

 MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 31-01-01
	COMMUNITY CORRECTIONS CWC/RESTITUTION CENTERS
OFFENDER MAIL SERVICES	INITIAL DATE 08-01-1996
ACA STANDARDS: 4-ACRS-6A-06 thru 4-ACRS-6A-09	EFFECTIVE DATE 08-01-2010
STATUTES:	NON-RESTRICTED
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1 **APPLICABILITY:**

2
3 This procedure applies to all MDOC personnel assigned to the Division of Community
4 Corrections; particularly those directly involved in the custody, care and control of offenders.

5
6 **POLICY STATEMENT:**

7
8 It is the policy of the Mississippi Department of Corrections (MDOC) to provide offender mail
9 services.

10
11 **DEFINITIONS:**

12
13 **Indigent Offender** – An offender who has a zero balance in his MDOC offender account and has
14 maintained that balance for a continuous period of at least thirty days.

15
16 **Censorship** – The process of examining personal mail and official dispatch to remove
17 information considered to be a threat to the security and safety of the facility.

18
19 **PROCEDURES:**

20
21 The Mississippi Department of Corrections does not limit the number of letters an offender
22 sends or receives or the length, language, content or source of mail unless there is reasonable
23 cause or legitimate security interest that exists to believe a limitation is necessary to protect
24 public safety and facility order. The offender must bear the cost of these letters. Any restrictions
25 will be justified and documented.

26
27 The Community Corrections Director or designee will approve all letter restrictions.

28
29 All offenders, regardless of status, will be allowed to send and receive approved letters and/or
30 publications as specified in this procedure.

31
32 ***Adult Community Residential Services:*** All regulations concerning offender
33 correspondence should be specified in writing and made available to staff members,
34 offenders and their correspondents [4-ACRS-6A-07].

35
36 Anyone including a minor's parents or legal guardian who is receiving correspondence from an
37 offender may send a written request to the facility to refuse further correspondence. The letter
38 must be returned to the offender with a written explanation.

39
40 ***Adult Community Residential Services:*** Procedures provide for the forwarding of first-class
41 letters and packages after transfer or release [4-ACRS-6A-09].

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42 Reasonable measures will be taken to forward all mail to offenders transferred to another
43 facility, paroled, or discharged. Mail will be returned to the sender if forwarding is not available.

44
45 **INSPECTION/CENSORSHIP OF GENERAL MAIL**

46
47 *Adult Community Residential Services:* **Offender's mail, both incoming and outgoing, may**
48 **be opened and inspected for contraband. When based on legitimate facility interests of**
49 **order and security, mail may be read or rejected. The offender is notified when incoming**
50 **mail is returned or outgoing mail is withheld [4-ACRS-6A-08].**

51
52 Inspection of General Mail – Outgoing

53
54 All outgoing general mail will be inspected for contraband by unit staff prior to the envelope
55 being sealed by the offender.

56
57 Unit staff will utilize the Mail Log to record all outgoing mail. Offenders will be notified when
58 outgoing mail is held unless an investigation warrants otherwise.

59
60 Inspection of General Mail – Incoming

61
62 All general incoming correspondence will be opened by the Facility Administrator or designee
63 and examined for money, disallowable items, or contraband. Staff will refer to standard
64 operating procedure, Offender Property, and comply with the section heading "Inmate
65 Accounts/Receipt of Funds." When there are other items sent, the whole letter will be returned
66 to sender. Unit staff will utilize the Mail Log to record all incoming mail.

67
68 Reading/Censorship of General Mail

69
70 The Facility Administrator or designee may require reading of an offender's mail when it is
71 determined to be necessary to prevent the commission of a crime or necessary to maintain
72 security, order, or rehabilitation of the facility.

73
74 The Facility Administrator or designee must approve authorization for staff to read offender mail.
75 Once approved, the employee requesting to read the mail must indicate in the Remarks section
76 of the Mail Log, the reason for reading the offender's mail.

77
78 In such cases, the Facility Administrator or designee will indicate authorization by writing in the
79 Unit Register the following information:

- 80
- 81 • Date mail received and read
 - 82 • Offender's name and MDOC number
 - 83 • Name and address from whom mail was received
 - 84 • Description of the mail
 - 85 • Specific reason(s) for reading the mail, including all relevant information and names of
 - 86 persons supplying information
 - 87 • Signatures of the Facility Administrator or designee and employee the reading mail

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88 Incoming and outgoing mail will be censored only if there is possible evidence of any of the
89 following:

- 90
- 91 • Plans for sending contraband in or out of the facility
- 92 • Plans for criminal activity
- 93 • Instructions for the manufacture of weapons, drugs, or drug paraphernalia, or alcoholic
- 94 beverages
- 95 • Threatened blackmail or extortion
- 96 • Coded content not understood by MDOC staff
- 97 • Plans for activities in violation of MDOC rules
- 98

99 The Community Corrections Director or designee will review censorship status every 30 days.

100

101 **HANDLING OF OFFENDER LEGAL/OFFICIAL MAIL**

102

103 Legal or official mail will be sealed by the offender and will not be opened unless a
104 determination from visual inspection reveals the envelope contains contraband. The Facility
105 Administrator or designee will make the determination.

106

107 For the purpose of this exception, "identifiable" will mean the official or legal capacity of the
108 addressee is identified on the envelope. Additionally, the name, official/legal capacity, and
109 address must be verified. Legal or official pertains to the following:

110

- 111 • Identifiable courts
- 112 • Identifiable attorneys
- 113 • Identifiable correctional field officer
- 114 • Identifiable state and federal departments, agencies and officials
- 115 • Commissioner/Deputy Commissioner or other officials of the MDOC.
- 116

116

117 It is the responsibility and duty of facility staff to verify the legitimacy of the official listed on the
118 envelope.

119

120 If the name, address and official or legal capacity cannot be verified, designated facility staff will
121 state in writing utilizing the Privilege Mail Receipt form, the means employed to verify whether
122 the information could be determined to be correct and true.

123

124 Upon determination that the mail is not identifiable official or legal mail, said mail will be treated
125 as all other outgoing mail and will be opened and inspected for contraband.

126

127 Incoming official/legal mail may be opened only to inspect for contraband. Unless waived in
128 writing, the inspection will be conducted in the presence of the offender.

129

130 **PROCEDURE FOR CONTRABAND**

131

132 Notice will be sent to the offender and sender of the contraband, unless deemed illegal. The
133 notice will indicate the nature of the contraband. Both the offender and sender may appeal to
134 the Community Corrections Director or designee the decision not to deliver the contraband.

135

136 If no appeal is taken or if the appeal is denied and the sender or offender does not indicate a
137 disposition within 30 days, the contraband will be discarded.

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138 Correspondence found to contain contraband which includes, but is not limited to large sums of
139 money, altered or blank money orders, checks, or drugs will be forwarded to the Corrections
140 Investigation Division. A written record will be made to include the following:

- 141
- 142 • The offender's name and MDOC number
- 143 • Description of the mail in question
- 144 • Description of the item(s) involved
- 145 • Disposition of the item(s) involved
- 146 • Description of the action taken and the reason for such action
- 147 • Signature of officer inspecting mail

148
149 **PROCEDURE FOR PHOTOGRAPHS**

150
151 Offenders will not be allowed to receive or possess photographs that violate the legitimate
152 security principles of the facility to include, but not limited to:

- 153
- 154 • Offenders will not be allowed to receive or possess multiple copies of the same photograph.
- 155
- 156 • Offenders will not be allowed to receive Polaroid pictures.
- 157
- 158 • Hardback photographs that are subject to alteration or modification may be rejected.
- 159
- 160 • The term "photograph" does not include pictures in publications or magazines.
- 161
- 162 • Offenders will not be allowed to receive or possess photographs if the context of the picture
163 is reasonably related to Security Threat Groups.
- 164
- 165 • Offenders will be sent notice of the photograph receipt, date of receipt, and reason for
166 disapproval.

167
168 **PROCEDURE FOR PACKAGES**

169
170 Written policy, procedure and practice provide for the following in regards to the inspection of
171 packages:

- 172
- 173 • Offenders may receive no more than 2 (two) packages per month and the size of the
174 package will be no larger than 12 x 12 x 12.
- 175
- 176 • All packages received will be opened and inspected for contraband.
- 177
- 178 • Offenders will be notified when packages are rejected based on legitimate facility interest of
179 order and security.

180
181 In the event that a package is refused, the Facility Administrator or designee will utilize the
182 Package Inventory Sheet to list allowable items and non-allowable items. The following
183 information will be indicated on the form:

- 184
- 185 • Date of Inspection
- 186 • Inspector

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- 187 • Offender Name and MDOC Number
- 188 • Sender's Name and Address
- 189 • Package Number
- 190 • Allowable Items/Non-Allowable Items

191
192 The original form will be forwarded to the offender and copies will be forwarded to the sender
193 and the offender working file.

194
195 **PROCEDURE FOR PUBLICATIONS**

196
197 Religious and legal books, pre-paid subscription magazines and newspapers from the publisher
198 are considered publications. Such printed material may be read and inspected to discover
199 contraband and unacceptable depiction and literature.

200
201 Offenders are permitted to receive through the mail, certain types of publications containing
202 pictures that are not deemed to be obscene unless the printed material is refused under
203 guidelines of "Refusal of Publication" listed below. These pictures should not be imposed upon
204 other offenders, staff or visitors by displaying them where others may view them. Printed
205 material must be received directly from the publisher.

206
207 Refusal of Publication

208
209 Printed material will only be refused if it interferes with legitimate facility objectives (deterrence
210 of crime by confinement, rehabilitation of offenders or maintenance of internal security within the
211 facility). In making this determination, the printed material must fall into one of the following
212 described categories for reasons of rejection:

- 213
- 214 • The printed material concerns escape plans
- 215
- 216 • The printed material concerns plans to violate facility rules or disrupt work routines
- 217
- 218 • The printed material concerns the introduction, purchase or instruction in the manufacturing
219 of controlled dangerous substances or alcohol
- 220
- 221 • The printed material concerns the introduction or instruction in the use or manufacture of
222 weapons or, instructions in the use of martial arts
- 223
- 224 • The printed material contains verbiage, which if reasonably construed, is written for the
225 purpose of communicating information that could promote the breakdown of order through
226 offender disruption such as strikes, riots, or information of offender unrest
- 227
- 228 • The printed material contains a pen pal listing
- 229
- 230 • The printed material contains a presentation of sexual behavior that threatens the
231 security/orderly running of the facility or facilitates criminal activity
- 232

233 The general standard to apply in determining whether or not sexually explicit material is subject
234 to rejection under this regulation is as follows:

- 235
- 236 • Homosexuality (same sex as the facility population)

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- 237 • Sadomasochistic
- 238 • Bestiality
- 239 • Involves children
- 240 • Any publication deemed to be obscene

241
242 Procedure When Publication is Refused

243
244 Upon a publication being refused, the offender will be sent a notice of the received publication,
245 date of receipt and reason for refusal.

246
247 **DISTRIBUTION AND COLLECTION OF MAIL**

248
249 Distribution of General Incoming Mail

250
251 General mail distribution is the responsibility of the designated security staff. Distribution will
252 never be delegated to an offender.

253
254 All mail will be handled without delay on a daily basis. Generally, letters will not be held more
255 than 24 hours, excluding weekends and holidays.

256
257 Offenders temporarily absent from the facility (either at the hospital or in court) will receive all
258 approved mail upon return to the facility, unless the offender is away from the facility for a period
259 of time which exceeds 5 (five) working days, in which case the mail will be returned to sender.

260
261 Collection of General Outgoing Mail

262
263 General mail collection is the responsibility of the designated security staff. Collection will never
264 be delegated to an offender. All offenders regardless of status are provided means to send
265 outgoing mail. Designated facility staff will collect mail once each day except Saturdays,
266 Sundays and holidays.

267
268 **COLLECTION OF OUTGOING LEGAL MAIL FOR THE FILING OF LEGAL DOCUMENTS**

269
270 When an offender has a case pending in the courts, he will have certain legal documents that
271 must be filed with the courts by a certain date. Once the offender deposits his legal documents
272 into the facility mail system, these documents will be considered filed with the court.

273
274 The Facility Administrator or designee will ensure that Case Managers are available to assist
275 offenders in the mailing of legal documents that must be filed with the courts. It is the
276 responsibility of the offender to incur the expense of mailing these documents. Information
277 regarding the availability of mailing these types of legal documents will be posted in the unit
278 housing area.

279
280 When necessary, Case Managers will allow the offender to weigh legal correspondence in order
281 to ascertain the correct amount of postage needed. Postage will then be affixed to the
282 envelope(s) and the mail will be delivered to the post office.

283
284 The Facility Administrator or designee will ensure that Case Managers maintain specific
285 information utilizing the Outgoing Legal Mail Transaction Post Conviction Filing form to

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286 document the date that outgoing mail for the filing of legal documents are presented by the
 287 offender to be mailed. **This form will be maintained for a period of at least seven (7) years.**
 288

289 When the offender's Post-Conviction and/or other legal documents do not reach the Courts by
 290 the designated deadline, the log will serve as evidence to the court that the offender did in fact,
 291 file documents within the allotted time. The Outgoing Legal Mail Transaction Post Conviction
 292 Filing form will document the following information:
 293

- 294 • Name of facility
- 295 • Offender name and MDOC number
- 296 • Date of outgoing legal mail collected
- 297 • Name/address of court where legal mail is forwarded
- 298 • Amount of postage affixed
- 299 • Complete and legible signature of the offender presenting the outgoing legal mail
- 300 • Complete and legible signature of the case manager receiving the outgoing legal mail
- 301 • Date legal mail is delivered to postal services

302
 303 A copy of the completed Outgoing Legal Mail Transaction Post Conviction Filing form will be
 304 provided to the offender.
 305

306 In the event that the offender does not have the correct amount of postage affixed due to
 307 indigence, the offender will complete the Indigent Offender Request form to have post-
 308 conviction documents mailed to the Case Manager.
 309

310 The form will then be forwarded to Inmate Accounts for verification of indigence. Once indigence
 311 is verified by Inmate Accounts, the form will be sent back to the Facility Administrator or
 312 designee or designee.
 313

314 The Case Manager will complete the Outgoing Legal Mail Transaction Post Conviction Filing
 315 form, affix the proper postage and forward the legal mail to the post office. A copy of the
 316 Indigent Offender Request to Have Post Conviction Documents Mailed form will be maintained
 317 in the offender's working file for tracking purposes.
 318

319 The Facility Administrator or designee will keep on file all completed and verified Indigent
 320 Offender Request to Have Post Conviction Documents Mailed forms. A detailed report will be
 321 forwarded to Inmate Accounts at the end of each month of all monies disbursed on indigent
 322 offender mail for reimbursement from the Offender Welfare Fund.
 323

324 **OFFENDER TO OFFENDER MAIL**
 325

326 Offenders housed in different facilities who wish to correspond with one another must forward a
 327 request to the Community Corrections Director or designee. Approval or refusal for
 328 correspondence will be forwarded to the offender in writing utilizing the Inter-Facility
 329 Correspondence Approval form. This type of correspondence will be subject to censorship and
 330 the same inspection procedures for contraband as incoming/outgoing general mail.
 331

332 **INDIGENT OFFENDER MAIL**
 333

334 *Adult Community Residential Services: Indigent offenders, as defined in policy, receive a*
 335 **specified postage allowance to maintain community ties [4-ACRS-6A-06].**

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336 Indigent offenders, in order to maintain community ties, will be allowed access to one postcard
337 and subsequent postage per month. Offenders will complete the Indigent Request Form for
338 Mail Services Form and forward this to the Facility Administrator or designee.

339
340 The Facility Administrator or designee will ensure the offender has not used indigent mail
341 services in the calendar month by checking the offender's working file. The Indigent Request
342 Form for Mail Services Form will then be forwarded to Inmate Accounts for verification of
343 indigence.

344
345 Once indigence is verified by Inmate Accounts, the form will be sent back to the Facility
346 Administrator or designee who will issue one (1) postcard to the offender. After the offender has
347 completed correspondence on the postcard, it will be given to the Facility Administrator or
348 designee who will affix postage and forward the postcard to the post office. A copy of the
349 completed Indigent Request Form for Mail Services will be maintained in the offender's working
350 file for tracking purposes.

351
352 The Facility Administrator or designee will keep on file; all completed and verified Indigent
353 Request Forms for Mail Services. A detailed report will be forwarded to Inmate Accounts at the
354 end of each month of all monies disbursed on indigent offender mail for reimbursement from the
355 Offender Welfare Fund.

356
357 **DOCUMENTS REQUIRED:**

- 358
359 Mail Log
360 Privileged Mail Receipt
361 Package Inventory Sheet
362 Outgoing Legal Mail Transaction Post Conviction Filing
363 Indigent Offender Request to Have Post Conviction Documents Mailed
364 Inter-Facility Correspondence Approval
365 Indigent Request Form for Offender Mail Services
366 As required by this procedure and through the chain of command.

ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	<i>Lara J. Cole</i> 7-15-10
	Deputy Commissioner of Community Corrections Date