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Policies, Directives and Instructions Manual

Minnesota Department of Corrections

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<b>Division Directive:</b>	<b>302.020</b>	<b>Title: Mail</b>
<b>Issue Date:</b>	<b>6/5/12</b>	
<b>Effective Date:</b>	<b>7/3/12</b>	

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**AUTHORITY:** [Minn. Stat. §241.01, subd. 3a \(b\)](#)

**PURPOSE:** To establish guidelines for the processing of incoming and outgoing mail at all facilities.

**APPLICABILITY:** Minnesota Department of Corrections (DOC); all facilities

**DIRECTIVE:** When the cost is borne by the offender, there is no limit on the number of letters an offender can send or receive, or on the length, language, content, or source (reasonable belief that a limitation protects the public safety, the rehabilitation of the offender, or facility order and security. Juvenile facilities may pay for postage mailed to parents, representatives, and attorneys. All mail (including staff mail) is subject to search for security reasons, except staff mail sent to the warden/superintendent’s office, human resources, or the attorney general’s office.

Facilities may develop instructions to implement this policy. Work release programs may develop instructions to adapt the procedures to their specific operational needs.

**DEFINITIONS:**

Complete return address - includes sender’s name, street address, city, state and zip code.

Contraband - as defined in Division Directive [301.030](#), “Contraband.”

Emergency - any significant disruption of normal facility operations, such as riot, escape, fire, natural disaster, employee action, or other serious incident.

Electronic message - any electronic, computer-based, written communication received for an offender from a person using the O-mail program (see Division Directive 302.021, “Electronic Mail”).

Incarcerated offender - any person confined in a federal, state, regional, county, or municipal correctional facility or jail, or Minnesota state security hospital (Moose Lake or St. Cloud).

Inspection - the opening and visual checking of all incoming/outgoing mail (except for special/legal mail as defined below) for unallowable items and contraband. Mail may be inspected if there is a reasonable belief that a limitation protects the public safety, the rehabilitation of the offender, or facility order and security. Mail may be inspected if there is a reasonable belief that the offender or sender is involved in criminal activity, or if the mail is advertising material, does not qualify as legal mail.

Legal mail - correspondence to or from a court, court staff, licensed attorneys, and established groups of attorneys involved in the representation of offenders in judicial proceedings. Mail must clearly indicate that it is to or from one of these sources in order to be treated as legal mail. Mail to/from an attorney or law firm must contain the attorney's name in the destination address, followed by "attorney at law" or "law offices." Abbreviations such as "Esq.", L.L.P. or P.A., or phrases such as “legal mail” and “attorney/client privileged” are not sufficient to identify mail as legal mail. Advertising material, does not qualify as legal mail.