



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

APPLICABILITY
PRISON
OFFENDER/SPANISH MANUALS

REVISION DATE
11/21/15

PAGE NUMBER
1 of 15

NUMBER
DOC 450.100

POLICY

TITLE
MAIL FOR PRISON OFFENDERS

REVIEW/REVISION HISTORY:

Effective: 2/1/83 DOC 450.020	Revised: 4/26/07 AB 07-013
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Revised: 5/1/04	Revised: 11/21/15
Revised: 1/22/07	

SUMMARY OF REVISION/REVIEW:

VII.A.1.a. - Added PREA auditors certified by the United States Department of Justice to list of authorized legal mail correspondents
Attachment 1 - Added restriction for mail which attempts contact between an individual found to have committed staff sexual misconduct/harassment and any offender in violation of policy

APPROVED:

Signature on file

DAN PACHOLKE, Secretary
Department of Corrections

11/13/15

Date Signed

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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 200.200 Offender Betterment Fund \(OBF\)](#); [DOC 320.255 Restrictive Housing](#); [DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities](#); [DOC 450.050 Prohibited Contact](#); DOC 420.375 Contraband and Evidence Handling; [DOC 440.000 Personal Property for Offenders](#); [DOC 450.120 Packages for Offenders](#); [DOC 450.300 Visits for Prison Offenders](#); [DOC 460.000 Disciplinary Process for Prisons](#); [DOC 590.500 Legal Access for Offenders](#)

POLICY:

- I. The Department has established procedures governing mail to/from offenders that maintain safety and security.
- II. DOC 320.255 Restrictive Housing and DOC 320.260 Secured Housing Units in Stand Alone Minimum Security Facilities place restrictions on the allowances and limits outlined in this policy for offenders in Intensive Management and other special housing assignments.

DIRECTIVE:

- I. General Requirements
 - A. Correspondence between offenders and their correspondents will be limited to the United States Postal Service (USPS), the commercial shipping carriers United Parcel Service (UPS) and 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
 4. Specific cause exists as supported by criteria in this policy.

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- 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 more than 5 working days.
 2. Incoming first class mail will be distributed to the offender within 2 working days. All other incoming mail, including eMessages and mail requiring translation, will be made available to the offender within 5 working days.
- F. Offenders will not process and/or distribute another offender's mail.

II. 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. 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.
- B. The requesting offender will complete and submit DOC 21-746 Request for Offender to Offender Correspondence Approval to his/her Counselor with any pertinent supporting documentation.
1. The Counselor/CCO 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 expire when confirmation is received from the Attorney General's Office that the case has been resolved/closed or witness statements have been received, or when either co-party releases from custody.
 4. Approvals may be revoked at any time by either Superintendent/facility administrator/designee.

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III. Inspection

- A. Designated facility employees are authorized to inspect and read mail to prevent:
 1. Sending or 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, including those outlined in Unauthorized Mail (Attachment 1).
- C. Contraband or illegal items 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 per the Rejecting/Returning Mail section of this policy.
 2. Photocopies of the original documents are placed in evidence.
 3. The disciplinary process is initiated per DOC 460.000 Disciplinary Process for Prisons, as appropriate.
- D. Mail will not be censored to eliminate opinions critical of Department policy or personnel.
- E. All authorized checks and money orders for offenders will be sent to the facility Business Office to be processed per DOC 200.000 Trust Accounts for Offenders, and must be marked with the offender's first and last name and DOC number.
- F. Mail must contain only correspondence/property for the addressed individual(s). Correspondence/property for or from a third party is not permitted.

IV. Incoming Mail

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

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- B. The mail must have a return address as defined by the USPS, including an identifiable last name.
1. Mail with no return address will be processed per the Rejecting/Returning Mail section of this policy, and any negotiable instruments will be deposited in the Offender Betterment Fund per DOC 200.200 Offender Betterment Fund (OBF).
 2. Unopened mail returned to the sender does not require a rejection notice.
- C. Mailroom employees will remove enclosures such as social security cards, marriage/birth/death certificates, and visitor questionnaires 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 local procedures.
- D. Offenders may receive up to 10 photographs in one mailing. Excess photographs will be rejected.
1. The offender's DOC number will be marked on the back center of each photograph, either written in ink by the offender or stamped by the mailroom.
 - a. Photographs found in the facility with no DOC number will be handled per DOC 420.375 Contraband and Evidence Handling.
- E. All incoming recorded electronic media must comply with DOC 440.000 Personal Property for Offenders.
- F. Address labels for incoming mail are allowed unless the facility can note or document an ongoing security concern.
- G. 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. Individual labeling may be waived for religious and non-profit organizations that send bulk mail pamphlets to offenders.
1. Batch/bulk mailings will be accepted or rejected in whole as one mailing.
- H. For incoming certified/return receipt/signature confirmation mail, mailroom employees will:
1. Sign and date the receipt when requested by the delivering agent,

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2. Inspect the mail per the Incoming Mail or Legal Mail section of this policy, as applicable,
3. Record the mail in the 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. 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."
- D. Offenders will use a kite, KIOSK, or the USPS to correspond with employees, contract staff, and volunteers.
- E. Non-deliverable and/or returned items do not require a rejection notice. Outgoing mail returned to an offender is not considered rejected and will be returned to the offender to correct the issue.

VI. eMessages

- A. Offenders must agree to the terms of service to use the JPay eMessaging system, which is only available through the JPay kiosk.
- B. Offenders found to be using another offender's eMessaging account or allowing another 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 all of 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, as indicated in the mailing address or return address on the front of the envelope:

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- a. Any court or opposing counsel/party, the Washington State Bar Association, the Indeterminate Sentence Review Board (ISRB), the Washington State Department of Enterprise Services' Office of Risk Management, Prison Rape Elimination Act (PREA) auditors certified by the United States Department of Justice, and/or the PREA Coordinator at Headquarters.
 - b. The President or Vice President of the United States, members of the United States Congress, embassies and consulates, the United States Department of Justice, state attorneys general, governors, members of the state legislature, and law enforcement officers in their official capacity.
 - c. The attorney of record in court cases that have been filed in a local, state, or federal court.
 - d. 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 designating the item as legal mail.
 - 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. eMessages, including their attachments, will not be processed as legal mail.
 - C. Offender to offender correspondence will not be handled as legal mail.
 - D. Legal Mail Procedures
 1. Incoming legal mail will be opened in the offender's presence by designated employees. Employees are authorized to inspect the contents to ensure they meet the policy requirements for legal mail and do not contain contraband or any other material that would threaten facility order or security.

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- a. Incoming legal mail may contain a postage paid, pre-addressed envelope for the offender to return documents/responses to the sender.
 - b. An employee who inadvertently opens a piece of legal mail will write his/her initials on the envelope.
 - c. If an offender refuses to sign and accept legal mail, a mailroom employee will note the refusal in the log with the time, date, sender's name, and offender's name. The mail will be stamped "Refused by Offender – Return to Sender".
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.
- E. 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. All incoming and outgoing correspondence written in a language other than English, including correspondence written in more than one language, will be reviewed.
 1. eMessages will be translated using a translator available on the JPay system.

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2. Other non-English mail will be reviewed by a facility employee who is Department certified as a translator, where available. If there is no available Department certified translator able to translate the correspondence, it will be sent to a contracted vendor for review.

IX. Rejecting/Returning 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:
 1. Include the name and address of the sender/recipient, and the reason for the rejection.
 2. Inform the offender that:
 - a. Rejection of incoming mail/eMessages can be appealed to the Superintendent/designee by submitting a written appeal request to the mailroom within 10 calendar days of the initial rejection.
 - b. Rejected outgoing mail/eMessages are automatically reviewed by the Superintendent/designee and do not require an appeal request. Rejections upheld by the Superintendent/designee are automatically reviewed by the Correctional Manager at Headquarters.
- B. If rejection of incoming mail is appealed, the Superintendent/designee will review the appeal within 10 working days of receipt and either uphold the rejection or allow delivery. If rejection is upheld, the Superintendent/designee will notify the requester using DOC 05-525 Rejection Notice, or an equivalent notice through JPay for eMessages.
- C. Mailroom employees will forward rejected mail upheld by the Superintendent/designee, along with the rejection notice and appeal request, if filed, to the Correctional Manager at Headquarters.
- D. The Correctional Manager at Headquarters will affirm or reverse the action taken at the facility. Mail sent for review will be returned to the facility, which will send the offender and/or sender/recipient a copy of the DOC 05-525 Rejection Notice or equivalent notice for eMessages with the decision.
 1. If the rejection is overturned, the mail will be sent to the addressee within 7 calendar days of receipt.

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2. If rejection is upheld for outgoing mail, the facility will retain the mail in a separate file for 2 years, after which it will be destroyed. Per RCW 72.02.260, the rejected mail will not be returned to the offender.
- E. Offenders will be responsible for arranging disposal for unauthorized incoming mail within 30 days of the final rejection decision.
- F. 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 the timeframes listed in this policy.
- X. Publications
- A. 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).
 - a. Catalogs and brochures will only be treated as publications if they contain a publisher name, publication date, volume/issue number or other identifier, copyright notice, and publisher address in the publication. All other catalogs/brochures will be handled as general incoming mail.
 2. Offenders may receive used books in any language from specific non-profit organizations as approved by the Superintendent. Offenders housed in stand alone minimum security facilities may also receive used books from a publisher or approved vendor.
 3. Publications must be delivered to the facility by USPS, UPS, or FedEx.
 4. Publications in languages other than English must be reviewed by the Publication Review Committee, which will reject publications with content that violates any Department policy or facility specific procedure. Publications written in Braille, except those received by the facility libraries, will be limited to offenders with a documented vision disability.

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- B. Books will be marked with the offender's DOC number in the center of the inside front cover or along an unbound edge, either written in ink by the offender or stamped by the mailroom.
- C. Only newspaper publications will be allowed for offenders housed in the Reception Diagnostic Centers.
- D. Items such as product samples, CDs, DVDs, etc., on a perforated page will be removed if doing so will not alter the publication. Loose advertisement cards may be removed as staffing 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. Video CDs/DVDs will not be allowed. However, offenders will be allowed to send the video CD/DVD out at their own expense.
 - 2. If a CD/DVD is removed, DOC 05-525 Rejection Notice will be issued to the offender.
 - 3. Removal of loose advertisement cards and product samples does not require a rejection notice.
- E. No publications will be withheld solely on the basis of their appeal to a particular ethnic, racial, religious, or political group or sexual orientation.
- F. Offenders may not receive gift subscriptions and/or publications from another offender or the friends or family of another unrelated offender.
- G. Rejected publications will be handled in the following manner:
 - 1. The offender will be issued DOC 05-525 Rejection Notice. The mailroom will forward the rejected publication, along with a copy of the DOC 05-525 Rejection Notice, to the Publication Review Committee at Headquarters.
 - 2. The committee will review the facility's decision and return the packet to the facility with its decision.
 - a. The Publication Review Committee will meet at least monthly. However, publications requiring more information may take an additional 2 weeks to review.
 - b. Generally, the offender will be notified of the committee's decision within 10 working days after it is made.

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- c. Publications initially rejected as sexually explicit material per WAC 137-48-020 may be approved by the Publication Review Committee for artistic, health/medical, and educational purposes.
 3. The offender/sender or Superintendent/designee may submit a written appeal request to the mailroom within 10 calendar days of the committee's decision.
 - a. The mailroom will forward the appeal request to the Correctional Manager at Headquarters, who will provide a response to the requester. The Correctional Manager's decision is final.
 4. The final decision made regarding a particular publication will be binding for all Prisons for at least 3 years.
 - a. The Assistant Secretary for Prisons/designee will maintain the decision in a database for at least 3 years.

XI. Forwarding Mail

- A. Offenders will be responsible for informing their correspondents, including publishers, of any change of address.
- B. Facilities will forward first class mail for a period of 90 days, consistent with USPS regulations, if the offender provides a forwarding address.
 1. Legal mail will be forwarded daily. Mailroom employees will log the items forwarded and the addresses to which they were sent. Other mail will be forwarded at least weekly.
 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.

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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 regulations.

D. Standard and non-profit mail cannot be forwarded per USPS regulations and will be discarded.

E. eMessages 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. eMessages will be forwarded in electronic format.

XII. Mail Costs

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. Pre-franked envelopes may not be used as currency. Any attempts to use pre-franked envelopes in such a manner will result in the envelopes being confiscated as contraband.

B. 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
3. Shipping costs of packages, including shipping insurance up to \$300 in value. Insurance exceeding \$300 requires the Superintendent's written authorization.

C. Blank envelopes with a postage transfer will not be allowed to mail first class letters.

D. Offenders will purchase eStamps through the secured JPay kiosk to use the JPay eMessaging system.

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- E. Offenders will be allowed to incur postage debt for outgoing legal mail.
- F. Offenders will not be allowed to incur a debt for USPS specialized services (e.g., certified, return receipt requested, international mail).
- G. Offenders will be permitted to receive and use 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.
- H. Mail arriving at the facility with postage due may be delivered to the offender at the Superintendent's discretion.
 - 1. The facility will either pay the postage due or hold the mail for up to 30 days to allow the offender make payment. If payment is not made within 30 days, the mail/package will be donated to charity or discarded.
- I. Indigent offenders may receive 10 first class pre-franked envelopes per month.
 - 1. Indigent postage will not include USPS specialized services (e.g., certified, return receipt requested, international mail) or eMessaging through the JPay system.
 - 2. Indigent offenders may request additional postage from the Law Librarian or assigned Counselor to send legal mail to:
 - a. A court or opposing counsel/party, only in cases related to the offender's terms of confinement or conditions of sentencing,
 - b. The Washington State Bar Association,
 - c. The Indeterminate Sentence Review Board (ISRB),
 - d. The Washington State Department of Enterprise Services' Office of Risk Management, and/or
 - e. The Prison Rape Elimination Act Coordinator at Headquarters.
 - 3. Indigent offenders whose mail requires postage which exceeds the first class pre-franked envelope may be allowed additional postage with Superintendent/designee approval.
- J. The Department will recoup postage and all expenditures made by the facility for postage. Postage recoupment will occur at the time the Business Office posts withdrawals from the offender's account. Withdrawals and debts will be processed per DOC 200.000 Trust Accounts for Offenders.

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XIII. Mail Records

- A. The Superintendent/designee will be responsible for maintaining a continuous chronological written/electronic record of the following types of incoming and outgoing offender mail:
 1. Legal mail and certified/return receipt/signature confirmation mail,
 2. Packages, and
 3. Items of monetary value (e.g., money orders, cash, cashier's checks).

- B. The continuous record will include:
 1. Source,
 2. Destination,
 3. Date received/sent,
 4. Description, and
 5. Printed name and initials of employee distributing.

- C. The continuous record will be maintained in the mailroom, living unit office, or mail sorting area by the employees designated by the Superintendent to handle mail delivery, receipt, and control.

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, Packages, and Standard Mail. 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 21-746 Request for Offender to Offender Correspondence Approval](#)