



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON
OFFENDER/SPANISH MANUALS

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POLICY

TITLE
MAIL FOR PRISON OFFENDERS

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SUMMARY OF REVISION/REVIEW:

Major changes. Read carefully!


APPROVED:

Signature on file

STEPHEN SINCLAIR, Secretary
Department of Corrections

12/1/17

Date Signed

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 2 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

REFERENCES:


DOC 100.100 is hereby incorporated into this policy; [RCW 72.02.260](#); [RCW 72.09.450](#); [WAC 137-36](#); [WAC 137-48](#); [DOC 200.000 Trust Accounts for Offenders](#); [DOC 320.255 Restrictive Housing](#); [DOC 320.260 Secured Housing Units](#); DOC 420.375 Contraband and Evidence Handling; [DOC 440.000 Personal Property for Offenders](#); [DOC 450.120 Packages for Offenders](#); [DOC 450.050 Prohibited Contact](#); [DOC 450.300 Visits for Prison Offenders](#); [DOC 460.000 Disciplinary Process for Prisons](#); [DOC 590.500 Legal Access for Offenders](#); [USPS Domestic Mail Manual](#)

POLICY:


- I. The Department has established procedures to maintain safety and security governing mail to/from offenders.
- II. Allowances and limits outlined in this policy may be restricted per DOC 320.255 Restrictive Housing and DOC 320.260 Secured Housing Units.
- III. It is a federal offense to attempt to or use the United States Postal Service (USPS) or private/commercial carrier to introduce contraband or illegal drugs into a correctional facility.

DIRECTIVE:

- I. General Requirements
 - A. Correspondence between offenders and their correspondents will be limited to the USPS, United Parcel Service (UPS), FedEx, and the contracted eMessage service provider.
 - B. Offenders will be responsible for informing their correspondents of the rules governing offender mail.
 - C. Limits may be placed on volume, length, content, or source of mail when necessary to maintain safety and security.
 - D. Writing privileges to a person or group may be withdrawn when:
 1. Requested by the recipient in writing,
 2. The recipient is a minor and his/her parent or guardian has requested, in writing, that the privilege be terminated,
 3. Court ordered, or

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 3 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

4. Specific cause exists as supported by criteria in this policy.
- E. Excluding weekends, holidays, or emergency situations, approved mail will be processed in the following timeframes:
1. Outgoing first class mail will not be held for more than 48 hours. Mail requiring translation will not be held for more than 5 business days.
 2. Incoming first class mail will be distributed to the offender within 2 business days. All other incoming mail, including electronic messages (i.e., eMessages), and mail requiring translation or a rejection notice will be distributed to the offender within 5 business days.
- F. Offenders will not process and/or distribute another offender's mail.
- G. Packages will be processed per 450.120 Packages for Offenders.
- II. Envelopes and Postage
- A. Offenders will use pre-franked envelopes purchased from the facility offender commissary or Correctional Industries. Offenders may not possess more than 40 pre-franked envelopes without advance written approval from a designated unit employee.
1. Offenders will order enough pre-franked envelopes to meet their projected first class postage needs through the next ordering cycle.
 2. Upon receipt, offenders will write their full committed name and DOC number on the front of the envelope, in the top left corner. Envelopes found in an offender's possession that are unmarked, or marked as belonging to another offender, will be confiscated as contraband.
 3. Any attempts to use pre-franked envelopes as currency will result in the envelopes being confiscated as contraband.
- B. Incoming mail may include pre-paid envelopes if they are received from vendors or public agencies for the purpose of direct return mail.
1. Direct return mail envelopes with altered addresses will be treated as contraband.
- C. Non-indigent offenders will complete DOC 02-003 Postage Transfer to cover:
1. Postage for authorized greeting cards and oversized envelopes,
 2. Fees for certified receipt and other special services, and

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 4 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

3. Shipping costs of packages, including shipping insurance up to \$300. Exceptions for shipping insurance requires the Superintendent's written approval.

- D. Except greeting cards and envelopes purchased through an approved vendor, postage transfers submitted with envelopes that do not have pre-franked/pre-paid postage will not be mailed.

- E. To use the JPay eMessaging system, eStamps will be purchased through the secured JPay kiosk.


- F. Except for USPS specialized services, postage debt can be incurred for outgoing legal mail.

- G. Indigent offenders may receive 10 first class pre-franked envelopes per month.
 1. Indigent postage will not include USPS specialized services or eMessaging through the JPay system.

 2. Additional postage may be allowed, with Superintendent/designee approval, if the first class pre-franked envelope postage amount is exceeded.

 3. Indigent offenders may request additional postage from the Law Librarian or case manager to send legal mail to:
 - a. A court or opposing attorney/party, only in cases related to the offender's terms of confinement or conditions of sentencing,
 - b. The Washington State Department of Enterprise Services Office of Risk Management,
 - c. The Washington State Bar Association,
 - d. The Indeterminate Sentence Review Board (Board),
 - e. The Ombuds, and/or
 - f. The Headquarters Prison Rape Elimination Act (PREA) Coordinator.

- H. Mail arriving at the facility with postage due may be delivered to the offender at the Superintendent's discretion.
 1. The facility will pay the postage due or hold the mail for up to 30 days to allow the offender to make payment. If payment is not made within 30 days, the mail/package will be donated to charity or discarded.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	<p>APPLICABILITY PRISON OFFENDER/SPANISH MANUALS</p>		
	<p>REVISION DATE 12/27/17</p>	<p>PAGE NUMBER 5 of 17</p>	<p>NUMBER DOC 450.100</p>
	<p>TITLE MAIL FOR PRISON OFFENDERS</p>		


2. Reimbursement for postage and all expenditures made by the facility for postage will be processed as a withdrawal/debt per DOC 200.000 Trust Accounts for Offenders.

III. Inspection


- A. Superintendents will designate employees to inspect and read mail to prevent:
 1. Sending/receiving contraband or other material that threatens facility order or security, and/or
 2. Criminal activity.
- B. Mail will be rejected based on legitimate penological interests and per Unauthorized Mail (Attachment 1).
- C. Contraband or illegal items/drugs uncovered during inspections will be handled per DOC 420.375 Contraband and Evidence Handling. The Mailroom Supervisor will ensure:
 1. The rejection process is initiated,
 2. Photocopies of the original documents are placed in evidence, and
 3. The disciplinary process is initiated per DOC 460.000 Disciplinary Process for Prisons, as appropriate, and any sanction(s) imposed are enforced.
- D. Opinions critical of Department policy or personnel will not be censored.
- E. Cashier's checks and money orders must include the offender's name and DOC number, and will be sent to the facility Business Office for deposit per DOC 200.000 Trust Accounts for Offenders.

IV. Incoming Mail

- A. Incoming mail must include:
 1. The offender's full committed name and DOC number. An Also-Known-As (AKA) name may be included below the committed name. Mail that does not include the offender's full committed name and/or DOC number and received from the:
 - a. Health Care Authority, the Washington Health Benefits Exchange, or a state approved managed care plan will be held and the Headquarters Medical Disbursement Unit will be contacted for information/direction.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 6 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

- b. Veteran's Administration will be forwarded to the Offender Reentry Division at Headquarters.
 2. A return address per USPS Domestic Mail Manual, including an identifiable last name.
 - a. Mail with no return address will be rejected and any money included with the mail will be deposited in the Offender Betterment Fund.
- B. Mail with an incomplete address will not be opened and will be returned to the sender. A rejection notice is not required.
- C. Audio/video recordings or devices must comply with DOC 440.000 Personal Property for Offenders and DOC 590.500 Legal Access for Offenders.
- D. Address labels for incoming mail are allowed unless the facility can document an ongoing security concern.
- E. Mailroom employees will remove identifying documentation (e.g., social security cards, marriage/birth/death certificates) and forward them to designated employees for processing/retention. The offender will receive a receipt for the removed item(s) and a notice of its disposition per facility procedures.
- F. Portions of the envelope (e.g., stamps, flaps) or the entire envelope may be removed/retained if necessary for safety and security reasons and will not require a mail rejection notice.
- G. Offenders may receive photographs if they meet the following criteria:
 1. The offender's DOC number must be marked on the back center of each photograph or at the bottom of the page, either written in ink by the offender or stamped by the mailroom.
 - a. Photographs found with no DOC number will be handled per DOC 420.375 Contraband and Evidence Handling.
 2. Photographs are limited to one of the following in one mailing. Excess photographs/pages will be rejected.
 - a. Up to 10 individual photographs,
 - 1) Each photograph must be no less than 2 inches by 3 inches.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 7 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

- b. Up to 20 bound pages with multiple photographs from a vendor (e.g., Shutterfly, Snapfish), or
- c. Up to 10 photographs on a single sheet of paper.
 - 1) Paper may be double-sided, but is limited to 10 total photos.

H. Batch/bulk mailings will be authorized when the items meet penological objectives and each item in the packet is individually labeled with the offender's name, DOC number, and cell/room assignment.


- 1. Individual labeling may be waived for religious and non-profit organizations that send bulk mail pamphlets to offenders.
- 2. Batch/bulk mailings will be accepted or rejected in whole as one mailing.

I. For incoming certified/return receipt/signature confirmation mail, mailroom employees will:

- 1. Sign and date the receipt when requested by the delivering agent,
- 2. Inspect the mail,
- 3. Record the mail in the legal mail log,
- 4. Deliver the mail to the offender, and
- 5. Have the offender sign the log upon receipt.

V. Outgoing Mail

- A. Outgoing mail sent via the USPS must have a complete return address that includes the offender's full committed name, DOC number, and cell/room assignment, and the full name and address of the facility. The return address may include any other legal name below the committed name.
- B. Offenders are not permitted to mail out postcards.
- C. Address labels for outgoing mail are not allowed, unless on a postage paid, pre-addressed envelope.
- D. Envelopes will be stamped with the following or similar message: "This was mailed by an offender confined at a Washington State Department of Corrections facility. Its contents are uncensored."
- E. Offenders will use DOC 21-473 Offender's Kite, a JPay kiosk, or the USPS to correspond with employees, contract staff, and volunteers.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 8 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		


F. Non-deliverable and/or returned items do not require a rejection notice and will be returned to the offender.

VI. Electronic Messages


- A. Offenders must agree to the terms of service to use the JPay eMessaging system, which is only available through the JPay kiosk. Videograms (i.e., pre-recorded video attached to an eMessage) must be conducted consistent with facility visit guidelines per DOC 450.300 Visits for Prison Offenders.
- B. Offenders found to be using another offender's eMessaging account, conspiring/attempting to introduce contraband, or allowing another offender to use their account will be subject to disciplinary action and the immediate suspension of all involved eMessaging accounts.

VII. Legal Mail

- A. Offenders have the ability to correspond by means of legal mail. Legal mail must meet the following requirements and is subject to inspection to ensure the contents qualify as legal mail:
 - 1. Legal mail must be correspondence to or from one of the following, as indicated in the mailing address or return address on the front of the envelope:
 - a. Any court or opposing attorney/party, the Washington State Bar Association, the Board, the Washington State Department of Enterprise Services Office of Risk Management, PREA auditors certified by the United States Department of Justice, the Headquarters PREA Coordinator, and/or the Headquarters Ombudsman.
 - b. PREA auditor leads certified by the United States Department of Justice when related to an audit in process at the offender's facility.
 - c. The President or Vice President of the United States, members of the United States Congress, embassies and consulates, the United States Department of Justice, Attorney General's Office, governors, members of the state legislature, and law enforcement officers in their official capacity.
 - d. The attorney of record (i.e., defense attorney) in court cases that have been filed in a local, state, or federal court.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 9 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

- e. An attorney corresponding with the offender concerning legal advice, including established groups of attorneys representing the offender (e.g., American Civil Liberties Union, Disability Rights Washington, legal service corporations, public defender associations).
2. The front of the envelope must be clearly marked “Legal Mail”, “Attorney/Client”, “Confidential”, or similar.
 - a. Incoming mail readily identifiable as being from a court will be handled as legal mail, regardless of whether it has been marked legal mail.
 - b. Documents sent from any Public Disclosure Unit are not considered legal mail.
- B. Legal mail may only contain paper documents and must comply with DOC 590.500 Legal Access for Offenders. Legal mail does not include eMessages or their attachments and will not be processed as legal mail.
- C. Legal Mail Procedures
1. Incoming legal mail will be opened in the offender’s presence by designated employees. Contents that do not meet the legal mail requirements per this policy and/or contain contraband or any material that would threaten facility order/security will be rejected.
 - a. Employees may confiscate/retain the envelope if necessary for safety and security reasons and will not require a mail rejection notice. The offender may request a copy of the envelope.
 - b. Incoming legal mail may contain a postage paid, pre-addressed envelope for the offender to return documents/responses to the sender.
 - c. An employee who inadvertently opens a piece of legal mail will write his/her initials and that it was unintentionally opened on the envelope.
 - d. If an offender refuses to sign and accept legal mail, including by callout, a mailroom employee will document the refusal in the legal mail log with the time, date, sender’s name, and offender’s name. The mail will be stamped “Refused by Offender – Return to Sender”.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 10 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

2. Outgoing legal mail will be handled as follows:

- a. The offender will present the documents and envelope to the designated employee, who will confirm that the documents are legal mail and there is no contraband.
- b. The offender will place the documents in the envelope and seal it in the employee's presence, who will sign or initial over the sealed flap of the envelope and log out the mail in the offender's presence.
- c. When practical, the employee will observe the offender place the envelope in a legal mail container/drop box, or the offender will observe the employee place the envelope in the container/box. Otherwise, the employee will secure the legal mail until delivered to the mailroom.

3. If there is a question whether the mail qualifies as legal mail, it may be retained for no more than 24 hours, excluding weekends and holidays, to resolve the question.


D. The use of state issued legal supplies for non-legal mail purposes is prohibited and will result in the mail being rejected.

VIII. Non-English Mail


- A. Incoming and outgoing correspondence written in a language other than English, including correspondence written in more than one language, will be reviewed.
 1. A Translator will be used to translate eMessages on the JPay system.
 2. Other non-English mail, including JPay videograms and languages not available through the translator on the JPay system, will be reviewed by an employee who is a Department-certified translator, when available. If a Department-certified translator is unavailable, the mail will be sent to the contracted vendor for review using DOC 05-774 Foreign Language Offender Mail Summary and Review.

IX. Rejecting Mail

- A. When rejecting mail, mailroom employees will provide written notice to the offender and sender/recipient using DOC 05-525 Rejection Notice, or an equivalent automated notice through JPay for rejected eMessages. The notice will:

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 11 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

1. Be distributed to the offender within 5 business days of the facility receiving the mail and within 2 business days of the mail being rejected.
 2. Include the name and address of the sender/recipient, and the reason for the rejection.
 3. Inform the offender that:
 - a. Rejected incoming mail/eMessages can be appealed to the Superintendent/designee by submitting a written appeal request to the Mailroom Sergeant within 10 calendar days of the initial rejection.
 - b. Rejected outgoing mail/eMessages are automatically reviewed by the Superintendent/designee and Headquarters Correctional Manager, if the rejection is upheld by the Superintendent/designee and does not require an appeal request.
- B. If the rejection of incoming mail/eMessages is appealed, the Superintendent/designee will review the appeal within 10 business days of receipt and either uphold the rejection or allow delivery.
1. If the rejection is upheld, the Superintendent/designee will notify the offender/sender using DOC 05-525 Rejection Notice, or an equivalent notice through JPay for eMessages.
 2. Offenders/senders may submit a written appeal request to the Mailroom Sergeant for a rejection upheld by the Superintendent/designee, which will be reviewed by the Headquarters Correctional Manager. Appeals received in the mail will not be accepted and will be returned to the offender.
- C. The Headquarters Correctional Manager will review mail rejection notices and appeal requests, if filed, to uphold or reverse the action taken by the Superintendent/designee. A copy of the DOC 05-525 Rejection Notice, or equivalent notice for eMessages, will be provided to the offender/sender with the decision.
1. If the rejection is reversed, the mail will be sent to the addressee within 7 days of receipt of the Headquarters Correctional Manager's decision.
 2. If the rejection is upheld for outgoing mail, the facility will retain the mail in a separate file for 2 years, and then it will be destroyed. Rejected mail will not be returned to the offender per RCW 72.02.260.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 12 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

3. Offenders will be responsible for arranging disposal for unauthorized incoming mail within 30 days of the decision.
 - a. Exceptions may be made for incoming mail to be held for a lawsuit/tort claim if the offender submits a written request within the 30 days. An extension up to 90 days may be allowed for the offender to provide proof that a lawsuit/tort claim has been filed. Proof must be submitted to the Mailroom Sergeant, who will notify the facility Legal Liaison Officer of the pending lawsuit/tort claim.
 - 1) Once proof has been provided, the mail will be held until the lawsuit/tort claim has been resolved in the courts or by the Office of Enterprise Services, Tort Claims Division.


- D. Incoming and outgoing tax-related correspondence will be screened by mailroom employees and forwarded to the Internal Revenue Service (IRS) for review.
 1. Mailroom employees will provide the offender written notice for the intercepted mail using DOC 05-525 Rejection Notice. Appeal responses will be subject to IRS timeframes and outcome responses will be provided per IRS directions to the offender.
 2. Reviewed mail returned to the facility by the IRS will be distributed to the offender per this policy.

X. Publications


- A. Books, magazines, newspapers, catalogs, and brochures will only be treated as publications if they contain a publishing company/author, publication date, volume/issue number or other identifier, copyright notice/date, and publisher address. All other catalogs/brochures will be considered general incoming mail.
- B. Offenders may receive publications as follows:
 1. Offenders may receive new books, newspapers, certain catalogs and brochures, and other publications in any language sent directly from the publisher(s) and/or approved vendor(s).
 2. Offenders may receive used books in any language from non-profit organizations approved by the Superintendent. Offenders housed in stand alone minimum security facilities may also receive used books from a publisher or approved vendor.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 13 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

3. Publications must be delivered to the facility by USPS, UPS, or FedEx and are not considered first class mail per USPS Domestic Mail Manual. Front door courier delivery (e.g., newspapers) is not allowed.
 4. Only newspaper publications will be allowed for offenders housed in Reception Diagnostic Centers.
- C. Publications in languages other than English must be reviewed by the Headquarters Correctional Manager.
1. Publications written in Braille, except those received by facility libraries, will be limited to offenders with a documented vision disability.
- D. Books will be marked, either written in ink by the offender or stamped by the mailroom, with the offender's DOC number in the center of the inside front cover or along an unbound edge.
- E. Items attached to a perforated page (e.g., product samples, CDs, DVDs) will be removed if doing so will not alter the publication. Loose advertisement cards may be removed as resources allow.
1. If the item cannot be removed without altering the publication (e.g., tearing a page from the publication), or if the item potentially has value (e.g., CDs included with books), the entire publication will be rejected.
 - a. DOC 05-525 Rejection Notice will be provided to the offender if an audio/video recording is removed. Offenders will be allowed to mail the audio/video recording out at their own expense.
 2. Removal of loose advertisement cards and product samples does not require a rejection notice.
- F. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, religious, or political group, or sexual orientation.
- G. Offenders may not receive subscriptions and/or publications from another offender or the friends or family of another unrelated offender.
- H. Publications with content that violates any Department policy or facility specific procedure will be referred to the Publication Review Committee for further review and a final decision.
1. The Publication Review committee will meet at least monthly.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 14 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

2. Publications requiring more information may take an additional 2 weeks to review.
3. The receiving mailroom will:
 - a. Scan the questionable page(s) from the publication and a completed DOC 05-525 Rejection Notice to the shared folder at Headquarters.
 - 1) A new rejection notice will be completed and distributed for subsequent publications received with the same title, copyright date, and volume/issue number.
 - b. Provide the offender with a copy of DOC 05-525 Rejection Notice.
 - c. Notify all other Prison mailrooms that the publication is being held for review by the committee.
4. The committee will review the facility's decision and return the completed DOC 05-525 Rejection Notice to the facility.
 - a. The offender will be notified of the committee's decision. Notification should be made within 10 business days.
 - b. The committee's decision will apply to subsequent publications that were held by any facility. Each facility will notify the offender of the committee's decision, including the date, on the original DOC 05-525 Rejection Notice. Subsequent notices will not contain a signature from the chair of the committee.
 - c. Publications initially rejected as sexually explicit material per WAC 137-48-020 may be approved by the committee for artistic, health/medical, and educational purposes.
5. The offender or Mailroom Sergeant may appeal the committee's decision within 10 business days by submitting DOC 21-757 Publication Rejection Appeal.
 - a. A mailroom employee will forward the appeal request to the Headquarters Correctional Manager, who will provide a final decision to the requester.
6. The final decision will be binding for at least 3 years and will be maintained in a database by the Assistant Secretary for Prisons/designee.


 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 15 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

XI. Forwarding Mail

- A. Offenders will be responsible for informing their correspondents, including publishers, of a change of address.
- B. Facilities will forward first class mail, consistent with the USPS Domestic Mail Manual, for a period of 90 days if the offender provides a forwarding address.
 1. Legal mail will be forwarded daily and all other mail at least weekly. Mailroom employees will log the items forwarded and the addresses to which they were sent.
 2. Mail for offenders out to court will be forwarded to the jail where they are being held.
 3. Legal mail for offenders transferred to a community health care facility will be delivered if they are able to personally accept it. Otherwise, it will be returned to sender marked "Offender Unable to Accept Mail".
 - a. All other mail for offenders transferred to a community health care facility will be held in the Prison mailroom until they return.
 4. If first class mail is unopened, the new address will be noted on the envelope and returned to the USPS for forwarding. State funds will not be used to forward unopened mail.
 5. Opened first class mail will be placed in an envelope and mailed to the new address at the facility's expense.
- C. Periodicals may be returned to the sender per USPS Domestic Mail Manual.
- D. Non-profit mail will not be forwarded per USPS Domestic Mail Manual and will be discarded.
- E. An eMessage will not be forwarded unless the offender has transferred to another facility with JPay services and is eligible to receive eMessages at the receiving facility. An eMessage will be forwarded in electronic format.

XII. Offender to Offender Correspondence


- A. Correspondence between offenders confined in any correctional facility will only be allowed when authorized by both Superintendents/facility administrators/designees. An offender may communicate with a Special Commitment Center resident, which is not considered a correctional facility.

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 16 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

- B. The offenders must meet at least one of the following requirements:
1. Are members of the same immediate family,
 2. Have a child together, as proven through a birth certificate and only if both offenders still have parental rights, and/or
 3. Are co-parties in an active legal case, or one offender is providing a witness statement in the other offender's active legal case.
- C. The requesting offender will complete and submit DOC 21-746 Request for Offender to Offender Correspondence Approval to his/her case manager with any supporting documentation.
1. The case manager will verify the request meets policy requirements and forward the request with any supporting documentation to the Superintendent/designee for a final decision.
 2. Approvals may be accepted by any receiving facility upon an offender's transfer.
 3. Approvals for legal-related correspondence will not be handled as legal mail and will expire when:
 - a. Confirmation is received from the Attorney General's Office that the case has been resolved/closed or witness statements have been received, or
 - b. When either co-party releases from custody.
 4. Approvals may be revoked at any time by the Superintendent/facility administrator/designee.

XIII. Mail Records

- A. The Superintendent/designee will designate an employee(s) to manage mail delivery, receipt, and regulations, and maintain a continuous, chronological legal mail log. The log will:
1. Be maintained in the mailroom, living unit office, or mail sorting area for the following types of incoming/outgoing offender mail:
 - a. Legal mail and certified/return receipt/signature confirmation mail
 - b. Packages

 <p>STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS</p> <p>POLICY</p>	APPLICABILITY PRISON OFFENDER/SPANISH MANUALS		
	REVISION DATE 12/27/17	PAGE NUMBER 17 of 17	NUMBER DOC 450.100
	TITLE MAIL FOR PRISON OFFENDERS		

- c. Items of monetary value (e.g., money orders, cash, cashier's checks)
2. Be documented on DOC 21-286 Legal Mail Log or similar log, including:
 - a. Source
 - b. Destination
 - c. Date received/sent
 - d. Description
 - e. Printed name and initials of employee distributing the mail

DEFINITIONS:

The following words/terms are important to this policy and are defined in the glossary section of the Policy Manual: Contraband, Immediate Family, Indigent, Legal Mail, Legal Pleadings, Letters, Mail, and Packages. Other words/terms appearing in this policy may also be defined in the glossary section.

ATTACHMENTS:

[Unauthorized Mail \(Attachment 1\)](#)

DOC FORMS:

[DOC 02-003 Postage Transfer](#)

[DOC 05-525 Rejection Notice](#)

[DOC 05-774 Foreign Language Offender Mail Summary and Review](#)

[DOC 21-286 Legal Mail Log](#)

[DOC 21-473 Offender's Kite](#)

[DOC 21-746 Request for Offender to Offender Correspondence Approval](#)

[DOC 21-757 Publication Rejection Appeal](#)