



SUBJECT: Inmate Mail	PAGE <u> 1 </u> OF <u> 4 </u>
	NUMBER: 75-MAL-01
RULE/CODE REFERENCE: 5120-9-17, 5120-9-18	SUPERSEDES: 75-MAL-01 dated 10/20/14
RELATED ACA STANDARDS: 4-4487, 4-4488, 4-4491, 4-4493 4-4495, 4-4496	EFFECTIVE DATE: November 14, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to set forth policy and procedures which govern inmate mail services including mail inspections.

III. APPLICABILITY

This policy applies to all inmates and staff of the Ohio Department of Rehabilitation and Correction (DRC) and specifically mail clerk/screeners who process inmate mail and other staff who are responsible for reviewing or screening printed material intended for inmates.

IV. DEFINITIONS

E-Mail (electronic mail) - Electronic correspondence through a kiosk or JP4/5 player to individuals who have authorized JPay accounts.

Legal Mail - Mail addressed to an inmate clearly bearing the return address of an attorney-at-law, a public service law office, a law school legal clinic, court of law, or the Correctional Institution Inspection Committee (CIIC). It may be opened and inspected for contraband only in the presence of the inmate-addressee. Postcards from a court of law indicating fees and/or fines owed are not considered legal mail.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to process inmate mail in an efficient, timely manner and to regulate inmate property in accordance with Administrative Regulations 5120-9-17, Incoming Mail, and 5120-9-18, Outgoing Mail.

VI. PROCEDURES**A. General Procedures:****Regular Mail:**

1. All inmate mail and e-mail, other than legal mail, shall be opened, screened and inspected for the presence of cash, checks, money orders and/or other contraband. All mail shall be removed from the envelope. The front of the envelope shall be removed in such a way as to preserve the return address, inspected for the presence of contraband, and attached to the contents. The remainder of the envelope shall be discarded. Colored envelopes and/or colored mail contents are not permitted inside the institution. The front of the colored envelope and/or the colored contents shall be photocopied and the copies delivered to the inmate. The colored envelope/contents shall be discarded.
2. All inmate regular mail may be read or copied in the institution mail office. The written portion of the mail shall then be promptly delivered to the inmate unless it is a threat to security. Inmates shall be notified when incoming or outgoing letters are withheld in part or in full. Inmates and senders shall be notified using a Notice of Withholding (DRC4149). The inmate and sender shall receive notification using a Decision on Withholding/Correspondence (DRC4148) once a decision is made. If an e-mail is withheld and/or blocked due to content by an authorized DRC staff member, an automatic notification is sent to the sender/receiver of the e-mail and a separate Notice of Withholding (DRC4149) is not required.
3. When the inmate bears the mailing cost, there is no limit on the volume of letters the inmate can send or receive or on the length, language, content, or source of mail or publications except when there is reasonable belief that limitation is necessary to protect public safety or institutional order and security.
4. Postage and embossed envelopes shall be available for sale in the institution commissary and through DRC approved vendors. Envelopes ordered through an approved vendor will not count towards an inmate's package limits. Envelopes may not be mailed to inmates by individuals. Inmates may send one (1) letter each month at state expense to maintain community ties.

Legal Mail:

5. Legal mail containing a disc(s) that had not been pre-approved per Administrative Rule 5120-9-19, Printed Material, shall be processed as legal mail. However, the discs may be subject to verification to determine the appropriate disposition of the material.
6. Inmates are permitted to send sealed letters to and receive sealed letters from a specified class of persons and organizations including, but not limited to, the following: courts, counsel, officials of the confining authority, state and local chief executive officers, administrators of grievance systems, the Correctional Institution Inspection Committee (CIIC), and members of the paroling authority. If confidentiality is required, such mail

must be clearly addressed reflecting one of the above addresses and be marked as “legal mail.” Legal mail may be opened and inspected for contraband only in the presence of the inmate addressee and in accordance with Administrative Rule 5120-9-18, Outgoing Mail.

7. Legal mail shall be logged on the Legal Mail Log (DRC2632) and delivered to the inmate addressee within forty-eight (48) hours.

B. 1st Class Mail Enclosures

Inmates may receive the following in a first class letter:

- Photographs (5) no nude, no Polaroid (no larger than 5 x 7)
- Newspaper clippings (5) (no larger than 8 ½” x 11”)
- Pamphlets or brochures (5) (simple, single page, no larger than 8 ½” x 11”); bi fold or tri fold
- Blank stationary or copied material (5) pages, no larger than 8 ½” x 11” (including materials copied from the internet)
- Greeting cards must be single fold only (multi-fold, musical and/or “pop out” cards are prohibited)
- Postage stamps, laminated stickers, etc. are prohibited

Such enclosures are still subject to screening and possible exclusion from the institution under Administrative Rule 5120-9-19, Printed Material, and DRC policy 75-MAL-02, Printed Material.

- C. Incoming and outgoing letters shall be held for no more than forty-eight (48) hours and packages shall be held for no more than seventy-two (72) hours, excluding holidays and weekends.
- D. Letters which are incorrectly addressed may be returned to the sender after a reasonable effort to ascertain the addressee has failed.
- E. First class letters, legal mail, and packages shall be forwarded in a timely manner to the inmate’s new address, if it is known, following an inmate’s transfer or release. The inmate forwarding address shall be recorded either in the cashier’s office or DOTS Portal, based on the offender’s date of release. Both areas should be consulted to verify the forwarding address. All forwarding items shall be logged on the Mail Forwarding Log (DRC2633). All packages shall be logged on the Inmate Package Log (DRC2631) on DOTS Portal. If this information is not available in either location, first class letters and packages shall be returned to sender as established in section VI.D of this policy.
- F. All other procedures for handling incoming and outgoing correspondence are contained in Administrative Regulations 5120-9-17, Incoming Mail, and 5120-9-18, Outgoing Mail.
- G. The mail department supervisor shall complete the Monthly Mail Report (DRC2316) and submit to the responsible deputy warden with a copy maintained at the institution.

- H. DRC mailroom staff shall mail all inmates' outgoing mail addressed to the Internal Revenue Service (IRS) to the following address: Internal Revenue Service, Refund Tax Compliance, Attention: Blue Bag Room, Stop 975, Brookhaven Service Center, 1040 Waverly Avenue, Holtsville, NY 11742. Mailroom staff shall also transmit the following data on each prisoner associated with items mailed to the IRS: inmate's full name and inmate number; social security number; date of incarceration; and release date. The IRS will review the correspondence and take appropriate action. Additional information on the Blue Bag Program is available via email: prisoner_file@irs.gov or by calling the Blue Bag Hotline: 631-654-6191.

This procedure does not apply to incoming inmate mail from the IRS.

- I. A religious organization may send a religious medallion to an inmate subject to the possession limit, value limit, and certificate of ownership requirements of DRC policy 61-PRP-01, Inmate Personal Property.

Related Department Forms:

Monthly Mail Report	DRC2316
Inmate Package Log	DRC2631
Legal Mail Log	DRC2632
Mail Forwarding Log	DRC2633
Decision of Withholding	DRC4148
Notice of Withholding	DRC4149