

POLICY

SUBJECT AREA
960-999 Civil Rights
and Opportunities

EFFECTIVE

UNITS AFFECTED
All Correctional Facilities

INTRODUCTION

Open mail practices are essential if residents are to establish and maintain positive supports in the community. In addition the law has with certain circumscribed limits, recognized the free flow of mail communications between residents and the open community as an important right. The Department accepts and promotes this position within the limits of sound security practices.

OBJECTIVES

To promote the free flow of correspondence to and from residents while at the same time maintaining an acceptable level of security, order and discipline.

GROUP SERVED

All residents and staff of correctional facilities.

POLICY DESCRIPTION

Each Superintendent shall develop and implement procedures in accordance with the provisions of this policy, to include:

1. Postage allowance
2. Forwarding of mail
3. Mail distribution daily
4. Disposition of contraband.

These procedures are to be filed with the Central Office and reviewed annually by the Superintendent and if necessary updated. Residents shall be

of the mail procedures through the use of the resident guidebook.

Under normal circumstances, all mail may be opened and inspected for the purpose of contraband control. Residents' mail should not be read or censored, except where there is clear and convincing evidence to justify such actions, or when the correspondence poses a threat to the security, order or discipline of the facility and the safety of public officials or the general public. If it is suspected that the mail contains items of contraband, or writings which pose a threat as indicated above, the mail may be withheld, censored, or other steps taken to prevent its transmission. Inspections for contraband will not take longer than 24 hours to complete, so that incoming mail may be distributed to residents and outgoing mail sent to the postoffice within 24 hours of receipt. When mail is opened, it must be done in the presence of the sending or receiving resident. Responsibility for decisions to read mail or open outgoing mail rests with the Superintendent or in his absence the officer in charge.

Packages will be routinely opened and inspected for contraband. Where contraband is discovered in mail or packages it shall be removed, according to facility procedures.

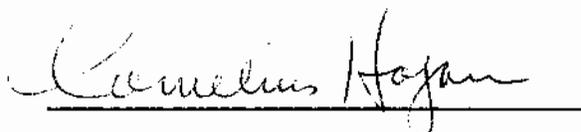
All correspondence from a resident to any public official in the State of Vermont or the United States, including attorneys and the court shall not be inspected, opened, copied, duplicated, photographed, examined, or impeded in any way. (See also Policy 466 Detentioners/"Safekeepers".

Provisions shall be made to ensure that indigent residents are able to send a maximum of 7 letters per week. In such cases, letters shall be

stamped by the facility. In no event are stamps to be given directly to residents.

Provisions shall be made to ensure that forwardable mail is forwarded to residents upon transfer or release for a reasonable period of time. In such cases, any additional postage cost for forwardable mail will be absorbed by the resident upon receipt of mail, or returned to sender.

28 V.S.A., Sec. 802
28 V.S.A., Sec. 601(2)
28 V.S.A., Sec. 102(c)(1)

A handwritten signature in cursive script, reading "Cornelius Hogan", is written over a horizontal line.

Cornelius Hogan, Commissioner