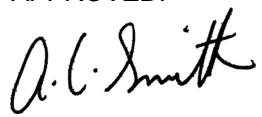




Department of
Rehabilitation & Correction

SUBJECT: Incarcerated Population Mail	PAGE <u> 1 </u> OF <u> 6 </u>
	NUMBER: 75-MAL-01
RULE/CODE REFERENCE: ORC 5120.01; AR 5120-9-17, 5120-9-18, 5120-9-19	SUPERSEDES: 75-MAL-01 dated 09/03/2019
RELATED ACA STANDARDS: 2-CO-5D-01; 5-ACI-7D-01, 7D-02, 7D-05, 5-ACI-7D-06, 7D-07, 7D-09, 7D-10	EFFECTIVE DATE: February 1, 2022
	APPROVED: 

I. AUTHORITY

Ohio Revised Code 5120.01 authorizes the Director of the Department of Rehabilitation and Correction, as the executive head of the department, to direct the total operations and management of the department by establishing procedures as set forth in this policy.

II. PURPOSE

The purpose of this policy is to set forth policy and procedures which govern the handling and processing of mail, other than Legal Mail, including mail inspections.

III. APPLICABILITY

This policy applies to all incarcerated persons and staff of the Ohio Department of Rehabilitation and Correction (ODRC) and specifically mail clerk/screeners who process incoming mail and other staff who are responsible for reviewing or screening material intended for incarcerated population.

IV. DEFINITIONS

The definitions for the below listed terms can be found at the top of the policies page on the ODRC Intranet at the following:

[Definitions Link](#)

- **Certified Mail**
- **Electronic Mail (E-Mail)**
- **Legal Mail**
- **Printed Material**

V. POLICY

It is the policy of the ODRC to process mail in an efficient, timely manner and to regulate the property of incarcerated persons in accordance with Ohio Administrative Rules 5120-9-17, Incoming Mail, and 5120-9-18, Outgoing Mail.

VI. PROCEDURES**A. General Procedures:**

1. Letters which are incorrectly addressed may be returned to the sender after a reasonable effort to ascertain the addressee has failed.
2. First class letters and packages shall be forwarded in a timely manner to the individual's new address, if it is known, following transfer or release. The forwarding address shall be recorded either in the Cashier's Office or DOTS Portal, based on the individual's date of release. Both areas should be consulted to verify the forwarding address. All forwarding items shall be logged on the Mail Forwarding Log (DRC2633). All packages shall be logged on the Inmate Package Log (DRC2631) on DOTS Portal. If this information is not available in either location, first class letters or packages shall be returned to sender as established in subsection VI.C of this policy.
3. Mail can only be withheld and disposed of using procedures set forth in Administrative Rule 5120-9-17, Incoming Mail, or Administrative Rule 5120-9-19, Printed Materials.

B. Regular Mail:

1. Universal precautions, including minimum risk level personal protection equipment (PPE) as defined in ODRC Policy 10-SAF-19, Fentanyl Exposure – Prevention and Response should be used when opening and processing incoming mail. Each institution shall have a written plan to address the proper handling of suspicious packages or envelopes to include isolation of the package and notification of appropriate staff and, if necessary, outside agencies. The written plan shall include steps for processing incarcerated population regular mail, certified mail, Legal Mail, and mail addressed to staff.
2. All incoming mail, except Legal Mail, shall be processed in an area located outside of the facility or in an area of the facility designated by the managing officer and approved by the appropriate regional director to minimize possible exposure. Each item shall be opened and processed under a ventless hood system designed to prevent the exposure of staff to potentially hazardous substances and contamination of the area.
3. Envelopes and/or packages suspected of containing contraband items shall be placed in an isolated area until such time as they can be opened by an ODRC staff member who has been trained to handle potentially hazardous materials.
4. All incarcerated population mail, other than Legal Mail, shall be opened, and may be read, copied, and/or scanned in the institution mail room and inspected for the presence of cash, checks, money orders, and/or other contraband. Any contraband received through the mail shall be documented on a Notice of an Unauthorized Item Received/Withholding of Incoming Mail (DRC4225) and disposed of in accordance with AR 5120-9-55, Contraband.

5. All mail shall be removed from the envelope. All first-class letters, front of envelopes, pictures, greeting cards, and brochures up to 8 ½ x 11 will be copied and/or scanned into an electronic format. The front of the envelope shall be copied in such a way as to preserve the return address and attached to the contents. The remainder of the envelope shall be discarded. Items received in color will be copied in color and black & white items will be copied as black & white. Photographs, to include those professionally-produced are subject to copying and/or scanning. An incarcerated individual may choose to have photographs, whether personal or professionally-produced, sent to another address at their expense. The original photograph(s) will otherwise be destroyed at the end of the 30-day holding period. Incoming mail will be held for thirty (30) days before it is destroyed.
6. All incarcerated population regular mail may be read and copied or scanned in the institution mail office. The copy of the mail shall then be promptly delivered to the individual unless it is a threat to security. Incarcerated individuals shall be notified when incoming or outgoing mail is withheld in part or in full, as set forth in Administrative Rule 5120-9-17, Incoming Mail. Incarcerated persons and senders shall be notified using a Notice of an Unauthorized Item Received/Withholding of Incoming Mail (DRC4225). Both parties shall receive notification using the Notice of an Unauthorized Item Received/Withholding of Incoming Mail (DRC4225) once a decision is made.
7. Printed materials, including magazines, calendars or other professionally-produced materials intended for commercial distribution, shall be removed from the envelope or package and reviewed for security concerns. Printed materials shall not be copied. The processing or withholding of incoming printed materials is outlined in ODRC Policy 75-MAL-02, Printed Material.
8. Incoming and outgoing letters shall generally be held for no more than forty-eight (48) hours and packages shall be held for no more than seventy-two (72) hours, excluding weekends and holidays. These delivery timeframes do not apply to emergency or other unforeseen situations.

C. First Class Mail Enclosures

1. Incarcerated individuals may receive the following in a first-class letter subject to copying, scanning, screening, and possible exclusion from the institution under ODRC Policy 75-MAL-02, Printed Material, Administrative Rules 5120-9-17, Incoming Mail, and 5120-9-19, Printed Material:
 - a. Five (5) pages written/typed correspondence on plain white paper (no larger than 8 ½” x 11),
 - b. Color greeting cards if they are commercially manufactured and have not been altered. Greeting cards must be single fold only (multi-fold, musical and/or “pop out” cards are prohibited), and
 - c. Items permitted by ODRC Policy 75-MAL-02, Printed Material.

2. A religious organization may send a religious medallion to an incarcerated individual subject to the possession limit, value limit, and certificate of ownership requirements of ODRC Policy 61-PRP-01, Incarcerated Individual Personal Property.
3. Other items, including but not limited to, postage stamps, laminated stickers, glue, glitter, lipstick, or perfume, etc. are prohibited.

D. Certified Mail:

1. When the incarcerated individual bears the mailing cost, there is no limit on the volume of letters they can send or receive or on the length, language, content, or source of mail or publications except when there is reasonable belief that limitation is necessary to protect public safety or institutional order and security. All institutions shall provide certified mail services for the incarcerated population. Individuals may request certified mail service provided they bear the full cost of postage, the cost of certification and the cost of return receipts, if requested. When the receipt is returned, it shall be given to the individual and not maintained in the mailroom.
2. Postage and embossed envelopes shall be available for sale in the institution Commissary and through ODRC approved vendors. Envelopes ordered through an approved vendor will not count towards package limits. Envelopes may not be mailed to incarcerated persons by individuals. Incarcerated individuals may send one (1) letter each month for which ODRC will pay current first-class postage rates as established by the United States Postal Service (USPS) for a standard letter to maintain community ties. Any additional postage costs shall be paid by the individual. Incarcerated population will also receive eight (8) free electronic mail stamps for outbound email only, to include videograms and attachments, each month. Unused stamps will not be carried over to the next month.
3. Certified mail that is not also Legal Mail is not required to be opened in the presence of the addressee and may be processed as regular incoming mail. If requested, the return receipt shall be mailed to the sender. For example, certified mail arriving from the IRS would not be legal mail. That mail would be logged on the legal mail log, but otherwise processed as regular mail.
4. Certified mail shall be logged on the Legal Mail Log (DRC2632) and delivered to the addressee within forty-eight (48) hours, excluding weekends and holidays or emergency or unforeseen situations

E. IRS Mail Procedures:

1. The IRS requests that ODRC destroy IRS publications and blank IRS federal tax returns contained in incoming mail addressed to incarcerated individuals.
2. An incarcerated individual's completed federal tax returns shall only be mailed directly to the Internal Revenue Service (IRS). The IRS will review the correspondence and take appropriate action. Additional information on mailing incarcerated individual tax returns is available to prison officials via email.

3. Any mail to the IRS, other than completed tax returns, shall be mailed using normal processes.
4. ODRC Policy 24-CAS-08, Incarcerated Individual Refund Check, provides procedures for handling incoming mail from the IRS containing a federal refund check. Payments which cannot be verified or posted to an incarcerated person's account will be returned to the IRS or destroyed. Checks can be mailed back to Internal Revenue Service, MS 6575 Prisoner Check KCSC, 333 W Pershing Rd, Kansas City, MO 64108.

F. Electronic Mail (E-Mail):

1. Electronic mail (E-Mail) is offered to incarcerated persons as an additional means of communication with family, friends, and others.
2. E-Mail is not regular mail nor legal mail and is not subject to other provisions of this policy, nor subject to the provisions of ODRC Policy 75-MAL-03, Incarcerated Population Legal Mail.
3. E-Mail is a privilege and not a right. It is a privilege offered by ODRC that may be suspended for violations of institutional rules or rules of conduct. Suspensions may be for definite or indefinite time periods, or permanent.
4. Use of E-Mail is subject to monitoring and surveillance at all times.
5. E-Mail is not confidential. E-Mail should not be used, and is not suitable, for confidential legal communications between incarcerated persons and their attorneys.

G. Additional Procedures:

1. The mail department supervisor shall complete the Monthly Mail Report (DRC2316) and submit to the responsible deputy warden with a copy maintained at the institution.
2. All other procedures for handling incoming and outgoing correspondence are contained in 75-MAL-02, Printed Material, 75-MAL-03, Incarcerated Population Legal Mail, and in Administrative Rules 5120-9-17, Incoming Mail, and 5120-9-18, Outgoing Mail.

Referenced ODRC Policies:

10-SAF-19	Fentanyl Exposure – Prevention and Response
24-CAS-08	Incarcerated Individual Refund Check
61-PRP-01	Incarcerated Individual Personal Property
75-MAL-02	Printed Materials
75-MAL-03	Incarcerated Population Legal Mail

Referenced Forms:

Notice of Return	DRC2285
Monthly Mail Report	DRC2316
Inmate Package Log	DRC2631
Legal Mail Log	DRC2632
Mail Forwarding Log	DRC2633
Notice of an Unauthorized Item Received	
/Withholding of Incoming Mail	DRC4225