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| STATE OF IOWA DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURES | | Policy Number OP-MTV-01 | Applicability <input checked="" type="checkbox"/> DOC <input type="checkbox"/> CBC |
| | | Policy Code Public Access | Iowa Code Reference N/A |
| Chapter 5 OFFENDER PROGRAMS | Sub Chapter MAIL, TELEPHONE, AND VISITING | Related DOC Policies N/A | Administrative Code Reference 201-20.4, 201-20.5 |
| Subject INCARCERATED INDIVIDUAL CORRESPONDENCE | | PREA Standards N/A | Responsibility Randy Gibbs |
| | | Effective Date August 2021 | Authority Beth Skinner Director Signature on file at Iowa DOC |

I. PURPOSE

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

II. POLICY

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

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III. DEFINITIONS

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

IV. PROCEDURES

- A. General Provisions
 - 1. Non-Confidential mail may be read. This may be on a random, selected or blanket basis.
 - 2. Non-confidential mail may be read when there is suspected abuse of correspondence or potential threat to the order and security of the

institution. Each facility shall develop specific procedures for authorization of regular monitoring of mail to and from designated individuals.

3. In attempting to prevent the introduction of contraband mail items in the correctional facility, the department may contract with a vendor that specializes in receiving mail from the public and producing copies of the mail for the inmate as a service to the department. If the department enters into an agreement with such a vendor, the department shall undertake efforts to notify inmates and those on approved visiting lists of the new process, and where mail should be sent if any location other than the prison in which the individual is currently incarcerated.
4. If there is a determination made by the warden of a facility that exigent safety/security circumstances exist, non-confidential mail may be photocopied and the photocopies provided to incarcerated individuals in lieu of the original copies of mail. When this process is utilized, the incarcerated individual shall have the opportunity to mail out the original at his/her own expense, or the incarcerated individual may choose to have the original destroyed. Mail held as evidence for hearing or prosecution will be the only exception to this disposition process.
5. Correctional staff shall inspect all non-confidential correspondence and packages, both incoming and outgoing. Each institution shall have guidelines for the amount and type allowed consistent with the security and life safety requirements of the institution.
6. Except as authorized by this policy, no mail lists will be maintained restricting persons from writing to incarcerated individuals or incarcerated individuals writing to persons in the public.
7. Mail to a particular individual may be restricted for justifiable cause upon written request or by phone of that individual. The incarcerated individual shall be informed of the request and ordered to cease all correspondence to that individual.
8. All letters mailed by incarcerated individuals shall be left unsealed for inspection of the contents only.
9. Envelopes shall contain letters to the addressee only. The Warden or designee may make exceptions for immediate family members residing at the same address.

10. With the exception of weekends and holidays, incoming and outgoing letters are held for no more than 24 hours and packages are held for no more than 48 hours prior to distribution. Correspondence requiring further security review or translation per the provisions of this policy may be held for up to five days prior to a decision regarding distribution. Additional time for review may be approved by the Warden. In such cases, the incarcerated individual shall be notified in writing.
11. Circumstances such as disturbance, natural disaster or similar constraints, may result in a longer time period prior to distribution.
12. Incarcerated individuals may correspond in a foreign language. Such correspondence may be inspected and translated.
13. Stamped, return-addressed envelopes for all outgoing letters are available for purchase by the incarcerated individual through IPI canteen services.
14. The sender's full name shall be signed in full and printed at the end of the letter. The sender's printed name and address shall appear in the upper left-hand corner of the envelope. The incarcerated individual's name, number, address, city, state, and zip code shall also appear on the envelope. All incarcerated individuals identified as transgender, shall receive incoming mail in their legal name (applies to all external correspondence).
15. No limit shall be placed on the number of letters mailed. Incarcerated individuals in an indigent status shall be given assistance, which may be recoverable. Assistance limitations shall be set by the institution but shall not be less than two envelopes per week if requested and used by the incarcerated individual.
16. Incarcerated individuals are prohibited mailing the "Bill Me Later" subscription cards available in magazines, as this is seen as entering into a contract.
17. Incarcerated individuals are prohibited from correspondence that includes confidential information such as social security numbers, bank account numbers, etc. of a third person.

B. Correspondence Guidelines

1. Generally, mail privileges should be no more restrictive than visiting privileges.
2. Using verbally abusive, or threatening language shall not be allowed in personal mail/O-mail.
3. Current IDOC employees and contract staff who are members of the incarcerated individual's immediate family may be approved mail privileges with approval by the Warden or designee.
4. Current volunteers, generally, shall not be allowed normal personal mail/O-mail with any incarcerated individual. Where a familial relationship exists, and only in consultation with the Deputy Director of Institution Operations/Designees, the Warden may authorize normal personal mail/O-mail privileges concurrently with the provision of volunteer services.
5. Current volunteers, generally, shall not be allowed normal personal mail/o-mail or telephone privileges with any incarcerated individual. Where a familial relationship exists, and only in consultation with the Deputy Director of Institution Operations/Designee, the Warden may authorize normal personal mail/O-mail privileges concurrently with the provision of volunteer services.
6. Former IDOC employees, and contract staff who left employment in good standing, who are not immediate family may be allowed mail/O-mail/telephone privileges six months after they have left employment with approval by the Warden or designee.
7. Former volunteers, who left volunteer status in good standing may, upon approval of the Warden, be allowed mail/O-mail privileges with incarcerated individuals six months following termination of volunteer status.
8. Former volunteers who were removed from volunteer status as a result of misconduct shall not be allowed mail/O-mail privileges unless a familial relationship exists with the incarcerated individual. Where a familial relationship exists, the Warden may consider authorization of mail/O-mail privileges. The nature of the misconduct shall be a significant factor in the approval decision.

9. Persons under correctional supervision or detention in the community shall not be allowed to correspond with incarcerated individuals; exceptions may be made for immediate family. Institutional procedures shall identify the designated approval authority for these exceptions and shall, at minimum, include provisions for incarcerated individual notification, documentation in generic notes, and notification of mailroom personnel. Communication between spouses should be authorized unless there is a justifiable cause such as a valid, documented security concern. Codefendant status alone is not justification to deny communication between spouses.
10. Correspondence between incarcerated individuals and former incarcerated individuals shall not be permitted for a minimum of six months following discharge from supervision. Exceptions for members of the immediate family may be made. After six months, correspondence between incarcerated individuals and former incarcerated individuals may be authorized by the Warden when such correspondence is determined to be in the best interests of the incarcerated individual and poses no threat to security. All exceptions shall be determined through procedures established at each facility.
11. Mail/O-mail privileges may be restricted or suspended between an incarcerated individual and a person for justifiable cause pose a potential risk to the security of the institution. This applies but is not limited to, individuals whose correspondence contains references to Security Threat Group affiliation or activity or correspondence written in code. Where such correspondence is discovered it may be rejected, with written notice of rejection provided to both. Where such correspondence continues after several rejections and notice provided to both that continued correspondence of that nature might result in suspension of the correspondence privileges. The Warden may suspend correspondence privileges for a period of up to one year. The decision of the Warden may be appealed by letter to Assistant Deputy Director of Institution Operations.
12. Incarcerated individuals may not have any contact, including by mail or through third parties, with victims or the victim's household of their commitment offense or previous offenses. All exception requests shall be considered during classification meetings in accordance with the recommendations of the Office of Victims and Restorative Justice.

13. Sex offenders with minor victims are prohibited from correspondence and photographs with minors. Sex offenders with minor victims shall normally be allowed correspondence privileges with minors in their immediate family unless a victim of the current or previous offense is a member of the immediate family. All exception requests shall be considered during classification meetings in accordance with the recommendations of the Office of Victims and Restorative Justice.
14. Incarcerated individuals are prohibited from mail and o-mail contact with a person who is the protected party of an active no-contact order. Incarcerated individuals with a modified order that may allow mail or o-mail contact remain subject to applicable prohibitions of this policy.
15. Persons under the age of 18, who are not immediate family, must provide the institution notarized written permission of the parent or legal guardian before corresponding with an incarcerated individual.
16. Misuse of mail shall result in institution discipline and/or be reported to the United States Postal Inspector or other state or federal agencies for action.
17. Additional security procedures may apply to incarcerated individuals who are placed in any type of segregation status.
18. Wardens/Designees may make individual exceptions. In cases involving victims, their immediate family, or minor victims of sexual abuse, consultation with the Office of Victims and Restorative Justice is required.
19. It is permissible for incarcerated individual to mail manuscripts to another party, so as long as the incarcerated individual does not violate departmental rules related to entering into a business contract.

C. Confidential

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

- b. Federal agencies' chief administrative officer, elected, appointed officials, and including Consulate or Diplomatic Representative of incarcerated individual's country of citizenship.
 - c. State agencies' chief administrative officer, elected or appointed officials.
 - d. Clerk of Court
 - e. The sentencing State Department of Corrections chief executive officer and deputy directors
 - f. Sentencing State Board of Parole
 - g. Attorney
 - h. The Citizens Aide Office/Ombudsman's Office
 - i. Any additional exception by law or policy
 - j. Civil Rights Commission
2. Envelopes containing confidential correspondence should be marked as "confidential" by the sender.
 3. Mail to or from the Office of Citizens' Aide/Ombudsman shall not be opened for inspection by staff. Incarcerated individuals are not required to open the mail at the direction of staff that is to/from the Ombudsman office. Mail from the Office of Citizens' Aide/Ombudsman to incarcerated individuals will be sent via the state contracted courier service.
 4. Mail from the confidential listing may be opened only in the presence of the incarcerated individual for contraband inspection or to be assured the contents are from the addressee. Mail to/from the Office of Citizens' Aide/Ombudsman does not get opened by staff.
 5. Confidential mail may not be read without order of the court. Staff may search incoming/outgoing confidential mail for contraband in the presence of the incarcerated individual and request the incarcerated individual to seal the envelope in their presence after the search.

6. Attorneys may not send in flash drives/thumb drives to incarcerated individuals.

D. Non-Confidential Incoming Mail

1. All incoming mail must be sent directly from the individual who wrote the correspondence.
2. Only correspondence sent on 8 ½ x 11 white paper will be allowed. Card stock, greeting cards, glitter, artwork or other adornments are not allowed. Items that have perfume or other scents are not allowed. Correspondence must be clear of visible stains.
3. Correctional staff shall inspect all non-confidential correspondence and packages. To facilitate institutional inspection of first-class mail, enclosures other than the written correspondence shall be limited to the following:
 - a. Photographs including snapshots or digital photos are acceptable. Female breasts, as well as genitalia and buttocks of both males and females, must be substantially obscured, or substantially covered by clothing (including swimwear or undergarments) or any other object, which is not considered pornographic or obscene. Lewd display of genitalia by males or females, clothed or unclothed, is not allowed. Single sheets of multiple photographs, thumbnail or other sizes, must adhere to these standards. Additional restrictions may apply for treatment purposes.
 - b. Multiple copies of the same, or like same, photograph are not allowed. Exceptions may be made for photos of the incarcerated individual (himself/herself) and with approval of the Warden or designee.
 - c. Photographs that contain security threat group (STG) hand gestures, or other identified STG symbolism, are not allowed. This includes photos that contain attempts at covering up the STG hand gestures such as with emoji's or other like items.
 - d. Clippings from authorized published material.
 - e. Copies of Internet material, unless deemed a security risk/threat. Each institution shall have guidelines for the

amount and type allowed consistent with the security and life safety requirements of institution.

f. Attachments/enclosures sent in with mail may be limited to ten pages or pictures.

4. Reasonable size restrictions and attachments to envelopes may be imposed by each institution.

5. Each institution shall have written procedures for the forwarding of first-class letters and packages after an incarcerated individual's transfer or release.

E. Non-Confidential Outgoing Mail

1. All outgoing mail must be sent directly to the individual that the correspondence is written to using the individual's full name.

2. All items using parcel post outgoing mail shall be packed and sealed by staff.

3. All outgoing mail shall only contain a return address, which includes the incarcerated individual's printed full name and number as well as the institution address. All incarcerated individuals identified as transgender may send out mail in their preferred name.

4. At the directive of staff, incarcerated individuals shall discontinue correspondence with individuals who have expressed in writing or by phone the desire not to receive additional correspondence from a particular incarcerated individual.

5. Incarcerated individuals shall be denied mail privileges with persons for justifiable cause that might present a risk to the order and security of the institution.

F. O-Mail

1. O-mail for incarcerated individuals shall be governed by institutional procedures. By its very nature, O-Mail is not confidential. All incoming and outgoing O-mail may be inspected and read.

2. Incarcerated individual family and friends shall be responsible for signing up on the corrlinks internet site to enroll in the O-mail system: <http://www.corrlinks.com>.

3. O-mail is limited to 14000 characters, approximately two pages and no attachments per message.
4. There is a cost for sending O-mail, which shall be the responsibility of the sender.
5. The guidelines outlined in this policy apply to electronic mail.

G. Internal Revenue Service – “Blue Bag Program”

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

H. Disposition of Contraband

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