

MONITORED MAIL AND MONITORED TELEPHONE STATUS

- AUTHORITY:** Administrative Directive
Section 627 Welfare and Institutions Code
California Code of Regulations, Title 15, Section 1375 and 1376
- RESCINDS:** Procedure Manual Item 3-1-040, dated 08/12/13
- FORMS:** Notice of Monitored Mail Status (F057-6011)
Notice of Rejection of Incoming Mail (F057-6012)
Notice of Monitored Phone Call Status (F057-6294)
- PURPOSE:** To establish a standardized method for placing youth on Monitored Mail Status and Monitored Telephone Status when needed due to the safety and security of the facility, staff, youth and community.

I. GENERAL INFORMATION

The decision to place a youth on monitored mail and/ or monitored telephone status shall be made only with the intent of ensuring the safe and orderly operation of the **facility** and to protect youth, staff and those in the community.

II. PROCEDURE TO PLACE A YOUTH ON MONITORED MAIL

- A. Mail (incoming or outgoing) will not be read or withheld unless it has been determined by **the Facility** Administration that there is a reasonable suspicion that one or more of the following conditions exist:
1. It contains direct evidence of past or contemplated criminal acts.
 2. It advocates or encourages specific acts or contains threats of suicidal intent, violence or physical harm to self or others.
 3. It advocates plans for escape.
 4. It promotes furtherance of illegal gang activities.
 5. It contains contraband.
 6. It is to or from an inmate of another correctional facility. (Exceptions to this will be based on pertinent casework review.)
- B. If it is determined that a youth should be placed on monitored mail status due to the above, a Special Incident Report with any mail, or other pertinent documents, must be submitted to the unit Supervising Juvenile Correctional Officer.
- C. Youth booked in on cases classified as Extreme Security Risk (XSR) shall be placed on Monitored Mail status at the time they are booked into Juvenile Hall. Due to the severity of the crime, and the potential for communication to victims or other accomplices involved, XSR youth will remain on this status until the law enforcement investigation is completed and all reports have been received. No Special Incident Report is needed if placed on such status due to booking charges.

- D. The Notice of Monitored Mail Status Form (F057-6011) shall be completed, approved by an SJCO and signed by the youth any time a youth is placed on Monitored Mail status. The youth is to be read the form prior to their signing and provided a copy of the form indicating his/her mail will be read. If the mail is to be returned to sender, the **youth** will be advised via Form F057-6012.
- E. Ensure one copy of the Special Incident Report, Notice of Monitored Mail, and as necessary, the Notice of Rejection of Incoming Mail is served to the youth, routed to the assigned DPO, and an additional copy is placed in the youth's institutional file.
- F. The youth may appeal the decision to be placed on monitored mail status through the grievance procedure (see PMI 3-1-012).
- G. The youth may choose to have his/her mail returned to the sender unopened rather than have it opened and read by staff.
- H. On each occasion mail is read and withheld, the youth will be notified in writing via Form F057-6012, "Notice of Rejection of Incoming Mail", including the reasons for the decision and the right to grieve.
- I. Monitored Mail Status does not apply to Privileged mail. Privileged mail will not be read and is defined as letters to and from a local, state, or federal courts, an attorney, officials of the confining and releasing authority, Clergy, Deputy Probation Officer(s) or Division of Juvenile Justice (DJJ) Parole Officer(s).

III. PRECEDURE WHILE A YOUTH IS ON MONITORED MAIL

- 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. Ensure that Privileged mail is NOT read by staff.
 - 2. Ensure all mail is delivered to the youth or mailed within 24 hours, excluding weekends and holidays and logged in the unit logbook when distributed. Mail is not to be withheld as a means of discipline.
 - 3. 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. If the mail is to be returned to sender, the youth will be advised via Form F057-6012.
 - 4. Ensure all outgoing mail is properly sealed by the youth and addressed, including the return address of the youth.
- B. Supervising Juvenile Correctional Officer will:
 - 1. Advise **Facility** Administration of any case or circumstance where it appears it may be necessary to place a youth on monitored mail status due to a Special Incident.

2. Review the continued need for the youth's mail to be monitored mail every 30 days or sooner as necessary. If the circumstances or situation which required the monitored status are no longer present or have changed, advise **Facility** Administration with a recommendation to continue or rescind the status.
3. Document the date of the review on the form titled "Minor's Face Sheet Continued" (folder comments section) and document the decision to rescind or continue the monitored mail status.
4. A list of all youth on monitored mail as of the 30th of each month shall be submitted to the assigned ADD no later than the 10th of the following month. The list should contain the youths name, L#, booking date, date placed on Monitored Mail and for what reason, 30-day review date and reason for continued status.

IV. PROCEDURE TO PLACE A YOUTH ON MONITORED TELEPHONE

- A. Youth may be placed on monitored telephone status based on a reasonable suspicion that the youth is using the collect-only telephone to plan an escape, threaten witnesses or others, engage in or encourage illegal activity, violate a court order, or otherwise misuse the collect-only telephone privilege.
- B. If it is determined that a youth should be placed on monitored telephone status due to the above, a Special Incident Report with any other pertinent documents, must be submitted to the unit Supervising Juvenile Correctional Officer.
- C. Youth booked in on cases classified as XSR shall be placed on Monitored Telephone status at the time they are booked into Juvenile Hall. Due to the severity of the crime, and the potential for communication to victims or other accomplices involved, XSR youth will remain on this status until the law enforcement investigation is completed and all reports have been received. No Special Incident Report is needed if placed on such status due to booking charges.
- D. The Notice of Monitored Telephone Status Form (F0502-6294) shall be completed, approved by a SJCO and signed by the youth any time a youth is placed on Monitored Telephone status. The youth is to be read the form prior to their signing and provided a copy of the form.
- E. Ensure one copy of the Special Incident Report and Notice of Monitored Telephone are routed to the assigned DPO, and an additional copy is placed in the youth's institutional file.
- F. The youth may appeal the decision to be placed on monitored telephone status through the grievance procedure (see PMI 3-1-012).
- G. Monitored calls will be made on the County business phone at times that do not interfere with the safe and orderly operation of the program.
- H. Youth will be permitted to complete unmonitored telephone calls to their attorneys, Deputy Probation Officer(s) or Division of Juvenile Justice (DJJ) Parole Officer(s). on the County business phone upon request and at reasonable times that do not interfere with essential program activities (i.e., meals, school, work, counseling, hygiene, visiting or bedtime).

V. PRECEDURE WHILE A YOUTH IS ON MONITORED TELEPHONE

A. Unit staff will ensure:

1. All monitored telephone calls will be made on the County business telephone and will be limited to parents, guardians and responsible relatives unless otherwise approved by the unit supervisor.
2. Monitored telephone calls will be made at reasonable times that do not disrupt the orderly operation of the unit. Youth being placed on Monitored Telephone status does not deny them the use of phones.
3. To monitor both sides of the conversation, use the monitoring telephones in the Receiving Units (Y or Z) M, I, A or IRC or the "link" capability between the unit desk phone and the telephone in the supervisor's office. Staff will dial the number, verify the identity of the party contacted, inform the party that the call is being monitored and then have the youth pick up the other phone.
4. If the call can be adequately monitored by listening to the youth side of the conversation only, staff will dial the number, verify the identity of the party contacted and turn the telephone over to the **youth**.
5. The telephone calls will be terminated at the discretion of monitoring staff based on the nature and content of the conversation. A Special Incident Report will be completed detailing the conversation that was terminated.
6. All monitored long distance calls will be made collect, unless otherwise approved by the unit supervisor for casework reasons.

B. Supervising Juvenile Correctional Officer will:

1. Advise **Facility** Administration of any case or circumstance where it appears it may be necessary to place a youth on monitored telephone status due to a Special Incident.
2. Review the continued need for the youth's telephone to be monitored every 30 days or sooner as necessary. If the circumstances or situation which required the monitored status are no longer present or have changed, advise **Facility** Administration with a recommendation to continue or rescind the status.
3. Document the date of the review on the form titled "Minor's Face Sheet Continued" (folder comments section) and document the decision to rescind or continue the monitored telephone status.
4. A list of all youth on monitored telephone as of the 30th of each month shall be submitted to the assigned ADD no later than the 10th of the following month. The list should contain the youths name, L#, booking date, date placed on Monitored Mail and for what reason, 30-day review date and reason for continued status.

REFERENCES:

Procedures:	3-1-004	Disposition of Contraband
	3-1-010	Youths' Institutional Folders
	3-1-012	Residents' Grievance Procedure
	3-1-022	Youths' Rights
	3-1-023	Rules of Conduct
	3-1-025	Attorney Contact With Incarcerated Youth
	3-1-036	Youths' Use of Telephones - Collect-Only Telephone Calls
	3-1-041	Pictures and Reading Material
	3-1-043	Behavior Management and Disciplinary Due Process
	3-1-209	Telephone Calls
	3-1-302	Request for Contact via Mail
	3-2-001	Youth's use of County Business Telephones
Policies	A-1	Policy, Procedure and the Law
	F-7	Personal Property of Minors in Juvenile Institutions

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APPROVED BY: