

KERN COUNTY SHERIFF'S DEPARTMENT

Leardo Maximum-Medium Facility Policies and Procedures

TITLE: INMATE MAIL **F-100**

EFFECTIVE DATE: 7-25-05

REVISED: 9-25-19

APPROVED BY: Maximum-Medium Facility Manager

REFERENCE: Title 15, Section 1063; DBPPM, Section F-100, 200 & 300

POLICY

It is the policy of the Kern County Sheriff's Department to allow all persons in custody access to use the United States Postal Service. Personal mail for purposes of this procedure includes all mail **except** Legal Mail.

Staff will not hold, censor, or read inmate mail unless there is convincing evidence that such correspondence poses a clear threat to the safety and security of the Facility, public officials or the general public.

Personal mail may be read by custody staff at random to prevent criminal conspiracies including, but not limited to, escapes, assaults, smuggling of contraband or other criminal activity, and any threats to the safety or security of the Maximum-Medium Facility. Staff discovering mail meeting this criteria will process it in accordance with Detention Bureau Policy and Procedure Manual section F-100.

Facility personnel may open and inspect Legal Mail only for the purposes of searching for contraband, cash, checks or money orders, but only if such searches are conducted in the presence of the inmate. Staff will not read Legal Mail.

C.O.D. or "Postage Due" mail will not be accepted.

To prevent the possibility of fire, inmates are restricted to keeping in their housing unit only ten (10) personal letters, two (2) periodicals, one (1) newspaper, and two (2) books that they have received in the mail. An inmate in possession of such items in excess of this amount must select to either dispose of the item by destroying it or mail them to a person outside the facility, at the inmate's expense. Inmates may possess, in excess of this restriction, a reasonable number of religious devotional books, multi-volume sets of books, and correspondence education material, if in the opinion of a Shift Supervisor the items pose no fire hazard or housekeeping problems.

Inmates may possess all Legal Mail they receive that is relevant to the court proceedings for which they are in custody.

DIRECTIVE #1

Mail will not be left unattended by staff, unless in a secured location.

DIRECTIVE #2

Employees should make every effort not to open any mail that will be "Returned to Sender" unless necessary for safety and security concerns.

DEFINITION: CONTRABAND**Items of contraband include but are not limited to the following:**

- Stickers from other than a Government Agency.
- Tape (If used to seal envelope, check with shift supervisor)
- White-Out

- Blank paper.
- Stamps.
- Magnets.
- Musical greeting cards.
- Personal checks.
- Narcotics.
- Dangerous or sharp objects.
- Items that are sold in commissary.
- Items containing non-hygienic material such as lipstick or human hair.
- Any item determined to be contraband by the Shift Supervisor.
- Correspondence and publications which:
 - Aids inmates to construct or use weapons, ammunition, bombs, or incendiary devices.
 - Assists inmates to escape from the Facility, including plans, diagrams and blue prints of the Facility.
 - Depicts or describes procedures for brewing alcohol or making drugs.
 - Are written in code.
 - Are prison union publications.
 - Encourages or instructs in the commission of any criminal activity.
 - Are detrimental to the security, good order, or discipline of the institution.

Procedure A. Incoming Mail**The Administration Clerk will:**

- Receive the mail from the U.S. Postal Service;
- Verify that the inmates' housing locations shown on the envelopes are correct and forward incorrectly addressed envelopes to the appropriate Facility;
- Check inmate to inmate mail and verify via "Appointments" in CJIS that correspondence has been approved between the two inmates. If not authorized, "Return to Sender";
- Open all mail, except "Legal Mail", and inspect it for contraband. If contraband is found, "Return to Sender" in accordance with Procedure C;
- Identify Legal Mail, mark it "Legal Mail" with red ink, without opening it;
- Thoroughly search all mail, except "Legal Mail", and process any restricted mail by referring to the following policies:
 - Security Risk Mail - DBPPM, Section F-100
 - Gang Related Mail - DBPPM Section F-100
 - Receiving and Searching Packages – DBPPM Section F-200
- Refer all contraband of a criminal nature to the assigned search and escort officer for investigation;
- Confer with the Chaplain regarding religious material of questionable origin;
- Remove and deposit any enclosed currency or money orders into the inmate's account;
- Place deposit receipts in the envelopes from which the funds were removed;
- Remove the stamps from all mail (except Legal Mail) that is being forwarded to the housing units;
- Complete and process an [Inmate Contraband Notification](#) form if necessary;

- Band the mail together, sorted by housing location, place it in a bag and deliver the mail to the Maximum-Medium Facility Duty Office.

The Search and Escort Officer will:

- Obtain the inmate mail at 1900 or no later than 1930 from the Maximum-Medium Facility Duty Office;
- Read mail when deemed necessary for security reasons;
- Deliver the mail to tier and dorm officer;

Between 1900 and 0700, the Tier and Dorm Officers will:

- Sort the mail;
- Confirm that the inmate is in custody;
- Forward mail to the correct housing location if the inmate has been moved;
- Read mail when deemed necessary for security reasons;
- Complete and process an Inmate Contraband Notification form if necessary;
- Forward any mail for out of custody inmates to the Clerical Administration Office after marking it "Return to Sender;"
- Announce "Mail Call;"
- Check the inmate's wristband to confirm identity;
- Give the mail to the inmate;
- Open Legal Mail in the presence of the inmate and search it for contraband, **but do not read it**. If contraband is found, notify the Shift Supervisor before giving the mail to the inmate;
- Have the inmate sign any forms attached to mail;
- Write "Refused to Sign" on the signature line and include the date, time, your initials and I.D. number on the form, if the inmate refuses to sign any forms;

- Hold all mail for those inmates who are temporarily out of the housing unit and deliver it when the inmate returns to the housing unit;
- Forward mail to the appropriate housing location if the inmate has been moved.

The Administration Clerk will:

- Add the necessary postage to "Return to Sender" mail;
- Bundle "Return to Sender" mail attaching an RTS Mail Cover sheet;
- Place "Return to Sender" mail in the appropriate outgoing mail bin;
- Mark any "Return to Sender" mail that has no return address as "dead letter" and return to the post office with the "Return to Sender" mail.

Procedure B. Outgoing Mail**Inmates will:**

- Give outgoing mail to the tier or dorm officer.

The Tier or Dorm Officer will:

- Check the outgoing mail for possible gang related or security risk mail and process it pursuant to DBPPM, Section F-100, if any such mail is found;
- Deliver the outgoing mail at the end of each shift to the "Outgoing Mail Bin" in the Squad Room;
- Deliver "Return to Sender" mail to the Return to Sender bin in the Admin Office marking the reason for the return on the envelope.

Procedure C. Processing "Return To Sender" Mail**Any staff member who intends to return an item of mail to the sender will:**

- Stamp the item with the "Return to Sender" stamp;
- Attach a return to sender label to the mail marking the reason for the return;
- Ensure that the appropriate amount of postage is applied;

- Place the item in the outgoing mailbag.

If there is no return address on the item, the inmate for whom the item was intended must choose to either:

- Arrange to have a person respond to the Facility and take possession of it.
- Mail it to a person of their choosing outside the Facility at the inmate's expense.
- Authorize the destruction of the item by security staff.

If an item is received for an inmate who is no longer in custody, the item will either be:

- Returned to sender, if the sender is known.
- Mailed to the intended recipients last known address.
- Booked into the Sheriff's Property Room if not perishable.
- Destroyed if the item is perishable.

Procedure D. Possession Of Excessive Mail

Any staff member who discovers an inmate in possession of an amount of mail, periodicals, books, or newspapers in excess of that allowed by this policy will give the inmate the opportunity to either:

- Dispose of the item by destroying it.
- Mail the item to a person outside the Facility, at the inmate's expense.

If the inmate chooses to dispose of the item, the staff member will:

- Allow the inmate to dispose of the item in an appropriate trash receptacle.
- Initiate an Incident Report documenting the occurrence in detail.

If the inmate refuses to mail the item out of the Facility or to destroy it, the staff member will:

- Allow the inmate an opportunity to select which item to destroy.
- Choose the item for the inmate, if the inmate refuses to choose.
- Destroy the item by placing it in an appropriate trash receptacle, witnessed by another staff member.
- Initiate an Incident Report documenting the occurrence in detail.
- Initiate disciplinary action against the inmate pursuant to DBPPM I –100.

Procedure E. Legal Mail Supplies For Indigent Inmates

Inmates are allowed an unlimited amount of postage free legal mail to an attorney or the courts.

The Tier or Dorm Officer will:

- Obtain an unstamped legal-size envelope marked “Legal”, and 2 sheets of paper, from the Admin Clerk;
- Deliver the sealed legal mail to the Admin Clerk.

The Administration Clerk will:

- Apply sufficient postage and mail it.

Procedure F. Outgoing Legal Mail For Pro-Per Or Co-Counsel**Staff will:**

- Route the sealed, unstamped legal mail to the Administration Clerk for postage.

