

## **Section 8: Communication**

**Subject: Inmate Mail**

**Minimum Standard: 5120:1-8-06**

**Revised: 05/1999, 03/2009, 12/2011, 09/2015, 07/2017, 09/2017**

**Authorized:** \_\_\_\_\_ **Effective date:** \_\_\_\_\_  
**Sheriff Paul A. Sigsworth**

### **POLICY**

There shall be no limitation on the amount of incoming or outgoing inmate mail, whether received or sent via the United States Postal Service (USPS) or received or sent via the internal inmate email system when the inmate bears all costs associated with that correspondence, except as outlined below. Incoming and outgoing USPS mail will be inspected to ensure that the mail does not contain contraband or information/communication that could be detrimental to the safety or security of the jail. Legal mail or correspondence, as defined below, will be opened and inspected in the presence of the inmate to ensure that no contraband is contained therein. Mail will be withheld or rejected based on legitimate jail security interests, as authorized by the Jail Administrator or his/her designee and as noted below. Any inmate from whom mail is withheld will be notified and will be provided with the reason for the rejection. Indigent inmates shall receive two (2) postage pre-paid postcards per week.

### **DEFINITIONS**

**Mail**—includes any item sent through and processed/delivered by the United States Postal Service and/or any other package or parcel delivery service (UPS, FedEx, etc.)

**Legal mail**—is mail addressed to an inmate that clearly bears the return address of any of the following:

- 1) an attorney and/or his/her law firm;
- 2) a public service law office;
- 3) a legal clinic;
- 4) a court of law;
- 5) any office or official of federal, state, or local government;
- 6) administrators of legal grievance systems; and/or
- 7) any probation officer or probation authority or the Ohio Adult Parole Authority.

### **PROCEDURES**

#### **A. Outgoing Mail**

1. Inmates may send mail or email to anyone outside the jail, provided that there are no court orders or other legal or security concerns that would prohibit such contact. Unless otherwise authorized by the Jail Administrator or his/her designee, only postage pre-paid postcards will be used by inmates to send outgoing mail, other than email. All postage pre-paid postcards used by inmates for outgoing mail will be purchased by the inmate through the jail commissary system.
2. Inmates are not authorized to send mail to any other inmate currently housed in the Erie County Jail. Such mail, if received, will not be delivered to the intended recipient.

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3. Outgoing mail will be inspected by the officer who receives such mail from an inmate. Any inmate wishing to send USPS mail will hand-deliver his/her mail to a Corrections Officer. All outgoing USPS mail must have the sending inmate's name written in the return address portion of the postcard, along with the name and full address of intended recipient before it is accepted for mailing.
4. Any inmate deemed "indigent" shall receive two (2) postage pre-paid postcards and a pencil free of charge on a weekly basis.
5. Any Corrections Officer receiving an outgoing piece of USPS mail from an inmate will record the following information in the Jail Record Management System as a MAIL (Mail Log) Event in the Jail Log, for each individual piece of USPS mail, to include:
  - i. Date and time of log entry and/or when the mail was received; and
  - ii. Name and address of the mail's intended recipient; and
  - iii. Name of the inmate sending the piece of mail.
6. All outgoing USPS mail will be placed into the outgoing mail basket in the A-Control Room in the jail to be forwarded to the United States Postal Service.
7. If a Corrections Officer has reason to believe, upon its receipt, that a piece of outgoing mail contains contraband, information that may jeopardize the security of the staff, facility, or other inmates, and/or evidence of criminal activity, the mail shall be forwarded immediately to the jail shift supervisor. That supervisor shall determine if cause exists to confiscate the mail or allow it to be mailed. If the piece of mail is not mailed, it will be forwarded to the Jail Administrator or his designee and a detailed report will be completed by all involved personnel.

#### **B. Incoming Mail**

1. Incoming USPS mail for inmates will be logged into the Jail Record Management System as a MAIL (Mail Log) Event in the Jail Log to include:
  - i. Date and time of log entry and/or when the mail was received; and
  - ii. Name and address of the sender of the piece of mail; and
  - iii. Name of the inmate receiving the piece of mail.
2. Incoming inmate mail will be opened and/or inspected in order to intercept contraband.
3. Books, magazines, newspapers, letters, and any other form of USPS mail, other than postcards or legal mail, will not be delivered to the inmate, but will be placed in the inmate's personal property and properly recorded as personal property. The inmate will be informed of any such items placed in his/her property.
4. If, upon inspection, a Corrections Officer has reason to believe that a piece of incoming mail contains contraband, information that may jeopardize the security of the staff, facility, or other inmates, and/or evidence of criminal activity, that officer will confiscate the item of mail or contraband and forward it immediately to the on-duty jail supervisor, who shall determine if the mail in question should be treated as criminal evidence, contraband, or returned to the inmate.
5. Any letters or parcels discovered to contain contraband or evidence of criminal activity, will be confiscated and the inmate will be verbally informed of the items that were found.

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6. A detailed jail incident report should be submitted by the officer making the discovery of mail contraband.
7. If the contraband is found to be illegal in nature, the item will be treated as evidence and secured in an evidence locker in the Evidence Processing Room of the Erie County Sheriff's office
8. Incoming mail will be delivered to inmates as soon as possible.

#### **C. Legal Mail**

1. Legal mail will be logged as noted above and will be opened and inspected in the presence of the prisoner to whom it is addressed to be inspected for contraband.
2. If no contraband is located in legal mail, the mail will be immediately delivered to the inmate without the envelope. The envelope will be promptly discarded properly and/or shredded by the Corrections Officer delivering the mail. If legal mail is found to contain contraband, no part of the mail will be delivered and the procedures listed above concerning contraband found in mail will be followed.

#### **D. Undeliverable Mail**

1. If any mail is received for an inmate not currently in the Erie County Jail, the Corrections Officer receiving the mail will:
  - i. Stamp the un-opened envelope or piece of mail with the "Return to Sender" ink stamp maintained in the jail and check the "Not At This Address" box.
  - ii. Place the mail in the outgoing mail box in A-Control to be returned to the original sender.

#### **E. E-Mail**

1. The Erie County Jail offers inmate email services through the kiosks located throughout the jail and routinely available to all jail inmates.
2. As with other mail, email content (both sent and received) is subject to routine monitoring and/or review by any Sheriff's Office employee, or any member of any other authorized law enforcement agency, at any time.