IS13-1.1 Offender Mail Procedures

I. PURPOSE: This procedure is established to ensure that offender mail is handled in an efficient and equitable manner throughout the divisions. Offender mail, while important in allowing and encouraging offenders to maintain family and community relationships, must be controlled to ensure the safety and security of the institutions and the public.

A. AUTHORITY: Sections 217.175, 217.275 RSMo

B. APPLICABILITY: Department staff members at any facility or institution under the jurisdiction of the division of adult institutions or the division of offender rehabilitative services. The chief administrative officer or designee of any facility housing offenders under the jurisdiction of the division of adult institutions or the division of offender rehabilitative services will develop standard operating procedures based on the guidelines established herein.

C. SCOPE: Nothing in this procedure is intended to give a protected liberty interest to any offender. This procedure is intended to guide staff member's actions.

II. DEFINITIONS:

A. Bubble Envelopes: An envelope with a liner consisting of small closed cell air pockets created in the shape of a bubble, designed to keep the contents of the envelope from being broken, smashed, bent or otherwise damaged during mailing, shipping or extended storage.

B. Censorship Committee: A group, established by the chief administrative officer (CAO), consisting of at least 2 supervisory level staff members that review incoming, outgoing and impounded items to determine whether they meet the guidelines contained in institutional services procedures regarding censorship.

C. Censorship: The withholding of otherwise permissible items of correspondence, written or recorded material or picture.

D. Chief Administrative Officer (CAO): The highest ranking individual at the worksite, as designated below. Exception: Staff members at the worksite who do not report to the worksite CAO will be accountable to the deputy or assistant division directors or central office section heads who are in their chain of command.

1. Director’s Office
   a. Deputy Department Director

2. Department Sections in the Director’s Office
a. Deputy Department Director  
b. Central Office Section Heads  

3. Division of Probation and Parole  
a. Division Director or designee  
b. Chief State Supervisor  
c. Assistant Division Director or designee  
d. Regional Administrator  
e. Superintendents  
f. Field Service Administrators  
g. District Administrators  

4. Division of Adult Institutions  
a. Division Director or designee  
b. Deputy Division Director or designee  
c. Assistant to the Division Director or designee  
d. Wardens  

5. Division of Offender Rehabilitative Services  
a. Division Director or designee  
b. Assistant Division Director or designee  
c. Wardens  
d. Central Office Section Heads  

6. Division of Human Services  
a. Division Director or designee  
b. Central Office Section Heads  
c. Regional Training Administrators  

E. Interpreter: A department staff person or person from the community with a proficient knowledge of a non-English speaking offender’s native language, who is willing to translate written or verbal information to and from English, and who has been approved by the warden or designee.  

F. Non-English Speaking Offender: An offender who does not speak English as his primary language, and who has a limited ability to read, speak, write or understand English.  

G. Immediate Family: For the purpose of this procedure, immediate family is defined as the offender’s:  

1. spouse,  
2. parents or stepparents, mother-in-law, father-in-law and their spouses,  
3. siblings or stepsiblings and their spouses,  
4. grandparents or step-grandparents and their spouses,  
5. great-grandparents or step-great-grandparents and their spouses,  

1 All references in this procedure to the male gender are used for convenience only and shall be construed to include both female and male genders.
6. children or step-children and their spouses,
7. grandchildren or step-grandchildren and their spouses, and
8. great-grandchildren or step-grandchildren and their spouses.

H. **Nude Pictures:** Any picture showing the human male or female genitalia, totally nude buttocks, pubic area or any part of the female nipple including the following:

1. Any picture that appears to be of a child, male or female, that is bare chested will be considered a nude picture.
2. Any pictorial depiction with less than a fully opaque covering is considered a nude picture. Opaque refers to something impervious to the passage of light or not transparent, and that cannot be removed or made transparent by the viewer.
3. Any picture displaying g-string or thong style apparel will be considered a nude picture.
4. Pictures in a magazine or other publication of general circulation shall not be considered a nude picture.
5. Computer generated pictures or pictures that appear to be from the Internet will be considered nude pictures.

I. **Padded Envelope:** An envelope with a liner consisting of fiber or layered plastic, designed to keep the contents of the envelope from being broken, smashed, bent or otherwise damaged during mailing, shipping or extended storage.

J. **Periodical:** Any magazine, newspaper or information type packet, except books, which is distributed on a regular basis.

K. **Picture:** A visual representation of a person, object or scene, including but not limited to photographs, drawings, cartoons or sketches.

L. **Privileged Mail:** Mail being sent to, or received from, consulates, judges, attorneys, courts, elected and appointed state officials, sheriffs, chief administrative officers, associates or assistants and central office section heads. Mail received from privileged categories will be determined by the return address on the envelope.

M. **Probable Cause:** When there is physical evidence or trustworthy information which would support a determination that any inappropriate written material or other inappropriate material are concealed.

N. **Reasonable Suspicion:** When the observations, experience, training and education of a person cause a determination to be made that inappropriate materials are concealed.

O. **Recorded Materials:** Including, but not limited to, compact discs, audio tapes, and cassette tapes.

**III. PROCEDURES:**

A. **REQUESTS FOR TERMINATION OF OFFENDER CORRESPONDENCE:**

1. There shall be no restrictions on the number of persons to whom an offender may write or the number of letters an offender may mail except as outlined in this procedure.
2. Persons who do not wish to receive mail from an offender may request in writing that the correspondence be terminated.
   a. This will include the parent or legal guardian of any person who is under 18 years of age.
   b. The offender should be informed verbally and in writing by an institutional staff member that the correspondence is not to be continued.
   c. Such correspondence should not be resumed unless authorized in writing by the person wishing to resume correspondence.
   d. Written documentation should be placed in the offender’s classification file and a notation made in the chronological record any time a restriction is imposed or withdrawn in accordance with institutional services procedure regarding classification files.

B. OFFENDER TO OFFENDER CORRESPONDENCE:

1. Offenders may correspond with offenders at other institutions, but may not correspond with other offenders within the same institution in accordance with the conditions in this procedure section.

2. Offenders will not be permitted to correspond with other offenders within the same institution or offenders in administrative segregation at other institutions, except for immediate family as approved by the CAO. Where 2 institutions are located on the same property, the CAO may permit offenders to correspond between the institutions per standard operating procedures (SOPs).

3. Offenders who are in administrative segregation may not correspond with offenders at other institutions unless the recipient is a part of a verified joint legal action and then only with the approval of the applicable CAO or designee.

4. All offender to offender correspondence is subject to the following guidelines:
   a. Offenders are not permitted to enclose legal work to other offenders unless the recipient is a part of a verified joint legal action and then only with the approval of the applicable deputy warden or designee.
   b. Offenders are not permitted to enclose conduct violations, policies and procedures.
   c. Offenders are not permitted to enclose envelopes, stamps, pictures or other personal property items.
   d. Mail may be regularly read by mailroom staff members for evidence of illegal activities or violation of institutional, divisional or departmental procedures.
   e. Mail which contains questionable material should be immediately submitted to the deputy warden for review.
      (1) Such material may result in disciplinary action and may also result in restricting the offender’s mailing privileges in accordance with institutional services procedures regarding conduct rules and sanctions.
      (2) Written documentation concerning the correspondence, a copy of the correspondence and any action taken should be placed in the offender’s classification file in accordance with institutional services procedure regarding classification files.
g. Mail to another offender can only contain correspondence from the offender sending the mail.

C. GENERAL INFORMATION:

1. All offenders must process their mail through the institutional mail room. No person, either staff, volunteer or visitor, is permitted to bring in or take out any mail or other article for an offender except as provided in institutional services procedures regarding offender visitors.

2. Correspondence by audio or video tapes or computer media will not be permitted except for the following reasons:
   a. CDs and DVDs will be permitted for legal purposes in accordance with this procedure regarding incoming offender mail and institutional services procedures regarding offender property and control,
   b. audio tapes as approved by the chief administrative officer (CAO), such as for visually impaired offenders,
   c. study programs as provided in institutional services procedures regarding offender property and control procedures, or
   d. for participation in special programs developed by the department.

D. NON-ENGLISH PUBLICATIONS AND CORRESPONDENCE:

1. A reasonable effort will be made to translate incoming and outgoing mail not in English.

2. The mailroom supervisor will forward the mail to the deputy warden who will determine within 10 working days whether an interpreter is available to translate the mail.
   a. The offender will be notified that mail has been received and is being processed for translation.
   b. If an interpreter is not available, the mail will be forwarded to the censorship committee for review in accordance with institutional services procedures regarding censorship.
   c. If an interpreter is available, the mail will be translated and forwarded to the offender within 10 working days.
   d. If after translation, the item is found to not meet the censorship guidelines, it will be processed in accordance with institutional services procedures regarding censorship.

3. Other offenders shall not be utilized to interpret mail.

4. Interpreters will be approved by the CAO or designee.

E. OUTGOING MAIL:

1. All offender mail being sent out of the institution must be delivered to the institutional mailroom or designated pickup point unsealed with the exception that privileged mail may be sealed.

2. Offenders will be held responsible for correspondence contents.
a. A conduct violation report should be issued by the finding staff person if evidence of violation of a departmental, divisional or institutional procedure is found during examination of correspondence in accordance with institutional services procedures regarding conduct violation reporting.

b. When there appears to be a violation of state or federal law, the investigation unit shall be contacted in accordance with department procedures regarding investigation unit responsibilities and actions. The investigator will determine the appropriate law enforcement agency contacts, if necessary.

c. All such correspondence should be impounded and held as evidence in accordance with institutional services procedures regarding offender property and control.

3. The offender will be responsible for ensuring that all envelopes are correctly completed.

a. The appropriate postage must be placed in the upper right corner of the envelope.

   (1) Offenders who are sending mail to departmental staff members in their official capacities may utilize the inter-departmental mail system.

b. The return address must be located in the upper left hand corner of the envelope and must include:

   (1) the offender’s complete commitment and/or legal name,

   (2) department number,

   (3) housing unit,

   (4) the institution name and institution address.

c. The receiver’s address must be located on the same side of the envelope as the return address and must contain the receiver’s name and complete address.

   (1) Only the sending address and return address will be permitted on this side of the envelope.

   (2) Envelopes with other writing and/or drawings on this side will be returned to the offender.

   (3) Writing or drawings on the other side of the envelope are permitted as long as they are not inappropriate or offensive.

d. Mail not having appropriate postage should be returned to the offender with the amount of necessary postage noted.

   (1) Exception: For insufficient postage of mailings to the U.S. District Court for the Western District of Missouri staff members will follow procedures as outlined in the access to attorneys and courts procedure.

e. If the appropriate information is not on the envelope, the mail will be opened and sent back to the owner, if the owner can be determined. If not, the mail will be disposed of per SOP.

f. All outgoing offender mail will be marked with the following notation:
4. All outgoing mail except privileged mail, will be subject to examination or reading for unauthorized items, threats to institutional security, the safety of employees or offenders and evidence of any illegal activity.

5. Outgoing privileged mail may be read or inspected if the CAO determines probable cause exists to indicate a need to do so. The CAO will provide a written directive to the designated staff member to read or inspect the privileged mail in the presence of the offender. This written directive from the CAO must be placed in the offender’s classification file in accordance with institutional services procedure regarding classification files.

6. Mailroom staff will stamp mail being sent to department staff members and privileged mail with the institution’s name in red ink.
   a. The stamped name will be located immediately below or to the right of the return address.
   b. The stamped mail will not interfere with the mailing address or postage.

7. Examination and forwarding of outgoing mail should be completed within 2 working days of receipt by the institutional mailroom.

8. Any unauthorized article or substance found in outgoing offender mail including any type of body fluid, hair, powdery substances or other substances which may appear to create a health or sanitation hazard, may cause the letter and contents to be impounded.
   a. Mailroom staff members will contact the control center, and control center staff members will follow procedures in accordance institutional services regarding hazardous materials.
   b. A conduct violation report for contraband should be issued to the offender in accordance with institutional services procedures regarding conduct violation reporting.

9. All pictures of an offender sent out of the institution must be of the offender wearing full state-issued uniforms. The uniform must be worn appropriately in accordance with institutional services procedures regarding offender personal appearance and grooming.

10. Mailroom staff members should send a copy of the rejection of mail form to the offender notifying him of the refusal to mail any outgoing correspondence, along with the reason for the refusal, any instructions and/or the disposition of the affected correspondence or item. The rejection of mail form shall be kept on file in accordance with departmental procedures regarding records retention.
    a. Notification may be withheld beyond normal time frames when there appears to be a violation of state or federal law and notification could impede investigation.
    b. Upon completion of investigation, the offender should receive appropriate notification.

11. U.S. Postal Service priority mailing containers will be maintained in the mailroom and made available upon request.

F. INCOMING MAIL:
1. All incoming mail should be delivered to the institutional mailroom where the mail will be sorted, examined and sent to the offenders. All items must meet censorship requirements.

2. Mail should be opened in the mailroom and examined for unauthorized articles or substances including any type of body fluid, hair, powdery substances or other substances which may appear to create a health or sanitation hazard (this does not include lipstick or perfume). Items other than those listed within this procedure are not permitted.

   a. Mailroom staff members will contact the control center, and control center staff members will follow procedures in accordance institutional services regarding hazardous materials.

   b. Envelopes with labels or stickers attached to the envelope will be permitted.

   c. Bubble and padded envelopes will not be accepted and are subject to immediate return with the exception of parcels containing legal and privileged mail. All other parcels received in a bubble or padded envelope will be marked “Return to Sender” – Bubble and Padded Envelopes Prohibited.

      (1) Should an offender receive a bubble or padded envelope containing legal or privileged mail, the envelope will be opened in the presence of the offender and the contents will be inspected by a staff member.

      (2) The offender shall be allowed to retain the approved contents of the envelope and will be given the opportunity to copy any written inscription from the envelope, prior to it being destroyed by the staff member.

      (3) The offender may be provided a plain envelope in which to store the approved contents from the bubble or padded envelope as outlined in SOP.

   d. Labels, stickers or stamps (including postage stamps) inside envelopes are not permitted.

      (1) Postage stamps will only be purchased from the offender canteen.

   e. Envelopes with writing or drawings other than the address will be permitted, as long as the writings or drawings meet censorship guidelines.

   f. Blank envelopes enclosed in mail are not permitted unless they are preprinted self-addressed envelopes from a business or the offender’s legal counsel in accordance with institutional services procedures regarding access to attorneys and courts.

   g. Clippings or Enclosures – 5 pieces of paper (up to 8-1/2 x 11) will be permitted in addition to the letter (drawings and cartoons are considered clippings).

      (1) Exception: To assist offenders with their reentry efforts, reentry partners (as addressed in institutional services procedures regarding access to facilities) will be allowed to send an offender up to 5 brochures, in addition to a cover letter related to services they provide. There is no limit on the number of pages per brochure.

   h. Pictures:

      (1) pictures that meet the guidelines established in institutional services procedures regarding offender property and control will be permitted;
(2) pictures of nude persons will not be permitted and will be processed in accordance with institutional services procedures regarding censorship;

(3) two-ply pictures will not be permitted;

(4) computer generated and/or photocopied pictures will be considered pictures; and

(5) pictures of an offender will not be permitted.

i. Catalogs which specify an offender's name and department number will be sent to the offender.

   (1) Bulk-rate catalogs will be sent to the library.

   (2) The library may keep a reasonable number of current catalogs of each type for use by all offenders.

j. Calendars must be purchased in accordance with institutional services procedures regarding offender property and control or sent in at no cost from a vendor.

   (1) The calendar must be no larger than 11” x 17” when open.

   (2) The calendar must not have a metal spiral or other security concerns.

k. Greeting cards must not exceed 8 1/2” x 11.” Mechanical greeting cards or cards which contain batteries or metal pieces will not be permitted.

l. Unauthorized items should be confiscated and a rejection of mail form completed by mailroom staff members and a copy of the form maintained in accordance with departmental procedures regarding record retention.

   (1) A copy of the rejection of mail form should be sent to the offender,

   (2) The correspondence containing the contraband and all contents will be returned to the sender with a copy of the rejection of mail form enclosed.

   (3) Unauthorized free items contained in publications shall be removed and discarded as long as the publication is not otherwise subject to being censored pursuant to this procedure. If the publication is not censored, the publication will be given to the offender once the unauthorized free items are removed and discarded.

3. For security reasons, all incoming privileged mail from outside sources shall be opened and inspected in the presence of the offender as outlined in SOP.

   a. If during the inspection there is probable cause to believe the mail should be read, the staff person will place the mail contents back in the envelope, secure the envelope, and submit a request to the CAO.

   b. The CAO will make a determination within 5 working days. If the CAO determines probable cause exists, they will provide a written directive to the designated staff person to read the privileged mail in the presence of the offender.

   c. This written directive from the CAO and the initial request must be placed in the offender's classification file.
4. Mail, other than privileged mail, will be subject to reading as follows:
   a. offender to offender correspondence will be read as outlined in this procedure;
   b. if workload and time permits, mail should routinely be read for content which may compromise
      the safety and security of offenders, staff members and/or the institution; and
   c. when there is reasonable suspicion to believe that threats to institutional safety and security or
      evidence of illegal activity or violations exist or have occurred and only as authorized by the
      CAO or designee in writing.
      (1) Such action should be documented in writing and placed in the offender’s classification file
      along with any other written information concerning such in accordance with institutional
      services procedure regarding classification files.

5. All correctly addressed and appropriate incoming mail should be examined and delivered to the
   receiving offender within 2 working days of receipt by the institutional mailroom.

6. Mail from persons who are not offenders may contain letters from more than one person, but all
   letters must be to the offender who receives the mail.

7. Institutional mailroom staff members may write delivery information on the envelope.

8. Mail incorrectly addressed may be temporarily delayed until staff members have sufficient time to
   identify the offender, at which time it will be delivered. If identification cannot be made, reasonable
   efforts should be made to return the mail to the sender.

9. Mailroom staff members should send the rejection of mail form to the offender as notification of the
   nondelivery of any incoming mail or item. This will include the reason for nondelivery, any
   instructions and/or the disposition of the affected correspondence.

G. MAILING PACKAGES:

1. The CAO may permit the mailing of packages to offenders as outlined in institutional services
   procedures regarding offender property and control procedures.

H. CENSORED PUBLICATIONS/CORRESPONDENCE/PICTURES:

1. Offenders shall not be allowed to possess any item which is addressed in institutional services
   procedures regarding censorship.

I. UNAUTHORIZED AGREEMENTS, ACTIVITIES AND/OR SOLICITATIONS:

1. An offender shall not enter into credit agreements or any activity for which he would receive monies,
   installment purchase arrangements, contracts, form a corporation, perform any corporate work,
   represent any business firms or conduct any type of business operations by mail.

2. The only exception is when an offender is in the transition phase, preparing for release.
   a. These offenders should be permitted to receive and process paperwork for benefits, housing,
      employment, training, education, etc., as approved by the offender’s functional unit manager or
      designee.
3. Mailroom staff members identifying any outgoing offender correspondence involving purchases on credit, billing after delivery or payment on delivery arrangements should return the item to the sending offender.

4. Mailroom staff members should refuse incoming payment on delivery correspondence to offenders.

5. Incoming merchandise with accompanying bills for payment should be held in the institutional mailroom or other designated area as outlined in SOP.
   a. The vendor should be advised by mail that such a procedure is not permitted and that merchandise received will be returned to the sender upon receipt of adequate return postage.
   b. If return postage is not received from the vendor within 30 days of mailing the notification, the merchandise may be donated to a local charity or disposed of per SOPs.

6. Offenders shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods or services, including advertising for pen pals.

7. Offenders are not authorized to participate in, join or have their names posted on any websites with the sole purpose of pen pals.

8. Offenders are not prohibited from corresponding with pen pals, but shall not place ads soliciting pen pals.

9. Offenders are prohibited from correspondence or materials from persons or groups marketing advertising services, or from subscribing to advertising services. This does not apply to those websites proclaiming the offender's innocence (for example: freexxx.com, etc.).

10. Offender pen pal websites will be monitored to ensure offenders are not participating in offender websites.

11. Offenders who post ads or have ads posted with the assistance of another person shall be subject to a conduct violation and appropriate disciplinary action in accordance with institutional services procedures regarding conduct rules and sanctions.

12. Offenders who can show they have made a good faith effort to have their name removed from a website, without success, may avoid disciplinary action.
   a. A good faith effort includes certified correspondence from the company or the offender that indicates the offender has requested to be removed from the website.

13. Offenders who indicate they were not aware of being listed on a pen pal website should be given a directive to have their information removed from the website within 30 calendar days.
   a. SOPs will address which staff will be designated to follow-up with the offender confirming that their information has been removed from the website.

J. OFFENDER PERSONAL LETTERS AND PUBLICATIONS:

1. Offenders may be permitted to retain a reasonable number of personal letters and publications.

2. A reasonable number of letters and publications in the possession of an offender entering an institution should be inspected for unauthorized articles or substances and returned to the offender within 2 working days.
3. If the number of letters and publications retained by an offender creates a fire hazard or interferes with institutional operations, institutional services procedures regarding offender property and control procedures should be followed.

4. Publications in an offender's possession will not be displayed in such a way as to be offensive to other offenders or staff members.
   
   a. Offenders will not be permitted to display any photographs, pictures or drawings depicting nudity in their cells, rooms or cubicles.

5. Offender mail should be forwarded as follows:
   
   a. The offender is responsible for notifying publishers or correspondents of his new address.
   
   b. First class mail and publications should be forwarded for a period of 30 days when transferred to another institution.
   
   c. First class mail and publications should be forwarded for a period of 30 days to offenders who are released, if a forwarding address has been left with the mailroom.
   
   d. Reasonable efforts will be made to return first class mail received after the 30 day period.
   
   e. Bulk rate mail will not be forwarded.

K. CORRESPONDENCE BETWEEN VOLUNTEERS AND OFFENDERS:

1. Correspondence may be permitted between volunteers and offenders.

2. Volunteers wishing to correspond with an offender should submit a request in writing to the institutional activities coordinator or designee. Inter-departmental mail may be used.

3. All correspondence between the volunteer and offender must be channeled through the institutional activities coordinator.
   
   a. The only exception is that Salvation Army correspondence addressed to offenders regarding applications, interviews and placement in adult rehabilitation programs upon release will be mailed directly to the offender.

IV. REFERENCES:

A. 931-3798 Rejection of Mail
B. D1-8.1 Investigation Unit Responsibilities and Actions
C. D1-11.3 Record Retention
D. IS6-1.3 Offender Personal Appearance and Grooming
E. IS7-1.4 Classification Files
F. IS8-1.1 Access to Attorneys and Courts
G. IS13-1.2 Censorship Procedures
H. IS13-3.1 Offender Visitors
I. IS18-6.2 Access to Facilities
J. IS19-1.1 Conduct Rules and Sanctions
K. IS19-1.2 Conduct Violation Reporting
L. IS22-1.1 Offender Property and Control Procedures
M. IS24-1.13 Hazardous Materials
V. HISTORY: This procedure previously contained in Division Rule 118.010 Offender Mail and Telephone Calls. Originally effective November 1, 1980; revised June 15, 1984 and November 19, 1984.

A. Original Effective Date: February 17, 1989
B. Revised Effective Date: July 15, 1991
C. Revised Effective Date: June 1, 1992
D. Revised Effective Date: October 15, 1992
E. Revised Effective Date: April 1, 1995
F. Revised Effective Date: June 17, 2002
G. Revised Effective Date: May 11, 2003
H. Revised Effective Date: February 7, 2005
I. Revised Effective Date: June 20, 2005
J. Revised Effective Date: December 30, 2005
K. Revised Effective Date: January 30, 2006
L. Revised Effective Date: May 1, 2006
M. Revised Effective Date: December 17, 2009
N. Revised Effective Date: May 22, 2010
O. Revised Effective Date: March 9, 2012
P. Revised Effective Date: September 23, 2013
<table>
<thead>
<tr>
<th>Reason for Rejection</th>
<th>Details</th>
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<td>1. Return address incorrect or incomplete</td>
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<td>2. Offender's complete commitment and/or legal name and DOC number</td>
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<td>3. Institutional name (no abbreviations)</td>
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<td>4. Housing unit</td>
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<td>5. Street address or post office box</td>
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<td>6. City, state, zip</td>
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<td>7. Postage due</td>
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<td>8. Mail was received from</td>
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<td>9. And contained the following contraband or unauthorized items</td>
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<td>10. Mail was sent out by you and contained the following contraband or unauthorized items</td>
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<td>11. Non-privileged mail was sealed</td>
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<td>12. Other explanation</td>
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**Internal Information**

**Instructions**

**Signature**

**Date**

**Notes**

[State of Missouri Department of Corrections Rejection of Mail Form]