

YOUTHS' MAIL

- AUTHORITY:** Administrative Directive California Code of Regulations, Title 15, Section 1375
- RESCINDS:** Procedure Manual Item 3-1-024, dated 07/31/15
- FORMS:** Notice of Monitored Mail Status (F057-6011)
Notice of Rejection of Incoming Mail (F057-6012)
- PURPOSE:** To establish a standardized method of processing youths' mail.

I. GENERAL INFORMATION

- A. Youth in juvenile facilities should be encouraged to maintain ties with their families and with the community by sending and receiving mail. Further, they have the right to exchange confidential information with their legal representatives, public officials, clergy, and the judiciary via privileged mail.
- B. All youth will be advised of the mail procedure during orientation or no more than 24 hours from the time of intake. Mail is defined as letters and packages. Notes written by incarcerated youth to other youth in the facility is not mail, and must be approved by staff for security purposes. Staff will wear protective gloves when opening incoming mail and/or packages. Packages will be opened and inspected for contraband BEFORE being delivered to institutional living areas.
- C. Privileged/**confidential** mail is defined as letters to and from a local state, or federal courts, an attorney, **any member of the State Bar or holder of public office, and the Board**, officials of the confining and releasing authority, Clergy, Deputy Probation Officer(s) or Division of Juvenile Justice (DJJ) Parole Officer(s).
- D. Mail will be distributed to youth daily and logged in the unit logbook at the time of distribution. If distribution is withheld or delayed for any reason, this will also be logged in the unit logbook and approved by an SJCO.
- E. Withholding of mail is defined as not delivering all or part of the mail to the youth. Decisions to withhold mail will be made by the unit SJCO or duty officer. Mail that is withheld will be handled in one of three ways:
1. When material is of a nature that is injurious to the safety and order within the facility, the youth will be given a choice of returning to sender or placing in his/her personal property.
 2. When the material is of a nature that would not be appropriate for a youth, whether or not the youth were in custody (such as hard core pornography) it will be returned to sender.
 3. All illegal material or material which could implicate anyone in illegal activities will be treated as evidence.

- F. Contraband is described for these purposes as:
1. Any object or substance, the possession of which would constitute a crime under the laws of California (e.g., drugs).
 2. Any object or substance which would pose a danger within the facility (e.g., weapons).
 3. Any object or substance which would interfere with the day-to-day operation of the program (e.g., pornography, magazines inciting violence, etc.).
 4. Pictures or reading material depicting gang related activities or gang ideation (Hand signs, colors, graffiti on walls, indicia, buttons, badges or articles of clothing) which identify gang behaviors.
 5. When a youth is sent material not prohibited by law, but is considered contraband by the facility, the material can either be returned to the sender or placed in the youth's property and given to the youth upon release. In either event, the youth must be informed that the material is considered contraband and will not be allowed into the facility.
- G. Mail being returned to sender will simply be marked "RETURN TO SENDER." If it has been opened, the mail, in its original envelope, will be placed in a larger envelope that will be sealed before it is placed in the mail.
- H. A youth will be permitted to send and receive an unlimited number of letters each week. **Seven** outgoing letters will be posted at County expense. Additionally, all privileged mail will be posted at County expense.
- I. No outgoing or incoming mail will be read unless the youth is on monitored mail status.
- J. All incoming mail will be opened and inspected for contraband. Mail is not to be read by staff.
- K. All outgoing mail will be given to staff for mailing. Mail is not to be read by staff. Staff are to initial top right corner of the envelope.
- L. Inspection of mail for any purpose shall not result in the withholding of mail from a youth, or the post office, for a period in excess of 24 hours, unless the mail fits within the descriptions cited in E.1-3 or F.1-3 (excepting legal holidays and weekends). If mail is withheld, the youth will be notified via the appropriate form(s).
- M. The decision to place a youth on monitored mail status, will be made only with the intent of ensuring the safe and orderly operation of the facility and to protect youth and staff. Please refer to PMI 3-1-040 in regards to the process and procedure for Monitored Mail Status.

II. PROCEDURE

- A. Unit staff will:

1. Ensure those persons to whom the youth writes or from whom the youth receives letters have not been officially restricted from communication by Court Order or are not in another correctional facility.
2. Ensure all mail is delivered to the youth or the post office within 24 hours, excluding weekends and holidays and logged in the unit logbook when distributed. Night staff will document the names and addresses of all incoming mail in the respective youth's institutional files, using the incoming/outgoing mail form. Night staff will initial each item of mail to indicate mail has been processed and recorded. Day staff distribute processed mail each day by noon. Mail is not to be withheld as a means of discipline.
3. Complete a Special Incident Report when information is discovered which may justify placing the youth on monitored mail status. Submit the Special Incident Report, with any mail, or other pertinent documents, to the unit SJCO.
4. Ensure no mail is read unless it has been previously documented in the youth's folder via Form F057-6011, SJCO authorization has been obtained, the youth has been informed and has chosen to have the mail read rather than returned to sender.
5. All mail is to be opened in front of the youth during mail distribution.
6. Ensure all outgoing mail is properly sealed by the youth and addressed, including the return address of the youth. Day staff will inspect, initial and place outgoing mail in a designated location at each facility/unit. Night staff will document the names and addresses of all outgoing mail in the respective youth's institutional files and place it in the designated location for outgoing mail.

REFERENCES:

Procedures:	3-1-004	Disposition of Contraband
	3-1-010	Youth's Institutional Folders
	3-1-012	Residents' Grievance Procedure
	3-1-022	Youths' Rights
	3-1-025	Attorney Contact with Incarcerated Youth
	3-1-040	Monitored Mail and Monitored Telephone Status
	3-1-041	Pictures and Reading Material
	3-1-043	Behavior Management and Disciplinary Due Process
Policies	A-1	Policy, Procedure and the Law
	F-7	Personal Property of Minors in Juvenile Institutions

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APPROVED BY: