

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
750**

INMATE GENERAL CORRESPONDENCE AND MAIL

Supersedes: AR 750 (0617/12); and AR 750 (Temporary, 11/25/13)
Effective Date: 12/17/13

AUTHORITY

NRS 209.131; 209.365

RESPONSIBILITY

1. All inmates are responsible to comply with mail and correspondence procedures. All correspondents are responsible for the contents of and compliance with procedures applicable to mail items sent into a Department institution or facility.
2. Designated mailroom staff at each facility/institution are responsible to ensure mail is processed in a correct manner.
3. An Associate Warden or Facility Manager has supervisory responsibility over daily mailroom operations.

750.01 GENERAL PROVISIONS

1. All mail shall be processed pursuant to current State and OSHA biohazard guidelines and procedures.
 - A. Each institution/facility will designate a secure mailroom location.
 - B. The mailroom:
 - (1) Should be open eight (8) hours per day;
 - (2) Should be open five (5) days per week; and,
 - (3) Will be closed on Holidays and weekends.
 - C. All institutions/facilities will designate a secure area(s) and/or secure mailboxes for outgoing inmate mail.
 - (1) Mail will only be collected by staff.

(2) Mail will be collected at least once everyday except weekends and holidays.

(3) A set schedule of regular mail collection will be established.

D. No personal delivery of inmate mail and correspondence will be authorized except when legal requirements require delivery to be made in person. Staff will not pick up or deliver such items.

E. Each institution will include the requirements of this Administrative Regulation in its orientation program.

F. There are no limits on the number of letters an inmate may send or receive, except as specifically authorized by this regulation.

G. Change of address/forwarding mail.

(1) When an inmate transfers to another institution or facility, in accordance with Administrative Regulation 722, first class general correspondence and privileged correspondence, will be forwarded via the US Postal Service. Second and Third Class mail will be forwarded via intra-departmental mail.

(2) When an inmate is released, first class mail addressed to that inmate will be forwarded to forwarding address provided for a period of thirty (30) days from date of release.

a. If no forwarding address is provided, the first class mail item will be returned to sender.

b. Discharged and paroling inmates or inmates being transferred to another agency/state jurisdiction are responsible to notify the mail officer and correspondents of a forwarding address.

c. Only first class mail items will be forwarded; all other items, including publications, will be returned to sender.

H. Holding mail

(1) For inmates who are temporarily confined in local hospitals or jails, and expected to return to the institution/facility from which they departed, first class mail should be held no longer than one working day.

(2) For such temporary confinement, expected to last longer than one (1) day, where the hospital or jail is an "out-of-town" facility, first class mail should be forwarded to the inmate care of the hospital or jail.

(3) For such temporary confinement longer than one day to a hospital or facility "in-town" staff may deliver first class mail to the inmate at the in-town facility.

(4) All other items of mail, including publications will be held until the inmate's return.

I. Care regarding distribution of mail.

(1) Inmates will not pick up or deliver mail.

(2) No mail will be left on tables or in other areas unattended where inmates have access.

J. Records that will be maintained by staff and that may be kept electronically:

(1) A log shall be kept of all incoming or outgoing registered, insured or certified mail using, Form DOC-3088;

(2) A log shall be kept of all unauthorized mail using Form DOC-3086-Revised;

(3) A log shall be kept of all inmate to inmate approved correspondence using Form DOC-3087-Revised;

(4) A log shall be kept of all rejected mail using Form DOC-1740-Revised; and

(5) A log shall be kept of all mail that is monitored using Form DOC-3022

K. Violations of rules or policies, governing mail procedures, may result in the suspension or termination of correspondence between the parties involved.

L. Refer to the Department's Administrative Regulation 722, for specific procedures for managing inmate privileged correspondence.

M. Refer to Administrative Regulation 711, for package procedures.

N. Inmates may correspond in their primary language.

O. Prohibited Mail:

(1) Each facility will establish a process for review of questionable items of mail received.

(2) Mail items that contain matter detrimental to the security, good order, or discipline of the institution or facility, or that facilitate criminal activity, are prohibited, including but not limited to:

a. Content that depicts or describes procedures for the construction or use of weapons, ammunition, bombs or incendiary devices;

b. Content that depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of prison institutions;

c. Contents that depicts or describes procedures for the brewing of alcoholic beverages, or the manufacture of drugs or unlawful substances;

- d. Content that is written in code;
- e. Content that describes or encourages activities which may lead to the use of violence or promotes hate groups or gang activities;
- f. Content that encourages or instructs in the commission of criminal activity or depicts criminal activity;
- g. Content that displays realistic pictures of guns or knives, or that is suitable for use in making of facsimiles weapons;
- h. Content that is sexually explicit, which by its nature poses a threat to the security good order, rehabilitation or discipline of the institution, or facilitates criminal activity;
- i. Content that includes instruction relating to tattooing;
- j. Content that advocates terrorism, racial, religious, or national origin hatred, or that creates an unsafe environment for offenders or prison staff;
- k. Content that provides instructions for military, police or security tactics for riots, hostage negotiation, or any Homeland Security drills; and
- l. Content related to survival guide information.

(3) Mail items related to business operations, except mail items as necessary to protect property interest that vested before incarceration that have been approved by the Warden/designee.

(4) Mail items containing solicitations or receipt of advertisements including publications not paid for in advance or not coming directly from a verifiable known publisher or vendor.

(5) Publications, the purchase of which is contingent on future purchases or orders, such as book of the month clubs, etc.

750.02 OUTGOING MAIL

1. All envelopes must be properly addressed and:
 - A. Be stamped on the back with the name of the institution/facility from which it is being sent and the date of mailing; and
 - B. Have the inmates name, offender number, institution/facility name and mailing address in the return address portion of the envelope.
2. All outgoing mail must be sent via U.S. Postal Service and requires the appropriate postage.
3. Correspondence addressed to Department officials and staff may be routed through the interdepartmental mail services.

4. The Warden/designee may prohibit outgoing mail under appropriate circumstances which include, but are not limited to:
 - A. Correspondence with minors whose legal guardians have objected, in writing, stating their wish that such correspondence to be prohibited;
 - B. Correspondence with individuals who have objected in writing to lewd, threatening, or offensive correspondence: and;
 - C. Correspondence prohibited by court order, such as a Judgment of Conviction (JOC) prohibiting contact with the victim(s).
5. An inmate should receive written notice when correspondence has been prohibited;
6. Attempt to engage in prohibited correspondence will result in a disciplinary action.
7. Indigent Inmate Postage.
 - A. Indigent inmates will be provided postage for a maximum of two personal letters per week.
 - B. The mailroom officer will write the agency's budget account number in the area of the envelope where the stamp would normally be placed and send the mail item to the State Mailroom for processing, except remote institutions/facilities without access to State Mailrooms will purchase stamps for this purpose.
8. "Indigent-at-the-moment" Inmate Postage.
 - A. Inmates whose accounts are not accessible to them, i.e., frozen for longer than 30 days, will be considered to be "indigent-at-the-moment inmates."
 - B. "Indigent-at-the-moment" inmates are not eligible for free personal letters and must submit a brass slip with their correspondence for mailing.

750.03 INCOMING MAIL

1. All incoming mail, including mail marked "Return to Sender", will be opened for the inspection for contraband, unauthorized items, cash, coin, checks and money orders, and scanned by mailroom staff. Disposal of unauthorized items will be pursuant to section 750.07 of this regulation.
2. Inmates are not allowed to receive, from any source, confidential information, which includes but is not limited to personal information about:
 - A. Current or past inmates; and
 - B. Any other person without that person's knowledge and written consent
3. Envelopes containing incoming mail.

- A. All envelopes received in incoming mail must be addressed to the inmate in the name under which he was committed. If an inmate has obtained a legal name change, the envelope must contain both names.
 - B. The inmate's name should be properly spelled.
 - C. The inmate's identification number must be noted.
 - D. The sender's name and address must appear in the upper left corner.
 - E. Reasonable efforts will be made to deliver the item if the inmate's name is correct, but the identification number is wrong, or missing.
 - F. If the inmate's name is misspelled and the identification number is incorrect or missing the mail will be returned unopened, to sender.
4. Mail is sorted before opening to ascertain if the inmate is in the Department.
5. Allowed enclosures in first class mail are limited to:
- A. Enclosures per envelope, not exceeding 10 pages, excluding the letter of one article or advertisement such as from a newspaper or magazine, or printouts from website, or one pamphlet.
 - B. Personal photographs
 - (1) A maximum of ten per envelope not including pictures in enclosed article or advertisement.
 - a. Not to exceed 8" X 10" in size.
 - b. If computer generated on paper no larger than standard 8 ½ "X 11", which may contain up to 10 photographs on one page, but each photograph counts as one of the ten maximum allowed.
 - c. All must have the inmate's name and NDOC back number on the back.
 - (2) Photographs of nude persons:
 - a. Shall not depict sexual activity.
 - b. Shall have inmate's name and back number on back of each photo, and;
 - c. Shall not **be displayed** or traded.
 - C. Religious material is limited to one piece or item of religious material per envelope.

D. Greeting cards

- (1) No musical or electronic type cards are allowed.
- (2) Limit of one card per envelope; and
- (3) Size no larger than 8" X 10".

E. Calendars:

- (1) May contain no metal parts;
- (2) Must not exceed maximum size of approximately 11" X 18";
- (3) May not contain depiction of nude persons or sexual activity if being displayed; and
- (4) Must be from a verifiable publisher or vendor in a factory sealed wrapper.

F. Personal identification items such as birth certificates, social security documents, marriage documents and military documents will be forwarded to the inmate's caseworker for delivery.

G. Electronic Mail Service.

(1) Electronic mail service, consisting of a one way communication from a correspondent to an inmate is available. Only authorized staff who have an active password may process electronic mail. Once electronic mail is opened, authorized staff shall view the mail for content. If suspicious or objectionable content is found, mailroom staff shall print the letter and forward it to the appropriate designated Associate Warden for review and possible rejection. If no objectionable content is present, authorized staff shall cause the printed letter to be delivered to the inmate via the inmate's unit mail bag.

H. Publications

- (1) The institution/facility will review all publications for suspicious or objectionable content. If such is found, the publication shall be forwarded to the Publication Review Committee for appropriate disposition.
- (2) No publication will be rejected solely because its content is religious, philosophical, political, social, or sexual or because its content is unpopular, repugnant, or does not agree with commonly held beliefs and practices.

I. Publication Review Committee

(1) Each Institution/Facility will establish a Publication Review Committee to review all publications that the mail room staff have a reason to believe may contain objectionable content, prior to the initial rejection of the publication following the above guidelines.

(2) The Committee have a minimum of three (3) members, one of whom shall be appointed by the Warden or Facility Manager, one of whom shall be an Associate Warden or Facility Supervisor, or above.

(3) The Committee shall convene within seven days from when a publication is referred by the mail room staff.

750.04 OTHER MAIL/CORRESPONDENCE

1. Correspondence between incarcerated persons:

A. Correspondence between all incarcerated persons is limited to correspondence between immediate family members.

B. Legal correspondence between NDOC incarcerated persons is allowed if they are co-defendants or co-plaintiffs in active post conviction litigation or pursuant to court order is also allowed.

C. Common law relationships are not considered immediate family for purposes of correspondence between incarcerated persons.

D. To engage in allowed correspondence with an inmate in another institution, the inmate must obtain a correspondence request form from his caseworker, complete it, and return it to his caseworker, who will forward it to the Warden.

(1) The approval of the Wardens of both institutions is required.

(2) If the Warden at the initiating inmate's institution approves the request, he shall indicate on the form and forward the form to the Warden of the receiving institution.

(3) If the Wardens of both institutions approve the correspondence, the original will be placed in the initiating inmate's I-File, a copy will be placed in the receiving inmate's I-File, and a copy will be maintained in the permanent record of inmate correspondence approved in the mailroom of each institution.

(4) Once full approval is obtained, no further approval is necessary even if the inmate is transferred.

(5) If the Warden of either institution disapproves the correspondence, the Warden disapproving the request shall state the reasons for the disapproval in writing on the request form.

(6) Approved inmate-to-inmate correspondence shall be via US Postal Service, postage paid.

2. Social Security Benefits. All social security or supplemental security checks mailed to inmates will be returned to the Social Security Administration address indicated on the sending envelope regardless of the geographic location of the institution or facility.

3. IRS Checks. All IRS checks received will be forwarded to a designated person in Inmate Services. Inmate Services will contact IRS for approval before depositing IRS checks to the inmate's account.

4. Mail addressed to any program, Mail addressed Prison Industries/Silver State Industries, Education, Chaplain, or other program at an institution or facility will be given to the staff supervisor of that program. Regardless of how the mail is addressed, the supervisor will open all such mail. Inmates shall not open any mail not specifically addressed to them.

750.05 MONITORING INMATE MAIL

1. Incoming and/or outgoing mail items are monitored by designated staff upon reasonable suspicion that the item contains restricted matter.

2. All requests for monitoring must be submitted in writing to the Warden/designee for prior approval and state in detail:

A. The reason for monitoring; and

B. The approximate length, if known, or as estimated, that the monitoring is expected to last.

C. Upon a showing of sufficient exigency, the Warden may verbally authorize temporary monitoring until the full detailed written request is submitted, which shall be submitted without unreasonable delay.

3. Mail Monitoring Log. A log of all mail monitoring activity shall be maintained in the designated mailroom by the Mailroom Officer, using Form DOC-3022 which shall include the following;

A. Inmate's full name and NDOC back number;

B. Name of NDOC official who authorized the monitoring;

C. Dates monitoring started and ended; and

D. Name(s) or designation of staff authorized to conduct the monitoring activity.

4. Delivery of monitored mail shall not be delayed for more than 24 hours.

A. Monitored mail may be copied.

B. If delay in delivery of monitored mail exceeds 24 hours, the procedures for rejected mail items must be followed.

5. Inmate-to-inmate mail. Allowed, approved mail between NDOC incarcerated inmates, may be monitored without prior approval.

6. Monitoring of privileged correspondence is not allowed. If reasonable suspicion exists that privileged correspondence contains contraband or prohibited content, the procedures shall described in the Department's Administrative Regulation 722 applicable to legal mail shall apply.

750.06 INMATE GENERAL CORRESPONDENCE AND MAIL REJECTION PROCESS

1. Notice to Inmate. If any item of mail addressed to an inmate is rejected for any reason the inmate shall receive written notice that describes the rejected item, states the reason it was rejected, notifies the inmate of his right to appeal through the grievance process in accordance with Administrative Regulation 740, and notifies the sender of his right to appeal by sending an appeal within 20 calendar days of the date of the notice of rejection addressed to the Warden of the institution or Manager of the facility stating the objections to the rejection, and the sender's appeal shall be reviewed and responded to by a designated Associate Warden not involved in the decision to reject the mail item, whose decision shall be final.

2. Notice to Sender. Where an item of mail addressed to an inmate is rejected for any reason, a copy of the written notice given to the inmate shall be given to the sender, unless the sender is an NDOC incarcerated inmate and the correspondence was not authorized and properly approved, which notice shall contain the procedure for appeal of the rejection by the sender.

3. The mailroom shall maintain a log of rejected mail items using Mail Log Form DOC 1740

750.07 DISPOSAL OF REJECTED MAIL ITEMS RECEIVED

1. Upon receipt of notice of rejection of an item of mail, if the inmate does not choose to grieve the rejection pursuant to AR 740, the inmate has (10) days from the date of receipt of said notice to inform the mailroom officer in writing how the inmate desires to dispose of the rejected item, either by returning it to sender, sending it to a third person at the inmate's expense, or destroying it.

2. If the inmate uses the grievance process to appeal the rejection of the mail item, or if the sender appeals the rejection;

A. The Grievance Coordinator shall notify the mail room upon receipt of the grievance, and/or the Warden's office shall notify the mailroom upon receipt of the sender's appeal.

B. The mailroom should return the rejected item until the grievance process or the appeal process is completed.

C. Upon completion of the grievance process, the Grievance Coordinator will notify the mailroom of the outcome of the grievance.

D. If the grievance is denied the inmate shall have ten days from the date his appeal is final to notify the mailroom officer how to dispose of the rejected item.

E. The mailroom officer will await the decision on the sender's appeal before disposing of the rejected mail item.

F. If either the inmate's grievance is upheld or the sender's appeal is upheld, the formerly rejected item will be promptly delivered to the inmate.

G. In both instances, the disposition will be noted on an Unauthorized Mail Form, DOC 3086, that shall be filed in the inmate's I-File.

3. All items disposed of by sending to the third persons will be at the inmate expense.

A. Items valued at \$10.00 or more will be sent certified mail.

B. If the inmate is indigent or indigent at the moment, a brass slip will be submitted by the inmate.

C. If the inmate does not wish to send items out, they will be disposed of per this procedure.

4. Any money, stamps, or other negotiable instruments not delivered to the inmate will be sent to the Administrative Services Officer (ASO)/designee who will forward the items to Inmate Services for placement in the Inmate Welfare Fund (IWF) with a receipt obtained and attached to the DOC Form 1518, Unauthorized Mail Notification.

5. In disposing of any contraband discovered (narcotics, etc.), the Department's Administrative Regulation 458 will be followed.

6. When the Mailroom officer disposes of an item, a staff witness is required. The date/time disposal, how it was disposed of, and reason for destruction (cite the AR) should be noted on the Unauthorized Mail Notification, Form DOC-1518.

Note: Usually all items will be shredded or donated to a local charity.

7. A copy of the Unauthorized Mail Notification Form will be placed in the I-File.

750.08 ORDERING PUBLICATIONS

1. All inmates are allowed to order and receive, publications directly from verified publishers and vendors.

A. Books contents must comply with limitations set forth in this regulation. See General Provisions Section O.

2. Books must be paperback only.

A. Upon receipt, all books will be subject to review by the Mailroom Staff and must comply with this regulation for content by the Publication Review Committee.

B. All books identified as not complying with procedures will be sent to the Publication Review Committee.

3. The number of books in an inmate's possession will comply with the Department's Administrative Regulation 711, Inmate Personal Property procedure, and institutional operating procedures.

4. Prior to the publication being issued to the inmate, the mailroom staff shall place the inmate's name and offender number on the inside front cover of the publication.

750.09 CORRESPONDENCE COURSES/CLASSES

1. Correspondence courses may be ordered and received by inmates.

2. Correspondence courses must be prepaid.

3. These courses are self-edification/self-help only and are not recognized by NDOC's Education-Program Division.

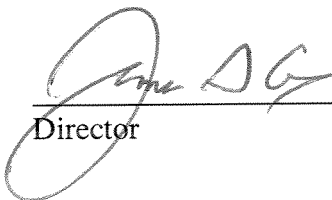
4. These courses are not eligible for merit credits unless otherwise approved by the Director.

5. CD's and written materials are allowed and must be in compliance with AR 711.


APPLICABILITY

1. This regulation requires Operating Procedures for each institution and facility.

2. This regulation requires an audit.



Director



Date