DEPARTMENT OF CORRECTIONS

Policy Number:	**302.015**
Title:	**Access to Electronic Legal Materials**
Effective Date:	**11/4/25**

PURPOSE: To provide guidelines to ensure incarcerated people/residents have reasonable access to electronic legal materials related to their legal cases received from a licensed attorney who represents or represented them.

APPLICABILITY: All facilities

DEFINITIONS:
Electronic legal materials – legal materials received from a licensed attorney, including documents, video or audio recordings, or photographs stored electronically on flash drives, DVDs, or CDs.

PROCEDURES:

A. Incarcerated people/residents must:
   1. Inform their attorneys that electronic legal materials must be clearly labeled as electronic legal materials, as well as indicating case name, file number, and status.
   2. Inform their attorneys that electronic legal materials cannot be printed or copied at the facility.
   3. Inform their attorneys that electronic legal materials :
      a) Are allowable on flash drives (preferred), DVDs, or CDs;
      b) If documents must be in pdf;
      c) Cannot be modifiable; and
      d) Are not to be changed or removed from the device once provided for the incarcerated person's/resident's use.
   4. Let the staff coordinating access know if they are transferring or, once transferred, let the receiving facility staff coordinating access know they have electronic legal material at the former facility.

B. Mailroom staff must:
   1. Forward electronic legal material to the staff coordinating access if properly labeled.
   2. Return material to the attorney if not appropriately labeled as electronic legal material.
   3. Log the date and destination of any material forwarded or returned.

C. Facility staff designated to coordinate access for incarcerated people/residents must:

1. Call the incarcerated person/resident to open the mail that contains the electronic legal material.

2. Log opening of material on Electronic Legal Materials Log (attached). Obtain the incarcerated person's/resident's signature.

3. Complete a cursory review of content on the stand-alone computer that is not connected to any network to assure it is case-related and does not violate any DOC policy, specifically Policy 301.030, "Contraband." Electronic legal materials may only be accessed on designated computers for staff review or incarcerated person/resident use.

4. Any questions of content should be directed to the litigation coordinator or the office of special investigations (OSI).

5. Deny any material which violates policy. If appropriate, write an incident report and enter the material into evidence. If not, return material to the mailroom for notice of non-delivery.

6. Arrange for the incarcerated person to view the material within seven working days on a stand-alone computer to protect any network from virus.

7. Log dates and times the incarcerated person is provided access. Obtain their signature.

8. Securely store the electronic legal material when not being viewed in a locked cabinet or desk.

9. After sixty days, the incarcerated person must arrange for disposition of the material either by sending it to an address provided by the incarcerated person or turning it over to the property department for disposal in accordance with property policy. The incarcerated person may request an extension of time by providing justification that the material is still needed.

10. Retain all logs showing when the incarcerated person opened and had access to electronic legal material.

11. The access log must be sent to the records unit for scanning into ODocs.

INTERNAL CONTROLS:

A. Logs of when incarcerated people have access to electronic legal materials, as well as when and how the materials were disposed of, are scanned into, and retained in, ODocs.

STATE CORRECTIONAL FACILITY SECURITY AUDIT STANDARDS: None

REFERENCES: Policy 302.250, "Property"
Policy 301.030, "Contraband"
Policy 302.020, "Mail"

REPLACES: Policy 302.015, "Access to Electronic Legal Materials," 9/8/25.

All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Electronic Legal Materials Log (302.015A)

APPROVALS:
Commissioner of Corrections