

ARTICLE 41-Inmate Mail

54010.3**Compliance**

The purpose of this Supplement is to maintain a procedure for the sending and receiving of mail for all inmates housed at Avenal State Prison, to give direction to both staff and inmates so that both are fully aware of mail requirements, and to ensure a smooth and orderly flow of mail. Newly received inmates shall be promptly informed of Department regulations and all institutional procedures governing mail via orientation.

Mail is to be picked up at the Avenal Post Office by the M&SS1, and then delivered to the recipients' respective facility following processing by Mailroom staff.

54010.4**Definitions of Classes of Mail****First Class Mail**

It is Avenal State Prison's expectation that all mail be delivered to the inmates within forty eight (48) hours of receipt from the Post Office, (excluding weekends and holidays, or emergencies).

First class mail and pre-paid magazine subscriptions without housing will be forwarded to the inmate's location via mailroom redirect mail procedures. The inmate's housing unit will be located by the appropriate complex control officer using the Strategic Offender Management System (SOMS) program.

Package Services:

It is Avenal State Prison's expectation that all packages be delivered to the inmates within seventy two (72) hours of receipt from the Post Office, (excluding weekends and holidays, or emergencies).

All incoming inmate books received will be delivered by the Warehouse M&SSI to Receiving and Release (R&R). R&R will process the books for delivery to the respective facility package room for distribution.

Parole clothing "Dress-outs" will be delivered to R&R by the Mailroom M&SSI where they will be held until the inmates release date. Inmate "dress-outs" will not be accepted if received more than 30 days in advance of the inmate's parole date.

Any package weighing in excess of thirty (30) pounds will be refused and returned to sender.

Inmates will be given written notice of the returned package and an explanation of the reason for the return via a CDCR 1819.

Any cost to return a package to the sender will be incurred by either the inmate or the vendor; otherwise, the package will be disposed of as outlined on form CDCR 1819 (Attachment C).

Inspecting Incoming Mail / Packages:

The purpose of this inspection will be to receive and deposit in the inmate's Trust Account money orders, cashiers, or personal checks, any U. S. currency (refer to 54010.18) and to stop the introduction of material or substances, which the inmate is not permitted to possess within the confines of a prison.

All incoming mail addressed to an inmate will be opened with an automatic letter opener to reduce time in processing mail and inspecting before delivery to the inmate. The mail will be sealed with tape or staples before forwarding to the inmate. All mail bins carrying first class mail will be measured with a ruler and all bulk mail will be counted separately piece by piece. The mailroom supervisors will monitor all mail bins daily to view the amount of mail processed daily.

54010.5**Paper, Envelopes, and Stamps for Indigent Inmates**

All indigent inmates requesting indigent mail materials will initiate a request in writing using the Avenal State Prison (ASP) Form 27, Inmate Request for Indigent Mail Materials (Attachment A). The inmate is required to request specific indigent mail materials needed as delineated on the form. The ASP-Form 27 shall be forwarded to the Correctional Facility OT/OA on their respective facilities. Inmates housed in the Administrative Segregation Unit (ASU) shall forward their ASP-27 to the Facility A OT/OA.

On Tuesday of each week, the Facility OT/OA will retrieve the request for indigent mail. If the Facility OT/OA is unavailable then the Facility Program Sergeant will ensure the requests are delivered to the respective Complex AW OT/OA for processing. The OT/OA will utilize the TRACS system to generate a report for each inmate that goes back 30 days from the date the inmate requested the indigent mail materials. After appropriate verification, five (5) envelopes will be issued to the inmate. Those inmates not meeting the indigent criteria will be notified of their denial.

The OT/OA will send an email/Fax to the Mail Room Supervisor with the approved inmates name and number. The mail room Supervisor will insure the brown indigent envelopes with the approved identifying marks for Avenal State Prison indigent envelopes (Attachment B). The inmates name and number is written or printed in the upper left hand corner of at least the front envelope. The Mail Room will send the approved indigent envelopes back to the facility in the Legal Mail Bag with the indigent envelope log book on Friday of every week. The facility staff member responsible for passing out legal mail will pass out the indigent envelopes to approved inmate and have them sign the log book as receiving them.

The Facility OT/OA will give a list of inmates approved to receive other indigent mail supplies (paper, pencils) to the 3/W Facility Program Sergeant on Thursday of each week. These supplies should be passed out to the receiving inmates by Friday of each week.

54010.5.2**Postage for Indigent Inmates for Correspondence to the Courts and Other Persons as Required**

An indigent inmate shall have free and unlimited postage for the mailing / filing of legal documents to any court as described in CCR 3160, Inmate Access to Courts.

The mailroom will ensure the proper allotment of indigent envelopes for postage is applied to their outgoing mail and processed according to policy (CCR 3138(b)).

Legal mail (legal documents) is not to be confused with confidential correspondence. Although regular mail is necessarily confidential in nature, it is not confidential correspondence as defined in CCR Title 15.

The cost of postage for mailing documents to the courts will be charged against an inmates trust account unless the inmate is without funds at the time the material is submitted for mailing and remains without funds for 30 days after the date the documents are mailed.

54010.6**Recipient's Address**

To ensure proper mail delivery and prevent delays in receiving mail, all incoming mail shall be properly addressed. An example of the method of addressing correspondence is:

NOTIFICATION OF DISAPPROVAL - MAIL/PACKAGES/PUBLICATIONS

INMATE'S NAME	CDC NUMBER
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MAIL / PACKAGES SECTION (Complete for mail or package cases only)

INCOMING MAIL/PACKAGE
 OUTGOING MAIL/PACKAGE

LIST ITEM(S) WHICH MEET DISAPPROVAL CRITERIA

DESCRIPTION OF MATERIAL THAT MEETS DISAPPROVAL CRITERIA, INCLUDE CCR, TITLE 15 SECTION

DISPOSITION	SENDER INFORMATION		
<input type="checkbox"/> HELD PENDING INVESTIGATION/APEAL	FIRST NAME	M	LAST NAME
<input type="checkbox"/> RETURNED TO SENDER (At Inmate's Expense) _____ (Date)	ADDRESS (NUMBER AND STREET)		
<input type="checkbox"/> DESTROYED	CITY	STATE	ZIP CODE
*(INMATE HAS FIFTEEN (15) DAYS, AFTER NOTIFICATION OF DISAPPROVAL HAS BEEN FORWARDED, TO LET STAFF KNOW THE CHOICE OF DISPOSAL, OTHERWISE MATERIAL WILL BE DESTROYED).	I ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION: (INMATE'S SIGNATURE)		DATE SIGNED

AUTHORITY TO DISALLOW (Must be completed in all cases)

PRINTED NAME OF WARDEN'S DESIGNEE	SIGNATURE OF WARDEN'S DESIGNEE	DATE SIGNED	DATE FORWARDED TO INMATE
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PUBLICATIONS SECTION (Complete for publication cases only)

TITLE OF PUBLICATION (Include issue/date)	PUBLISHER	PAGE(S) WHICH MEET DISAPPROVAL CRITERIA
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DESCRIPTION OF MATERIAL THAT MEETS DISAPPROVAL CRITERIA, INCLUDE CCR, TITLE 15 SECTION

DISPOSITION	DESIGNEE INFORMATION		
<input type="checkbox"/> HELD PENDING INVESTIGATION/APEAL	FIRST NAME	M	LAST NAME
<input type="checkbox"/> DESTROYED	ADDRESS (NUMBER AND STREET)		
<input type="checkbox"/> RETURNED TO OUTSIDE DESIGNEE AT INMATE'S EXPENSE _____ (Date)	CITY	STATE	ZIP CODE
**(INMATE HAS FIFTEEN (15) DAYS, AFTER NOTIFICATION OF DISAPPROVAL HAS BEEN FORWARDED, TO LET STAFF KNOW THE CHOICE OF DISPOSAL, OTHERWISE MATERIAL WILL BE DESTROYED).	I ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION: (INMATE'S SIGNATURE)		DATE SIGNED

AUTHORITY TO DISALLOW (Must be completed in all cases)

FACILITY CAPTAIN'S PRINTED NAME	FACILITY CAPTAIN'S SIGNATURE	DATE SIGNED	DATE FORWARDED TO INMATE
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DISTRIBUTION:
ORIGINAL - MAILROOM
CANARY - INMATE
PINK - SENDER / DESIGNEE

*** ALL APPEALS REGARDING MAIL/PACKAGES SHALL BE REFERRED TO THE WARDEN'S DESIGNATED STAFF**

**** ALL APPEALS REGARDING PUBLICATIONS SHALL BE REFERRED TO THE FACILITY CAPTAIN.**

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**John A. Doe, CDCR #
Housing Unit-Dorm-Bed (Upper or Lower) P.O. Box 9
Avenal, CA. 93204**

**54010.7
Identifying Mail Originating from California State Prison**

All inmate mail without a CDCR identification number will be returned to sender (RTS).

**54010.8
Inspection and Reading of Incoming and Outgoing Mail**

Intermittent review of incoming and outgoing mail shall be made by staff.

Inspection of Outgoing Mail/Packages:

All special outgoing mail and packages, and parcels will be searched before being sealed and mailed.

Outgoing mail will be processed as follows:

It is Avenal State Prison's expectation that all outgoing mail be delivered to the Post Office within forty eight (48) hours of receipt from the inmate, (excluding weekends and holidays, or emergencies).

First Watch Housing Unit Officers who are assigned the task of inspecting outgoing inmate mail will:

Inspect each piece of mail relevant to ascertaining whether the document contains contraband or if it poses a danger to a person, persons, and the public or creates a serious threat to the security of the facility/institution.

Once the custody staff person has confirmed that the document is free of the above concerns, he/she will then seal the envelope(s). Sealing of the envelope(s) will be accomplished as follows:

The staff member will seal the envelope(s) by utilizing a plastic bottle moistener, which is supplied by each yard. All outgoing inmate mail will be stamped (California Department of Corrections and Rehabilitation) in the upper left-hand corner of the envelope(s) with black ink only, utilizing the stamp provided to each housing unit. The mail will be placed in the institutional mailbag and delivered to the Support Office by facility staff.

The mailroom M&SSI will pick up all outgoing mailbags between the hours of 0700-1100 hours. The mail will be delivered to the mailroom. Mailroom staff will sort and process postage requests and indigent mail envelopes. The sorted mail will be delivered to the Avenal Post Office within 48 hours, (excluding weekends and holidays, or emergencies).

Outgoing Flag Mail:

Flag mail is any mail that poses a danger to a person, persons, the public or a serious threat to the security of the facility and to prevent the sending of contraband. Any letters with questionable contents found by an officer will be delivered to the immediate supervisor on the facility. If the supervisor feels there is reasonable cause to flag the letter, the supervisor will forward it to a staff member at not less than the Custody or Facility Captain level for determination and appropriate action.

**54010.8.1
Items Enclosed in Incoming First-Class Mail**

Inmate mail in excess of the allowable weight as described in CCR Section 3133 will be disallowed. CCR Section 3134, General Mail Regulations, describes a list of allowable items that may be enclosed in first class mail.

Unauthorized Items:

1. No mail covered with some type of chemical or body fluid (perfume, lipstick kisses), hair, unknown substances, no writing pens/pencils, jewelry, food or clothing. Any item unable to be adequately searched without destroying the contents.
2. No glitter, stickers, whiteout, glue, plastic, metal or laminated items.
3. Inmates may receive photographs in First-Class mail with the exception of the following:

Framed photographs or photographs with an attached backing are not permitted. Negatives, slides, and Polaroid photographs are not allowed. No photo's of weapons depicting violence or unlawful use. All photographs (no frontal nudity) must comply with Title 15, CCR Section 3135, and DOM section 54010.14 and 54010.15. No photo albums (available through the canteen or approved vendors).
4. No tattoo patterns, gang logos, gang signs, drugs, obscene or lewd gestures.
5. Third party correspondence, unauthorized inmate correspondence.
6. Any unacceptable mail shall be returned to sender with the envelope annotated "Unauthorized Mail, Return to Sender". Inmates shall be notified pursuant to CCR Section 3136.
7. In addition items disallowed through the mailroom as described in Title 15, Section 3006 Contraband, Title 15, Subchapter 2, Article 4 Mail/Title 15, Subchapter 2, Article 9 Personal Property/DOM Chapter 5, Article 41, Inmate Mail, and DOM Article 43, Inmate Property Matrix.
8. Padded/bubbled envelope(s), cardboard boxes, file folders, or binders of any kind.
9. Hobby craft material (i.e., card stock, construction/tracing paper, cardboard) other than through the Handicraft Program.
10. Trading/ Collector items of any type or value (i.e., football, baseball, stamps, game cards, magic cards, etc.).
11. Musical voice or recorded sound devices.
12. Newspapers, magazines, or book(s) from sources other than a publisher, legitimate vendor or distributor. No hard cover books. Magazines and books received from a vendor or publisher in padded/bubbled envelopes or cardboard boxes shall be forwarded to the facility package room where the wrapping will be removed and the item distributed to the inmate.
13. Certified or notarized certificates or identification cards or licenses of any kind (i.e., birth certificates, driver's license, marriage licenses, death certificates, and naturalization documents etc.).
14. No pens, pencils, markers, writing/drawing instruments.
15. Inmates may receive blank greeting cards (10), however, no 3-dimensional attachments, stamps, padding, etc.

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There shall be no limitations placed on the number of persons with whom an inmate may correspond.

54010.11 Certified Mail

An inmate may be allowed use of the Certified Mail Service only if proof of requirement is evident. The proof of requirement can be evidenced in the following manner.

- Court order for filing or responding to legal action.
- Proof of service for divorce papers.
- Property being sent out to vendors for repairs, (radios, fans, etc.).
- Unusual circumstances in which the need for this service is clearly existent. It will be the responsibility of the inmate's counselor/caseworker to make the determination that this service is necessary, and the inmate meets all the requirements for this service.

The counselor/caseworker will communicate his/her approval in writing to the Mailroom Supervisor. The inmate will be required to pay for this service if funds exist on the inmate's Trust Account.

Incoming Certified and/or Registered Mail will be logged in the Legal Mail Logbook and delivered with the legal mail to the Facility Sergeant for distribution to the proper inmates. The inmate will be contacted by the designated officer to sign for the letter. The letter will be searched by the officer in the presence of the inmate.

To insure a parcel, the inmate must have available funds and submit a Trust Account Withdrawal, CDC Form 193, requesting such service. The parcel will be stamped "insured" and given a number and a notation of the transaction will be made in the Issuance Logbook. The inmate must specify the amount of money the parcel is to be insured for.

Inmates cannot receive Certified, Registered, Return Receipt Requested or Insured Receipts from any other service or individual other than the Avenal State Prison Mailroom with the exception of "Delivery to Addressee Only" in which delivery will be made by the Correctional Counselor I.

54010.12 Confidential Correspondence

Confidential Correspondents will not be opened by staff. Once the Confidential Mail has been delivered to the inmate staff will instruct the inmate to open the Confidential Mail in their presence. The inmate will remove the contents from the envelope and "shake it out" to ensure it does not contain contraband. The inmate will then open the envelope to allow inspection of the inside of the envelope by staff.

54010.12.2 Processing Outgoing Confidential Mail

In order to be accepted and processed as confidential correspondence, an inmate's letter must meet all of the following requirements: (CCR, Title 15, Section, 3142).

The address specifically designated for "Confidential Mail" is as follows: P.O. BOX 900, Avenal, CA. 93204.

The word "Confidential" must appear on the face of the envelope. Omission of this notice of confidentiality will result in the processing of the letter as regular mail or its return to the inmate if it cannot, for any reason, be processed as regular mail. Inmates wishing to post confidential mail will do so by presenting the correspondence, unsealed, to designated staff assigned to facility housing unit. Inmates will be provided access to updated court addresses for reference purposes.

Inmates may obtain this information from the institutional libraries. A copy of the same list will also be provided to the mailroom staff.

The Housing Officer receiving the mail will, in the presence of the inmate, shake out the contents of the letter by holding the material upside down in order to prevent the inadvertent reading of the contents.

If no prohibited materials are discovered, the contents will be returned to the envelope and the inmate will seal the envelope.

The Housing Officer examining the mail will sign their full last name across the seal, put the current date on the envelope and place transparent tape across the signature. Staff will record the following information on the Avenal State Prison Outgoing Legal/Confidential log form: housing unit, current date, mail addressed to, inmate's name, CDCR# and housing, with the inmate's signature. The staff member will also print their name legibly and sign the form.

The confidential mail will immediately be secured in the locked outgoing mail receptacle.

Once the letter has been sealed and logged it will, under NO circumstances, be returned to the inmate. The first watch Housing Unit Officer processing the outgoing mail will verify each article of outgoing confidential mail recorded on the outgoing log, form ASP-152, and place it in the GREEN LEGAL MAILBAG and secure the bag. If a piece of confidential mail is too large to place in the GREEN LEGAL MAIL BAG, secure the GREEN bag and attach it to the piece that is too large. The Housing Officer will print their name confirming the corresponding article of mail, put the GREEN LEGAL MAILBAG inside of the large regular mailbag, along with all of the other regular mail, and send it to the mailroom.

The Housing Officer will place a completed copy of the outgoing log form with the confidential mail for the mailroom, maintain the original form in the housing unit, and make a photo copy for the Housing Sergeant for tracking / accountability purposes.

54010.12.3 Processing Incoming Confidential Mail

Incoming Confidential Mail:

Incoming letters bearing a return address of persons and offices listed in the CCR, Title 15, Section 3141, will be processed as confidential correspondence. A notice of or a request for confidentiality is not required. (CCR, Title 15, Section 3143).

Incoming confidential mail shall be x-rayed and sorted by ASP mailroom staff then logged in the Confidential/Legal Mail Log. Confidential mail will also be inputted into the Confidential/Legal Mail computer program which will generate a Confidential/Legal Mail log sheet for each individual Facility.

The Mailroom M&SS1 will deliver confidential mail to the Facility Sergeant. The Facility Sergeant will sign for receiving the Confidential and Legal Mail, and is responsible for distribution to the proper inmates.

The staff member designated to issue the Confidential and Legal mail will log each piece of mail in the Legal Mail Log book. Prior to issuing the mail to the proper inmates, the staff member will instruct the inmate to sign the Confidential/Legal Log Sheet as well as the Confidential/Legal Log Book indicating receipt of the mail. Once it is signed the officer will open the letter in the presence of the inmate and shake out the contents of the letter by holding the materials upside down in order to prevent the inadvertent reading of the material.

If no prohibited material is discovered, the contents will be returned to the envelope and given to the inmate.

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If confidential mail opened in the presence of an inmate is found to contain prohibited material, the entire contents of the envelope, including the text of the correspondence, may be examined. If there is probable cause to believe that a sealed envelope contains contraband, it may either be opened in the presence of the inmate in accordance with Avenal State Prison procedures or it may be taken to the District Attorney and a search warrant can be requested.

If a warrant is obtained, the envelope will be opened in the presence of the District Attorney or a person designated by him/her. Without regard to results, each case will be taken to the District Attorney and its outcome will be fully documented and a copy will be sent to the Director. If the contents of the mail are found to be proper, the inmate and the public official will be notified of the action taken.

If funds are enclosed, the funds will be returned to the mailroom for crediting to the inmate's Trust Account. (Refer to 54010.18)

The Confidential/Legal Log sheet will be returned to the Legal Mail lock box located in the Facility Program Office to be picked up by the Mailroom M&SS1 on the following business day. The Confidential/Legal Mail Log Book will be retained in the Legal Mail Lock Box until such time as it is full. Once Confidential/Legal Mail Log Book is full it will be picked up by the Mailroom M&SS1 and stored in the Mailroom for three (3) years. The Log Book will be replaced by a new log book.

All Legal Mail Logs are legal material which must be maintained for three (3) years from the last date entered. The Confidential/Legal Mail Logs will not be misplaced or thrown away at any time.

Processing Confidential Mail refused by Inmate(s):

When an inmate refuses delivery of Confidential Mail, the mail will be returned to the Mailroom Supervisor accompanied by two (2) copies of a CDC 128-B chrono.

The chrono shall indicate the attempted delivery date, the reason(s) for refusal, (if known), and the name of correspondent attempting delivery.

The Mailroom Supervisor will retain one (1) copy of the chrono for mailroom files and forward a copy to the correspondent or sender of the letter.

54010.12.5**Examination of Enclosures in Confidential Correspondence****Investigation of Confidential Mail:**

All incoming and outgoing mail will be inspected to the fullest extent possible prior to mailing for an inmate, or delivery to the inmate. Inspection will NOT include opening or reading the contents of correspondence or of enclosures, except as set forth in CCR, Title 15, Section 3144 and/or 3145.

When prohibited material or misrepresentation of identity indicates a violation of the law or intent to violate the law, the matter will be referred to the appropriate criminal authorities for determination of whether or not to prosecute. The fact of the referral and the determination made will be reported to the inmate and to the inmate's correspondent. The Director will be informed of the outcome of all referrals to criminal authorities.

Opening Confidential Mail:

When Mailroom Staff mistakenly opens Confidential Mail, they will promptly generate a CDC 128B chrono. The chrono shall be to notify the inmate of the action, indicating the delivery date, and the name of correspondent.

The Mailroom Supervisor will retain one (1) copy of the chrono for mailroom files and forward a copy to the inmate along with the Confidential Mail

Enclosures in Confidential Mail:

When inspection of confidential correspondence discloses written or printed enclosures, the enclosures will be treated in the same manner as confidential correspondence. The inmate will not be given the enclosures or be allowed access to the enclosures except as follows:

The conclusion of the examiner will be written on the enclosure, and be dated and signed by the examiner.

Any person who examines the content of confidential mail must keep the content of the examined material in strict confidence.

No original, copy, excerpt, or summary of personal correspondence to or from an inmate shall be made or be placed in an inmate's C-file unless such correspondence is or had been the subject of:

Legal, disciplinary, criminal investigation, or casework determination and actions affecting the inmate.

When the recipient of an inmate's disturbing or offensive mail corresponds with the facility and request administrative action, subject to section 3135.

If an inmate requests that a copy of personal correspondence be placed in their C-file such placement may be granted if the inmate's caseworker deems it appropriate based on the relationship of the correspondence to the inmates incarceration.

Disapproval of Inmate Mail:

Inmate mail that is in clear violation of CCR sections 3006 or 3135 shall be disallowed.

When incoming or outgoing mail/packages/publications addressed to or being sent by an inmate are withheld or disallowed, the inmate shall be informed via CDC Form 1819 of the reason, disposition, name of official disallowing the mail/package, and the name of the official to whom an appeal can be directed.

Disapproved incoming mail shall be destroyed unless the inmate authorizes it to be mailed to a designated outside person and authorizes a withdrawal from their trust account to pay for the expense of mailing. The inmate shall make these authorizations for outside mailing and postage within 15 days after the notification of disapproval is forwarded to the inmate.

Any unacceptable mail shall be immediately returned to the sender with the envelope annotated "Unauthorized Mail, Return to Sender". Inmates shall be noticed pursuant to CCR Section 3136.

54010.14**Correspondence that is Offensive/Threatening/Contains Security Concerns**

When incoming books, magazines, or publications sent to an inmate are withheld or disallowed, the Mailroom Supervisor shall notify the publisher in accordance with CCR Section 3134.1 (d).

54010.18**Funds Enclosed in Correspondence**

The California Department of Corrections & Rehabilitation (CDCR) has established three (3) ways of depositing funds into inmate Trust Accounts by LOCK BOX, EFT (Electronic Funds Transfers) through approved vendors **Jpay** and **Keefe** or by mailing inmates money orders, personal checks or certified checks. Funds received in inmate mail will be subject to the standard 30 day hold.

U.S. currency shall not be accepted. The total amount of currency, with the sender's information, will be logged on an ASP/63 form. The original copy will be maintained in the mailroom. One copy will be forwarded to the inmate. Two copies will be

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forwarded to Accounting Office for processing the cash amount received and returning of funds to the sender.

All inmate mail containing money orders, personal or certified checks will be stamped outside; "Subject to Restitution per Penal Code Section 2085.5". Staff processing the remittance will write the date, the amount, and their initials as indicated on the stamp.

The check or money order shall be made payable to the California Department of Corrections and Rehabilitations with the inmate's last name and number in ink as near to the upper left hand corner as possible. The use of CDCR Form 345, Power of Attorney, eliminates the necessity for the inmate's personal endorsement.

All remittances will be arranged in numerical order and listed on a Report of Collections in sequence. This list will show each recipient number, type of payment and the amount. The report showing totals collected will be prepared in triplicate and distributed as follows:

- Original to mailroom, receipted by cashier.
- Duplicate to cashier with collections.
- Triplicate to Trust Office for posting to inmate's account.
- All receipts are to be taken to the cashier's office on a daily basis, after the funds are recorded and totaled.
- All money orders, etc. that are received but deemed unacceptable for issuance due to lack of information, third party or incorrectly made out, will be returned to sender.

Securing of Money Orders, checks or Cash found in Inmate Mail or Legal Mail on the Facility:

When an inmate advises an employee that he has received a money order, check, or cash through the mail or legal mail process, the inmate will surrender the money order, check, or cash to the employee.

The employee will generate a receipt (CDCR-128B) and a copy of the receipt will be given to the inmate.

A copy of the CDCR 128-B will be attached to the money order, check, or cash. The Facility Sergeant or his designee will place the money order, check, or cash, along with the attached receipt, into the secure money order drop box located in Central Control, Complex 2. The Central Control Sergeant will log the money order, check, or cash in the designated log book kept in the secure money order drop box.

The following business day, the Material Store Supervisor I (MS&SI) will pick up all money orders, checks, or cash from the secure money order drop box located in Central Control, sign the log book acknowledging receipt, and deliver them to the Mailroom for processing.

All money orders, checks, and cash placed in the secure money order drop box will only accessed by the assigned MS&SI.

54010.18.3

Receipt of U.S. Government Checks for Transferred or Paroled Inmates

In the event a United State's Government Check is received for an inmate who is no longer at the prison, the following will be adhered to:

The inmate's current location can be obtained from SOMS, regarding mail received for inmates who have paroled.

If an inmate is receiving) money from Veteran's Administration College Enrollment and is not presently enrolled, the check will be returned with a notation that the inmate is no longer in a Veteran's Administration College Program. The Education Department will notify the Trust Office when and if the inmate drops out of college.

54010.18.5

Foreign Currency

No foreign currency shall be accepted. If foreign currency is received, a CDC 1819 will be generated and the entire envelope and its contents shall be returned to sender with a pre-printed notice to the sender which states it is unauthorized.

54010.21

Publications

Handling and Screening of Approved Periodicals and Publications:

The Mailroom Supervisor will ensure that all-incoming; newspapers, periodicals, magazines, and books are inspected prior to issuance to ensure that they comply with CCR Sections 3006, 3134, 3134.1 and 3135, as well as DOM Sections 54010.13, 54010.14 and 541010.15.

All publications shall be sent directly from a book store, book distributor, or publisher. Personal correspondents cannot mail books, periodicals, or other publications directly to inmates and state that they are a donation.

Staff Responsibilities:

Publications which are to be excluded shall be referred to a staff member at not less than the Custody or Facility Captain level. The Captain shall review the publication and if he/she makes a determination to exclude the publication then it will be on a temporary basis pending approval from the Division of Adult Institutions (DAI) for final determination.

In addition a copy of the NDP, along with supporting documented materials shall be forwarded to Headquarters by mail in cases involving serious security violations.

Mail will be addressed to:

**STANDARIZED PROCEDURES UNIT
OFFICE OF POLICY STANDARDIZATION
DIVISION OF ADULT INSTITUTIONS
1515 S STREET STE 351 N
SACRAMENTO, CA 94283-0001**

Mailroom supervisors will periodically review the type of mail being discarded to prevent mail from being inappropriately thrown away.

54010.22.1

Process for Approval/Denial of correspondence request

Correspondence between Inmates, Parolees, Former Inmates, and Probationers:

Inmates may initiate request to correspond with the above by submitting a completed CDCR Form 1074, Inmate Request for Correspondence Approval, to their assigned Correctional Counselor (CCI).

Upon completion, the CDCR Form 1074 will be forwarded to the mailroom for filing.

It shall be the inmate's responsibility to show the requirements for approval have been met.

54010.23

Mailing of Confidential Documents with Inmate Trust Account Withdrawals

Civil Action Filing Fee for Inmates: CCR, Title 15, Section 3160 and 3165. Inmates will be required to pay the filing fee when they submit a state civil action to the court.

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Inmate will sign a CDC 193, Inmate Trust Account Withdrawal. The trust account withdrawal will specifically identify the purpose of the withdrawal, the parties associated with the action, and the court where the filing is to be sent.

The counselor will take the trust account withdrawal to accounting and get the CDC 193 processed.

Once the CDC 193 is completed the inmate will be contacted by his or her counselor. The completed CDC 193 will be placed inside the legal package and processed in accordance with legal mail procedures.

**54010.26
Forwarding Mail**

Delivery of mail and re-route mail shall be processed as follows:

Inmate mail is delivered to the Facility Program Office at approximately 1400 hours.

The Third Watch Housing Sergeant on each facility will ensure that the Building Officers deliver mail as soon as possible, but no later than the end of the Third Watch shift. Building Officers will facilitate the forwarding of re-route mail by checking the housing of inmates on the SOM's program, and note correct housing on the envelope. Facility Security Patrol Officers will then forward the re-route mail of inmates housed on their respective yards to the other Housing Units. Re-route Mail for inmates not housed on their respective facility shall be delivered to the correct facility by each yard's Security Patrol Officer.

Under no circumstances will mail be returned to the mailroom for distribution and/or location when the inmate is housed at Avenal. The only mail to be returned to the mailroom will be for inmates that are out-to-court, out-to-medical, transferred to another prison, discharged, paroled, or mail containing money orders/checks. The M&SSI will pick up the out-to-court, paroled, transferred, etc., mail the following morning at "1" and "3" Complex Control.

**54010.28
Appeals Relating to Mail and Correspondence****Appeals or Grievances Concerning Mail:**

In accordance with the Inmate Appeal Procedure, an inmate may appeal any decision made concerning the inmate in regards to correspondence. Before the inmate appeals any decision to the Director, the inmate should exhaust all channels of appeal at the prison level. Inmates will use the established inmate appeal procedure as provided in CCR, Title 15, Section 3084.1, Right to appeal.


**54010.30
Temporary Absence****Temporary Release:**

Mail shall be held in the ASP Mailroom for an inmate who is temporarily away from the institution when the inmate's return is anticipated within seven (7) calendar days. After seven (7) calendar days, the mail will be forwarded to the inmate in accordance with CCR 3133 (f).

Inmates going Out-to-Court (OTC) can request in writing for their mail to be held until their return or forwarded to another prison or county jail. This is not to exceed sixty (60) calendar days. This memorandum is to be signed by the inmate's CCI.

In the event an inmate is admitted to a Medical Facility as a long-term patient. The Access to Health Care Lieutenant will author and submit an informational Chrono (CDC 128B), to the Access to Health Care Captain for approval. Once approved the inmate will be allowed to send and receive mail. A copy of the CDC 128B shall be forwarded to Mailroom Sergeant who will ensure the delivery of the approved inmate(s) incoming mail on a weekly basis. Out going long term inmate patient(s) mail will be picked up at that time for processing by ASP mailroom staff.

Approved:


C. WOFFORD, Warden

7/22/15

INMATE REQUEST FOR INDIGENT MAIL MATERIALS Attachment A

TO: FACILITY _____ **PROGRAM OFFICE** _____ **DATE:** _____

FROM: _____ **HOUSING:** _____
Last Name CDC Number Bldg. Tier Bed #

JOB ASSIGNMENT: _____ **PAY NUMBER:** _____ **YES** _____ **NO**

SUBJECT: REQUEST FOR INDIGENT MAIL MATERIALS

I am requesting (mark items requested) _____ Five (5) Stamped Envelopes, _____ Writing Paper (5 pages), _____ Writing Utensil

I have not had any money in my Trust Account for the last 30 Days. Sign and forward to the Program Office.

Inmate Signature

CORRECTIONAL SERGEANT

I have provided the following indigent mail materials:

_____ Writing Paper (5 pages) _____ Writing Utensil

Signature **DATE:** _____

I CERTIFY THAT I RECEIVED THE ABOVE MAIL MATERIALS

DATE: _____

Inmate Print and Sign

ASP 27 REVISED 06/14

INMATE REQUEST FOR INDIGENT MAIL MATERIALS Attachment A

TO: FACILITY _____ **PROGRAM OFFICE** _____ **DATE:** _____

FROM: _____ **HOUSING:** _____
Last Name CDC Number Bldg. Tier Bed #

JOB ASSIGNMENT: _____ **PAY NUMBER:** _____ **YES** _____ **NO**

SUBJECT: REQUEST FOR INDIGENT MAIL MATERIALS

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Signature **DATE:** _____

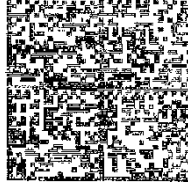
I CERTIFY THAT I RECEIVED THE ABOVE MAIL MATERIALS

DATE: _____

Inmate Print and Sign

ASP 27 REVISED 06/14

CDCR ASP INDIGENT



049,782042606

Mailed Fran, 93204
US POSTAGE

NOTIFICATION OF DISAPPROVAL - MAIL/PACKAGES/PUBLICATIONS

INMATE'S NAME	CDC NUMBER
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MAIL / PACKAGES SECTION (Complete for mail or package cases only)

INCOMING MAIL/PACKAGE
 OUTGOING MAIL/PACKAGE

LIST ITEM(S) WHICH MEET DISAPPROVAL CRITERIA

DESCRIPTION OF MATERIAL THAT MEETS DISAPPROVAL CRITERIA, INCLUDE CCR, TITLE 15 SECTION

DISPOSITION	SENDER INFORMATION
<input type="checkbox"/> HELD PENDING INVESTIGATION/APEAL	FIRST NAME M LAST NAME
<input type="checkbox"/> RETURNED TO SENDER (At Inmate's Expense) _____ (Date)	ADDRESS (NUMBER AND STREET)
<input type="checkbox"/> DESTROYED	CITY STATE ZIP CODE
*(INMATE HAS FIFTEEN (15) DAYS, AFTER NOTIFICATION OF DISAPPROVAL HAS BEEN FORWARDED, TO LET STAFF KNOW THE CHOICE OF DISPOSAL, OTHERWISE MATERIAL WILL BE DESTROYED).	I ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION: (INMATE'S SIGNATURE) DATE SIGNED

AUTHORITY TO DISALLOW (Must be completed in all cases)

PRINTED NAME OF WARDEN'S DESIGNEE	SIGNATURE OF WARDEN'S DESIGNEE	DATE SIGNED	DATE FORWARDED TO INMATE
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PUBLICATIONS SECTION (Complete for publication cases only)

TITLE OF PUBLICATION (Include issue/date)	PUBLISHER	PAGE(S) WHICH MEET DISAPPROVAL CRITERIA
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DESCRIPTION OF MATERIAL THAT MEETS DISAPPROVAL CRITERIA, INCLUDE CCR, TITLE 15 SECTION

DISPOSITION	DESIGNEE INFORMATION
<input type="checkbox"/> HELD PENDING INVESTIGATION/APEAL	FIRST NAME M LAST NAME
<input type="checkbox"/> DESTROYED	ADDRESS (NUMBER AND STREET)
<input type="checkbox"/> RETURNED TO OUTSIDE DESIGNEE AT INMATE'S EXPENSE _____ (Date)	CITY STATE ZIP CODE
**(INMATE HAS FIFTEEN (15) DAYS, AFTER NOTIFICATION OF DISAPPROVAL HAS BEEN FORWARDED, TO LET STAFF KNOW THE CHOICE OF DISPOSAL, OTHERWISE MATERIAL WILL BE DESTROYED).	I ACKNOWLEDGE RECEIPT OF THIS NOTIFICATION: (INMATE'S SIGNATURE) DATE SIGNED

AUTHORITY TO DISALLOW (Must be completed in all cases)

FACILITY CAPTAIN'S PRINTED NAME	FACILITY CAPTAIN'S SIGNATURE	DATE SIGNED	DATE FORWARDED TO INMATE
---------------------------------	------------------------------	-------------	--------------------------

DISTRIBUTION:
ORIGINAL - MAILROOM
CANARY - INMATE
PINK - SENDER / DESIGNEE

*** ALL APPEALS REGARDING MAIL/PACKAGES SHALL BE REFERRED TO THE WARDEN'S DESIGNATED STAFF**

**** ALL APPEALS REGARDING PUBLICATIONS SHALL BE REFERRED TO THE FACILITY CAPTAIN.**