

<p style="text-align: center;">STATE OF IOWA DEPARTMENT OF CORRECTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>		Policy Number	Applicability
		OP-MTV-01	<input checked="" type="checkbox"/> DOC <input type="checkbox"/> CBC
		Policy Code	Iowa Code Reference
		Public Access	N/A
Chapter 5	Sub Chapter	Related DOC Policies	Administrative Code Reference
OFFENDER PROGRAMS	MAIL, TELEPHONE, AND VISITING	N/A	201-20.4, 201-20.5
Subject		ACA Standards	Responsibility
OFFENDER CORRESPONDENCE		4-4266, 4-4280, 4-4487, 4-4488, 4-4489, 4-4490, 4-4491, 4-4492, 4-4393, 4-4494, 4-4495, 4-4496	Jerry Bartruff Diann Wilder- Tomlinson
		Effective Date	Authority
		November 2013	John Baldwin Director Signature on file at Iowa DOC

I. PURPOSE

To describe opportunities Iowa Department of Corrections (IDOC) offenders have for maintaining written correspondence with non-offender members of the community.

II. POLICY

It is the policy of the IDOC to encourage constructive correspondence between offenders and their family and friends that supports law-abiding behavior. Correctional administrators shall structure policies to ensure offender responsibility for accuracy and honesty in official and personal correspondence. Institutions are responsible for a safe, secure, and orderly procedure for offender use of the mail. **(4-4487)**.

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III. DEFINITIONS

- A. Immediate Family – **An offender’s spouse, mother, father,** sister, brother, child, grandparent, established legal guardian, or other who acted in place of parents and step or half-relation if the step or half-relation and the offender were raised as cohabitating siblings.
- B. Justifiable Cause – (includes but not limited to) The correspondence presents a threat to the order and security of the correctional institution or any complaint or request from a recipient of offender correspondence suggesting the correspondence violates correctional principles or is inappropriate or inaccurate.
- C. O-Mail – This is a system that is similar to email but is not connected to the internet. Electronic mail that can be sent to and from offenders and public.
- D. See Policy **AD-GA-16** for additional definitions.

IV. PROCEDURES

- A. General Provisions
 - 1. Non-Confidential mail may be read. This may be on a random, selected or blanket basis.

2. Non-confidential mail may be read when there is suspected abuse of correspondence or potential threat to the order and security of the institution. Each facility shall develop specific procedures for authorization of regular monitoring of mail to and from designated individuals.
3. Correctional staff shall inspect all non-confidential correspondence and packages, both incoming and outgoing. Each institution shall have guidelines for the amount and type allowed consistent with the security and life safety requirements of the institution. **(4-4493)**
4. Except as authorized by this policy, no mail lists will be maintained restricting persons from writing to offenders or offenders writing to persons in the public.
5. Mail to a particular individual may be restricted upon written request or by phone of that individual. The offender shall be informed of the request and ordered to cease all correspondence to that individual.
6. All letters mailed by offenders shall be left unsealed for inspection of the contents only.
7. Envelopes shall contain letters to the addressee only. The Warden/Superintendent or designee may make exceptions for immediate family members residing at the same address.
8. With the exception of weekends and holidays, incoming and outgoing letters are held for no more than 24 hours and packages are held for no more than 48 hours prior to distribution. Correspondence requiring further security review or translation per the provisions of this policy may be held for up to five days prior to a decision regarding distribution. Additional time for review may be approved by the Warden. In such cases, the offender shall be notified in writing.
9. Circumstances such as disturbance, natural disaster or similar constraints, may result in a longer time period prior to distribution. **(4-4491)(4-4495)**
10. Offenders may correspond in a foreign language. Such correspondence may be inspected and translated.

11. Stamped, return-addressed envelopes for all outgoing letters are available for purchase by the offender through ISI canteen services.
12. The sender's full name shall be signed in full and printed at the end of the letter. The sender's printed name and address shall appear in the upper left-hand corner of the envelope. **The offender's** name, number, address, city, state, and zip code shall also appear on the envelope.
13. No limit shall be placed on the number of letters mailed. Offenders in an indigent status shall be given assistance which may be recoverable. Assistance limitations shall be set by the institution but shall not be less than two envelopes per week if requested and used by the offender. **(4-4488)(4-4489)**.
14. Offenders are prohibited mailing **the "Bill Me Later" subscription** cards available in magazines, as this is seen as entering into a contract.
15. Offenders are prohibited from correspondence that includes confidential information such as social security numbers, bank account numbers, etc. of a third person.

B. Correspondence Guidelines

1. Generally, mail privileges should be no more restrictive than visiting privileges.
2. Current IDOC employees and contract staff who are members of **the offender's immediate family may be approved mail privileges** with approval by Warden/Superintendent or designee.
3. Current volunteers, generally, shall not be allowed normal personal mail/O-mail with any offender. Where a familial relationship exists, and only in consultation with the Deputy Director of Offender Services, the Warden/Superintendent may authorize normal personal mail/O-mail privileges concurrently with the provision of volunteer services.
4. Current volunteers, for specific identified purposes upon authorization of the Deputy Director of Offender Services, may be authorized to have mail/O-mail contact with designated offenders.

5. Former IDOC employees, and contract staff who left employment in good standing, who are not immediate family may be allowed mail privileges six months after they have left employment with approval by Warden/Superintendent or designee.
6. Former volunteers, who left volunteer status in good standing may, upon approval of the Warden/Superintendent, be allowed mail/O-mail privileges with offenders six months following termination of volunteer status.
7. Former volunteers who were removed from volunteer status as a result of misconduct shall not be allowed mail/O-mail privileges unless a familial relationship exists with the offender. Where a familial relationship exists, the Warden/Superintendent may consider authorization of mail/O-mail privileges. The nature of the misconduct shall be a significant factor in the approval decision.
8. Persons under correctional supervision or detention in the community shall not be allowed to correspond with offenders; exceptions may be made for immediate family. Institutional procedures shall identify the designated approval authority for these exceptions and shall, at minimum, include provisions for offender notification, documentation in generic notes, and notification of mailroom personnel. Though not required, e-mail is an appropriate method for inter-institution and intra-institution staff communication and notification.
9. Correspondence between offenders and former offenders shall not be permitted for a minimum of six months following discharge from supervision. Exceptions for members of the immediate family may be made. After six months correspondence between offenders and former offenders may be authorized by the Warden/Superintendent when such correspondence is determined to be in the best interests of the offender and poses no threat to security. All exceptions shall be determined through procedures established at each facility.
10. Mail privileges may be restricted or suspended between an offender and a person who evidence suggests pose a potential risk to the security of the institution. This applies but is not limited to, individuals whose correspondence contains references to Security Threat Group affiliation or activity or correspondence written in code. Where such correspondence is discovered it may be rejected, with written notice of rejection provided to both. Where

such correspondence continues after several rejections and notice provided to both that continued correspondence of that nature may result in suspension of the correspondence privileges. The Warden may suspend correspondence privileges for a period of up to one year. The decision of the Warden may be appealed by letter to respective regional Assistant Deputy Directors.

11. Offenders may not have any contact, including by mail or through third parties, with victims or the victim's household of their commitment offense or previous offenses. All exception requests shall be reviewed on a case-by-case basis by IDOC office of Victim Services in conjunction with the institutional Associate Warden/Treatment prior to approval or denial.
12. Sex offenders with minor victims are prohibited from corresponding with minors outside their immediate family. Sex offenders with minor victims shall normally be allowed correspondence privileges with minors in their immediate family unless a victim of the current or previous offense is a member of the immediate family. Exceptions may be approved by the IDOC Office of Victim Services in consultation with the Associate Warden of Treatment.
13. Persons under the age of 18, who are not immediate family, must provide the institution notarized written permission of the parent or legal guardian before corresponding with an offender.
14. Misuse of mail shall result in institution discipline and/or be reported to the United States Postal Inspector or other state or federal agencies for action.
15. Additional security procedures may apply to offenders who are placed in any type of segregation status. **(4-4266)**
16. Wardens/Superintendents or designee may make individual exceptions.

C. Confidential

1. Offenders may write confidential letters to:
 - a. Officers of federal, state or municipal courts (judges, judge's law clerks, prosecuting attorneys, military personnel records, court administrators).

- b. Federal agencies' chief administrative officer, elected, appointed officials, and including Consulate or Diplomatic **Representative of offender's country of citizenship.**

(4-4280)

- c. State agencies' chief administrative officer, elected or appointed officials.
- d. Clerk of Court
- e. The sentencing State Department of Corrections chief executive officer and deputy directors
- f. Sentencing State Board of Parole
- g. Attorney
- h. **The Citizens Aide Office/Ombudsman's Office**
- i. Any additional exception by law or policy
- j. Civil Rights Commission

- 2. Envelopes containing confidential correspondence should be marked as "confidential" by the sender.
- 3. **Mail to or from the Office of Citizens' Aide/Ombudsman shall not be** opened for inspection by staff. Offenders are not required to open the mail at the direction of staff that is to/from the Ombudsman office. **Mail from the Office of Citizens' Aide/Ombudsman to** offenders will be sent via the state contracted courier service.
- 4. Mail from the confidential listing may be opened only in the presence of the offender for contraband inspection or to be assured the contents are from the addressee.
- 5. Confidential mail may not be read without order of the court. Staff may search incoming/outgoing confidential mail for contraband in the presence of the offender and request the offender to seal the envelope in their presence after the search. **(4-4492).**
- 6. Attorneys may not send in flash drives/thumb drives to offenders.

D. Non-Confidential Incoming Mail

1. All incoming mail must be sent directly from the individual who wrote the correspondence.
2. Correctional staff shall inspect all non-confidential correspondence and packages. To facilitate institutional inspection of first-class mail, enclosures other than the written correspondence shall be limited to the following:
 - a. Photographs including snapshots or digital photos of appropriately clothed individuals. Undergarments are not considered as appropriately clothed. Outer garments, including swimsuits, must substantially cover female breasts, as well as genitalia and buttocks of both males and females. Additional restrictions may apply for treatment purposes.
 - b. Clippings from authorized published material.
 - c. Copies of Internet material, unless deemed a security risk/threat. Each institution shall have guidelines for the amount and type allowed consistent with the security and life safety requirements of institution.
 - d. Attachments/enclosures sent in with mail may be limited to ten pages or pictures.

(4-4490)

3. Reasonable size restrictions and attachments to envelopes may be imposed by each institution.
4. Each institution shall have written procedures for the forwarding of first-class letters and packages after an offender's transfer or release. **(4-4496)**

E. Non-Confidential Outgoing Mail

1. All outgoing mail must be sent directly to the individual that the correspondence is written to. **Using the individual's full name.**
2. All items using parcel post outgoing mail shall be packed and sealed by staff.

3. All outgoing mail shall only contain a return address, which includes **the offender's printed** full name and number as well as the institution address.
4. At the directive of staff, offenders shall discontinue correspondence with individuals who have expressed in writing or by phone the desire not to receive additional correspondence from a particular offender.
5. Offenders shall be denied mail privileges with persons that might present a risk to the order and security of the institution.

F. O-Mail

1. O-mail for offenders shall be governed by institutional procedures. By its very nature, O-Mail is not confidential. All incoming and outgoing O-mail may be inspected and read. The guidelines outlined in this policy apply to electronic mail.
2. Offender family and friends shall be responsible for signing up on the corrlinks internet site to enroll in the O-mail system: <http://www.corrlinks.com>.
3. O-mail is limited to 14000 characters, approximately two pages and no attachments per message.
4. There is a cost for sending O-mail which shall be the responsibility of the sender.

G. Internal Revenue Service – **"Blue Bag Program"**

1. Institutions will secure any mail designated specifically for the IRS **in the "blue bag". A "blue bag" will be set up for each** facility.
2. The bag is mailed directly to the IRS office where it will be reviewed and processed. Postage will be incurred by the institution. If fraud or illegal activity is discovered, the postage cost will be reimbursed by the offender through the institutional discipline process. The blue bag will be returned to the sending institution by the IRS.

H. Disposition of Contraband

1. Each institution shall develop procedures regarding the process whereby offenders resolve correspondence issues. The institution may develop an internal appeal process or use the state wide grievance process.
2. Each institution shall have written procedures for disposition of contraband. **(4-4494)**
3. When mail is rejected the mail shall be returned to the sender with postage costs assessed to the offender. When mail includes items of contraband which are not illegal to possess under the law, the correspondence (if otherwise in accordance with this policy) may be forwarded to the offender. Such contraband items may, at the direction of the offender, be returned to the sender with postage costs assessed to the offender, destroyed, or donated (as appropriate) to a charitable organization designated by the Warden/Superintendent or designee.