mail Staff/Clerk at the completion of the outgoing procedures if necessary.
- D. Prisoners shall not direct or establish a new business through the mail.
- E. Prisoners shall not engage in credit transactions while confined.
- F. Prisoners shall not engage in fund-raising for personal gain.

JE 01/02.05 **Procedure: Books Received by Mail**

A. General

1. Books may be received through the mail for inmates only if:
  - i. delivered by the U.S. Postal Service, unless otherwise pre-authorized in writing by the Jail Commander; and
  - ii. delivered from the publisher or a book store and accompanied by a receipt of purchase.
2. Books received for inmates as described above shall become property of the WCCF upon release of the inmate who received the book.

B. Inmate Services Coordinator (ISC)

1. Books may only be approved to be delivered to the inmates by the ISC or designee.
2. If the book is approved, the ISC shall complete an incident report indicating the titles and the number of books approved.
3. When books are received through the mail for inmates, WCCF mail room staff shall ensure that the books are delivered to the ISC. The ISC shall:

- i. ensure that the books received are approved for delivery ;
  - ii. ensure that the books are thoroughly searched prior to delivery.
  - iii. ensure that approved books are delivered to the inmate.
4. If the ISC discovers that books have not been approved for possession by the inmate, the ISC shall ensure that the books are deposited in the inmate's property locker or forwarded to investigations if needed.

C. Exceptions

Exceptions to any of the above procedures concerning books received by mail for inmates may be approved only by the Jail Commander/ designee.

JE 01/03.00 **INCOMING MAIL**

JE 01/03.01 **Policy**

It is the policy of the WCCF that:

- A. all mail received for prisoners at the WCCF shall be delivered to the Mail Staff/Clerk for processing;
- B. non-privileged prisoner mail:
  1. is limited to postcards and shall be inspected;
  2. may be read at the discretion of the WCCF officials consistent with the provisions of this directive;
  3. may be photocopied when such copying has a valid, rational connection to a legitimate penological interest;
  4. may be refused, denied, or confiscated where reasonable cause exists to believe the contents may adversely affect the safety, security, order, or treatment goals of the facility;
  5. may be used as evidence in criminal, civil, or administrative trials or hearings;

6. shall be afforded no expectation of privacy; and,
7. shall be delivered to prisoners without unnecessary or unreasonable delay.

JE 01/03.02 **Rationale**

- A. Mail is an important means of assisting prisoners to maintain family and community ties while incarcerated; however, prisoners frequently abuse the mail system to attempt to introduce contraband, conspire to violate the law or jail security, or otherwise frustrate the legitimate interests of the jail. Mail must, therefore, be regulated and handled in a manner which furthers the facility's legitimate interests of safety, security, order, and treatment.
- B. Restrictions on prisoner access to mail may be carried out only if they are reasonable and further a legitimate governmental interest.
- C. The WCCF will process mail in a manner which is intended:
  1. to avoid unreasonable delay; and
  2. reduce the potential for prejudicing the legitimate interests of prisoners.
- D. Weekend mail has not been required by the courts.
- E. Because prisoners' personal correspondence with persons in the free world provides a means of introducing contraband into the facility and planning actions which would jeopardize security, safety, order, and other legitimate WCCF interests, such mail shall be opened and inspected.
  1. Opening and inspecting mail assists in the interdiction of contraband.
  2. Mail may also be opened and inspected because the U.S. Supreme Court has recognized need to open and inspect mail to protect security and other interests.
- F. Reading mail helps prevent or discover prisoners' use of, or attempts to use, the mail to engage in conduct which violates the law or jail regulations. Mail will be read to discover and/or deter prisoners' abuse of the mail system including:

1. arranging to obtain drugs or other contraband;
2. planning assaults or other violent acts against persons;
3. organizing jail disorders or escapes;
4. establishing gangs or facilitating gang activities; or,
5. planning other criminal enterprises.

JE 01/03.03 **Procedure: Receiving Mail at the WCCF**

- A. All prisoner mail shall be processed in accordance to U.S. Postal Service regulations and guidelines to the extent that they are applicable and do not conflict with safety, security, and operational necessities of the WCCF.
- B. The WCCF shall receive U.S. Postal Service deliveries Monday through Friday, except holidays.
- C. WCCF Mail Clerk/Staff shall be designated as the prisoners' agent for receiving and signing for mail.
- D. Mail requiring a signature-receipt that is addressed to a prisoner who is no longer incarcerated shall not be accepted.
- E. The Mail Clerk/Staff shall not accept postage-due mail unless payment of postage is waived by the deliverer.
- F. Any exception to this procedure may be considered on a case by case basis for cause by the Inmate Services Coordinator and must have the written approval of the Jail Commander.
- G. Items received that cannot be searched without destruction or alteration (e.g., electronic greeting cards, padded cards, double-faced Polaroid photographs, etc.) shall be refused and returned to the sender.

JE 01/03.04 **Procedure: Processing Incoming Prisoner Mail**

- A. **Sorting Incoming Mail**
  1. Incoming mail shall initially be sorted into two general categories:
    - i. staff business mail; and

- ii. prisoner mail.
- 2. Staff business mail shall be delivered to staff members at their offices or to work stations for their business use.
- 3. Staff shall not use the WCCF as an address for receiving personal mail.
- 4. Incoming prisoner mail shall be divided into the following categories:
  - i. personal correspondence, i.e., metered or pre-stamped postcards;
  - ii. privileged mail; and,
  - iii. intra-facility mail, i.e., computer generated mail via the Kiosk.

B. Timely Processing

- 1. Incoming mail should be delivered to prisoners within 24 hours of the mail being received in the jail, excluding weekends and holidays.
- 2. Restrictions or limitations on prisoner access to mail be justified only if they are reasonable and further a legitimate governmental interest.
- 3. Mail delivery shall not be unnecessarily delayed. Any delays must be consistent with the requirements of this directive and have a valid, rational connection to a legitimate penological interest.

C. Inspection of Mail

- 1. Incoming personal mail shall be inspected prior to delivery to the prisoners.
- 2. The inspection is intended to:
  - i. prevent the introduction of contraband; and
  - ii. detect violations of law and/or WCCF mail regulations and requirements.

D. Reading Mail

1. Prisoners' personal mail:
  - i. has no expectation of privacy;
  - ii. may be read by the Mail Staff/Clerk to further legitimate penological interests; and,
  - iii. may be refused if delivery would threaten or jeopardize WCCF security, safety, order, discipline, or treatment goals.
2. The prisoner addressee and the sender should be provided a "Notification of Denied Mail" for each letter or metered/pre-stamped postcard which is refused.

E. Delivery of Incoming Mail

1. When an authorized letter has been processed for delivery, it may be sealed with a small strip of cellophane tape.
2. Personal mail shall be sorted by housing unit and delivered.
3. The Mail Staff/Clerk shall:
  - i. ensure that mail is safeguarded until properly delivered or returned as undeliverable;
  - ii. ensure that mail is delivered directly to the prisoner addressee;
  - iii. not distribute mail to third parties (other prisoners) to hold for or deliver to the prisoner addressee except as outlined in policy;
  - iv. not, in the absence of the prisoner, leave mail in the prisoner's assigned living quarters; and
  - v. not give prisoners' mail to Housing Unit Staff and/or fellow officers for purposes of:
    - 1) investigations;
    - 2) inspection for contraband;

- 3) reading; or
  - 4) withholding.
4. Prisoner mail which cannot be delivered by the Mail Staff/Clerk, because a prisoner is temporarily away from assigned housing shall be given to the Housing Unit Officer to be delivered when the prisoner returns.
  5. Prisoner mail which cannot be delivered because the prisoner is not assigned to the unit shall be promptly returned to the Mail Clerk indicating why the mail was not delivered.

JE 01/03.05 **Procedure: Prohibited Mail**

Mail shall be prohibited and refused delivery if it meets criteria as defined in this section.

A. Material Which Threatens Security or Safety

1. Material which would constitute a direct and immediate threat to the safety, security, or order of the WCCF shall be prohibited and refused delivery.
2. Material rising to the level of a threat to safety, security, or order includes, but is not limited to, material which:
  - i. incites, advocates, aids, abets, or provides instruction concerning activities such as:
    - 1) illegal drug use;
    - 2) the manufacture, use, or conversion of weapons, ammunition, bombs, incendiary devises;
    - 3) escape;
    - 4) threats of death or bodily harm;
    - 5) criminal activity;
    - 6) smuggling or other introduction, exporting, or manufacture of contraband;



- 7) plans for criminal activity or violation of the policies, procedures, or regulations of the WCCF;
- 8) martial arts;
- 9) survival; or
- 10) guns and ammunition;
- ii. instructs or provides planning assistance related to:
  - 1) picking locks;
  - 2) digging tunnels;
  - 3) defeating security materials or systems; or
  - 4) manufacturing of alcohol, drugs, weapons, or other contraband;
- iii. provides information:
  - 1) concerning the families, home address/phone numbers, or license numbers/vehicle information of WCCF officials/staff or other government officials;
  - 2) concerning transportation schedules; or
  - 3) which, if communicated, would create a clear and present danger of violence or physical harm to any person; or
- iv. is written in code.

B. Sexually Oriented Material

Refer to WCCF policy, JE 05 Sexually Oriented Material.

C. Inflammatory Material

- 1. It is within the legitimate interests of the WCCF to interdict the introduction of materials into the WCCF which constitute a threat to the safety or security of the institution

because it incites or advocates physical violence against others.

2. No mail shall be considered inflammatory solely on the basis of its appeal to a particular ethnic, racial, or religious audience.
3. Mere criticism of the administration, operation, or personnel of the WCCF, or any other government official or agency shall not in itself constitute a direct and present threat to the security and safety of the facility, unless that material advocates violence or other illegal action.

D. Contraband

1. Contraband may take many forms, (i.e., contraband, illegal contraband, nuisance contraband, and currency.)
2. As a general rule, when contraband is found in mail, it may be returned to the sender.
3. If there is reason to believe that the contraband represents a deliberate attempt to defeat security, action may be initiated to seize the contraband, discipline the prisoner, and suspend mail access by the sender.
4. All currency, coin, and personal check instruments detected during the inspection of incoming correspondence shall be denied by the Mail Staff/Clerk and the entire contents returned to the sender. Procedures for handling money orders, certified checks, and other non-personal checks are provided in JG 03, Inmate Funds and Accounting or at the direction of the WCCF Jail Accountant if not otherwise provided for.
5. Nuisance contraband items shall be confiscated and disposed of without notice or opportunity for appeal. If the nuisance contraband would appear to have sentimental value, arrangements may be made to:
  - i. return the contraband; or
  - ii. place the contraband in the prisoner's property.

6. If illegal contraband is discovered in prisoner mail, the matter should be referred for criminal investigation and prosecution.

E. Criminal Conspiracies

When mail is found to contain information of a criminal conspiracy, the Mail Staff/Clerk shall immediately notify the Jail Commander/Lieutenant who should contact the WCSO Investigation Unit to initiate a criminal investigation.

F. Prisoner-to-Prisoner Mail

Prisoner-to-prisoner mail is not permitted for reasons of security and management.

1. Mail received at the WCCF from an inmate of any correctional facility, prison, or jail for delivery to a prisoner of the WCCF shall be denied.
2. Prisoner-to-prisoner mail shall be returned, consistent with the provisions of this policy and procedure.
3. Exceptions to 1 and 2, above, may be considered as outlined in this policy JE 01/02.03.

JE 01/03.06 **Procedure: Withholding/Denying Mail**

A. General

The Mail Staff/Clerk shall initiate procedures to withhold/reject mail which violates policy and/or threatens the legitimate safety, security, or other legitimate interests of the WCCF because:

1. of its sexual content;
2. it contains criminal conspiracies;
3. all or part of the information is coded; or
4. the mail contains messages, comments, or other drawings.

B. Denial

If it is necessary to refuse delivery of an item of mail, the Mail Staff/Clerk shall:

1. notify the prisoner of the denied mail on a notification form providing an explanation for denying the mail; and
2. at WCCF expense, return the denied mail to the sender including:
  - i. a notification form detailing the reason for denying the mail; and
  - ii. notice of the sender's right to appeal the action to the Jail Commander within seven days.

C. Challenges of Denials by Inmate

If the prisoner desires to appeal the denial or withholding of mail, he shall challenge the decision using the Prisoner Grievance System.

D. Challenges of Denial by Sender

If the sender desires to appeal the denial or withholding of mail:

1. the challenge should be forwarded to the Jail Commander/designee within seven working days;
2. the Jail Commander/ designee shall provide the sender:
  - i. an explanation of the reasons the mail was withheld; and
  - ii. allow the sender to present arguments in favor of delivery of the mail;
3. after weighing the sender's arguments, the Jail Commander/designee shall:
  - i. decide whether to uphold or deny the decision;
  - ii. if upheld, notify the Mail Staff/Clerk, prisoner, and sender of the decision;

- iii. if denied, notify the prisoner and sender of the decision and instruct the Mail Staff/Clerk to deliver the mail; and
- iv. document the decision in writing and send copies of the memorandum announcing the action to:
  - 1) the Mail Staff/Clerk; and
  - 2) the prisoner's file.

JE 01/03.07 **Procedure: Photocopying**

- A. Personal mail may be photocopied by the Mail Staff/Clerk if there is a valid, rational connection to the copying and a legitimate penological interest.
- B. Mail may be copied to further legitimate government interests at the request of the:
  - 1. Jail Commander;
  - 2. Lieutenant;
  - 3. Weber County Attorney;
  - 4. Chief Deputy; and
  - 5. Weber County Sheriff

JE 01/04.00 **OUTGOING MAIL**

JE 01/04.01 **Policy**

It is the policy of the WCCF that:

- A. all outgoing prisoner mail shall:
  - 1. be deposited in the housing units' outgoing mail depository; and
  - 2. be collected by the Mail Staff/Clerk for processing;
  - 3. be sealed by the sender;
  - 4. be entitled to no expectation of privacy;

5. mailed in envelopes or postcards printed with the WCCF's name and return address; and
  6. not have messages, comments, or drawings written on envelopes.
- B. all outgoing prisoner mail, except privileged mail, may be:
1. inspected and read by the Mail Staff/Clerk;
  2. photocopied when such copying is reasonably related to a legitimate WCCF interest;
  3. returned to the prisoner for reasonable cause if the contents may negatively impact safety, security, order, rehabilitation, or other legitimate penological interests;
  4. used as evidence in criminal, civil, or administrative trials or hearings; and
  5. held if the contents of the mail would jeopardize security, public safety, or other interests of the WCCF.

JE 01/04.02 **Rationale**

- A. Designated mail drops for outgoing prisoner mail are provided to minimize the possibility that mail will be lost or mishandled.
- B. Prisoners' mail shall be sealed to prevent the contents from spilling out or being read by persons not authorized to screen prisoner mail; however, the Mail Staff/Clerk is authorized to open and read prisoners' sealed personal mail to facilitate mail security procedures.
- C. Photocopying and/or returning of mail may be authorized when the contents of the letter involve criminal conduct or conspiracies, or where such copying is necessary to further the WCCF's legitimate security, safety, or other penological interests.
- D. The Constitutions and Laws of the United States and State of Utah do not guarantee an expectation of privacy; therefore, prisoners' mail can be used as evidence in criminal, civil, or administrative trials or hearings.
- E. Allowing prisoners unfettered permission to engage in business from jail would:

1. increase the potential for prisoner-operated scams to cheat the public; and
  2. greatly increase the volume of mail, thus taxing the finite resources of the facility's ability to process the mail.
- F. Requiring prisoners to mail metered or pre-stamped postcards or letters in envelopes bearing the name and return address of the facility places addressees on notice that they are receiving the letter from a prisoner, thus decreasing the potential for prisoner-run scams.

JE 01/04.03 **Procedure: Processing Outgoing Prisoner Mail**

A. Collection

1. Prisoners shall seal and deposit outgoing mail in designated mail depositories for collection.
2. Prisoner mail shall be collected from mail depositories every day except Saturday, Sunday, and holidays.

B. Return Address

1. Prisoners' outgoing mail must contain the WCCF return address.
2. The return address shall include the prisoner's:
  - i. full name;
  - ii. WCCF name number; and
  - iii. assigned cell and/or bed number.
3. Prisoner outgoing mail not containing the required return address information shall be opened, inspected, and returned to the prisoner.
4. If the prisoner's identity cannot be established, the mail shall be destroyed, unless it is in the interest of the facility to keep it as evidence or for other legitimate purposes.

C. Sorting Outgoing Mail

1. WCCF staff shall not deposit or combine their personal or business outgoing mail with prisoners' outgoing mail.
2. Mail Staff/Clerk shall sort prisoners' outgoing mail in categories of:
  - i. general correspondence, indicating the return address as specified;
  - ii. privileged mail;
  - iii. business mail, if authorized;
  - iv. prisoner-to-staff mail;
  - v. special handling mail, including:
    - 1) insufficient postage;
    - 2) return address not as specified;
    - 3) special inspection/reading;
    - 4) suspicion of illegal contraband and/or conspirational messages; and
    - 5) when permission has been granted, certified, insured, registered, or special delivery mail.

D. Delivery of Outgoing Mail

Outgoing prisoner mail shall be deposited and processed through the U.S. Postal Service.

JE 01/04.04 **Procedure: Screening/Withholding Outgoing Mail**

- A. Outgoing prisoner mail shall be screened for purposes related to the legitimate interests of the WCCF, including, but not limited to:
  1. safety;
  2. security;
  3. order and discipline; and
  4. treatment goals.



- B. Random inspections may be conducted, but should not interfere with the mail process any more than necessary to further the facility's legitimate interests.
- C. Justification for withholding mail includes, but is not limited to, evidence or suspicion of:
  - 1. violation of federal or state law;
  - 2. violation of WCCF policies;
  - 3. escape plans;
  - 4. criminal conspiracies;
  - 5. information which might endanger the lives or safety of staff, prisoners, or others;
  - 6. plans to disrupt or encourage disruption of order, safety and security of the facility;
  - 7. obscene material;
  - 8. encoded messages; and/or
  - 9. any correspondence which jeopardizes the safety of staff, prisoners, the public, or the facility.

C.If a determination is made to deny mail, the Mail Staff/Clerk shall notify the Jail Commander.

JE 01/05.00 **INMATE-TO-INMATE MAIL**

JE 01/05.01 **Policy**

It is the policy of the WCCF that:

- A. inmates have no entitlement to inmate-to-inmate correspondence created by the constitutions of the United States or the State of Utah;
- B. inmate-to-inmate correspondence shall not be permitted unless done so according to provisions in this policy; and

- C. nothing in this policy should be interpreted as creating a greater entitlement to inmates than currently required by law.

JE 01/05.02 **Rationale**

- A. Refer to JE 01/01.02
- B. Mail is an important means for inmates to maintain family ties, however, mail must be regulated to prevent inmates from misusing the mail system to undermine legitimate WCCF safety and security interests.

JE 01/05.03 **Procedure: Inmate-to-Inmate Mail**

A. **General**

1. For purposes of this policy, inmate-to-inmate mail refers to any correspondence between inmates within the jurisdiction of the WCCF and:
  - i. other inmates of the WCCF;
  - ii. inmates in county jails in Utah or other states; and/or
  - iii. inmates in state or federal prison systems.
2. Inmate-to-inmate correspondence shall not be permitted unless:
  - i. there is a compelling justification for an exception to the prohibition;
  - ii. there is no alternative means of accomplishing the compelling need; and
  - iii. the inmate presents a minimal risk to the safety, security and order of the WCCF or other facility.
3. Inmate-to-inmate mail involving in-state and out-of-state jails or prisons requires the approval of the chief administrator(s) of the facilities involved.

4. Exceptions to the inmate-to-inmate mail prohibition shall require the approval of the chief administrator(s) of the facilities involved.

B. Inmate Requests for Inmate-to-Inmate Mail

1. Before a request for inmate-to-inmate correspondence can be considered, the inmate shall:
  - i. forward a written request to the WCCF Inmate Services Coordinator explaining:
    - 1) why the correspondence is necessary; and
    - 2) why an alternate means of communication is not possible.
  - ii. bear the burden to overcome the prohibition against inmate-to-inmate correspondence and obtain an exception to the rule.
2. The inmate shall be responsible to inform other parties of the inmate-to-inmate correspondence requirements.

C. Privacy

1. Inmate personal mail (except legal mail) receives no expectation of privacy and may be read.
2. Inmate-to-inmate mail, because of the special risks it represents and the absence of any legal right to such correspondence, has even less of an expectation of privacy and shall be read.

JE 01/05.04 **Procedure: Granting Exceptions**

- A. If a compelling need is deemed to exist by the Jail Commander/designee and approval is given, the inmate may be granted an exception to the prohibition on inmate-to-inmate mail.
- B. Permission to correspond with another inmate shall include:
  1. the restricted purpose of the correspondence;
  2. the limits on the number of postcards permitted;

3. any special handling requirements; and
  4. the expiration date of the exception or permission.
- C. Permission to correspond may be limited to members of the inmate's immediate family, including:
1. parents;
  2. spouse;
  3. siblings; and
  4. if adopted, any of the above, if such adoption occurred prior to the inmate's 18<sup>th</sup> birthday and prior to incarceration at the WCCF.
- D. Permission to correspond should generally be approved for one exchange of correspondence. If broader permission is granted:
1. no more than two exchanges of correspondence per month may be sent or received by an inmate; and
  2. justification for broader permission must be documented by the WCCF Inmate Services Coordinator and approved by the Jail Commander/ designee.
- E. An expiration date for the exception or permission shall be determined by the WCCF Inmate Services Coordinator at the time of approval by the Jail Commander/ designee. The exception shall expire when the special need has been satisfied, the allowed number of correspondence has been exchanged, or the expiration date has passed.

JE 01/05.05 **Procedure: Misuse or Abuse of Inmate-to-Inmate Mail**

If an inmate abuses or misuses approved inmate-to-inmate correspondence:

- A. the inmate may be subject to disciplinary action;
- B. the correspondence may be denied delivery;
- C. the inmate-to-inmate correspondence exception may be revoked; and/or

- D. If criminal, the inmate may be prosecuted.

JD 01/06.00 **LEARNING OBJECTIVES**

JD 01/06.01 **Incoming Mail**

Staff shall demonstrate an understanding of:

- A. who shall be responsible to receive, inspect, and sort mail at the WCCF;
- B. the 24-hour delivery requirement of mail to inmates receiving the mail at the WCCF (excluding weekends and holidays);
- C. how much privacy is afforded to incoming inmate mail;
- D. who delivers mail to inmates;
- E. what types of mail are prohibited; and
- F. how can mail be denied or withheld.

JD 01/06.02 **Outgoing Mail**

Staff shall demonstrate an understanding of:

- A. who is responsible to collect and process outgoing inmate mail;
- B. what level of privacy is afforded to outgoing inmate mail;
- C. under what circumstances outgoing mail may be withheld.

JD 01/06.03 **Inmate-to-Inmate Mail**

Staff shall demonstrate an understanding of:

- A. the definition of inmate-to-inmate correspondence;
- B. who approves inmate-to-inmate correspondence.