DEPARTMENT OF CORRECTIONS

Policy Number:	**302.020**
Title:	**Mail**
Effective Date:	**1/12/26**

PURPOSE: To provide guidelines for the processing of incoming and outgoing mail at all facilities.

APPLICABILITY: All facilities

DEFINITIONS:

Anonymous/Confidential – mail to/from the Office of Ombuds for Corrections, Prison Rape Elimination Act (PREA) Unit, or Victim Services and Restorative Justice Unit.

Attorney-client privileged mail – mail to or from licensed attorneys or established groups of attorneys involved in legal representation of the specific incarcerated person/resident to/from which the correspondence is addressed and that meets the protection that applicable law provides for confidential attorney-client communications, such as the provision of legal advice or disclosure of sensitive details attorneys need to build defense strategies.

Complete return address – includes sender's name, street address, city, state and zip code.

Contraband – as defined in Policy 301.030, "Contraband."

Emergency – any significant disruption of normal facility operations, such as riot, escape, fire, natural disaster, employee action, or other serious incident.

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.

Electronic message – any electronic or computer-based communication received for an incarcerated person/resident (see Policy 302.022, "Kiosk Services").

Incarcerated person – any person confined in a foreign, federal, state, regional, county, or municipal correctional facility or jail.

Incarcerated person's/resident's authorized name and address – the name and address that must be used for an incarcerated person/resident who is sending or receiving mail.

Inspection – the opening and visual checking of all incoming/outgoing mail, including attorney-client privileged mail for unallowable items and contraband.

Mail – letters, publications, or packages delivered by the (USPS) or by other established and authorized carriers.

O-Mail - electronic, computer-based, written communication(s) sent or received by an incarcerated person/resident or a community member using applications managed by the kiosk service provider, as defined in Policy 302.022, "Kiosk Services."

Package – a wrapped or boxed object, a parcel, or bundle containing one or more objects, or a container in which something is packed for storage, transport, or mailing to be delivered by an authorized carrier.

Personal Protective Equipment – as defined in Policy 105.113, "Personal Protective Equipment (PPE)."

Published materials – any book, booklet, pamphlet, magazine, periodical, newsletter, newspaper, or similar material published by any individual, organization, company, or corporation that is distributed or made available through any means for a commercial purpose.

Special mail – any exchange of communications/correspondence to or from all levels of government officials (local, county, state, federal, and tribal), with the business address of the government office, designated by the department mail committee. The destination or return address must clearly indicate it is to or from one of these sources (using the business address) to be treated as special mail.

Suspicious mail – incoming/outgoing mail that has, for example, one or more of the following:

A. Oily stains on the envelope or on the outside of the package;
B. Discolorations on the envelope or on the outside of the package;
C. Crystallization on the envelope or on the outside of the package;
D. Excessive wrapping, tape, or string;
E. Rigid, uneven, irregular, or lopsided packages;
F. Packages with soft spots, bulges, or excessive weight;
G. Packages with protruding wires or aluminum foil;
H. Hand signs/symbols (see Policy 301.110, "Security Threat Groups").

PROCEDURES:

A. **Mailroom security/safety**

1. Access to the mailroom is restricted to authorized staff. Mailroom entrances must have a sign stating: "Authorized personnel only."

2. **Suspicious mail procedure**

   If mailroom staff determine that incoming mail is suspicious, mailroom staff must:

   a) Follow the procedures in Policy 301.180, "Terrorist Incident Response-Facilities;" and

   b) Notify the incarcerated person/resident of non-delivery of the mail unless notice would inhibit an investigation of potential criminal behavior or other conduct in violation of department policy and facility rules.

   c) If the suspicious mail purports or appears to be attorney-client privileged mail, it must be logged in the incarcerated person's/resident's mail computer application, and an explanation of its non-delivery must be noted. Staff must make every reasonable attempt to notify the sender that this mail was not delivered and record all communications and attempted communications with the sender in the attorney-client privileged mail log.

B. **Mail inspection and monitoring**

1. All incoming/outgoing mail is inspected. Special mail and attorney-client privileged mail is inspected according to procedure J, below. All other incoming items are processed as follows:
   a) Staff inspect all mail for physical contraband and test for contraband (if possible).

   b) If the mail passes inspection, staff must deliver it to the incarcerated person/resident.

   c) If the item contains contraband, staff must write an incident report and enter the mail into evidence. If mail from the same sender is found to contain contraband multiple times, the sender may be banned from sending mail to a Minnesota Correctional Facility (MCF) upon approval by the warden or designee.

2. Staff read mail if there is a justifiable belief that its contents constitute a risk to the safety and security of the facility, specific individuals, or the public, or when staff have reason to believe that the incarcerated person/resident or sender/recipient is involved in criminal activity.

3. A specific incarcerated person's/resident's incoming/outgoing mail is monitored and routinely read only with the written approval of the warden or designee if there is reason to believe that its contents constitute a risk to the safety and security of the facility, specific individuals, or the general public, or when there is reasonable cause to believe that the incarcerated person/resident or the sender/recipient is involved in criminal activity.

4. In addition to vendor restrictions, by choosing to use O-mail the incarcerated person/resident and member of the public agree to have all messages, including transactional data and message content, monitored and retained by department staff. Electronic messages are NOT privileged communication. Incarcerated people/residents must continue to use written communication for attorney-client privileged or special mail.

5. Outgoing special attorney-client privileged mail is read only at the written request of the addressed recipient.

6. The office of special investigations (OSI) maintains a record of addresses and incarcerated people/residents whose mail is to be monitored and read. The record includes each address or incarcerated person's/resident's name, OID, and nature of the concern.

C. **Incoming incarcerated person/resident mail**

1. Inspecting incoming mail
   a) Mailroom or designated staff inspect all incoming mail and must wear proper personal protective equipment in accordance with Policy 105.113, "Personal Protective Equipment (PPE)," to avoid potential hazards.

b) Incoming packages are opened, inspected, and processed consistent with this policy and Policy 302.250, " Property" (adult facilities) or Policy 302.260, "Juvenile Property" (juvenile facilities).

2. Sorting incoming mail

a) Mail to an incarcerated person/resident must be addressed to the incarcerated person's/resident's commitment name (or department-recognized legal name) and their identification number (OID) only, along with the facility's name and designated address available on the department's public website. Incoming mail must also include the sender's full name and complete return address. If incoming mail does not meet those standards, it is returned to the sender with a notation on the envelope indicating why it was rejected. If the sender's full name and complete return address is not provided, the item goes into the dead file and is destroyed after 30 days.

b) Identifiable special mail and attorney-client privileged mail is delivered according to procedure J, below.

c) For security purposes, all incoming mail except attorney-client privileged mail is limited to 16 ounces per item to permit timely processing and inspection. Items over this limit are returned to the sender unopened with notation on the envelope indicating why it was rejected.

d) Mail not meeting policy requirements that are identifiable at the sorting stage (such as those described in paragraphs G.10 and G.11, below) may be returned to the sender unopened with a notation on the envelope indicating the reason for rejection, unless the mail appears to be attorney-client privileged mail. If the mail appears to be attorney-client privileged mail, it must be logged in the incarcerated person mail computer application with an explanation of its non-delivery. Staff must make every reasonable attempt to notify the sender that this mail was not delivered and record all communications and attempted communications with the sender in the attorney-client privileged mail log.

e) Incoming bulk rate mail is discarded, excluding catalogs, nonprofit mailings, subscribed periodicals, newspapers, and magazines. If any of the following is on the envelope, the item is stamped "refused" and returned to the post office:
   (1) Address service requested;
   (2) Forwarding service requested;
   (3) Charge service requested;
   (4) Address correction requested; or
   (5) Return service requested.

f) Incoming mail must only include the following:
   (1) Paper with words/drawings on it;
   (2) Permanently signed/marked, non-musical greeting cards and post cards, maximum size 8.5 inches by 11 inches;
   (3) Photographs (including those printed on photo or standard paper):
      (a) Maximum of 20 photographs per envelope or mailing;

i) Multiple photos on a single page are counted as individual photos, except photo catalog sheets.

ii) If an incoming item contains more than 20 photographs, all photos are rejected and a Notice of Non-Delivery is sent to the incarcerated person/resident. Neither staff, nor the incarcerated person/resident, select 20 photographs to be kept.

(b) Polaroid photographs must have the backing removed;

(c) Maximum size 8.5 inches by 11 inches;

(d) Duplicative photographs are not permitted (only the original, if included, is delivered; the rest are held for disposition);

(e) No photographs of incarcerated people/residents taken during incarceration are allowed; and

(f) Photographs featuring tattoos are allowed if the photo meets contraband policy requirement.

(4) Published materials (see Procedure K, below, "Published materials"); and

(5) Clippings or photocopies of portions of published materials that do not violate any other criteria established in this policy. Incarcerated people/residents may not receive complete copies of published materials as a means of bypassing the procedures for ordering/receiving published materials. Although copies of complete published materials are not allowed, free, printed, Internet materials are allowed.

3. Receipts/postage

a) Refer to Policy 300.100, "Incarcerated Person/Resident Accounts."

b) When incoming mail requires additional postage, staff deduct the amount due from the incarcerated person's/resident's account and notify them.

4. Forwarding mail for transferred or released incarcerated people/residents

a) Incarcerated people/residents are responsible to notify the mailrooms of their forwarding addresses when they are transferred or released.

b) Bulk mail is not forwarded.

c) First class mail and subscribed periodicals are forwarded for 60 days. After 60 days, or if a forwarding address is unavailable, the mail/periodical is returned to the sender with a notation on the envelope/exterior indicating why it was not delivered.

d) Mail addressed to an incarcerated person/resident on escape status is sent to the OSI.

D. **Distribution of mail**

1. The mailroom staff processes all incoming/outgoing mail and O-mail within three business days of receipt, excluding weekends, holidays, or emergencies. If delivery is delayed, incarcerated people/residents are notified within those three business days,

unless notice would inhibit an investigation of potential criminal behavior or other conduct in violation of department policy and facility rules.

2. Subscribed magazines and periodicals are subject to a centralized review by department staff. This may result in a delivery delay of seven to ten business days following receipt. Incarcerated people/residents do not receive a specific notice of this delay.

3. Designated staff deliver mail to and from the mailroom and the living units. Incarcerated people/residents must not be involved in the sorting or distribution of mail.

4. Mailroom staff must not carry out an incarcerated person's/resident's request to return incoming mail as refused. Incarcerated people/residents are responsible for notifying senders directly if they do not wish to receive mail.

E. **Outgoing incarcerated person/resident mail**

1. All outgoing incarcerated person/resident mail must be submitted in a canteen-purchased, facility-provided, indigent, pre-metered attorney-client privileged, tribal entity, or government entity envelope and is subject to inspection. Outgoing mail, except special, attorney-client privileged, or anonymous/confidential mail must be submitted unsealed. If an incarcerated person/resident submits sealed mail which is not special, attorney-client privileged, or anonymous/confidential mail, it is opened, searched, and returned to the incarcerated person/resident.

2. Outgoing mail must only include paper with words/drawings on it, signed greeting cards, clippings and photocopies from publications, and photographs. An incarcerated person/resident may not use facility-provided forms or documents as stationary.

3. Incarcerated people/residents must not enclose self-addressed envelopes in outgoing mail that require mailroom staff to apply postage. Mailroom staff do not apply postage to envelopes for the purpose of mailing from another location.

4. Outgoing mail must be addressed from the incarcerated person's/resident's commitment name (or department-recognized legal name) and OID only, along with their facility's designated address as available on the department's public website. Incarcerated people/residents must not use the facility address as any form of a business or professional address. No business name or position title may be included with the incarcerated person's/resident's name. The religious suffixes of "-El" or "-Bey" are permitted. Incarcerated people's/residents' names and addresses must not include any additional unauthorized abbreviations, symbols, acronyms, or words including phrases, Uniform Commercial Code (UCC) citations, or "sovereign" identifiers. Any deviation from this (except as outlined in Procedure J.2., below) results in the mail being inspected, read, and returned to the incarcerated person/resident with a notation on the item indicating why it was rejected.

5. Items without a complete return address (except as outlined in Procedure J.2, below), including special/attorney-client privileged mail, are opened if necessary to identify the sending incarcerated person/resident or to inspect for contraband and are returned to the sending incarcerated person/resident for correction. Attorney-client privileged mail

must not be read. If the sender is not identifiable, the items is held for 30 days and then destroyed.

6. Drawings and excessive writing on outgoing envelopes are not allowed.

7. Only envelopes purchased in the canteen (or provided by the facility) or business reply envelopes/cards with a United States Postal Service (USPS) permit number are authorized.

8. All outgoing incarcerated person/resident mail is identified as being mailed from a correctional facility.

9. Each outgoing envelope must only contain items intended for a person residing at the recipient's address or a recipient at a business location. Mailing through third parties is not allowed through the mail or O-mail.

10. Available outgoing mail services include airmail, certified, return receipt, express, and priority. The incarcerated person must have the funds to cover these services.

11. Outgoing indigent envelopes are only processed if the incarcerated person is currently on the indigent list. Outgoing indigent items are limited to 13 ounces (excluding attorney-client privileged mail) and no special services are available.

12. Outgoing packages are processed through the property department, except at selected facilities. The mail room only processes outgoing envelopes and packages received from the property department that cannot be sent by the authorized carrier because the only available address is a post office (PO) box.

13. Kites must contain only the incarcerated person's/resident's commitment or department-authorized legal name or it is returned to the incarcerated person/resident. Kites addressed to other facilities or DOC central office must be submitted with an envelope for mailing. For more information, see Policy 303.101, "Kites/Communication."

14. When the cost is borne by the incarcerated person, there is no limit on the number of letters an incarcerated person can send, or on the length, language, content, except when there is reasonable belief that a limitation protects the public safety, the rehabilitation of the incarcerated person, or facility order and security.

15. Juvenile facilities may pay for postage for mail to parents, agents, department employees, religious representatives, and attorneys.

F. **Restrictions on outgoing/incoming mail**

1. Incarcerated people/residents may not correspond with another incarcerated person/resident committed to the department through intra-facility mail or the kite system. An incarcerated person/resident choosing to correspond with another incarcerated person/resident must use USPS.

2. Incarcerated people/resident and patients housed at the state security hospitals must:

a) Not send/receive money in any form to/from an incarcerated person/resident or from patients in other secure treatment facilities in Minnesota;

b) Not send or receive property in any form (including hobby craft, artwork, photos, or copies of these items) to/from another incarcerated person/resident;

c) Only send/receive letters, post cards, and permanently signed/marked greeting cards to each other; and

d) Not put any art on handwritten letters that would prohibit inspection. All art works are subject to inspection. Handwritten lined, or writing paper is allowed to be sent between incarcerated people/residents. No cardstock or construction paper is allowed.

3. Incarcerated people/residents must not send mail in violation of a direct order (see Policy 302.210, "Telephone Use") issued on a Direct Order to Cease Communication form (302.210C) after the written request of a person or parent/guardian of a minor or legally incompetent person is received stating that the person does not want to receive mail from the incarcerated person/resident. Incarcerated people/residents must not enclose letters to a restricted person in an envelope addressed to another person.

4. Incarcerated people/residents may not receive, nor send, correspondence(s), from multiple incarcerated people/residents inside one envelope.

5. A driver's license, state identification, birth certificate, social security card, passport, or copies of these items are forwarded to records for placement in the base file for adult incarcerated people and the transition file for juvenile residents. Identification documents requested by the DOC must remain in the incarcerated person's base file or the juvenile resident's transition file.

6. Any incoming/outgoing mail containing a UCC lien (UCC-1 or UCC-3) form is turned over to the OSI for investigation.

7. Outgoing tax forms must only be sent to the appropriate taxing authority, in accordance with that authority's current directives. Any outgoing tax forms addressed to any other location are returned to the incarcerated person/resident.

G. **Unallowable mail**

Incoming/outgoing mail, in whole or in part, and O-mail, is not authorized if it:

1. Constitutes a risk to the safety and security of the facility, specific individuals, or the public.

2. Contains contraband or pertains to sending contraband into or out of the facility.

3. Contains threats of physical harm, blackmail, extortion, or other criminal activity.

4. Pertains to unauthorized business activity, including the practice of a profession; the sale, solicitation, manufacture, or distribution of goods or services, excluding authorized hobby

craft activity; or routine communication with a person who is operating a business established by the incarcerated person/resident prior to incarceration.

5. Contains information, which, if communicated, would create a threat of violence, physical harm, or a breach of facility security.

6. Solicits gifts of goods or money from a source other than the incarcerated person's/resident's family or persons on their visiting list.

7. Contains photographs that include department staff.

8. Contains suspicious messages, contents that are written in code, or contents not understood by the inspecting staff and efforts to have the mail interpreted have been unsuccessful.

9. Contains stamps, cash cards, phone cards, credit cards, or government assistance cards.

10. Contains items that pose a safety or sanitation hazard and/or have strange odors, including lipstick or other foreign substance, perfume/aftershave, etc.

11. Has an envelope construction or contents prohibiting inspection, including such examples as stickers, tape, white-out, padded envelopes, etc.

12. Contains multiple copies of an item when there is reason to believe the items are intended for distribution to other incarcerated people/residents.

13. Contains symbols, extra identifiers, UCC citations, miscellaneous punctuation, or "sovereign" identifiers.

H. **Non-delivery of incarcerated person/resident mail**

1. When unallowable incoming mail is not delivered, the incarcerated person/resident is sent a completed Notice of Non-Delivery of Mail/Package form (attached) stating the reason(s) for rejection. The incarcerated person/resident is responsible for informing the sender of denied item(s). Notices of non-delivery are not sent for unopened mail that was returned to the sender, nor are any other notices given for such returned mail, unless the mail appears or purports to be attorney-client privileged or special mail. If the unopened mail appears or purports to be attorney-client privileged or special mail, the incarcerated person/resident must be sent a Notice of Non-Delivery of Mail/Package form.

2. Unallowable mail constituting a risk to the safety and security of the facility, specific individuals, or the public is not returned to the sender or delivered to the intended recipient. These items must be destroyed or referred to the OSI for disposition. The incarcerated person/resident receives a completed Notice of Non-Delivery of Mail/Package stating the reason(s) for rejection, unless it would inhibit an investigation of potential criminal behavior or other conduct in violation of facility rules. If an item is submitted into evidence, a Notice of Non-Delivery of Mail/Package is not completed.

3. The incarcerated person/resident has ten business days from receipt of the Notice of Non-Delivery or appeal response (whichever is later) to determine the disposition of unallowable mail. Except for the items noted in Procedure H.2, the incarcerated person/resident must choose one of the following dispositions at their expense:
   a) Incoming unallowable mail must be destroyed or returned to the sender with a copy of the Notice of Non-Delivery of Mail/Package.

   b) Outgoing unallowable mail must be returned to the incarcerated person/resident unless identified as suspicious mail.

4. Mailroom staff must retain Notices of Non-Delivery at the facility for one year from the date written.

I. **Appeal of unallowable incarcerated person/resident mail**

1. Complaints regarding mail decisions when the incarcerated person/resident has received a Notice of Non-Delivery are to be submitted according to the appeal process and are not grievable through the processed outlined in Policy 303.100, "Grievance Procedure," or Policy 303.095, "Youth and Family Grievances." Incarcerated people/residents must use the informal and formal grievance process regarding any other issues concerning mail.

2. The warden appoints a facility correspondence review authority to review appealed Notices of Non-Delivery, including published materials. The correspondence review authority consists of one or more staff who do not have direct involvement in or direct supervision of normal handling of the mail.

3. Incarcerated people/residents may appeal decisions regarding unallowable mail by sending a kite to the mailroom supervisor within ten business days of receipt of the Notice of Non-Delivery of Mail/Package. A written response from the mailroom supervisor providing a decision and rationale is sent to the incarcerated person/resident within ten business days of the receipt of the incarcerated person's/resident's appeal.

4. Incarcerated people/residents may submit one subsequent appeal to the facility correspondence review authority within ten business days of receiving the mailroom supervisor's decision. The authority provides a written decision and rationale within ten business days of receipt of the incarcerated person's/resident's appeal. The decision of the correspondence review authority is final.

J. **Attorney-client privileged and special mail**

1. Incoming mail that meets the definition of attorney-client privileged mail must have a QR code from TextBehind and must contain the attorney's name in the destination or return address along with terms such as "attorney at law" or "law offices" on the envelope. Attorney-client privileged mail without a verified QR code or improperly addressed will be returned to the sender. Staff must refer to the Special Mail List (attached) to determine whether an item is special mail.

2. When delivering attorney-client privileged mail to an incarcerated person/resident, staff must:
   a) Scan the QR code to verify its legitimacy;

b) In the presence of the incarcerated person/resident, staff must test the envelope and contents for contraband (if possible);

c) Skim the contents to ensure that it is legal in nature;

d) Provide the envelope and contents to the incarcerated person/resident, unless the envelope is considered contraband or is unable to be inspected;

e) Ensure that the incarcerated person/resident signs acknowledging receipt of attorney-client privileged mail; and

f) Write an incident report if the item contains contraband and enter the envelope and contents into evidence.

3. Anonymous/Confidential mail to the Office of Ombuds for Corrections, PREA unit, or Victim Services and Restorative Justice unit is allowed to be anonymous and confidential, and does not require a return address from an incarcerated person/resident. Incoming and outgoing mail addressed either to or from these offices with the address of Suite 200, 1450 Energy Park Drive, St. Paul, MN 55108 may remain anonymous and confidential, must not be read, but is subject to inspection for physical contraband. This mail is handled the same as special mail and opened in front of the incarcerated person/resident.

4. Incoming mail meeting the definition of special mail and listed on the Special Mail List (attached) is reviewed by staff for confidential or privileged markings or labels.
   a) If no such marking exists, special mail is opened and inspected by staff who must:
      (1) Open the envelope, remove the contents, inspect the contents for physical contraband, test for contraband (if possible), and skim the contents to ensure that they are official in nature; and
      (2) If the item passes inspection, deliver the envelope and contents to the incarcerated person/resident.

   b) If marked confidential or privileged, staff must open the special mail in the presence of the incarcerated person/resident, and must:
      (1) Open the envelope, remove the contents, inspect the contents for physical contraband, test for contraband (if possible), and skim the contents to ensure that they are official in nature; and
      (2) If the item passes inspection, deliver the envelope and contents to the incarcerated person/resident.

   c) An incoming or outgoing item purported to be special mail that fails to meet the policy requirements for designation as special mail is returned to the sender.

5. Questionable special mail must be forwarded to a supervisor for processing.
   a) If the contents meet the definition of special/attorney-client privileged mail, the supervisor must instruct the incarcerated person/resident on the policy

requirements regarding how special/attorney-client privileged mail is to be addressed.

b) If the contents do not meet the definition of special/attorney-client privileged mail, the supervisor must return the envelope and its contents to the mailroom.

c) The mailroom returns opened non-special/non-attorney-client privileged mail to the sender at the incarcerated person's/resident's expense with a Notice of Non-Delivery.

6. If the item contains contraband, staff must write an incident report and enter the envelope and contents into evidence.

7. Mailroom staff in adult facilities must log all incoming and outgoing attorney-client privileged mail in the incarcerated person mail computer application.

8. The mailroom computer application retains legal mail records for a minimum of seven years past the incarcerated person's/resident's release date.

9. Refer to Policy 302.015, "Access to Electronic Legal Materials," regarding all electronic attorney-client privileged materials.

K. **Published materials**

Incarcerated people in adult facilities may receive published materials, including subscribed newspapers or periodicals, only from the publisher or authorized vendor, excluding printed Internet materials. Residents in juvenile facilities are not allowed to subscribe to newspapers and periodicals. The quantity of published materials an incarcerated person may possess is limited by Policy 302.250, "Property," and the Allowable Property List (302.250C). The amount of possessions a juvenile resident may possess is limited by Policy 302.260, "Juvenile Property."

1. Incarcerated person/resident-initiated purchase of publications from an authorized publisher or vendor must be paid in advance through incarcerated person/resident accounts. Books must be ordered according to procedures outlined in Policy 302.250, " Property," or Policy 302.260, "Juvenile Property."

2. Gift publications are permitted only when shipped from the publisher or authorized vendor. Packages must contain a receipt identifying the purchaser.

3. The purchase or gift of single issues of subscription periodicals is not allowed because such a practice would defeat the efficacy and consistency of centralized publication review.

4. Publications that have been altered or show signs of tampering or handling by persons other than vendor, publisher, and mail handlers, are not allowed.

5. Incarcerated people/residents may receive free government publications from government entities.

L. **Centralized review of subscribed magazines and periodicals**

1. The policy chair designates a facility to serve as the department publication review authority and may reassign it based on agency needs.
   a) The designated facility's mailroom staff maintain the facility publication list on the DOC iShare page, including approved or denied publications submitted by all facilities.

   b) The decision (to allow or deny a publication) is applicable across all facilities.

2. Facility process for received publications:
   a) Each week, mailroom staff at all facilities review all subscribed magazines and periodicals received and informally determine which issues are allowable and which are not;

   b) Mailroom staff flag pages that contain contraband or violate department policy;

   c) The mailroom staff at all facilities submit the approved and denied publications by e-mail to the designated publication review authority;

   d) The designated publication review authority staff post the approved and denied publications on the facility publication list on the DOC iShare Intranet each week;

   e) If a publication is denied, mailroom staff send the incarcerated people a Notice of Non-Delivery of Mail/Package; and

   f) Mailroom staff deliver approved publications to the incarcerated people through regular mail distribution.

3. All facility mailroom staff must review the facility publication list on the DOC iShare site to determine whether previously held subscribed magazines and periodicals have been approved or denied. If a received magazine/periodical is denied, the mailroom staff must send the incarcerated person a Notice of Non-Delivery of Mail/Package. If a received magazine/periodical is approved, mailroom staff must send the issue to the incarcerated person recipients.

4. Appeal of unallowable magazines or subscribed periodicals
   An incarcerated person who receives a Notice of Non-Delivery of Mail/Package for a denied subscribed magazine or periodical may appeal the decision.
   a) To appeal the denial of a subscribed magazine or periodical, the incarcerated person/resident must submit an appeal on a kite to the mailroom supervisor within ten business days of receipt of the Notice of Non-Delivery.

   b) The mailroom staff e-mail an update to the department publication review authority who then update the facility publication list on iShare to reflect the publication's denial is under appeal.

   c) The mailroom supervisor has ten business days from receipt of an incarcerated person's appeal to send a response to the incarcerated person.

(1) If upon review the magazine or subscribed periodical is allowed, mailroom staff must deliver the magazine/subscribed periodical to the incarcerated person through regular mail distribution and e-mail an update to the department publication review authority, who then updates the facility publications list on iShare to reflect the publication's approval.

(2) If upon review the magazine or subscribed periodical is denied, the mailroom supervisor responds to the incarcerated person and the item is placed on hold pending the incarcerated person's response for disposition.

d) If the mailroom supervisor denies the publication, the incarcerated person may secondarily appeal the decision to the facility correspondence review authority within ten business days of receipt of the denial notice.

(1) To appeal, the incarcerated person must submit a kite (with the previous kite and Notice of Non-Delivery attached) to the correspondence review authority.

(2) The correspondence review authority provides a written decision and rationale within ten business days of receipt of both the incarcerated person's kite request and magazine/subscribed periodical to review. The written decision is distributed to the incarcerated person with a copy provided to the mailroom supervisor. This decision is final and retained by the correspondence review authority's staff.

(3) If upon review the magazine or subscribed periodical is allowed, mailroom staff must deliver the magazine/subscribed periodical to the incarcerated person through regular mail distribution and e-mail an update to the department publication review authority who then updates the facility publications list on iShare to reflect the publication's approval.

5. If upon review the magazine or subscribed periodical is denied and the appeal period has expired (for either the primary or secondary appeal), the facility mailroom staff must notify the incarcerated person that they have five business days to choose disposition of the publication:

a) Returning the denied publication to the publisher at the incarcerated person's expense (the incarcerated person must provide a canteen envelope of sufficient size); or

b) Destroying the publication.

M. **Staff mail/parcels**

1. Staff are not allowed to receive or send personal mail/parcels at the facility, including staff-to-staff personal mail using department resources. In the event a personal item is received, it is opened and given to staff, who must be reminded that they are not to have personal items sent to the facility. The item is not refused and returned to the sender unless authorized by the warden/superintendent.

2. Mail received from the Minnesota Office of the Attorney General addressed to individual employees is delivered to the employee sealed.

3. In the event the mailroom receives outgoing staff personal mail/parcels, mailroom staff returns the items to the staff with a reminder that outgoing personal mail/parcels are not allowed to be processed by the facility mail room.

4. All outgoing staff mail is subject to inspection except that which is sent to the warden's office, human resources, or the office of special investigations (OSI).

INTERNAL CONTROLS

A. Mailroom staff must retain Notices of Non-Delivery for one year from the date written.

B. The mailroom computer application retains attorney-client privileged mail records for a minimum of seven years past the incarcerated person's/resident's release date.

State Correctional Facility Security Audit Standards: 3.02.01 through 3.02.07; 3.02.11 through 3.02.13; and 3.02.15

REFERENCES:
Minn. Stat. § 241.01, subd. 3a (b)
Policy 301.030, "Contraband"
Policy 302.250, "Property"
Policy 302.260, "Juvenile Property"
Policy 300.100, "Incarcerated Person/Resident Accounts"
Policy 302.210, "Telephone Use"
Policy 301.180, "Terrorist Incident Response-Facilities"
Policy 303.101, "Kites/Communication"
Policy 302.022, "Kiosk Services"
Domestic Mail Manual

REPLACES:
Policy 302.020, "Mail," 12/3/19.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS:
Notice of Non-Delivery of Mail/Package (302.020A)
Special Mail List (302.020B)
Attorney-Client Privileged Mail Delivery Log (302.020C)

APPROVALS:
Commissioner of Corrections