



Plymouth County Sheriff's Department

Joseph D. McDonald, Jr. Sheriff

Policy 481

Number of Pages 5

Related Standards

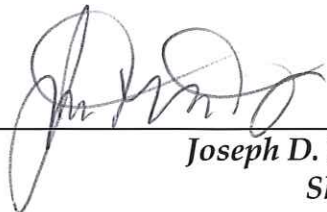
MGL: c. 124, §1 (d&q); c. 127, § 1A & 87

103 CMR: 948.01 thru 09

ACA : 4-ALDF-2A-27, 2A-60, 5B-05 through 10, 6A-01 through 04, 06

INMATE MAIL

Section	Page
I. PURPOSE	2
II. AMOUNT OF MAIL	2
III. COLLECTION AND DISTRIBUTION	2
IV. POSTAGE FREE MAIL	2
V. PRIVILEGED CORRESPONDENCE	2
VI. INSPECTION OF PRIVILEGED CORRESPONDENCE	3
VII. INSPECTION OF NON-PRIVILEGED CORRESPONDENCE AND PACKAGES	3
VIII. READING OF NON-PRIVILEGED CORRESPONDENCE	3
IX. DISAPPROVAL OF NON-PRIVILEGED CORRESPONDENCE	4
X. PROHIBITION ON INMATE TO INMATE CORRESPONDENCE	5
XI. EMERGENCIES	5
XII. APPLICABILITY	5
XIII. RESPONSIBLE STAFF	5

APPROVED:  _____
Joseph D. McDonald Jr.
Sheriff

DATE: 8-19-2021

I. Purpose

The purpose of this document is to establish Sheriff's Department policy for communications between inmates at the Plymouth County Correctional Facility and their families, friends, legal or governmental individuals and agencies. The Superintendent will develop a Correspondence Plan incorporating elements required by law.

II. Amount of Mail

- A. Except as provided for in this policy, there will be no limitation on the number of persons an inmate may correspond with, on the volume of lawful mail which an inmate may send or receive, or on the length, language, content or source of such mail.
- B. In accordance with good housekeeping practice and fire safety regulations, limitations are placed on the amount of mail (correspondence and publications) an inmate may be permitted to retain in his possession.

III. Collection and Distribution

The plan for collection and distribution of mail will contain the following:

- A. All outgoing mail will be collected sealed from the inmate or from locked mail boxes by an employee at least once every day, except Sundays and postal holidays.
- B. Incoming mail will be distributed directly to the receiving inmate by an employee in accordance with an established schedule at least once every day, except Sundays and postal holidays.
- C. Outgoing mail will be picked up by the Post Office and incoming mail will be delivered to the inmates, within twenty-four (24) hours of collection or pick-up.
- D. A procedure for forwarding or returning mail which cannot be delivered (transfers, etc.), will be established.
- E. A procedure to assure accountability and proper handling of registered or certified mail addressed to an inmate will be established.

IV. Postage-Free Mail

Indigent inmates will be permitted:

- A. An unlimited number of postage-free letters each week for privileged confidential correspondence;
- B. Three (3) postage-free letters each week for general correspondence.

V. Privileged Correspondence

Inmates will be permitted to send sealed mail to and receive sealed mail from the following:

- A. Any officer of a court of the United States or of the Commonwealth of Massachusetts (judge, attorney, clerk);
- B. The President of the United States or the Governor of the Commonwealth of Massachusetts;
- C. Any member of the Congress of the United States;
- D. Any member of the Legislature of the Commonwealth of Massachusetts;
- E. The Attorney General of the United States or the Attorney General of the Commonwealth of Massachusetts;
- F. The Director or any agent of the Federal Bureau of Investigation;

- G. The Commissioner of the Massachusetts Department of Public Safety;
- H. The County Commissioners or the Sheriff of Plymouth County;
- I. The Commissioner of the Massachusetts Department of Correction, and if applicable, the Superintendent of the State correctional institution in which the inmate was confined;
- J. Any member of the Massachusetts Parole Board;
- K. The Secretary of Public Safety;
- L. Any member of the Governor's Advisory Committee on Corrections; and
- M. Any District Attorney of the United States.
- N. Immigration Detainee's Consular Mail
- O. Immigration Detainee's Media Requests

VI. Inspection of Privileged Correspondence

- A. Outgoing privileged mail may not be opened for inspection or any other purpose or otherwise impeded in its transmission if it meets the following requirements:
 - 1. It is addressed to a person listed under privileged correspondence,
 - 2. It includes the inmate's name and return facility address on the outside of the envelope.
- B. Incoming privileged mail may not be opened except in the presence of the inmate. The sole purpose of opening privileged mail is to ascertain that the mail's contents are free of contraband.

VII. Inspection of Non-Privileged Correspondence and Packages

- A. Incoming non-privileged correspondence and packages will be opened and inspected prior to delivery to the inmate:
 - 1. Accept and forward any funds received to Inmate Accounts for receipt.
 - 2. Verify and record the receipt of permitted personal property;
 - 3. Prevent the transmission of contraband to the inmate.
- B. Outgoing non-privileged mail may be opened and inspected with the authorization of the Sheriff or Superintendent. Such authorization will only be given when there is reasonable belief that such action is necessary to maintain the order and security of the facility. This will be documented.

VIII. Reading of Non-Privileged Correspondence

The Sheriff or Superintendent may authorize the reading of non-privileged mail when such action is necessary to maintain security or order in the facility or protect the physical safety of an individual. Such authority to read and the reading of mail will be documented by the ADS IPS or IPS Captain, will be reviewed by the Assistant Superintendent with a recommendation to the Superintendent. Notifications / approvals will be made under the authority of the Superintendent.

IX. Disapproval of Non-Privileged Correspondence

- A. Non-privileged correspondence will be disapproved only to prevent interference with facility goals of security, order or rehabilitation. Disapproval will not be based upon an employee's personal views of the merit of such correspondence.
- B. The Sheriff, Superintendent or designee may disapprove for mailing or receipt by an inmate of non-privileged correspondence (including publications), the contents of which fall as a whole or in significant part, into any of the following categories:
 - 1. Information or materials which could clearly and reasonably be expected to encourage the use of physical violence or group disruption of facility operations;
 - 2. Threats of blackmail or extortion;
 - 3. Plans for sending contraband in or out of the facility;
 - 4. Plans to escape;
 - 5. Plans for activities in violation of Sheriff's Department or facility regulations, orders, or policies;
 - 6. Criminal activity or plans for criminal activity;
 - 7. Coded messages which are not reasonably decipherable by the reader;
 - 8. Descriptions of the making of any weapon, explosive, poison, or destructive device;
 - 9. Graphic representations of sexual behavior that are in violation of law, or materials which advocate or may lead to prohibited sexual activity.
 - 10. Gang related materials
 - 11. Items downloaded from the internet and mailed into the facility are not accepted.
 - 12. Any item listed or described on Notification of Refused Mail Form.
 - 13. Any publications that may interfere with the treatment and rehabilitation process at that institution.
- C. Collect-on-delivery (COD) mail will not be sent by, or accepted, for any inmate except as may be authorized by the Sheriff, Special Sheriff or Superintendent.
- D. An inmate may be prohibited by the Sheriff, Special Sheriff, or Superintendent from corresponding with a particular person if that person, or the person's parent or legal guardian in the case of a minor, has requested in writing, that such correspondence from the inmate be terminated, or when such correspondence is prohibited by lawful order.
- E. If any non-privileged correspondence is disapproved for mailing or receipt, a written notice stating one or more of the reasons set forth in Section B above shall be sent to the inmate (outgoing mail) or to the originator and the inmate (incoming mail). The notice shall inform the inmate or the originator of the right to appeal the decision in writing to the Superintendent or Sheriff.
- F. Mail received at the Plymouth County Correctional Facility without a proper return address will not be accepted and will be returned to the US Postal Service.
- G. The facility does not have internet access for inmates or detainees. The facility has determined that allowing downloaded materials, blogs, IMs or entries from internet social sites would not further the enforcement of facility regulations and do not fall within the facility objective of protecting the public, specifically copyrights or intellectual properties that may be taken from the internet without permission of the owner.

X. Prohibition on Inmate-to-Inmate Correspondence

- A. An inmate may be permitted to correspond with an inmate confined in another correctional or penal institution in the commonwealth, provided the other inmate is either a member of the immediate family, or is a party in a legal action in which both parties are representing themselves.
- B. The Superintendent or designee (as applicable) may approve such correspondence and other exceptional circumstances, with particular regard to the nature of the relationship between the two inmates, and the security level of the institution.
- C. Detainees being held on behalf of the Immigration and Customs Enforcement Agency (I.C.E.) are not allowed to correspond with any inmate in any other correctional facility. It is the Plymouth County Sheriff's Department's policy, to immediately notify I.C.E. of any attempts by a detainee of their jurisdiction to correspond with another detainee.

XI. Emergencies

Whenever, in the opinion of the Sheriff, Special Sheriff, or the Superintendent, an emergency exists which requires suspension of all or part of these regulations, he may order such suspension, except that any such suspension lasting beyond forty-eight (48) hours must be authorized by the Sheriff.

XII. Applicability

This policy applies to all department employees and inmates.

XIII. Responsible Staff

The Superintendent will be responsible for implementing and monitoring this policy.