NEW YORK STATE Department of Corrections and Community Supervision **DIRECTIVE**	TITLE **Incarcerated Individual Correspondence Program**		NO. 4422 DATE 07/28/2021
SUPERSEDES DIR #4422 Dtd. 09/27/19	DISTRIBUTION A B	PAGES PAGE 1 OF 14	DATE LAST REVISED
REFERENCES (Include but are not limited to) See Section II	APPROVING AUTHORITY		

I. PURPOSE: This directive contains and describes the policies and procedures governing the Correspondence Program available to all incarcerated individuals. The exchange of correspondence between an incarcerated individual and another person or business must be in accord with the regulations contained in this directive.

NOTE: For the policies and procedures governing privileged correspondence, see Directive #4421, "Privileged Correspondence." Electronic mail sent and/or received between an incarcerated individual and a member of the general public is addressed in Directive #4425, "Incarcerated Individual Tablet Program."

II. REFERENCES

- 7 NYCRR, Part 270.2; 7 NYCRR, Part 720
- ACA Expected Practices:
  - 5-ACI-3D-06, 5-ACI-4A-20, 5-ACI-4B-20, 5-ACI-5A-01, 5-ACI-7D-01, 5-ACI-7D-02, 5-ACI-7D-03, 5-ACI-7D-05, 5-ACI-7D-07, 5-ACI7-D-08, 5-ACI-7D-09
  - 2-CO-5D-01
  - 1-ABC-3D-05, 1-ABC-5D-01, 1-ABC-5D-02, 1-ABC-5D-03, 1-ABC-5D-05, 1-ABC-5D-07, 1-ABC-5D-08, 1-ABC-5D-09
- Directives #0008, #2788, #2798, #4015, #4421, #4425, #4572, #4761, #4910, #4910A, #4911, #4913, #4932
- Incarcerated Individual Rulebook #113.16

III. POLICY

A. These regulations are specified for staff, incarcerated individuals, and the general public to provide efficient mail service to all concerned.

B. Correspondents are personally responsible for the contents of their mail. Violation of the regulations governing incarcerated individual correspondence or 7NYCRR, Part 270.2, "Standards of Incarcerated Individual Behavior," through correspondence will be considered a serious offense and may result in disciplinary proceedings and/or the monitoring of outgoing correspondence for a specified period of time. Incarcerated individuals and all correspondents are advised that sending obscene, threatening, or fraudulent materials through the mail may be a crime under State and Federal laws. The Department will urge prosecution whenever such mail is brought to its attention.

C. The sending and receiving of mail by incarcerated individuals will be restricted only to the extent necessary to prevent a threat to the safety, security, and good order of the facility or the safety or well-being of any person, and to prevent unsolicited and unwanted mail.

NOTE: Excluding weekends and holidays or emergency situations, incoming and outgoing letters should not be held for more than 48 hours for incarcerated individuals.

D. The Superintendent shall have the overall responsibility for the administration of the Correspondence Program at their facility. Specific responsibilities may be delegated by the Superintendent.

IV. GENERAL CORRESPONDENCE PROCEDURES

A. General Correspondence is mail between an incarcerated individual and someone other than a person approved for privileged correspondence (see Directive #4421). For the purpose of this directive, outgoing mail purporting to be privileged correspondence will not be considered to be privileged correspondence until it has been placed in the control of the administration for processing.

B. Outgoing Mail

1. An incarcerated individual may submit correspondence to be sent to any person or business, subject to the conditions and limitations hereunder.

2. Whenever the recipient of an incarcerated individual's correspondence indicates, in any manner, that they do not wish to receive further correspondence from the incarcerated individual, the Correspondence Unit, Package Room, Deputy Superintendent for Security (DSS), Supervising Offender Rehabilitation Coordinator (SORC), and incarcerated individual shall be notified. Form #3402, "Addition of Name to Negative Correspondence/Telephone List," shall be used for notification. Copies will be filed as noted on Form #3402.

   NOTE: Form #3402 needs to be redistributed, by Guidance staff, to the Correspondence Unit and Package Room upon transfer.

3. Negative Correspondence/Telephone List: Shall contain the name of any person or business that has indicated, in any manner, that further correspondence from the incarcerated individual is not desired. If a request to be removed from an incarcerated individual's Correspondence/Telephone List is received, a confirmation letter in the format of Attachment A shall be sent to the person making the request. If such a person or business indicates, at a later time, that further correspondence is not objectionable, the Superintendent or designee may, but need not, direct the name of the person or business be removed from the Negative Correspondence/Telephone List.

   Upon receipt of a request to be placed on an incarcerated individual's Negative Correspondence/Telephone List, the requester is to be informed of the toll-free telephone number for the Department of Corrections and Community Supervision (DOCCS) Office of Victim Assistance (1-800-783-6059). The requester should also be told that the Office of Victim Assistance is available to explain release notification options and access to Crime Victim Compensation funds; and, when appropriate, to make referrals to support groups or community services such as those assisting victims of domestic violence or sexual assault.

   NOTE: A parent, custodian, or legal guardian of an incarcerated individual's child who requests that the facility prohibit correspondence between the incarcerated individual and the incarcerated individual's child should be informed that their request cannot be granted absent a Court Order; however, if an incarcerated individual violates Department correspondence procedures, correspondence may be limited, as with any other person.

4. No incarcerated individual shall continue to submit mail to be sent to a person or business that currently appears on their Negative Correspondence/Telephone List. Any incarcerated individual who continues to submit mail to be sent to a person or business that currently appears on the Negative Correspondence/Telephone List may be subject to disciplinary action and/or monitoring of outgoing mail for a specified period of time.
5. No incarcerated individual may correspond with or make telephone calls to any person who is listed on an active Court Order of Protection which prohibits such contacts. The name of the person(s) will be added to the Negative Correspondence/Telephone List. Form #3402 will be completed and used for notification. Copies will be filed as noted on Form #3402.

   NOTE: Form #3402 will be redistributed, by Guidance staff, to the Correspondence Unit and Package Room upon transfer.
6. Correspondence by an incarcerated individual to the following persons requires the special advance approval indicated:
   a. Unrelated minor persons under 18 years of age: Written approval of the minor's parent or legal guardian must be obtained prior to correspondence with an unrelated minor. The incarcerated individual may address a letter to the parent or legal guardian to obtain such approval.
   b. Persons under probation or Community Supervision: Authorization from the Superintendent and the Probation or Parole Officer must be obtained before the incarcerated individual may correspond with a probationer or parolee. Such correspondence will usually be limited to immediate family members.
   c. Incarcerated Individuals in New York State, Federal, or other correctional facilities: Authorization from the Superintendents concerned must be obtained before an incarcerated individual may correspond with another incarcerated individual (see Section IV-C for the complete policy and procedure relating to incarcerated individual-to-incarcerated individual correspondence).
   d. Persons presently or formerly employed by the Department or in a Department facility: Unless an incarcerated individual is an immediate family member, authorization from the Superintendent must be obtained before an incarcerated individual may correspond with any person who is a present or former employee of the Department or presently or formerly employed in a Department facility, or with any member of such person's household, at their personal or private residence address.
   e. Victims: Authorization from the Superintendent must be obtained before an incarcerated individual may correspond with any victim of a crime for which the incarcerated individual has been convicted or is presently under indictment, or with any member of the victim's household who is not an immediate family member of the incarcerated individual. The name of the person(s) will be added to the Negative Correspondence/Telephone List. Form #3402 will be completed and used for notification. Copies will be filed as noted on Form #3402.

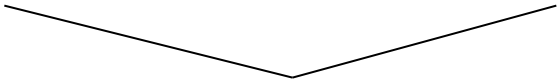
      NOTE: Form #3402 will be redistributed, by Guidance staff, to the Correspondence Unit and Package Room upon transfer.

7. Except for oversize envelopes and parcels, incarcerated individual-to-incarcerated individual correspondence, and correspondence specified in Section III-A-2 of Directive #4421, outgoing correspondence may be sealed by an incarcerated individual.
8. Oversize correspondence, defined as mail which cannot be enclosed in a standard business envelope, shall be inspected in the presence of the incarcerated individual by a designated security staff person for the presence of contraband. The Superintendent may designate Block, Law Library, Package Room, Correspondence Unit, Legal Mail, Notary Public, or other staff to conduct these inspections. Inspections shall be completed as soon as possible, but not later than 24 hours after the request.

   Legitimate correspondence may be sealed by the incarcerated individual after inspection, and the inspecting staff person shall then sign the back of the envelope or parcel, certifying inspection, and promptly deliver or forward the mail to the Correspondence Unit or Business Office, as appropriate.
9. Outgoing correspondence, except as specified in Section III-A-2 of Directive #4421, shall not be opened, inspected, or read without express written authorization from the facility Superintendent.
   a. The Superintendent shall not authorize the opening or inspection of such outgoing mail unless there is a reason to believe that the provisions of this or any directive, incarcerated individual rule, or regulation have been violated; that any applicable State or Federal law has been violated; or that such mail threatens the safety, security, or good order of the facility or the safety or well-being of any person. Such written authorization by the Superintendent shall set forth specific facts forming the basis for the action.
   b. If, after inspecting the contents of outgoing mail, it is determined that the provisions of a directive, rule or regulation, or State or Federal law have been violated; or that such correspondence threatens the safety, security, or good order of the facility or the safety or well-being of any person; then the correspondence may be confiscated. The incarcerated individual must be informed in writing unless doing so would interfere with an ongoing investigation.

      Where the incarcerated individual has been so notified, they may appeal the action to the Superintendent.
   c. In accordance with Section III-C, any opening, inspection, or reading of mail shall not cause the mail to be held for more than 48 hours, excluding weekends and holidays or emergency situations.
10. All outgoing incarcerated individual mail will be stamped with the name and address of the correctional facility from which it is being sent and a postage meter star symbol.
11. Outgoing mail should include the full address of the person to whom it is addressed. It should include the Name, Address, City, State, and ZIP code. Incarcerated individuals shall not submit correspondence to be sent to a post office box without a specifically identified addressee; the addressee, either a person or a business, shall be clearly identified. An insufficiently addressed envelope shall be opened to ensure that the letter is returned to the originator.

12. An incarcerated individual may use envelopes and writing paper provided by the facility, or personal writing paper. Any printing on personalized writing paper is limited to the incarcerated individual's commitment name (unless the incarcerated individual's name has been legally changed), Department Identification Number (DIN), and facility address. Personalized writing paper (not envelopes) may be ordered by the incarcerated individual from a commercial source.
13. It is the responsibility of each incarcerated individual to print or type their return address on the front upper left-hand corner and on the back flap of each outgoing envelope exactly as illustrated below. The incarcerated individual shall use their commitment name unless it has been legally changed. Failure to include all return address information in the order indicated may result in the opening and return of the mail to the incarcerated individual. If the Correspondence Unit is unable to identify the incarcerated individual sender, the mail will be destroyed by the facility.

Great Meadow Correctional Facility Box 51 Comstock, New York 12821-0051 John Doremi, 00-A-0000 (Envelope - front - upper left)	New York State Department of Corrections and Community Supervision Incarcerated Individual Correspondence Program John Doremi, 00-A-0000  (Envelope - back flap - centered)

14. A facility may restrict what appears on the outside of an outgoing envelope.
15. Incarcerated individuals who are unable to read or write may request the assistance of a staff member, volunteer, or another incarcerated individual for correspondence purposes.
16. Incarcerated individuals shall not conduct a mail order or other business while under the custody of the Department. Superintendents may direct Administrative Services, Program Services, or Security Services Deputies to monitor correspondence patterns and financial accounts to detect any irregularities which would indicate this type of activity. Violation of this policy by an incarcerated individual may result in disciplinary action and/or the monitoring of outgoing correspondence for a specified period of time.
17. Incarcerated individuals shall not use their correspondence privileges to solicit or otherwise commercially advertise for money, services, or goods.
18. Correspondence privileges shall not be used by an incarcerated individual to engage in any form of gambling or to participate in any lottery, sweepstakes, or chain letter operation.
19. An incarcerated individual may send, at their own expense, a certified or registered letter, and the incarcerated individual will be provided with a return receipt, if requested, after the delivery has been made.
20. An incarcerated individual must request and pay for certified or registered mail service in order to have a valued personal document mailed out from personal property secured by the facility Incarcerated Records Coordinator (IRC).

Whenever such mail is prepared and sent by the IRC, a copy of the Disbursement Form and postal documentation showing the item has been sent will be filed in that incarcerated individual's personal property folder. If a return receipt has been requested as part of the postal service, it shall go directly to the incarcerated individual.

21. An incarcerated individual shall not include any written material in outgoing mail not specifically intended for the addressee identified on the exterior of the envelope. Likewise, an incarcerated individual shall not include in outgoing mail any written material for an incarcerated individual not specifically identified as the sender on the exterior of the envelope. This practice, sometimes known as "kiting," may be the basis for disciplinary action.
22. Outgoing correspondence that does not comply with this directive will be opened and returned to the incarcerated individual. The Correspondence Unit shall indicate the reason for return.

C. Incarcerated Individual-to-Incarcerated Individual Correspondence

1. Approval for Incarcerated Individual-to-Incarcerated Individual Correspondence: The Superintendent or Chief Administrator at each facility may designate a staff member to process incarcerated individual-to-incarcerated individual correspondence requests. These requests will be investigated by both facilities to determine that the exchange of such correspondence will not create problems relating to the safety, security, or good order of the facilities; or the safety or well-being of any individual before any incarcerated individual-to-incarcerated individual correspondence is authorized. Authorization for such correspondence must come from the involved Superintendents or their designees.
    a. Exception: Only the approval of the Superintendent of the NYS DOCCS facility where an incarcerated individual is housed is required when they request to correspond with incarcerated individuals who are under the custody of the New York City Department of Corrections. This exception is based on the New York City Department of Corrections' policy that permits incarcerated individuals to write to whomever they choose, including other incarcerated individuals.
    b. Restrictions: Incarcerated individuals are only permitted to correspond with immediate family members and codefendants in active cases. For the purposes of this directive, immediate family members are defined as spouses, children, parents, siblings, and grandparents. Other incarcerated individual-to-incarcerated individual correspondence may only be approved in exceptional circumstances. Changes to the incarcerated individual-to-incarcerated individual correspondence lists are permitted only on a quarterly basis at the time of the incarcerated individual's scheduled interview. Photographs of incarcerated individuals should not be included in incarcerated individual-to-incarcerated individual correspondence.
    c. Transfer of Incarcerated Individuals: When an incarcerated individual is transferred, their approval to correspond with other incarcerated individuals will remain in effect. The Guidance staff at the receiving facility will notify their Correspondence Unit of the names of those incarcerated individuals with approvals for incarcerated individual-to-incarcerated individual correspondence.

2. Denials of authorization for incarcerated individual-to-incarcerated individual correspondence shall include a statement of reasons for the denial and shall be placed in both incarcerated individuals' files. Such denials may be appealed to the Commissioner or designee, in writing, within 30 days.

   Authorization to correspond may be withdrawn by the Superintendent in particular cases when it is demonstrated and documented that:

   a. One or both incarcerated individuals have violated facility or Departmental rules or regulations.

   b. The reason for the original approval no longer applies or has been determined to have been erroneous or deceptive.

   c. The safety, security, or good order of a facility is jeopardized.

   d. The safety or well-being of any individual is jeopardized.

   Such documentation shall be placed in both incarcerated individuals' files.

3. Incarcerated individual-to-incarcerated individual correspondence must not be sealed. If it is sealed, it may be opened and returned to the incarcerated individual sender.

4. Incarcerated individual-to-incarcerated individual correspondence may be read by the Superintendent or designee of either the sending or receiving facility or both. No incarcerated individual-to-incarcerated individual correspondence shall be deemed in any way to be privileged correspondence.

5. There shall be no exchange of funds or packages between incarcerated individuals (see Directive #4761, "Incarcerated Individual Charitable Contributions and Gifts").

D. Postage

1. Purchase/Possession of Stamps

   a. Incarcerated individuals may not receive stamps through the mail or through incarcerated individual packages.*****

      *****NOTE: A postage-prepaid envelope received within privileged correspondence from a court or an attorney that has been pre-addressed by the court or attorney may be received (subject to inspection by the security staff) and used by the incarcerated individual for the intended return correspondence.

   b. Postage shall be made available by the sale of stamps in the Commissary. Incarcerated Individuals may purchase up to 50 domestic first class stamps for one-ounce letters per Commissary buy.
      The maximum number of stamps in any incarcerated individual's personal possession should not exceed 50 (see Departmental rule #113.16 of the incarcerated individual rulebook).

   c. An incarcerated individual may purchase postage by attaching an IAS Form #2706, "Disbursement Form," to a letter only in the following circumstances:

      (1) The incarcerated individual is newly arrived at a facility, has no stamps, and has not yet had an opportunity for a Commissary buy.

      (2) The incarcerated individual has had Commissary buy privileges suspended and is not eligible for or does not get a special Commissary stamp buy.

(3) A particular letter or parcel, because of size, weight, special handling, or any other special postal feature requires an unusual amount of postage.

(4) There are extenuating circumstances which, in the discretion of the Superintendent, warrant processing a Disbursement Form.

(5) Sufficient funds are available in the incarcerated individual's account.

d. An incarcerated individual who has lost Commissary privileges shall be able to make a monthly stamp buy of up to 50 domestic first class stamps for one-ounce letters. This special buy shall be offered within 72 hours of the imposition of the penalty and every 30 days thereafter. Incarcerated individuals who have been admitted to a Special Housing Unit (SHU) shall be offered a stamp buy within 72 hours of admission and every 30 days thereafter.

2. Free Postage

a. Incarcerated individuals may receive some free postage for privileged correspondence (see Directive #4421).

b. Incarcerated individuals received at reception/classification facilities (except cadre) shall be allotted free postage in an amount equivalent to five domestic first class letters of one-ounce per week for personal correspondence for a period not to exceed four weeks.

c. Incarcerated individuals may not accumulate, from week to week, credit for unused postage.

3. Advances for Legal Mail Postage: Funds may be advanced to an incarcerated individual for the purpose of sending legal mail in accordance with the procedures detailed in Directive #4421 and Directive #2788, "Collection & Repayment of Incarcerated Individual Advances & Obligations."

4. Advances for Personal Postage: Funds may be advanced to an incarcerated individual for one domestic first class one-ounce letter per month in the following circumstances:

a. The incarcerated individual has been confined to SHU for discipline or administrative segregation for 30 days or more and has a zero or negative account balance.

b. The incarcerated individual has been in keeplock status for 30 days or more, has lost telephone privileges, and has a zero or negative account balance.

c. The incarcerated individual has lost telephone privileges, has a zero or negative account balance, and has not refused to accept available program assignments.

5. Incarcerated Individual Organizations: Incarcerated individual organizations must pay the postage costs for all of their outgoing mail.

E. Business Mail: All correspondence addressed to a business entity, other than a member of the media, shall be considered business mail and shall be processed as follows:

1. Business mail obligating an incarcerated individual's funds (e.g., requests to an outside vendor for goods or services, etc.) must be accompanied by a signed and approved IAS Form #2706 (see Directive #2798, "Incarcerated Individual Accounts").

2. When processing this business mail, the facility must ensure that the incarcerated individual has sufficient funds. If sufficient funds are available, a check or money order will be drawn against the incarcerated individual's account and inserted in the envelope as advance payment.
3. Incarcerated individuals are prohibited from using business correspondence to order any items on credit or installment plans and are also prohibited from obligating their funds for anything more than the immediate purchase which is being reviewed.

   For example, incarcerated individuals may not join a club or purchase plan in which items are automatically sent to the facility along with invoices for payment each week, month, etc. However, incarcerated individuals may make one single initial payment for items which will be delivered over an extended period of time, provided that there is no additional billing for the items being delivered in the future.
4. All business mail, except business mail addressed to the media, will be submitted by the incarcerated individual unsealed. Such business mail is subject to inspection.
5. All business mail addressed to the media may be submitted by the incarcerated individual sealed. Such business mail shall not be subject to opening, inspection, or confiscation, except in accordance with the provisions of Section IV-B-9 above.
6. Notwithstanding the above, mail addressed to a box number in care of a media entity shall not be considered to be mail addressed to the media.

F. Collection of Mail: Outgoing incarcerated individual mail shall be collected, from mail boxes placed in convenient locations in the facility, by a correctional employee at least once a day, except Saturdays, Sundays, and State and postal holidays; mail service on Saturdays and State holidays is optional. At no time shall an incarcerated individual collect the mail. Collected mail shall be processed and forwarded to a post office at least once a day, except as noted above.

G. Incoming Mail

1. Inspection of Incoming Correspondence
   a. Before opening, incoming mail should be checked to make sure that the addressee can be accurately identified and is currently at the facility. If the addressee is no longer at the facility, the mail shall be forwarded in accordance with Directive #4015, "Forwarding Incarcerated Individual Mail."

      All incoming general correspondence must have a clearly identifiable name of sender and return address. A letter which does not have a return address will not be delivered to the incarcerated individual. It will be considered contraband and handled accordingly (see Directive #4910, "Control of & Search for Contraband").
   b. All incoming general correspondence will be opened and inspected for cash, checks, money orders, printed or photocopied materials, and/or contraband. The incarcerated individual's presence is not required during the inspection of incoming general correspondence. (See Directive #4421 for the procedure to be followed for the opening of privileged correspondence. See Directive #4572, "Media Review," for publications deemed to be unacceptable.)

NOTE: Greeting card size is not to exceed the limitations as listed in Directive #4911, "Packages & Articles Sent or Brought to Facilities" (18"x14" when opened). Electronic cards are not permitted.

c. Publications received at the facility which are in a language other than English shall be referred for translation services to the Central Office Director of Education prior to referral to the Facility Media Review Committee (FMRC).

2. When, in the course of inspection, checks or money orders from a clearly identifiable source are found, they shall be mailed back to the sender, along with the appropriate notification letter and a JPay deposit slip, both documents ENG/SPL, in accordance with the Mailroom Procedures for JPay.

   Facilities will continue to process cash received in the mailroom but must send the appropriate notification letter and JPay deposit slip to the sender. All anonymously received monies will be considered contraband and handled accordingly (see Directive #4910A, "Contraband/Evidence – Handling, Storage, and Disposition").

3. When, in the course of inspection, printed or photocopied materials are found, the entire contents of such correspondence may be delayed through the Correspondence Unit for up to six days while the materials are subject to media review guidelines (see Directive #4572).

   NOTE: A limit of five pages of printed or photocopied materials (an individual newspaper clipping will be considered one page) may be received within a piece of regular correspondence (except as provided below). In order to facilitate media review, pages or clippings must not be taped, glued, or pasted together or to other papers.

   Not to exceed once every four months, an incarcerated individual may make a written request to the Superintendent to receive in excess of five pages of printed or photocopied legal papers specifically related to the incarcerated individual's current legal matter (e.g., legal brief or trial transcript relating to the incarcerated individual's active case) within a piece of regular correspondence.

   The incarcerated individual shall make the request in advance, specifically identifying the legal papers, including the approximate number of pages, and state why they cannot be obtained via the facility Law Library or privileged correspondence (e.g., from a court, attorney, or the New York State Law Library). If approved, the piece of correspondence must be received within 30 days thereafter. Upon timely receipt, it shall be processed in accordance with this section and shall not be deemed privileged correspondence.

   The five-page limit on the printed or photocopied materials shall not apply to incoming mail from any of the entities listed in Section II-B-2 through Section II-B-6 of Directive #4421.

4. When, in the course of inspection, contraband is found, it shall be removed and given special handling according to type:

   a. Third-party mail: Defined as correspondence from a party who is not identified as the sender in the return address. The facility shall return the entire correspondence to the sender with a letter explaining that third-party mail is considered contraband, is against Department rules, and therefore, will not be delivered to the incarcerated individual.

b. Unauthorized items: Shall be either returned to the sender at the expense of the incarcerated individual, or otherwise disposed of. Such will be the choice of the incarcerated individual and accomplished at the incarcerated individual's expense. An incarcerated individual shall be allowed 30 days to obtain funds to pay the cost of disposing the contraband. If, after 30 days, the incarcerated individual is unable to pay for the disposal of the contraband, it will be donated or destroyed.

c. Personal identifying information: Any material which appears to contain personal identifying information (e.g., social security number, home address, private email address, or home telephone number) belonging to any person who is not a member of the incarcerated individual's immediate family shall be examined.

If the information identifies a present or former employee of the Department or a person presently or formerly employed in a Department facility, or a member of such person's household, it shall be withheld for investigation unless it is determined that the incarcerated individual has authorization from the Superintendent to receive such correspondence, or the personal identifying information pertains to a member of the incarcerated individual's immediate family.

d. Crime and sentence information on other incarcerated individuals: Any material which contains crime and sentence information on any other incarcerated individual shall be confiscated and delivered to the Superintendent.

e. Illegal items (drugs, weapons, etc.): Shall be forwarded to the Security Office with appropriate chain-of-custody documentation. When appropriate, the New York State Police or appropriate police agency shall be notified.

f. Anonymously received money: Cash, checks, or money orders will be confiscated, labeled, and forwarded to the Fiscal Office for safekeeping. An investigation will be conducted in an attempt to verify the source. If, after proper investigation, no source is identified, the monies will be turned over to the State Treasurer as miscellaneous receipts on an OSC Form AC 909-S.

g. Uniform Commercial Code (UCC) Financing Statement: Any UCC Article 9 form, including but not limited to, any financing statement (UCC1, UCC1Ad, UCC1AP, UCC3, UCC3Ad, UCC3AP, UCC1CAd), correction statement (UCC5), or information request (UCC11), whether printed, copied, typed, or hand written, or any document concerning a scheme involving an incarcerated individual's "strawman." "House Joint Resolution 192 of 1933," the "Redemptive Process," "Acceptance for Value," or document indicating copyright of an incarcerated individual's name is prohibited absent prior written authorization from the Superintendent. All such material and any other material contained within the correspondence shall be examined by the Superintendent in consultation with Counsel's Office and may be withheld for investigation. An incarcerated individual may request authorization from the Superintendent to receive specific materials by providing the Superintendent with specific, legitimate legal reasons why such materials are required.

5. Incoming general correspondence, other than incarcerated individual-to-incarcerated individual letters and incarcerated individual business mail, will not be read unless there is evidence that the correspondence may contain one or more of the following:
   a. Plans for sending contraband in or out of the facility.
   b. Plans for criminal activity, including escape.
   c. Information which, if communicated, would create a clear and present danger to the safety of persons and/or the security and good order of the facility.
6. Written authorization from the facility Superintendent to read incoming correspondence must be placed in the incarcerated individual's file, specifying the reasons such action is considered necessary and whether all mail or certain correspondence shall be read. Such authorization shall be for a 60-day period subject to renewal by the Superintendent.

   The Superintendent shall request documentation from the person recommending inspection to determine that there are sufficient grounds for reading the mail, that the reasons for reading the mail are related to the legitimate interests of safety, security, and order, and that the reading is no more extensive than necessary to further these interests.

   In accordance with Section III-C, any opening, inspection, or reading of mail shall not cause the mail to be held for more than 48 hours, excluding weekends, holidays, or emergency situations.
7. When incoming general correspondence is withheld by the designated staff member for any of the above listed reasons, notification shall be sent to the sender and the intended correspondent of the action taken and reasons therefore, unless doing so would interfere with an ongoing investigation. The sender and incarcerated individual may appeal this action by writing to the Superintendent.
8. Correspondence privileges with a particular person may be withheld as a result of the disposition of a Superintendent's Hearing, where the incarcerated individual has been involved in improper conduct in connection with correspondence with such person.
9. At the Superintendent's discretion, a record of incoming and outgoing mail may be kept by the Correspondence Unit.
10. Mail received at a facility from which an incarcerated individual has been transferred or released shall be handled in accordance with the procedures indicated in Directive #4015.
11. Incarcerated individuals are authorized to retain all of their personal correspondence, subject only to the limitations expressed in Directive #4913, "Incarcerated Individual Property," and any other applicable rule or regulation.
12. Incoming mail that is deemed to constitute a form of gambling, lottery, sweepstakes, or chain letter operation is prohibited from coming into the facility. Such mail shall be stamped "RETURN TO SENDER" upon entering the facility.
13. When an incarcerated individual's incoming correspondence is stamped "RETURN TO SENDER" or something similar, the Correspondence Unit should take precautions to ensure that the letter is not an attempt to circumvent the Department's incarcerated individual-to-incarcerated individual correspondence procedures.

When such mail is opened to check for contraband, it shall be inspected to determine if it was written by the incarcerated individual to whom it is being "returned." If it was not written by that incarcerated individual, it shall be withheld.

H. Distribution of Mail: Incoming general correspondence will be delivered to incarcerated individuals on normal business days by a correctional employee. Incarcerated individuals are not permitted to deliver mail to other incarcerated individuals.

If the incoming general correspondence is registered or certified, the incarcerated individual to whom it is addressed shall sign a receipt for such correspondence. If the incarcerated individual refuses to sign a receipt, the correspondence shall be returned to the postal service marked "Refused."

Sample Letter

Facility Letter Head (see Directive #0008, "Use of Department Stationery & Business Cards")

Dear _____:

This is to confirm that you contacted _____, a staff member at this facility, on _____, indicating that you no longer wish to receive correspondence and/or telephone calls from incarcerated individual _____ _____, DIN _____, and you wish to have your name added to the incarcerated individual's Negative Correspondence/Telephone List.

Staff at this facility will make every effort to ensure that your request is honored.

For your information, the toll-free telephone number for the Office of Victim Assistance is 1-800-783-6059. Staff at that office are available to explain release notification options and access to Crime Victim Compensation funds and, when appropriate, to make referrals to support groups or community services such as those assisting victims of domestic violence or sexual assault.

If the information contained above is incorrect, or if you would like any additional information, please contact the Office of Victim Assistance.

Sincerely,

Superintendent