

Ventura County Sheriff's Office
Detention Services
Divisional Policy



Section 6 Chapter 7

Inmate Mail Guidelines

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PURPOSE:

To establish guidelines for the reception, screening, and delivery of inmate mail, books, newspapers and periodicals addressed to and from inmates in jail facilities.

POLICY:

Inmates are permitted to send and receive unlimited mail, which does not threaten the safety and security of the jail, in order to maintain communication with their legal representatives, a holder of public office, the courts, and others outside of the jail facility. Inmates may also receive softbound books, newspapers and periodicals accepted for distribution by the United States Postal Service. Acceptance of these items is subject to the security procedures outlined in this policy.

DEFINITIONS:

Inmate Mail: Inmates are allowed to receive enveloped mail and postcards. Inmates are also allowed to receive softbound books, newspapers, and magazines that have been delivered from a publishing company or Internet bookstore. These items must be properly addressed to the inmate.

Confidential (Legal) Mail: Confidential mail is legal written material from any county, state or federal court, or any member of the State Bar (or verified legal assistants), holder of public office, and the Board of State and Community Corrections. Inmates may also confidentially correspond with the Jail Facility Manager or Jail Facility Administrator. Mail from private attorneys must be on official letterhead and in a properly identified outer envelope to be considered confidential.

Government Mail: Official mail from local, state, or federal government entities.

Inmate E-mail Program: E-mail will be incoming only.

Outgoing Mail: Inmates are allowed to mail letters using envelopes, postcards, and greeting cards purchased through commissary.

GENERAL PROVISIONS:

Inmates shall be afforded the right to send and receive mail via the United States Postal Service, unless the correspondence would jeopardize the safety, security, order, discipline, or control of the facility.

PROCEDURE:

I. U.S. MAIL

- A. All incoming enveloped mail, postcards, books, newspapers, and periodicals must be delivered through the U.S. Postal Service, FedEx, DHL, or UPS.
- B. All incoming mail must be properly addressed with the inmates name and booking number and be mailed to: P.O. Box 6929, Ventura, CA 93006. Incoming mail addressed incorrectly, or with no booking number, or not sent directly from the publisher (i.e.: books, newspapers, and magazines) will be returned to sender.
- C. Marriage and birth certificates will be allowed through the mail.
- D. There is no limit to the amount of mail an inmate may receive. If the amount of mail in an inmate's cell is excessive and poses a fire hazard, it may be placed into the inmate's property or mailed out at the inmate's expense.
- E. All incoming mail is opened and screened for contraband and money, as well as for jail management and law enforcement issues. Incoming mail generally takes several days to process and deliver to inmates. Incoming mail will be delivered to the inmate providing it does not jeopardize the legitimate penological interest of the jail facilities to provide a safe and secure environment for all inmates and staff.
- F. Each Inmate is allowed, on a weekly basis, to order a welfare kit, including one postage paid postcard, one postage paid envelope, 2 sheets of paper, one pencil, and one eraser. If an inmate has money in his or her account, the inmate's account will be debited accordingly. If the inmate has no funds on account, or insufficient funds, he or she will still receive a welfare kit, which includes the above described correspondence items. There will be no limit on the number of postage paid letters to their attorney and to the courts.
- G. Inmate mail may be read when there is a security reason and with the approval of the Jail Facility Manager.

II. LEGAL MAIL/GOVERNMENT MAIL

- A. Legal mail shall be opened and screened for contraband or other prohibited items in the presence of the inmate. The legal mail shall then be given to the inmate without delay.
- B. Government mail shall be opened and screened for contraband or prohibited items, and forwarded to the inmate through regular channels.

III. OUTGOING MAIL

- A. All outgoing mail shall have the inmate's custody return address (Inmate Name, Booking Number, Ventura County Jail, P.O. Box 6929, Ventura, CA, 93006) on the envelope/postcard. Any mail not containing this information will be returned to the housing unit for an attempt to locate the sender.
- B. There is no limit on the volume of mail an inmate may send out.
- C. Items that cannot be mailed by the inmate include, but are not limited to:
 - 1. County property, including law, religious, or library books
 - 2. Items purchased by the Inmate Welfare Fund
 - 3. Edible Items purchased through Commissary
 - 4. Items made by the inmate
- D. Envelopes that are suspected of containing contraband shall be forwarded to Classification. Classification will contact the inmate and ascertain what is inside the envelope. The Classification officer shall open the letter in the presence of the inmate to discover its contents. The Classification officer shall write a JIR documenting the circumstances of the incident along with a disciplinary report, if applicable.

IV. INMATE EMAIL PROGRAM

- A. The email program is designed to provide a contemporary and efficient means for information to be shared with an inmate. Members of the community may send an email to an inmate by accessing the Sheriff's website at, www.vcsd.org. The email can be sent by clicking the "VCSD Jail – Inmate Information" icon and locating the inmate.
 - 1. Only text will be allowed in the email. Each email has a maximum of 4500 characters (equivalent to one page).
 - 2. The email will only be printed on light grey paper and delivered to the inmate with the inmate mail.

V. SECURITY SCREENING

- A. All incoming material, except confidential (legal) mail, shall be processed through the Detention Services mail system and screened by Detention Services security personnel to ensure appropriate security measures are observed. The security screening occurs for all incoming mail as an initial inspection to search for cash, checks, money orders, and to prevent contraband and/or sensitive material from being introduced into the jail system.
- B. Any publications with writings or illustrations that contain obscenity, violence, hatred, and threaten the jail's security will not be delivered to the inmate.
- C. During this process the following items will be removed from all mail: Industrial staples (if removal of industrial staple will damage the article it will be returned), standard staples (unless they are used to bind publications), paper clips, metal clamps, clasps, wire, currency and drugs.

VI. CHECKS

- A. Only government checks from local, state, or federal government entities are accepted, and only if they are in an official envelope from the issuing agency.

VII. REJECTION OF INCOMING INMATE MAIL

- A. All items deemed to contain contraband or determined to be unacceptable, will not be delivered to the inmate but will be retained pending conclusion of the internal appeal process. Certain items will be destroyed if the item cannot be placed in the inmate's property (e.g. liquids, illegal contraband, etc.). In all cases in which incoming mail is withheld, the inmate and sender will receive a copy of a "Contents Unacceptable" form, generated by the Detention Mail Staff identifying the article, sender, and disposition. The sender will receive a "Notice of Appeal" which will explain the appeal process to the sender. In cases where inmate mail is not deliverable and placed into the inmate's property, the inmate will receive a copy of a "Content's Unacceptable" form. The notice of appeal rights shall include sufficient information identifying the non-delivered(s) and the reason(s) why the item(s) pose a threat to the Jail's safety and security.
- B. The following rules will govern inmate mail privileges:
 - 1. All correspondence must be clearly addressed.

2. Postcards may not be altered from their original form, including added layering, backing, wrappings, laminate, buttons, bows, glue or ribbons.
3. No gang codes or markings will be accepted. Outgoing correspondence, of that nature, will be given to Classification for review.
4. No drugs or other contraband may be enclosed in the mail.
5. Enveloped mail or postcards may not be marked with paint, heavy crayon, foil, heavy ink, glitter, cloth, string, watermarks, stains or stickers (excluding US Postage Stamps).
6. Enveloped mail or postcards cannot contain any perceived biohazard, i.e., lipstick, gloss, scents, etc.
7. Publications, photographs, postcards, and letters cannot show images, drawings, artwork or photographs of fully exposed genitalia, buttocks or female breasts, and/or graphic depictions of sexual acts. Medical, anthropological, literarily artistic and scientific journals and publications are not prohibited.
8. Correspondence or pictures that tend to incite violence, riot, racism or threaten the security of the facility are prohibited.
9. Blank postcards, envelopes, writing paper, greeting cards or postage stamps will not be accepted.
10. Magazines/newspapers/books/booklets will not be accepted unless sent from the publisher or directly from an authorized retail distributor.
11. Publications and enveloped mail may not contain wire, spiral bindings, pens, pencils, or any other items determined to be inappropriate or unacceptable for safety or security reasons.

NOTE: Inmates shall not possess excessive amounts of paper products. Inmates' personal books, magazines, newspapers and mail must be able to fit in their Commissary box. Newspapers must have the inmate's name on the address label. This limitation does not apply to the inmates' legal mail. Extra items will be sent to the inmate's property or be subject to the inmate's agreed upon voluntary destruction.

VIII. INTERNAL APPEAL PROCESS FOR RETURNED MAIL

- A. If incoming mail is withheld for one of the reasons listed above under “Security Screening” or “Rejection of Incoming Inmate Mail,” both the sender and inmate will receive notification of the opportunity to appeal. The notification will be given in the form of written “Notice” to the sender or inmate, within five (5) business days.
- B. The notice to the inmate will contain the name of the publication or item, the inmate’s name, the date that the publication was deemed unacceptable, the reason for the return and the name of the person authorizing the withholding. It will also include instructions how the inmate may appeal the return by following the facility Grievance Procedures.
- C. The inmate may appeal the return decision within ten (10) business days of the receipt of the notice using a Grievance Form. The appeal must include the inmate’s name, date, the name of the publication or item in question, and all the reasons the inmate disagrees with the decision. Any reason not included in the written appeal will not be considered. Further appeals will comply with the facility Grievance Procedures.
- D. Notice to the “Sender” will contain the name of the publication, or item, the inmate’s name, date the publication or item was deemed unacceptable, the reason for the withholding and the name of the person authorizing the withholding. The notice will also provide the sender the information and instructions how to appeal the return decision. The withheld publication or item will be retained pending final disposition of any such appeal.
- E. The Sender may appeal within ten (10) business days after receipt of the notice. The sender must send the appeal by United States mail, addressed to the Detention Services Administration Captain, Ventura County Sheriff’s Office 800 S. Victoria Ave. Ventura, CA 93009. If the sender chooses not to use certified mail, the burden to demonstrate timely mail deposit is upon the sender. Likewise, if the Sheriff’s Office chooses not to send the notice of withholding via certified mail, the burden to demonstrate timely receipt of the notice is upon the Sheriff’s Office.
 - 1. The appeal must include the inmate’s name, a contact person’s name and address at the company or sender’s location, the date, and the name of the publication or item, and all reasons that the sender disagrees with the return decision.
 - 2. Senders will be notified of the appeal decision within ten (10) business days of the receipt of the appeal. The written appeal decision by the Administrative Captain will contain a written explanation, detailing the reasons for the rejection.

- F. If the Detention Services Administration Captain, handling the appeals, needs longer than ten (10) days due to the length of the publication or the number of appeals being filed, notice will be provided to the sender that an extension of time is necessary to respond.
- G. If the internal appeal by an inmate or sender overturns the non-delivery decision, the item or items shall be promptly delivered to the inmate, and the sender shall be notified of the decision (if a return address is provided).

IX. INVESTIGATIONS

- A. Mail is not to be read except where there is a valid security reason to justify such action and the Facility Manager approves.
- B. Incoming original articles of inmate mail and copies of inmate mail may be viewed or released to authorized law enforcement officials and investigators pursuant to an official investigation. Those authorized persons shall articulate a specific need for the contents of the requested information to the Facility Manager.

REFERENCES:

California Penal Code Section 2601

Title 15, California Code of Regulations, Sections 1063, 1066, 1068

Permanent Injunction Prison Legal News v. Ventura County, USDC CD CA, Case No. 14-0773-GHK (EX)