

1.5.D.3 Offender Correspondence

I Policy Index:



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II Policy:

Offender correspondence will be monitored and inspected to prevent escapes, detect and deter introduction of contraband and maintain order, control and safety within any institution under the supervision of the DOC. The DOC may promulgate rules pursuant to Chapter 1-26 concerning public contact with inmates through mail services.

III Definitions:

General Correspondence:

Written communication to or from offenders such as letters, postcards or greeting cards sent through private or public carriers.

Privileged/Legal Correspondence (See [Attachment 1](#)):

- Incoming and outgoing First Class mail or UPS packages which, on the face of the envelope or package, clearly identifies the sender or recipient as an attorney (must be licensed to practice in state or United States courts), an approved designee of said attorney, a judge or an officer of the court (state or federal); or an organization or entity which is known to provide legal services to offenders; or
- Incoming and outgoing mail from specific governmental officials or agencies, or incoming mail from other governmental officials or agencies that identify the mail as "personal" or "privileged"; or
- Incoming letters of a legal nature that are clearly stamped on the face of the envelope with a message indicating the "privileged" status of the mail when the return address of the sender is printed on the envelope.

Censorship:

Deleting, editing or discarding an item of correspondence that may be interpreted as sensitive, harmful and/or a threat to the security of the institution; e.g. crossing out words or pictures within a piece of correspondence to make them illegible, cutting out words or pictures within a piece of correspondence before giving the correspondence to an offender, etc. Mail is not censored by the Department of Corrections (DOC) ARSD [17:50:10:07](#).

Rejected Correspondence:

Items of correspondence returned to the sender or discarded due to a violation of this policy, any facility operational memorandums, or violations of the policies and/or laws of the State of South Dakota or the United States.

Offender:

For the purposes of this policy, an offender is an inmate (in custody of the DOC institutional system) or a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile under DOC supervision.

Immediate Family:

For the purposes of this policy, immediate family includes an offender's spouse, children, parents, sisters, brothers, stepchildren, step-parents, step-sisters and step-brothers, half-sisters and half-brothers, grandparents and great-grandparents, mother-in-law and father-in-law, and sister-in-law and brother-in-law (spouse of offender's brother or sister).

Contraband:

An item that an offender is not authorized to have. Approved items may be contraband if they have been altered, are possessed in higher quantity than authorized, are used in ways for which they were not intended, or are obtained through an unapproved source.

IV Procedures:

1. General Regulations:

- A. All incoming and outgoing general correspondence for offenders housed in a DOC facility must be processed through the facility's mailroom.
 1. Normally, incoming and outgoing correspondence will be processed by the mailroom within forty-eight (48) hours of being received, excluding days which mail is not scheduled to be processed.
 2. Adult offender correspondence is not processed on Sunday or state or federally recognized holidays. Juvenile offender correspondence is not processed on Saturday, Sunday or state or federally recognized holidays.
 3. Privileged/legal correspondence is not typically delivered to offenders on weekends or holidays.
- B. Offenders will be permitted to send or receive general correspondence with the following exceptions:
 1. Offenders may not send or receive correspondence to or from another offender on supervised release or any offender housed in any penal or correctional facility, including federal, state, county and contract facilities. Exceptions may be authorized/approved by the DOC for an offender's immediate family members.
 - a. Offenders may request to correspond with an immediate family member who is also an offender (see definition above) by completing [an Inter-Facility Offender to Offender Correspondence Request](#) form (See [Attachment 2](#)).
 - b. The Warden, Deputy Warden, Associate Warden, Superintendent, Director of Juvenile Community Corrections, Executive Director of the Board of Pardons and Paroles or

designee will respond to an offender's inter-facility request by responding with written approval or denial.

2. An Associate Warden/Superintendent/Program Manager/Treatment Director or staff member of the same rank or above has the authority to approve correspondence between offenders if a compelling reason exists for the approval; e.g. the offenders are not married to each other but are the biological parents of a child together.
 3. Free advertising materials, flyers, pamphlets, circulars, newsletters, bulletins, non-subscriptive or free catalogues sent standard mail will normally not be delivered to offenders.
 - a. Standard mail sent from a recognized religious organization in care of the institution's Cultural Activities Coordinator may be approved and delivered to offenders.
 4. Adult offenders cannot send correspondence through the intra-facility or the state Central Mail Services. Incoming and/or outgoing letters, packages or notes cannot be passed through a control room, control pod or visit room.
 5. Juvenile offenders may be permitted to utilize intra-facility or the state Central Mail Services if advance approval is given by the respective program manager(s).
- C. In order to regulate correspondence between offenders, all correspondence must bear the full name and address of the sender on the outside of the envelope/package. Nick-names and aliases will not be accepted. At the discretion of mailroom staff, correspondence that does not bear the full name and address of the sender on the envelope/package may be accepted if the sender can be identified by the contents of the envelope/package.
- D. An offender's general correspondence privileges may be suspended completely, or in part to enforce compliance with a court order (i.e. "no contact with victim"), for violation of law, DOC policy or rules, or on a case-by case basis when the Warden, Superintendent or his/her designee determines an offender's correspondence and/or participation in the institutional correspondence system is detrimental to the security, good order or disciplined operation of the facility, for the protection of the general public or the correspondence facilitates or continues criminal activity.
1. Offenders who have had their general correspondence privileges suspended will be permitted to notify persons who he/she regularly corresponds concerning the suspension.
 2. Any non-privileged mail received for the offender during the period of suspension will be secured and retained by the mailroom officer until the suspension period is complete.
 3. Offenders who have had their general correspondence privileges suspended will be allowed to send and receive privileged/legal correspondence in accordance with the provisions and limitations set forth within this policy.
- E. Offenders who knowingly violate a judicial no contact [Correspondence/Telephone Termination Notice](#) (See [Attachment 4](#)) or notification of a no contact, may be subject to disciplinary action. Staff will document the incident/violation in a disciplinary report and follow the procedures set forth in DOC policy 1.3.C.2 [Inmate Discipline System](#) or DOC policy 1.3.C.3 [Juvenile Discipline System](#).
1. Any correspondence sent or received by an offender that is believed to be in violation of a judicial no contact, criminal law, DOC policy or rule, a facility operational memorandum (OM) may be confiscated and used as evidence.

2. Anyone may request general correspondence originating from an offender not be sent to them, their spouse or their minor children by completing and returning a [Correspondence/Telephone Termination Request](#) (See [Attachment 3](#)).
 3. If a completed [Correspondence/Telephone Termination Request](#) is received by the DOC, the offender will be notified via the [Correspondence/Telephone Termination Notice](#) (See [Attachment 4](#)) that his/her correspondence privileges are rescinded with the specified individual(s).
 4. Judicial no contact orders issued by the court and/or institutional [Correspondence/Telephone Termination Notices](#) served upon an offender cannot be appealed through the Administrative Remedy Process.
- F. Offenders with a separation requirement from one another and offenders on monitoring status are not allowed to correspond with each other (See DOC policies 1.4.B.2 [Male Inmate Classification](#) and 1.4.B.14 [Female Inmate Classification](#)).

2. Incoming Correspondence:

- A. Adult and juvenile offender incoming general correspondence will be opened, inspected and read by staff (See ARSD [17:50:10:05](#)).
- B. If contraband items are included in incoming correspondence, the contraband items will be confiscated and may be used as evidence in disciplinary proceedings.
 - a. At the conclusion of the disciplinary proceeding, the contraband items and correspondence will be treated as rejected correspondence.
 - b. If the contraband items are no longer in control of the DOC due to an ongoing or pending criminal proceeding, all other material that was included as part of the correspondence will still be treated as rejected correspondence.
 - c. Contraband will be confiscated, properly documented, reported to the designated staff/supervisor and disposed of in accordance with the facility's applicable operational memorandum(s) and procedures pertaining to contraband (See SDCL § [24-2-26](#)).
- C. The amount of incoming correspondence which a juvenile offender may receive is unlimited.
 1. All incoming juvenile offender correspondence shall be logged on a [Juvenile Offender Incoming Mail Log](#) (See [Attachment 5](#)) and placed in the juvenile offender's case file.
- D. Incoming offender correspondence at STAR Academy.
 1. Any incoming correspondence that may adversely affect the security, safety or good order of the STAR Academy, or undermine the therapeutic process of the juvenile offender may be rejected. The sender of the rejected correspondence and/or the juvenile may appeal staff's decision to reject the correspondence in accordance with the procedures of this policy (See Section 8 of this policy).
 - a. If any contraband is found in a juvenile's incoming or outgoing correspondence, the Program Manager, Youth Treatment Director, Lead Worker or Platoon Commander will be notified.

3. Incoming Privileged/Legal Correspondence:

- A. Privileged/legal correspondence sent to an adult offender will be opened by unit staff in the presence of the offender (See ARSD [17:50:10:04](#)).
- B. Privileged/legal correspondence sent to an adult offender will be inspected by unit staff in the presence of the offender. Staff will determine the genuineness of the addressor (See ARSD [17:50:10:04](#)).
1. Staff **will not read** the content of the privileged/legal correspondence but **will inspect** incoming and outgoing mail, page-by-page, in the presence of the offender to prevent the introduction of contraband and to confirm the contents has been sent by addressor.
 - a. Examples of contraband that may be found in privileged/legal correspondence include paper money, credit or debit cards, pornography, maps or diagrams of corrections facilities, etc.
 - b. Offenders are not allowed to possess another offender's property, which includes an offender's general or privileged/legal correspondence.
 2. Privileged/legal correspondence may be inspected for contraband in the same manner described herein by staff conducting searches of individual offender living quarters or while conducting searches of other areas of an institution where an offender's privileged/legal correspondence may be located or stored (See DOC policy 1.3.A.5 [Searches - Adult Institutions](#) and DOC policy 1.3.A.6 [Searches - Juvenile Institutions](#)).
- C. Unit staff will document the delivery of privileged/legal correspondence to an adult offender.
1. The outside of the envelope containing correspondence that has been determined as privileged/legal correspondence will be stamped with the following:
Date: _____

I acknowledge that this envelope was opened in my presence by:
Staff Member: _____
Inmate: _____
 2. At the time of delivery, the unit staff member delivering the privileged/legal correspondence will:
 - a. Fill in the date and his/her name in the space provided.
 - b. Have the offender sign in the space provided.
 - c. Open and inspect the privileged/legal correspondence for contraband and determine the genuineness of the addressor in the presence of the offender.
 - d. Give the approved envelope and its contents to the offender.
- D. Packages clearly identified as coming from a privileged/legal source will be opened in the presence of the offender, who will be required to acknowledge receipt by their signature.

- E. Incoming correspondence believed to be privileged/legal will be delivered to the juvenile offender unopened. This correspondence will be opened by the juvenile offender in the presence of a DOC staff person.
 - 1. Juvenile offenders are permitted to receive privileged/legal correspondence from any of the sources listed on [Attachment 1](#) of this policy.
 - 2. Staff will not read the juvenile's privileged/legal correspondence but may inspect the contents page-by-page in the presence of the juvenile to prevent the introduction of contraband and to determine the genuineness of the addressor.
- F. Staff will complete the [Inmate Legal Mail Log](#) (See [Attachment 12](#)) for all incoming offender correspondence determined by staff to be privileged/legal correspondence.

4. Receiving Funds/ Money:

- A. Offenders cannot receive funds from another offender, another offender's family or friends, a W-2/M-2 or other volunteer of the facility or a third party on behalf of another offender unless authorized by the Warden, Superintendent or his/her designee.
- B. Cash will not be accepted for deposit into an adult offender's account. Correspondence with cash enclosed will be rejected (See ARSD [17:50:01:18](#)).
- C. Cash received in incoming correspondence will normally not be accepted for deposit into a juvenile offender's account.
 - 1. The Program Manager may make an exception on a case-by-case basis.
 - 2. Unless the Program Manager makes an exception, correspondence with cash enclosed will be rejected and returned to the sender.
- D. Offenders may receive business/payroll checks, checks issued by a government agency, United States Postal Money Orders, cashier's checks or money orders issued by companies licensed to sell money orders (in U.S. dollars only) through the mail for deposit into their institutional account (See DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#)).
 - 1. Business/payroll checks, checks issued by a government agency, cashier's checks and money orders must contain the name of the sending party.
 - a. Personal checks will not be accepted for deposit into an offender's institutional account.
 - 3. If the name of the sending party is not included, or false information is provided, the entire correspondence may be rejected.
 - 4. Prior to the deposit of funds into an offender's sub account, the offender must sign and date the [Admission Document](#) (See [Attachment 6](#)) granting the DOC authorization to deposit the funds. This authorization is valid until the offender is released or discharged from the DOC.
- E. Funds received by an adult offender from an approved source will be deposited into the offender's institutional sub account in accordance with DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#). After funds have been deposited, a receipt of the deposit will be provided to the offender.

- F. All cash or rejected check(s) sent to an offender shall be returned to the sender by mail and at the expense of the intended recipient/offender. The offender is responsible for the cost of postage. Mailroom staff will typically request a Certificate of Mailing from the U.S. Post Office when mailing offender correspondence containing rejected checks.

5. Outgoing Correspondence:

- A. All outgoing offender correspondence must bear the offender's full name, ID number (as appears on the offender's DOC issued ID) and complete return address on the envelope or package. Nick-names and aliases will not be accepted.
1. If the envelope or package does not bear the name, ID number and address of the sender, it will not be sent out and will be returned to the offender, provided the offender can be identified.
 2. For adult offenders, proper postage must be affixed to all outgoing general correspondence before it will be processed for mailing.
 3. Offenders who are classified as indigent may request envelopes and stationary through their unit team for the purpose of composing and sending out legal/privileged mail (See [Attachment 1](#) for complete list). (See ARSD [17:50:10:01](#)).
 - a. Each Warden may establish a maximum dollar value for indigent postage and supplies to be issued to an offender during a calendar month (See DOC policy 1.2.E.1 [Inmate Commissary](#)).
 4. Juvenile offenders are allowed to send out three (3) non-privileged/legal letters per week at STAR Academy's expense.
 - a. The correspondence is logged/tracked on a Juvenile Offender Outgoing Mail Log (See [Attachment 7](#)) which is placed in the juvenile offender's case file.
 - b. Juvenile offenders assigned to certain programs may be allowed to send out additional correspondence at their own expense.
 - c. Packages or letters requiring a postage rate that exceeds the standard U.S. postage rate for first class mail will normally be paid by the juvenile offender.
 5. There is no limit on the amount of correspondence an adult offender may send out provided he/she pays the postage.
- B. Outgoing general correspondence must be placed in an unsealed envelope in an offender outgoing mail box.
1. Staff may inspect and read outgoing general correspondence (See ARSD [17:50:10:02](#)).
 2. Outgoing general correspondence will not be censored (See ARSD [17:50:10:07](#)).
 2. Outgoing general correspondence will either be mailed out or rejected in its entirety.
- C. Outgoing offender correspondence placed in altered envelopes, homemade envelopes, or envelopes obtained from an unauthorized source will be rejected.
- D. Designated staff shall approve all checks issued from an inmate account before they are placed in the outgoing mail (See ARSD [17:50:10:03](#)).

6. Outgoing Privileged/Legal Correspondence:

- A. Outgoing privileged/legal correspondence for adult offenders is not required to have postage attached and must be inspected by unit staff before being sealed and sent out.
- B. Each adult offender housing unit will maintain a regular time on weekdays for offenders to bring privileged/legal correspondence (must be in an unsealed, self addressed envelope) to the unit coordinator or designee. Staff will make rounds to collect privileged/legal correspondence in segregation units.
- C. Outgoing privileged/legal correspondence from adult offenders will be inspected by staff for contraband.
 - 1. Staff will not read the privileged/legal correspondence but may inspect the contents page-by-page in the offender's presence to prevent the movement of contraband.
 - 2. The inspection of an offender's privileged/legal correspondence will always take place in the presence of the offender. This includes correspondence collected within segregation units.
- D. Correspondence will be sealed in the self addressed envelope provided by the offender. Unit staff will indicate on the outside of the sealed envelope that it is approved to be sent out by the mailroom.
- E. If an adult offender is found to be abusing privileged/legal correspondence process, the correspondence in question may be confiscated and used as evidence in a disciplinary hearing.
 - 1. After the conclusion of the disciplinary proceedings, the correspondence will be returned to the adult offender so he/she has an opportunity to send the correspondence out via general correspondence (if the correspondence was determined not to be privileged/legal correspondence).
- F. State-paid postage for outgoing privileged/legal correspondence will normally be limited to five (5) mailings per-week, per-offender. Postage to be paid by the DOC for privileged/legal correspondence will not exceed ten dollars (\$10.00) per-month, per-adult offender.
- G. Outgoing privileged/legal correspondence from juvenile offenders will not be opened by staff. Juvenile offenders are permitted to send self-sealed privileged/legal correspondence to any of the sources included in the [Definition of Privileged/Legal Correspondence](#) (See [Attachment 1](#)).
- H. Staff will complete the [Inmate Legal Mail Log](#) (See [Attachment 12](#)) for all outgoing offender correspondence determined by staff to be privileged/legal correspondence.

7. Confiscated Correspondence:

- A. Correspondence determined to violate criminal law, DOC policy or rules or facility operational memorandums may be confiscated and used as evidence during the disciplinary process (See DOC policies 1.3.C.2 [Inmate Discipline System](#) and 1.3.C.3 [Juvenile Discipline System](#)).
 - 1. Any offender who violates the procedures of this policy may be subject to disciplinary action.
 - 2. If a possible violation of criminal law is suspected, the proper authorities will be notified by the special security office or other designated security/program staff.

- B. If staff believe an item of general correspondence constitutes a threat to the security or disciplined operation of the institution, the correspondence will be turned over to the special security office or other designated security/program staff for review.
1. If, in the course of their duties, staff uncover correspondence (either completed or in progress) that constitutes a threat to the security or disciplined operation of the institution, the correspondence will be turned over to the special security office or other designated security/program staff.
 2. For this section of this policy, a "threat to the security or disciplined operation of the institution" will normally be limited to correspondence that includes threats or plans to harm a staff member or his/her family or another offender or his/her family, cause a disturbance, trafficking of an illegal substance(s) or escape.

8. Rejecting Correspondence:

- A. Incoming and outgoing correspondence or publications may be rejected if it:
1. Includes any information about the planning or promoting or furtherance of criminal activities.
 2. Violates a Prohibited Act or any other rule, regulation or directive governing the DOC or facility where the offender is housed.
 3. Contains instructions for the manufacture/construction of a weapon, ammunition, explosive, narcotic, narcotic paraphernalia, alcoholic beverages or unlawful substances.
 - a. Illegal contraband (i.e. weapons, drugs, etc.) will be turned over to law enforcement authorities.
 4. Contains any materials associated with Fantasy Sports Leagues. These are considered gambling materials. This includes, but is not limited to, baseball, basketball, football, racing and any other sport or event.
 5. Advocates violence.
 - a. Any materials which illustrate, explain, describe or teach the ability to frustrate a crowd or riot control methods will be rejected.
 - b. Any materials which teach or give the ability to sabotage or disrupt communications networks, including internal and external communications and automated information systems.
 - c. Any materials which illustrate, explain, describe or teach the ability to manipulate in any form or fashion a locking device, mechanical restraint or any article used by staff in the course of their duties.
 - d. Any materials which depict gang activity or may be construed as pertaining to gang activity.
 6. Any materials which contain postage stamps, plain or stamped envelopes, stickers, maps, calendars, Polaroid photos, unused cards or postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of extra paper unrelated to the correspondence itself (such as drawings, poems, music, computer print-outs, etc.), homemade craft items or altered magazines (including any picture, articles, or any item that has been taken out of a magazine).

- a. Homemade envelopes are not permitted in incoming or outgoing mail.
 - b. Homemade cards are not permitted in incoming mail.
 - c. Musical cards or cards that contain a mechanical mechanism are not permitted.
 - d. Cards larger than 8 ½" x 11" will not be accepted.
7. Contains contraband. Some miscellaneous items of contraband; e.g. complementary CDs, 3-D glasses or fragrance samples included within magazines may be discarded by mailroom staff without a [Mailroom Correspondence Rejection Notice](#).
 8. Any material that depicts pornography, sexually-explicit conduct and/or nudity. See DOC policy 1.3.C.8 [Pornography](#) for definitions.
 9. Materials that encourage sexual behavior that is criminal in nature and/or that may be detrimental to an offender's rehabilitation.
 - a. The purchase, possession or attempted possession of pornography by a sex offender may be a violation of the offender's Stop Contract (See DOC Policy 1.2.C.9 [Sex Offender Restrictions](#))
 10. Contains pictures of current or ex-staff members, contract staff members, volunteers or interns of the DOC.
 11. Violates postal regulations; such as threats, blackmail, extortion. Such correspondence shall be reported by mailroom staff to the proper postal authorities, Special Security Office or other designated DOC security/program staff.
 12. Contains encoded material or is written in code. This does not automatically prohibit publications and/or letters written in a recognized foreign language.
 - a. Correspondence written in a foreign language may be delayed up to an additional twenty (20) working days to facilitate translation and review of the contents.
 - b. If attempts to translate are unsuccessful within the twenty (20) days, the correspondence may be rejected.
 13. Depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of SD correctional facilities.
 14. Advocates racial, religious, or national hatred in such a way so as to create a danger of violence in the facility.
- B. If mailroom staff determine all, or any portion of the offender's correspondence is rejected, the offender will receive a [Mailroom Correspondence Rejection Notice –Offenders](#) (See [Attachment 8](#)).
1. The rejected correspondence is subject to one of the following actions:
 - a. All of the correspondence may be returned to the sender at the offender's request after thirty (30) days from the date the [Mailroom Correspondence Rejection Notice- Sender](#) is signed, provided no appeal is received by the Warden or Superintendent from the Sender of the rejected correspondence.
 - 1) If after thirty (30) days the offender chooses to send the rejected correspondence out,

he/she must provide an addressed, stamped envelope to mail room staff or provide an address and pay all shipping costs associated with sending the rejected item(s) out.

- b. The portion of the correspondence that is not in violation of this policy may be given to the offender. This will take place only after the offender provides written notice to the mailroom staff informing them whether the rejected portion of the correspondence is to be returned to the sender.
 - c. The offender may instruct the mailroom staff to discard the correspondence. The correspondence may be discarded no sooner than thirty (30) days from the date the [Mailroom Correspondence Rejection Notice- Sender](#) is signed, provided no appeal is received by the Warden or Superintendent from the sender of the rejected correspondence.
 - 1) If an appeal is received by the Warden or Superintendent from the sender of the rejected correspondence, the rejected correspondence may not be discarded by the offender or mailroom staff until the sender's appeal process is exhausted (See paragraph C. below).
2. Offenders may file an Administrative Remedy within thirty (30) days from the date they received the [Mailroom Correspondence Rejection Notice- Offender](#) (see Section 9 of this policy).
 - a. Offenders who have filed an Administrative Remedy involving rejected correspondence are not required to take action on the rejected correspondence until the Administrative Remedy process is exhausted.
 3. Offenders have sixty (60) days from the date the [Mailroom Correspondence Rejection Notice- Offender](#) is signed by mailroom staff to notify staff of the action they intend to take in response to receiving the rejected correspondence.
 - a. If the offender fails to respond to the [Mailroom Correspondence Rejection Notice- Offender](#) within sixty (60) days from the date the notice was signed by mail room staff, and no appeal or Administrative Remedy is pending; mailroom staff may discard the rejected correspondence.
- C. If mailroom staff reject all or a portion of correspondence sent to an offender, staff will send a [Mailroom Correspondence Rejection Notice-Sender](#) (See [Attachment 9](#)) to the sender of the rejected correspondence.
1. The sender may appeal mailroom staff's decision to reject the correspondence by writing to the Warden or Superintendent having authority over the DOC facility from which the correspondence was rejected. The sender has thirty (30) days from the date the notice was signed by mailroom staff to appeal the decision.
 - a. The Warden or Superintendent will respond in writing within thirty (30) days of receipt of an appeal by the sender.
 2. The sender may appeal the Warden or Superintendent's decision by writing to the Secretary of Corrections within thirty (30) days of date the Warden or Superintendent signed the response to the sender. The sender should include the response received from the Warden or Superintendent with their appeal to the Secretary.
 - a. The Secretary will respond in writing to the sender of the rejected correspondence within thirty (30) days of receipt of the appeal and C.C. the Warden or Superintendent.
 - b. The Secretary's decision is final.

3. The Warden or Superintendent will notify mailroom staff of the Secretary's decision.
- D. In any instance where the intended recipient of incoming correspondence cannot be determined, and there is no return address on the correspondence, the correspondence will be discarded by mailroom staff. If money is included in the correspondence, the money will be deposited in a fund designated by the Warden or Superintendent.

9. Mailroom Security:

- A. Adult offenders who work in the mailroom may be pat searched prior to entering the mailroom.
 1. The mailroom officer has the option of conducting or arranging for a strip search of an adult offender entering the mailroom if he/she believes a pat search would not be sufficient to detect possible contraband on an offender (See DOC policy 1.3.A.5 [Searches - Adult Institutions](#)).
 2. The mailroom officer will maintain a log of those offenders who are pat searched.
- B. Staff working in the mailroom will wear protective gloves when opening and/or inspecting correspondence that appears suspicious. Mailroom staff are not otherwise required to wear gloves when opening and/or inspecting correspondence.
- C. Each facility shall maintain a Mail Security Coordinator, who will assume command of a situation involving suspicious mail.
 1. If suspicious mail/package is encountered, the Mail Security Coordinator will be called to the scene immediately.
 2. The Mail Security Coordinator will follow the guidelines listed in the [Risk Management Bulletin Issue 43: Anthrax Threat Guide for South Dakota](#) (See [Attachment 11](#)).
 3. Suspicious mail/packages may consist of:
 - a. Protruding wires, strange odors, leaking, stained or contains any powdery substance/residue.
 - b. A city or state in the postmark that doesn't match up with the return address.
 - c. An unusual weight, given the size of the correspondence, or an envelope/package that is lopsided or oddly shaped.

10. Forwarding of Mail:

- A. Mail received at a DOC facility for an offender who has been released, transferred or discharged will be forwarded to the offender's last known address within two (2) working days.
 1. It is the offender's responsibility to notify their correspondents of their new address, preferably prior to their release from the facility.
- B. When possible, offender mail that cannot be forwarded will be returned to the sender.
- C. Incoming mail that can not be returned to the sender or forwarded to the offender may be destroyed.

11. Appeal Process:

- A. An offender may appeal a rejection, confiscation or the handling of correspondence by staff by using the Administrative Remedy Process (See DOC policies 1.3.E. 2 [Administrative Remedy for Inmates](#) 1.3.E.3 [Juvenile Administrative Remedy Procedure](#)). No contact orders issued by the court and/or institutional [Correspondence Termination Notices](#) served upon an offender cannot be appealed through the Administrative Remedy Process.

V Related Directives:

SDCL § 24-2-26,

ARSD 17:50:01:18, ARSD 17:50:10:01, ARSD 17:50:10:02, ARSD 17:50:10:03, ARSD 17:50:10:04
ARSD 17:50:10:05 & ARSD 17:50:10:07

DOC policy 1.1.B.2 – [Inmate Accounts and Financial Responsibility](#)

DOC Policy 1.2.C.9 --[Sex Offender Restrictions](#)

DOC policy 1.2.E.1 – [Inmate Commissary](#)

DOC policy 1.3.A.5 – [Searches – Adult Institutions](#)

DOC policy 1.3.A.6 – [Searches – Juvenile Institutions](#)

DOC policy 1.3.C.2 – [Inmate Discipline System](#)

DOC policy 1.3.C.3 – [Juvenile Disciplinary System](#)

DOC policy 1.3.C.8 – [Pornography](#)

DOC policy 1.3.E.2 – [Administrative Remedy for Inmates](#)

DOC policy 1.3.E.3 – [Juvenile Administrative Remedy Procedure](#)

DOC policy 1.4.B.2 – [Male Inmate Classification](#)

DOC policy 1.4.B.14 – [Female Inmate Classification](#)

[Inmate Living Guide](#)

VI Revision Log:

November 2004: New policy.

July 2006: **Changed** the name to reflect that the policy now applies to all institutions. **Revised** the definition of offender. **Added** reference to DOC policies 1.3.C.3, 1.3.E.3. **Added** language that certain contraband items may be discarded without a Mailroom Correspondence Rejection Notice. **Added** correspondence restrictions for inmates with separation requirements or monitoring status with each other. **Revised** attachment 1. **Deleted** definition of inmate.

October 2008: **Revised** policy and attachments in accordance with DOC policy 1.1.A.2. **Deleted** former ss (B1 and B2) regarding the contents of privileged/legal mail given to offender of being considered general correspondence, **revised** ss (C1) to state unit staff will inspect both incoming and outgoing mail in the presence of the offender, **deleted** statement in ss (1a) regarding examples of contraband, such as letter or documents, **added** statement regarding in the presence of the offender in ss (2c), **combined** ss (E2 and former E3), **replaced** “Youth Treatment Director” with “Youth Treatment Supervisor” and **deleted** “Platoon Commander” in ss (F1a) of Incoming Correspondence. **Deleted** statement regarding examples of contraband, such as letters or documents in ss (2a1) and **deleted** former ss (4) regarding contents of privileged/legal correspondence being something other than legal correspondence of Outgoing Correspondence. **Added** current staff to ss (A9 of Rejecting Correspondence). **Deleted** “recipient” as it relates to offender when appropriate throughout policy. **Replaced** “staff” with “unit staff” throughout policy. **Revised** wording and bullets throughout policy. **Added** titles of Attachments 4 and 5 when referenced in policy. **Added** reference to DOC policy in section V. **Revised** titles of Attachment 2, 3, 4, 5, 6, 7, and 9 throughout policy, attachments and the WAN. **Revised** Attachment 8 segment regarding 5 small newspaper clippings and 10 sheets of extra paper to be consistent with policy.

October 2009: **Added** reference to DOC policies 1.3. A.6, 1.4.B.14 to policy, **revised** titles of DOC policies 1.4.B.2 and 1.3.A.5 to be consistent with actual policies. **Added** ss (A4 of Rejecting Correspondence) regarding fantasy football.

October 2010: **Revised** formatting of Section I. **Revised** ss (A) to state released to reside in the community and **added** new ss (A1) both within (Forwarding of Mail). **Added** SDAS as its own entity within Attachment 1.

December 2011: **Added** "(must be licensed to practice in state or United States courts), and approved designee of said attorney" to definition of Privileged/Legal Correspondence **Added** definition of Contraband. **Added** "incoming and outgoing" and "excluding days which mail is not scheduled to be processed" to Section 1 A. 1. **Deleted** "and will provide the applicable offenders with" and **Replaced** with "through" in Section 1 B. 1. b. **Added** "or on a case-by-case basis when the Warden or Superintendent determines it is detrimental to the security, good order or discipline of the facility, for the protection of the general public or the correspondence may facilitate criminal activity" to Section 1 D. **Added** 1. "Offenders who have had their correspondence privileges suspended will be permitted to notify persons who he/she regularly corresponds concerning the suspension". and **Added** 2. "Any non-privileged mail received for the offender during the period of suspension will be secured and retained by the mailroom officer until the suspension period is complete" to Section 1 D. **Added** E. "Offenders who knowingly violate a no contact request after receiving a Correspondence/Telephone Termination Notice or after receiving notification of a no contact order issued by the court are subject to disciplinary action. Staff will document the incident/violation in a disciplinary report and follow the procedures of DOC policy" to Section 1. **Deleted** "during the disciplinary process" from Section 1 E. 1. **Added** "originating" to Section 1 E 2 **Added** 4. "No contact orders issued by the court and/or institutional Correspondence Termination Notices served upon an offender cannot be appealed through the Administrative Remedy Process" to Section 1 E **Deleted** G. from Section 1. **Added** "Adult and juvenile offender" to Section 2 A. **Added** "and to determine the genuineness of the addressor" to Section 2 C. **Added** "and to confirm the contents are privileged/legal and have been sent by the addressor" to Section 2 C. 1 **Added** "credit or debit" cards" to Section 2 C. 1. a. **Added** "and to confirm the genuineness of the addressor" to Section 2 D. 2. c. **Added** "clearly identified as coming from an approved privileged/legal source or containing" to Section 2 D. 3 **Added** c. "Contraband will be confiscated, properly documented and reported to the designated staff/supervisor and disposed of in accordance with the facility's operational memorandums and outlined procedures" to Section 2 D. 4. **Removed** "sealed" from Section 2 E. 3. **Added** "and to determine the genuineness of the addressor" to Section 2 F. 2. **Added** "unless authorized by the Warden, Superintendent or his/her designee" to Section 3 A. **Added** "United States Postal Money Orders" and "issued by companies licensed to sell money orders, (in U.S. dollars only) to Section 3 D. **Deleted** "or phone account" in Section 3 D. 3. **Deleted** "be rejected" and **Replaced** with "not be sent out" in Section 4 A. 1. **Deleted** "The DOC may provide postage for indigent adult offenders" and **Replaced** with "Offenders who are classified as indigent may request postage, (first class only), envelopes and stationary through their unit team" to Section 4 A. 3. **Added** a. "Each Warden may establish a maximum dollar value for indigent postage and supplies that can be received by an offender during a twenty-eight (28) day period for privileged and non-privileged correspondence" to Section 4. A. 3. **Added** "non-privileged" to Section 4 A. 4 **Added** "that exceeds the standard U.S. postal rate for first class mail" to Section 4 A. 4. c. **Deleted** 2) "Offenders are not allowed to possess another offender's property, including another offender's legal documents" from Section 4 C. 2. a. **Added** "outgoing" to Section 4 C. 3. **Deleted** "the offender correspondence" and **Replaced** with "privileged/legal correspondence" to Section 4 C. 3. a. **Added** F. "Designated staff shall approve all checks issued from an inmate account before they are placed in the outgoing mail" to Section 4. **Added** "construction" "ammunition" and "or other unlawful substances" to Section 6. A. 3. **Added** a. "illegal contraband (i.e. weapons, drugs, etc.) will be turned over to law enforcement authorities" to Section 6 A. 3 **Added** a. "The purchase, possession or attempted possession of pornography by a sex offender is a violation of the Stop Contract" to Section 6 A. 9. **Added** "or is written in code" and "recognized" to Section 6 A. 12. **Added** a. "incoming and outgoing correspondence written in a foreign language may be delayed up to an additional twenty (20) days to facilitate translation and review of the contents" to Section 6 A. 12. **Added** b. "If attempts to translate are unsuccessful with the twenty (20) days, the correspondence may be rejected" to Section 6 A. 12 **Added** 13. "Depicts, encourages, or describes methods of escape from

correctional facilities, or contains blueprints, drawings or similar descriptions of SD correctional facilities” to Section 6 A. **Added** 14 “Advocates racial, religious, or national hatred in such a way so as to create a danger of violence in the facility” to Section 6 A **Added** “up to” and “consecutive” to Section 6 C. 1.

Added “Risk Management Bulletin Issue 43: Anthrax Threat Guide for SD” to Section 7 C. 2. **Added** “or contains any powdery substance/residue” to Section 7 3. a. **Deleted** “offenders released to reside in the community” and **Replaced** “and addressed to an offender who has been released, transferred or discharged” **Added** “No contact orders issued by the court and/or institutional Correspondence Termination Notices served upon an offender cannot be appealed through the Administrative Remedy Process” to Section 9. A.

November 2012: **Deleted** “non-subscriptive third class/bulk rate mail and **Replaced** with “circulars, newsletters, bulletins” and **Added** “sent standard mail” to Section 1 B. 3. **Deleted** “Materials” and **Replaced** with “Standard mail sent” and **Added** “approved and” and **Deleted** “adult” all in Section 1 B.3. a. **Added** “the State Central Mail Services” to Section 1 B. 4. and 5. **Added** “or his/her designee” and **Added** “an offender’s correspondence and/or participation in the institutional correspondence system” in Section 1 D. **Added** “provided the offender can be identified” in Section 3 A. 1. **Added** “for the purpose of writing to attorneys, the courts, the Secretary of Corrections, the Governor of South Dakota, legal services or other officials identified in Attachment 1” in Section 4 A. 3.

January 2013: **Deleted** c. “Offenders may be subject to disciplinary action for failure to abide by this regulation” in Section 1 B. **Deleted** b. “Juvenile offenders may be restricted from receiving their and fourth class mail (i.e. “junk mail”) at the discretion of supervising staff” from Section 1 B. **Added** “At the discretion of the Warden or his/her designee, correspondence that does not bear the full name and address of the sender on the envelope/package, may be accepted if the sender can be identified by the contents of the envelope/package” in Section 1 C. **Added** 3. to Section 1 D. **Added** “sent or received by an offender” in Section 1 E. 1. **Added** “where an offender’s privileged/legal correspondence may be located or stored” in Section 2 C. 2. **Deleted** “any other material included as part of” in Section 2 D. 4. a. **Deleted** “at the conclusion of the disciplinary proceeding” in Section 2 D. 4. a. **Added** “ongoing or pending” to Section 2 D. 4. b. **Added** “The sender of the rejected correspondence and/or the juvenile may appeal staff’s decision to reject the correspondence in accordance with the procedures of this policy” in Section 2 F. 1. **Added** “in the presence of the juvenile” in Section 2 G. 2. **Deleted** “rejected” and **Replaced** with “returned to the sender” in Section 3 C. 2. **Added** F. to Section 3. **Added** “in the offender’s presence” in Section 4 C. 2. a. **Deleted** “may result in a disciplinary write-up” in Section 6 A. 4. **Deleted** “homosexuality” in Section 6 A. 9. **Added** 1. and a-d to Section 6 B. **Added** new C. and changed previous C and D. to D. and E. in Section 6. **Added** “or Superintendent” to Section 7 C. **Deleted** “provided a correct forwarding address is available” and **Replaced** with “to the offender’s last known address” in Section 8 A. **Added** B. and B.1 to Attachment 2.

September 2013: **Added** “their spouse or their minor children” in Section 1 e. 2. **Added** F. to Section 3. New Section 3. “Incoming Privileged/legal Correspondence” **Changed** title of Section 4 from “Receipt of Money” to “Receiving Funds/Money”. **Added** “This authorization is valid until the offender is released or discharged from the DOC” in Section 4 D. 3. **Added** “Mailroom staff will typically request a Certificate of Mailing from the U.S. Post Office when mailing offender correspondence containing rejected checks” in Section 4 F. **Deleted** “request postage (first class only) in Section 5 A. 3. **Deleted** “per 28 days” and **Replaced** with “during a calendar month” in Section 5 A. 3. a. **Deleted** d. “Juvenile offenders are expected to send one letter per week to their parents or legal guardians. Two additional letters may also be sent at STAR Academy’s expense” in Section 5 A. 4. **Deleted** “If the contents of the outgoing privileged/legal correspondence are determined to be privileged/legal in nature” in Section 5 D **Added** new title to existing language in previous section 5/ new section 6 “Outgoing Privileged/Legal Correspondence” **Added** H to Section 6 **Deleted** “or use” in Section 8 A. 3 **Added** D. to Section 10.

Denny Kaemingk (original signature on file)

Denny Kaemingk, Secretary of Corrections

10/01/2013

Date

Attachment 1: Definition of Privileged/Legal Correspondence

- A. Incoming and outgoing correspondence from the following sources is normally considered privileged/legal:
1. Judge of any Court.
 2. Clerk of any Court.
 3. County Auditor.
 4. Private practice attorneys/lawyers or law firms.
 5. State's Attorneys.
 6. Public Defenders (State or Federal).
 7. Public Advocates Offices.
 8. South Dakota Advocacy Services (SDAS).
 9. South Dakota Attorney General or South Dakota Assistant Attorneys General.
 10. South Dakota Governor.
 11. South Dakota Secretary of Corrections.
 12. U.S. Attorney General, U.S. Attorney for South Dakota and Assistant U.S Attorneys for South Dakota.
 13. Organizations or entities which are known to provide legal services (such as East/West River Legal Services, Dakota Plains Legal Services and the American Civil Liberties Union).
- B. Outgoing correspondence addressed to county sheriffs:
1. If the contents of the outgoing correspondence have been verified by unit staff as either summons and complaints, or other documents intended for service of process, and it is addressed to a county sheriff's office, the mail will be treated as privileged/legal mail. Unit staff will be allowed to summarily review the documents in order to determine whether they are summons and complaints, subpoenas, or other documents intended for service of process.
- C. The following incoming correspondence will normally be treated at privileged/legal only if the envelope is clearly marked "personal", "legal" or "privileged".
2. U.S. and State Representatives and Senators.
 3. Governors (other than the Governor of South Dakota).
 4. Prison or correction agencies or officials (other than the South Dakota Secretary of Corrections).
 5. Parole authorities.
 6. Law enforcement agencies or officials.
- D. The following outgoing correspondence is NOT considered privileged/legal:
1. U.S. and State Representatives and Senators.
 2. Governors (other than the Governor of South Dakota).
 3. Prison or corrections agencies or officials (other than the South Dakota Secretary of Corrections).
 4. Parole authorities.
 5. Law enforcement agencies or officials.
 6. The National Association for the Advancement of Colored People (NAACP).
 7. The Bureau of Indian Affairs (BIA).
 8. Amnesty International.
 9. The State Bar Association of South Dakota and its committees.
 10. The Center for Constitutional Rights (main office is in New York, NY).
 11. Governmental agencies or officials not listed above in Section A.

Attachment 2: Inter-Facility Offender to Offender Correspondence Request

The **Inter-Facility Offender to Offender Correspondence Request** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Inter-Facility Offender to Offender Correspondence Request** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Inter-Facility Offender to Offender Correspondence Request**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Inter-Facility Offender to Offender Correspondence Request Please refer to DOC policy 1.5.D.3 Offender Correspondence	
INTER-FACILITY OFFENDER TO OFFENDER CORRESPONDENCE REQUEST			
Offender Name:			
	Last	First	ID Number
Facility:		Unit/Program:	
Normally, you will only be allowed to correspond between DOC Facilities with members of your immediate family. You may be required to provide proof of your relationship with the person with whom you wish to correspond.			
Name of person with whom you wish to correspond:			
Offender Name:			
	Last	First	ID Number
Relationship of this person to you:			
Facility:		Unit/Program:	
State below your reason for wanting to correspond with this person.			
Send this completed form to the Deputy Warden of the facility (SDSP or DSP), Associate Warden (SDWP) or Program Manager (STAR Academy) to which you are assigned.			
DO NOT WRITE BELOW THIS LINE			
Willing From:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Deputy Warden/AW/Program Manager	Date:
Willing To:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Deputy Warden/AW/Program Manager	Date:
If approved, send copies to the following:		Deputy Warden / AW / Program Manager of receiving facility. To Mailroom of sending adult facility.	
If disapproved, send copies to the following:		To Offender	
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Attachment 3: Correspondence/Telephone Termination Request

The **Correspondence/Telephone Termination Request** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Correspondence/Telephone Termination Request** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Correspondence/Telephone Termination Request**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Corr-Telephone Termination Request Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Offender Correspondence / Inmate Access to Telephones	
CORRESPONDENCE/TELEPHONE TERMINATION REQUEST			
Dear Sir or Madam:			
The Department of Corrections will stop mail and/or telephone calls from a specific inmate(s) in response to a written request from you. You may make the written request on behalf of yourself, your current spouse, or any minor children residing in your household.			
It has come to our attention that		<input type="text"/>	<input type="text"/>
		<small>(inmate name)</small>	<small>(inmate number)</small>
They may have been contacting you or may want to contact you with unwanted correspondence and/or telephone calls. This letter is to inform you that you may request "no contact" with the above named inmate by completing the information below. Please make sure you sign this letter at the bottom and mail it back to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please mail this letter to the South Dakota State Penitentiary address.			
It is possible an inmate may find some other means of contacting you. The Department of Corrections will take the steps available to prevent any further contact from the inmate. Please report any further contact from the inmate to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please contact the South Dakota State Penitentiary.			
MAIL:			
I/We		<input type="text"/>	request that the
		<small>(print your name)</small>	
above named inmate be prevented from contacting me by MAIL at the following address:			
Street	<input type="text"/>		
P.O. Box	<input type="text"/>		
City/State	<input type="text"/>	Zip	<input type="text"/>
TELEPHONE			
I/We		<input type="text"/>	request that the
		<small>(print your name)</small>	
Above named inmate be prevented from contacting me by TELEPHONE at the following numbers (please include the area code):			
Home:	<input type="text"/>		
Business:	<input type="text"/>		
Cell:	<input type="text"/>		
Other:	<input type="text"/>		
Signed:		<input type="text"/>	
South Dakota State Penitentiary	Mike Duffee State Prison	South Dakota Women's Prison	
Attn: Mail Room Officer	Attn: Mail Room Officer	Attn: Mail Room Officer	
P.O. Box #11	1412 Wood Street	3200 E. Highway 34	
Sox Falls, SD 57117-9111	Springfield, SD 57062-2239	C/o 500 E. Capitol Avenue	
		Pierre, SD 57501	
Revised: 10/22/08		Page: 1 of 1	

Attachment 4: Correspondence/Telephone Termination Notice

The **Correspondence/Telephone Termination Notice** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Correspondence/Telephone Termination Notice** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Correspondence/Telephone Termination Notice**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Corr-Telephone Termination Notice Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Offender Correspondence / Inmate Access to Telephone
CORRESPONDENCE-TELEPHONE TERMINATION NOTICE	
To: 	
(inmate name)	(inmate number)
You are hereby put on notice that you:	
<input checked="" type="checkbox"/> May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the person(s) listed below by mail or otherwise inconsistent DOC policy to contact the person(s) listed below. You will be subject to disciplinary action if you violate this termination notice.	
Name(s): 	
<input checked="" type="checkbox"/> May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the person(s) listed below by telephone or otherwise inconsistent DOC policy to contact the person(s) listed below. You will be subject to disciplinary action if you violate this termination notice.	
	
(printed staff member name)	(date)
	
(staff member signature)	
<div style="border: 1px solid black; height: 100px;"></div>	
Revised: 10/22/08	Page 1 of 1

Attachment 6: Admission Document

The **Admission Document** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Admission Document** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.

2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Admission Document**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Admission Document (Please refer to DOC Policy 1.1B.2 and 1.5D.) Create Account and Transfer Responsibility - Offender Correspondence
ADMISSION DOCUMENT	
PERSONAL PROPERTY AGREEMENT	
YOU ARE HEREBY ADVISED THAT YOU ARE FULLY RESPONSIBLE FOR ANY AND ALL PERSONAL PROPERTY INCLUDING, BUT NOT LIMITED TO: JEWELRY, RADIO, TELEVISION SET, AND OTHER ELECTRICAL APPLIANCES AND/OR ANY OTHER VALUABLES THAT YOU ELECT TO RETAIN IN YOUR CELL OR ROOM.	
IN THE EVENT THAT YOU ARE PLACED IN A HOUSING UNIT THAT DOES NOT PERMIT CERTAIN PERSONAL PROPERTY ITEMS, THESE ITEMS WILL BE INVENTORIED AND STORED IN A SECURE AREA UNTIL SUCH TIME AS THEY MAY BE RETURNED TO YOU. YOU MAY ELECT TO MAIL YOUR PROPERTY TO A PERSON OF YOUR CHOICE WITH ALL EXPENSES TO BE PAID BY YOU OR SENT TO GOODWILL. EITHER WAY, YOU WILL BEAR ALL RESPONSIBILITY FOR ITS DISPOSITION.	
I CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING AND THAT BY AFFIXING MY SIGNATURE BELOW, I RELIEVE THE STATE OF SOUTH DAKOTA, THE WARDENS OF STATE CORRECTIONAL FACILITIES AND ALL OFFICIALS AND EMPLOYEES OF THE STATE OF SOUTH DAKOTA OF ANY PECUNIARY LIABILITY IN THE EVENT ANY OF MY PERSONAL PROPERTY IS LOST, STOLEN, OR DAMAGED.	
RECEIPT OF INMATE LIVING GUIDE	
I ACKNOWLEDGE RECEIVING A COPY OF THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS INMATE LIVING GUIDE. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND FOLLOW THE RULES AND REGULATIONS IN THE INMATE LIVING GUIDE. I ALSO UNDERSTAND THAT THE INMATE LIVING GUIDE MUST REMAIN IN MY POSSESSION THROUGHOUT MY IMPRISONMENT WITH THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS, AND I AM SUBJECT TO PAYING THE REPLACEMENT COST FOR A NEW INMATE LIVING GUIDE.	
BEHAVIOR WHILE IN THE DEPARTMENT OF CORRECTIONS	
I UNDERSTAND THAT I AM IMMEDIATELY OBLIGATED TO FOLLOW THE RULES OF THE DEPARTMENT OF CORRECTIONS AND THE INSTITUTION IN WHICH I AM HOUSED. ANY VIOLATIONS BY ME OF THOSE RULES FROM THIS POINT FORWARD WILL BE CONSIDERED IN MY CLASSIFICATION AND PLACEMENT. VIOLATIONS OF THE RULES ALSO MAY EFFECT A FINDING OF NONCOMPLIANCE WITH MY FUTURE IPO (INDIVIDUAL PROGRAM DIRECTIVE) AND THIS NEGATIVELY IMPACT MY PAROLE RELEASE.	
AUTHORIZATION TO DEPOSIT	
I AUTHORIZE THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS TO CASH CHECKS MADE PAYABLE TO ME. THE MONEY FROM THESE CHECKS WILL BE DEPOSITED INTO MY ACCOUNT. IF I REFUSE TO AUTHORIZE THE DOC TO CASH CHECKS MADE PAYABLE TO ME AT THIS TIME, I UNDERSTAND THAT I MAY NOT BE OFFERED AN OPPORTUNITY TO UTILIZE THE SERVICES OF INMATE ACCOUNTS FOR A PERIOD OF SIX (6) MONTHS.	
JUDGMENT PAPERS	
I ACKNOWLEDGE THAT I AM ENTITLED TO RECEIVE ONE COPY OF MY JUDGMENT/COMMITMENT PAPERS TO THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS WHILE IN THE CREATION UNIT.	
RELIGIOUS/CULTURAL AFFILIATION	
MY RELIGIOUS/CULTURAL AFFILIATION IS (PROTESTANT, WOODAN, NATIVE AMERICAN, MUSLIM, ETC.) <input style="width: 100%; height: 20px;" type="text"/>	
<input style="width: 95%; height: 20px;" type="text"/>	<input style="width: 95%; height: 20px;" type="text"/>
INMATE PRINTED NAME	INMATE SIGNATURE
<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
STAFF WITNESS SIGNATURE	DATE
<input style="width: 95%; height: 30px;" type="text"/>	<input style="width: 95%; height: 30px;" type="text"/>
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Attachment 7: Juvenile Offender Outgoing Mail Log

The *Juvenile Offender Outgoing Mail Log* is located on the state's WAN.

A copy may be printed using *Microsoft Word* as follows:

1. Click [here](#) to access the *Juvenile Offender Outgoing Mail Log* by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **STAR** tab / Select **Juvenile Offender Outgoing Mail Log**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public Attachment: Juvenile Offender Outgoing Mail Log
Please refer to DOC policy 1.5.D.3
Offender Correspondence

JUVENILE OFFENDER OUTGOING MAIL LOG

Youth Name

Date	Inmate/Youth ID#	Who Log: Doc Youth	Count for Visit	Relationship	Assign: on Roll	Room	Remarks

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Attachment 8: Mailroom Correspondence Rejection Notice-Offender

The **Mailroom Correspondence Rejection Notice-Offender** sample form is located on the state's WAN and the actual copy for use is in carbon format.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Mailroom Correspondence Rejection Notice-Offender** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Mailroom Correspondence Rejection Notice-Offender**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Mailroom Correspondence Rejection Notice-Offender Please refer to DOC policy 1.5.D.3 Offender Correspondence
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MAILROOM CORRESPONDENCE REJECTION NOTICE-OFFENDER

To:
Inmate's Last Name First ID#

Mailroom staff are rejecting the following described correspondence/publication for the reason(s) indicated below:

Item received from (name of sender):

Description of item causing rejection:

- The item contains contraband. This includes any information regarding planning or promoting criminal activities.
- The item violates a Prohibited Act or any other rule, regulation or directive governing the DOC or this facility as described above.
- The item contains instructions for the manufacture or use of a weapon, explosive, narcotic, narcotic paraphernalia or alcoholic beverage.
- The item advocates violence or may cause violence or other serious disruption of the security or disciplined operation of the institution as described above.
- The item depicts pornographic material or encourages sexual behavior, pornography, nudity or sexually explicit conduct which is criminal in nature and/or may be detrimental to your rehabilitation. Included in this item are pictures, photographs, drawings, etchings, paintings, writings or illustrations depicting or describing sexual behavior, pornography, nudity, sexually explicit conduct, child pornography, bestiality or acts of sexual violence.
- The item violates postal regulations and includes: threats, blackmail, extortion or similar violations.
- The item contains postage stamps, plain or stamped envelopes, stickers, maps, calendars, Polaroid photos, unused postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of extra paper unrelated to the correspondence, homemade craft items, altered magazines, homemade cards or envelopes, musical or toy records larger than 8 1/2" x 11" (The specific item is noted above).
- The item contains pictures of current or ex-staff members, contract staff members, volunteers or former interns.
- The item contains encoded material.
- The item depicts, encourages or describes methods of escape from correctional facilities or contains blueprints or similar descriptions of SD correctional facilities.
- The item advocates racial, religious or national hatred in such a way so as to create a danger of violence in the facility.
- Other:

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Attachment 9: Mailroom Correspondence Rejection Notice-Sender

The ***Mailroom Correspondence Rejection Notice-Sender*** sample form is located on the state's WAN and the actual copy for use is in carbon format.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Mailroom Correspondence Rejection Notice-Sender** by:
 - a. Placing mouse on the word "here" above
 - b. Press and hold the "Ctrl" key on the keyboard
 - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Mailroom Correspondence Rejection Notice-Sender**.

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Mailroom Correspondence Rejection Notice-Sender Please refer to DOC policy 1.5.D.3 Offender Correspondence
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MAILROOM CORRESPONDENCE REJECTION NOTICE-SENDER

To: _____
 Sender

Description of rejected item/correspondence: _____

Name of Offender who received the rejected correspondence: _____

Mailroom staff are rejecting the following described correspondence/publication for the reason(s) indicated below:

The item contains contraband. This includes any information regarding planning or promoting criminal activities.

The item violates a Prohibited Act or any other rule, regulation or directive governing the DOC or this facility.

The item contains instructions for the manufacture or use of a weapon, explosive, narcotic, narcotic paraphernalia or alcoholic beverage.

The item advocates violence or may cause violence or other serious disruption of the security or disciplined operation of the institution as described above.

The item depicts pornographic material or encourages sexual behavior, pornography, nudity or sexually explicit conduct which is criminal in nature and/or may be detrimental to your rehabilitation. Included in this item are pictures, photographs, drawings, etchings, paintings, writings or illustrations depicting or describing sexual behavior, pornography, nudity, sexually explicit conduct, child pornography, bestiality or acts of sexual violence.

The item violates postal regulations and includes threats, blackmail, extortion or similar violations.

The item contains postage stamps, plain or stamped envelopes, stickers, maps, calendars, Polaroid photos, unused postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of extra paper unrelated to the correspondence, homemade craft items, altered magazines, homemade cards or envelopes, musical cards or cards larger than 8 1/2" x 11".

The item contains pictures of current or ex-staff members, contract staff members, volunteers or former interns.

The item contains encoded material.

The item depicts, encourages or describes methods of escape from correctional facilities or contains blueprints or similar descriptions of SD correctional facilities.

The item advocates racial, religious or national hatred in such a way so as to create a danger of violence in the facility.

Other:

Staff Member's Name Signature Date

You are advised that you may appeal this decision by sending a letter, including a copy of this notice, within 30 days of the date indicated above, to:

Warden SD State Penitentiary PO Box 5911 Sioux Falls, SD 57117	Warden Mike Durfee State Prison 1412 Wood St. Springfield, SD 57062	Warden SD Women's Prison 3200 East Highway 34 c/o 500 E. Capitol Ave. Pierre, SD 57501	Superintendent STAR Academy 12279 Brady Drive Custer, SD 57730
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MR-1B

Attachment 11: Anthrax Threat Guide for South Dakota

RISK MANAGEMENT BULLETIN

Issue 43: Anthrax Threat Guide for South Dakota

The South Dakota Division of Emergency Management has developed the following Anthrax Threat Guide for the State of South Dakota and asked our office to assist in distributing this information to all of you.

ATTENTION: In the event of any TERRORISM THREAT - CALL OR HAVE SOMEONE CALL the agencies noted below. Tell them the manner of the threat and the specifics about what is happening and give them your exact location so they can find you. GO TO "Immediate Actions" on back page of this BULLETIN!

1. Call 911, or local law enforcement and explain the nature of the threat. This will usually dispatch Fire, Law, EMS, and in some cases HAZMAT and public health.
2. Call FBI at 605-334-6881 (Sioux Falls), 605-367-7500 (Pierre), 605-343-8632 (Rapid City) or Minneapolis Office after hours number 612-376-3200.
3. Call South Dakota Division of emergency Management Duty Officer 605-773-3231 and explain the nature of the threat this will activate all pertinent state agencies.
4. For immediate health consultation call the Department of Health at 1-800-592-1861 or 605-280-4810.

This Guide is intended to provide recipients of letters and packages containing an anthrax threat with useful information and guidance to help them deal more effectively with an incident, should one occur. (If you have any questions about this guide or need further information to assist with anthrax threat planning, contact LaJean Volmer, Bioterrorism Preparedness and Response Coordinator at 605-773-7593 or Mike Smith Director SO Public Health Laboratory 605-773-3368)

Immediate Actions: Do not panic

Unopened letter or letter that appears empty.

1. Place envelope in a plastic ziplock bag or glassine envelope.
2. Keep others away.
3. Wash hands and exposed skin (arms) with SOAP and WATER.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. Phone numbers on front page of this Bulletin.

Envelope with powder and powder spills out onto surface.

1. DO NOT clean powder up. Keep others away.
2. WASH hands and exposed skin (arms) with SOAP and WATER.
3. DO NOT brush off your clothes.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)
5. REMOVE clothing and place in a plastic bag, as soon as possible. Close bag and place in second plastic bag. Clearly label and identify contents, retain for law enforcement, may be evidence.
6. SHOWER with SOAP and WATER as soon as possible at home. DO NOT use bleach or other disinfectant.
7. PUT on fresh clothing.
8. MAKE a list of all people (names, addresses and phone numbers) who had contact with the powder and give to local public health authorities. They may be instructed to watch for fever or other symptoms over the next couple of days.

Package marked with threatening message such as "Anthrax".

1. DO NOT OPEN.
2. LEAVE it and EVACUATE the room.
3. KEEP others from entering.
- 4.
5. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)

Aerosolization, small explosion, or letter stating "Anthrax in Heating System".

1. LEAVE room immediately.
2. SECURE entry.
3. SHUT down air handling system.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)
5. REMAIN on premises until responders arrive.
6. MAKE list of all people (names, addresses and phone numbers) who were in the building at the time and give to local public health authorities. They may be instructed to watch for fever or other symptoms over next couple of days.

For all suspicious unlabeled mail notify law enforcement. Do not open.

*Bureau of Administration * Office of Risk Management
1429 East Sioux Avenue
Pierre, SD 57501-3949
Phone: (605) 773-5879 * FAX (605) 773-5880*

