



<u>ADMINISTRATIVE REGULATION</u>		REGULATION NUMBER 300-38	PAGE NUMBER 1 OF 12
 COLORADO DEPARTMENT OF CORRECTIONS		CHAPTER: Facility Security	
		SUBJECT: Offender Mail	
RELATED STANDARDS: ACA Standards: 2-CO-5D-01, 5-ACI-1B-23, 5-ACI-4A-20, 5-ACI-3D-02, 5-ACI-7D-01, 5-ACI-7D-02, 5-ACI-7D-03, 5-ACI-7D-05, 5-ACI-7D-06, 5-ACI-7D-07, 5-ACI-7D-08, 5-ACI-7D-09, 5-ACI-7D-10		EFFECTIVE DATE: May 1, 2023	
		SUPERSESION: 03/01/22	
		 Moses (André) Stancil Executive Director	
OPR: DOP	REVIEW MONTH: APRIL		

I. POLICY

It is the policy of the Colorado Department of Corrections (DOC) to allow offenders under its jurisdiction to correspond with family, friends, courts, legal counsel, and other public/private entities, as appropriate.

II. PURPOSE

The purpose of this administrative regulation (AR) is to establish guidelines governing offender correspondence. *[5-ACI-7D-01]* These guidelines will include instructions concerning mail inspection. *[2-CO-5D-01]*

III. DEFINITIONS

- A. Approved Source of Supply: Publisher, retail/wholesale dealer of mail order products for books (used books will not be accepted from any approved source of supply) magazines, hobby craft, faith items, and health care items, or other items as determined by the administrative head, with an address or post office box and an operational business phone number or business email address, which may be used to verify that the business exists. Used textbooks for approved college courses may be accepted through a process established by the appointing authority or designee in consultation with the Assistant Director of Prison Programs.
- B. Book: a set of written, printed, or illustrated continuous sheets of paper, usually fastened together to hinge at one side (i.e. bound in some manner). A set of text-filled or illustrated pages produced in electronic format is known as an electronic book, or e-book.
- C. Censored: The removal of any part of incoming or outgoing mail.
- D. Coded Language: A system used for brevity or secrecy of communication in which arbitrarily chosen words, letters, or symbols are assigned definite meanings.
- E. Contraband: Any item that an employee, contract worker, volunteer, visitor, or offender is not specifically authorized to have in their possession; any item that has been altered and/or is being used for other than its intended purpose; any publication deemed as contraband pursuant to AR 300-26, *Publications*; any item(s) over the three cubic foot allowable personal property limit; any item listed in the Offender Visitor Consent to Search Authorization (AR Form 300-01B); any item listed in the Code of Penal Discipline; any item listed on the administrative head's "Declaration of Contraband"; and any item that threatens or could potentially threaten the safety and security of a DOC facility, employees, contract workers, volunteers, offenders, or visitors or any item listed as contraband in an administrative regulation.

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- F. E-Book: An electronic version of a book-length publication or printed book, consisting of text, images, or both that can be accessed, read and printed by using a personal computer or other electronic device capable of visually displaying and printing digital information. Note: For the intent and purposes of this policy, a printed e-book of ten or more continuous pages, will be considered a book.
- G. Immediate Family Member - Offender: Grandparents, parents, step-parents, adoptive parents, legal guardian, brother, step or half-brother, sister, step or half-sister, spouse, partner in a civil union, son, daughter, step/foster/adopted children, and grandchildren.
- H. Indigent Offender: An offender with no funds or source of income
- I. Junk Mail: Unsolicited mail advertising goods or services (e.g. pamphlets, ad, leaflets).
- J. Non-Restricted Mail: All incoming and outgoing offender mail, including but not limited to correspondence defined as reading materials, received via U.S. Postal Service, inter-facility mail, or private carrier, not to or from a specified class of persons or organizations, thereby subject to full contraband inspection.
- K. Publication: Any information or material in the form of a book, booklet, pamphlet, magazine, periodical, newsletter, photograph or other pictorial depiction of similar document, including stationery and greeting cards, writing, drawing, or cartoon created by any individual, organization, company or corporation which is distributed or made available through any means or media.
- L. Textbook: A new or used book purchased from an approved source of supply, approved by the Appointing Authority, by a student enrolled in an approved post – secondary education program outlined in AR 500-01, Offender Education System.
- M. Victim: As defined in CRS 24-4.1-302(5), “any natural person against whom any crime has been perpetrated or attempted, unless the person is accountable for the crime or a crime arising from the same conduct, or plan as crime is defined under the laws of this state or of the United States, or, if such person is deceased or incapacitated, the person’s spouse, parent, child, sibling, grandparent, grandchild, significant other, or other lawful representative.”

IV. PROCEDURES

A. General Guidelines

1. Administrative heads will permit offenders to send and receive mail, unless it can be determined that such mail may present a threat to the safety and security of the public, employees, contract workers, volunteers, offenders, and agency/facility, pursuant to the review criteria established in AR 300-26, *Publications*.
2. Offender mail, both incoming and outgoing, may be opened and inspected for contraband. Mail is read, censored, or rejected based on legitimate institutional interests of order and security. *[5-ACI-7D-05]*
3. Employee handling of incoming mail.
 - a. Due to the potential for staff to be exposed to illicit substances/drugs, the following guidelines will be utilized any time staff is handling incoming mail:
 - 1) Staff will wear disposable nitrile gloves.
 - 2) Staff will wear a medical grade mask (surgical mask, KN95, N95, N100).
 - 3) Shift Commander and OIG Staff will be immediately notified if staff suspect legal mail contains

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dangerous contraband.

4. Disposition of contraband contained in offender mail will be in accordance with AR 300-06, *Searches and Contraband Control*. [5-ACI-7D-08]
 5. To maintain community ties, indigent offenders will be allowed to mail one personal letter, per week, with postage paid by the facility/office [5-ACI-7D-03], contingent upon funding. Postage assistance will be limited to a total not exceeding the equivalent of four standard postage stamps per month.
 6. When the offender bears the mailing cost, there is no limit on the volume of letters the offender can send or receive or on the length, language, content, or source of mail or publications except when there is reasonable belief that limitation is necessary to protect public safety or institutional order and security. [5-ACI-7D-02] Allowable offender property limitations are defined in AR 850-06, *Offender Property*.
 7. Mail may be in a foreign language but will not be in coded language, symbols or obscure in meaning.
 8. Mail addressed to the ADA inmate coordinator and the Step III grievance officer at Headquarters will be sent inter-facility mail at no cost to the offender; this is considered restricted inspection mail. All other mail addressed to DOC employees, contract workers, and volunteers located outside of the facility where the offender is housed will be addressed, stamped, and sent through the U.S. Postal Service.
 9. Offenders in restrictive housing can write and receive letters on the same basis as offenders in the general population [5-ACI-4A-20].
 10. Excluding weekends, holidays, and/or emergency situations, incoming and outgoing mail is held for no more than 48 hours and packages are held for no more than 72 hours. An emergency situation is interpreted as any significant disruption of normal facility or agency procedure, policy, or activity caused by riot, escape, fire, natural disaster, employee action, or other serious incident. [5-ACI-7D-09] Exceptions to this are cases where the legitimate penological interests of safety and security dictate otherwise, or as provided for in AR 300-26, *Publications*.
 11. Any victim of the offender who wishes to correspond with the offender must submit such request, in writing, to the administrative head seeking authorization to correspond. The administrative head will consult with mental health employees and/or contract workers and the Victim Services Unit and respond to the victim indicating the decision within 30 days from the receipt of such letter. If approved, the facility mailroom will be notified.
 12. The DOC may use another state agency, Department of Personnel and Administration (DPA), to provide assistance with the picking up and delivery of mail to correctional facilities from the post office and to provide logistics help with the delivery of inter-facility mail between correctional facilities and state agencies. The help from DPA will include but not be limited to transportation of mail, scanning, and the applying of postage for both employees and offender mail.
 13. An offender can receive **addressed** "Postage Metered" envelopes from an outside legal source for legal purpose/response.
- B. Incoming and Outgoing Restricted Inspection Mail: Offenders are permitted to send sealed letters to a specified class of persons and organizations, including but not limited to the following: courts, counsel, officials of the confining authority, state and local chief executive officers, administrators of grievance systems, and members of the paroling authority. Employees, in the presence of the offender, may be allowed to inspect outgoing privileged mail for contraband before it is sealed. Mail to offenders from this specified class of persons and organizations may be opened only to inspect for contraband and only in the presence of the offender, unless waived in writing or in circumstances which may indicate contamination. [5-ACI-7D-06] Suspicious circumstances may include, but are not limited to: packages or letters of unusual appearance or different from mail normally received or sent by the offender; inconsistent postmark and return

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address; inconsistent title/organization and address or which cannot otherwise be verified; packages and letters which are stained, leaking or emitting odors, substances, or residues.

1. Restricted inspection mail only applies to these persons and organizations corresponding in their official capacity. For purposes of this regulation, the specified class of persons and organizations are defined as follows:
 - a. Courts: to include mail from Lexis-Nexis.
 - b. Official of the confining authority: DOC executive director.
 - c. State chief executive officer: governor of Colorado.
 - d. Local chief executive officer: county sheriffs from any county within the state of Colorado.
 - e. Administrator of grievance system: grievance officer.
 - f. Paroling authority: chairperson of the parole board.
 - g. Counsel: Attorneys and their authorized representatives.
 - h. Office of any District Attorney, the Attorney General's office, or the U.S. Attorney's office.
 - i. Legal Aid Organizations: refer to DOCNET-Legal Services page for list of verified organizations
 - j. AIC: ADA inmate coordinator.
 - k. Any elected member of a legislative body; state, local or federal.
 - l. Inspector general.
 - m. Legitimate health care providers: DOC clinical employees/contract workers; Non-DOC physicians, hospitals, clinics.
 - n. DOC PREA administrator.
 - o. Department of Justice Certified PREA Auditors.
 - p. Outside PREA Reporting Agency.
2. Incoming and outgoing mailing envelopes to/from this class of persons and organizations must include an accurate and verifiable mailing and return address, including department, organization, or official title for identification purposes. Outgoing mail addressed to the PREA Reporting Agency at P.O. Box 41118, Olympia, WA 98504-1118 is not required to have a return address. **(115.51(b))**
3. The DOC will ensure and facilitate offender access to counsel and assist offenders in making confidential contact with attorneys and their authorized representatives; such contact includes, but is not limited to uncensored correspondence. *[5-ACI-3D-02]* To be considered a confidential contact from an attorney, their authorized representative, or legal aid organization, the incoming mailing envelope must include the following:
 - a. Attorney's first and last name;

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- b. Attorney’s registration, bar, or license number (exception will be made for attorneys practicing in states that do not issue such numbers, e.g., Mississippi);
 - c. Attorney’s complete business address;
 - d. Mailing envelope must be clearly marked “PRIVILEGED” or “CONFIDENTIAL.”
4. In order to protect confidentiality, if the incoming mailing envelope from an attorney, their authorized representative, or legal aid organization fails to meet these requirements, the offender to whom the incoming mail was directed will be notified and may elect to either have the mail rejected and returned with a note on the envelope directing the sender to review this policy at: <https://www.colorado.gov/cdoc/> OR to waive confidentiality and have the mail processed as non-restricted mail. This designation will be made using AR Form 300-38 Attachment D, Notice of Rejection/Disposition of Mail. The offenders must make an election either to have the mail returned to sender or to waive confidentiality and have the mail processed as non-restricted mail within ten (10) days of receiving notice. If the mailroom does not receive the offender’s written election within ten (10) days, the mail will be returned to sender.
5. Outgoing mail to attorneys, their authorized representatives, and legal aid organizations, require a legitimate and identifiable attorney, law office/firm or legal organization name and verifiable business mailing address and must be marked “PRIVILEGED” or “CONFIDENTIAL.”
6. Facility employees will refer to DOCNET - Legal Services - Litigation Management - Attorney/Legal Aid Organization page for attorney identification, legal aid organization and address verification.
7. These mailing requirements, in and of themselves, do not create or establish an attorney-client privilege or any other type of protected relationship or communication.
8. For the purpose of providing postage, legal mail is addressed to a court, Office of the Attorney General, the offender’s attorney of record, Office of the District Attorney, opposing parties, co-defendants, and co-plaintiffs only. Offenders will be charged for postage, even if it results in a negative balance on the offender’s account. If necessary, legal mail will be sent at the DOC’s expense to avoid delay; however, postage will not exceed the current first class minimum rate.
 - a. Offenders are not entitled to unlimited postage. Offenders whose accounts have had overages, for postage charges only, of \$300.00 or greater, within the last three years, may have postage privileges restricted.
 - b. Postage restrictions are subject to facility review and discretion. Once an offender’s account is \$300.00 or more in arrears, for postage charges only, facilities may limit the offender’s outgoing restricted inspection mail to a maximum of the equivalent of four standard postage stamps per month.
9. Outgoing restricted inspection mail will be stamped on the back of the envelope with the AR Form 300-38C, Restricted Inspection Mail Stamp. The requested information will be filled in by the employee who completes the mail log.
10. Due to various security threats, offenders will give outgoing, unsealed, restricted inspection mail to designated employees. In the presence of the offender, employees will remove the contents from the envelope to inspect both the envelope and the contents for contraband and scan the material to ensure it is restricted inspection mail. Staff will seal the envelope prior to stamping it with the Restricted Inspection Mail stamp over the seal on the back of the envelope, fill in the information required by the stamp, and have the offender initial the envelope.
11. All outgoing restricted mail, except for outgoing mail to the PREA Reporting Agency at P.O. Box 41118 Olympia, WA 98504-1118, will be logged utilizing AR Form 300-38 A, Outgoing Restricted Inspection Mail Log.

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12. All incoming restricted inspection mail will be logged utilizing AR Form 300-38B, Incoming Restricted Inspection Mail Log. If incoming restricted inspection mail is inadvertently opened by mailroom employees, they will write “opened by mistake” on the envelope, initial and date the envelope, and tape it shut immediately.
 - a. Incoming restricted inspection mail will be opened and scanned, but not read for content, in the direct presence of the offender to ensure it is from a specified class of persons or organization, that it does not contain contraband, and that the contents are not contrary to legitimate institutional interests of order and security.
 - b. Upon delivery to the facility, mailroom employees will make a copy of the sender information from the envelope/packaging of all incoming restricted mail. This information will be provided to the offender upon delivery of the contents in lieu of the actual envelope packaging.
 13. Restricted mail that has been previously delivered to and opened by an offender may be searched in accordance with the procedures for the search of offender legal boxes as outlined in AR 300-06, *Searches and Contraband Control*.
 14. If an offender does not wish to have their outgoing mail logged as Restricted Inspection Mail, such mail will be treated as non-restricted mail and be subject to full inspection.
 15. All incoming and outgoing restricted inspection mail must adhere to all other requirements contained in this AR.
 16. Mail received from a public information office associated with any of the protected organizations listed in this AR is not considered privileged or confidential and will be processed as non-restricted mail.
- C. Incoming and Outgoing Non-restricted Mail: All other incoming and outgoing mail is considered non-restricted and may be read for content.
1. All incoming and outgoing mail will include the following information:
 - a. Offender name (commitment name); (Offenders may receive mail that identifies them by a legally changed name IF the offender’s commitment name is listed first followed by the legally changed name.)
 - b. Offender number;
 - c. Facility and/or P.O. Box Number;
 - d. Return address; or
 - e. JPay letter ID for offender e-messaging.

If all of these requirements are not met and/or the offender cannot be properly identified; the mail will be rejected and returned to sender. If an offender has been moved to another facility, the receiving mailroom will forward their mail to the current facility. If mail is received without a return address, and the item does not in and of itself present a security or safety threat, the offender listed as the recipient may be allowed to mail the item(s) to an address outside of DOC at their own expense. If the offender does not have the available funds to mail the item out within ten calendar days of notice, the item(s) will be destroyed.
 2. Adhesive labels, stickers and stamps will be removed from the offender’s mail. The information that is on the label will be provided to the offender.

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3. In the event the OIG identifies that offenders are using the mail system to introduce contraband in correspondence at a specific facility, that entire facility will be subject to having all incoming mail photocopied with the copy delivered to the offenders and the original correspondence destroyed.
4. Mail that is not first-class mail and is commonly considered “junk mail” will automatically be returned to sender or destroyed by mailroom employees.
5. Offender letters and packages will be inspected to intercept cash, checks, and money orders. *[5-ACI-7D-07]*
 - a. Cash, personal checks, and paper money orders will not be accepted through offender mail. Cash, personal checks or money orders will be returned to the sender, at the offender’s expense utilizing AR Form 300-38F, Mail Office Withdrawal Slip.
 - b. Deposits to an offender’s account from an offender’s family or friends must be made by electronic fund transfer (EFT) in accordance with AR 200-02, *Inmate Banking*.
 - c. All other authorized checks or money orders (e.g., vendor refund and government payments in the form of a check) to offenders will be removed from incoming mail by the mailroom employees and will be forwarded to Inmate Accounts at Colorado Territorial Correctional Facility to be credited to the offender’s account in accordance with AR 200-02, *Inmate Banking*.
 - d. Authorized checks or money orders received through incoming mail will be logged by mailroom employees with the following information:
 - 1) Sender name and address;
 - 2) Offender name;
 - 3) DOC #;
 - 4) Type;
 - 5) Amount.

The envelope in which the check was received will be stamped and initialed by the mailroom employee, indicating the date received and the amount of the authorized check or money order. The envelope will serve as notice to the offender and as a receipt that the check or money order was removed from the offender’s incoming mail and was forwarded to the Business Office to be credited to the offender’s account.
 - e. Offenders may send money orders through offender mail in accordance with AR 200-02, *Inmate Banking*. Any financial transactions permitted between offenders must be approved by the appointing authority. *[5-ACI-1B-23]* Offenders will not be permitted to receive funds from another currently incarcerated offender’s relative or visitor, or any individual who is a current or former employee, or volunteer with the DOC. Exceptions may be made by the appointing authority for offenders with common immediate family members
 - f. Offenders are permitted to send stamps in order to obtain membership in and receive newsletters from certain offender organizations such as:
 - 1) Colorado CURE
 - 2) Advocates for Change
 - 3) Coalition for Sexual Offense Restoration (CSOR)
 - g. Offenders are permitted to send self-addressed stamped envelopes. This is not a third party/three way mail issue as the self-addressed envelope can only be sent back in to the original offender.

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- h. Offenders are allowed to receive self-addressed, postage metered envelopes from the specified organizations listed in this AR, authorized offender aid organizations, and from correspondence courses.
6. All outgoing offender mail will be enclosed and sealed in an envelope and stamped with the official DOC return address of the facility.
7. Receipt of Merchandise:
- a. Delivery of items of value/packages will be documented utilizing AR Form 300-38GH, Mail Office Package Slip.
 - b. All items of value ordered or received through the mail must be purchased and shipped by an approved source of supply, in accordance with AR 850-06, *Offender Property* and AR 800-01, *Religious Programs, Services, Clergy, Faith Group Representatives, and Practices*.
 - 1) Barring content and property restrictions, offenders may receive books which are fastened, hinged, or otherwise bound which come from an approved source of supply. Bindings which have a wire component are not allowed (example: wire spiral). Calendars are allowed, without spiral or metal binding, in accordance with AR 850-06, *Offender Property*, as well as AR 300-26, *Publications*.
 - 2) The offender may choose to provide disposition instructions or choose to have the wire binding removed.
 - 3) Barring content and property restrictions, offenders may receive loose-leaf (unbound) pages printed from the internet, including but not limited to e-books, pamphlets, newspaper articles, and legal materials. These unbound internet materials will be deemed to have come from an original, approved source of supply.
 - 4) The contents of these items will be inspected and reviewed by mailroom employees to ensure that the contents are in compliance with property restrictions outlined in AR 850-06, *Offender Property*, as well as content restrictions outlined in AR 300-26, *Publications*.
 - 5) If the mailroom determines that any item should be censored, the mailroom employees should submit their decision for review by the facility publication review committee in accordance with AR 300-26, *Publications*.
 - c. Hobby craft items sent out through the mail will not be permitted to be returned to the offender in any form e.g., copied, enlarged, etc.
 - d. New books or literature offered by legitimate, verifiable faith-based organizations at no cost to the recipient may be received and processed consistent with this administrative regulation and in accordance with AR 850-06, *Offender Property*. Literature must be limited to the individual recipient only; multiple copies are not permitted.
8. Forwarding Mail:
- a. Forwarding of first-class letters and packages will be provided after an offender's transfer or release. **[5-ACI-7D-10]** Offenders who are paroled or discharged will be asked to provide a forwarding address to their last facility's mailroom to ensure the forwarding of mail for a period of 30 days. This is to be accomplished by the offender completing AR Form 300-38E, Offender Mail Forwarding Request. Offenders may ask for additional copies of this form, if necessary, from housing officers or case managers.
 - b. If the offender does not provide a forwarding address, letters and packages will be returned to the sender.
 - c. The following classes of mail will be forwarded:

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- 1) First class (including zone rated priority) mail.
 - 2) All other mail for which the sender or addressee has guaranteed to pay the forwarding postage.
 - 3) When an item not endorsed by return postage guarantee is determined to be of obvious value and cannot be forwarded, it will be held for 30 days and then processed in accordance with AR 300-06, *Searches and Contraband Control*.
 - 4) Offender restricted inspection mail will be forwarded through the U.S. Postal Service for offenders who have been transferred to another DOC facility. Mailrooms will keep a log of all mail that was received and forwarded. Offenders that have paroled will have their restricted inspection mail forwarded for 30 days; after 30 days the restricted inspection mail will be returned to sender.
 - 5) Magazines will be forwarded via inter-facility mail or DPA for 30 days.
- d. Offender e-messaging letters will be returned to sender if the offender has been placed in community corrections, paroled, or discharged.
9. Rejection of Mail:
- a. Offenders are notified when incoming or outgoing letters are withheld in part or in full [5-ACI-7D-05]. This includes withholding of packages and merchandise, cash, checks, and money orders and all other incoming mail addressed to an offender. All censorable publications will be forwarded to the facility reading committee for evaluation and disposition pursuant to AR 300-26, *Publications*.
 - b. All mail rejected, consistent with this administrative regulation, may be returned to the sender at the offender's expense utilizing AR Form 300-38F, Mail Office Withdrawal Slip, or redirected for purposes pending disposition at the discretion of employees. The offender will receive a written notification of the rejection utilizing AR Form 300-38D, Notice of Rejection/Disposition of Mail within ten days of receipt of the item by mailroom employees. Where applicable, the sender will also receive a copy of AR Form 300-38D, Notice of Rejection/Disposition of Mail along with any returned mail item. When the offender is permitted to designate disposition of the item but fails to complete and return the form within ten days, employees will retain the item for a minimum of thirty (30) days from the date of confiscation before disposing of the item in order to allow for the offender to grieve the confiscation. In all cases, employees will note the final disposition on AR Form 300-38D, Notice of Rejection/Disposition of Mail.
 - c. Disposition of contraband items, to include censorable publication, will be in accordance with AR 300-06, *Searches and Contraband Control*.
 - d. Mail may be rejected if it meets one or more of the following criteria:
 - 1) Concerns and/or attempts to send contraband into or out of any DOC operated or contract facility. See AR 300-06, *Searches and Contraband Control* for information regarding contraband.
 - 2) Sends, receives, solicits, or contains money orders or any other items of value from other currently incarcerated DOC offenders, or the relatives or visitors of other offenders in the custody of the DOC. Exceptions may be made for offenders with common immediate family members.
 - 3) Contains cash, unauthorized personal checks, or paper money orders.

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- 4) Creates a substantial danger to the emotional or mental health of an offender. The decision to reject the mail will be made by the administrative head, or designee, in conjunction with a qualified mental health practitioner.
 - 5) There is a written request from a citizen or agency that mail from an offender be discontinued. Such written requests will be kept on file in the facility mailroom and choned within the offender's electronic working file.
 - 6) Indicates an offender is entering into a contract or engaging in business without the written approval of the administrative head of the facility where the offender is incarcerated.
 - 7) Envelopes that are padded, cloth, plastic, cardboard, or which contain decorative stamps or stickers or has contents that cannot easily be removed and searched.
 - 8) Contains postage stamps (unless stamps are specifically in accordance with IV.C.5.f. in this AR.), stamped, blank envelopes (unless envelopes are specifically in accordance with IV.C.5.g and h in this AR), blank stationery, blank writing paper, blank cards, blank postcards or blank personal journals.
 - a) All items of value ordered or received through the mail must be purchased and shipped by an approved source of supply, in accordance with AR 850-06, *Offender Property* and AR 800-01, *Religious Programs, Services, Clergy, Faith Group Representatives, and Practices*.
 - 9) Contains Polaroid photos.
 - 10) Contains photos/copies of photos that were not distributed through a DOC facility from another DOC offender. Offender to Offender photos taken by recreation staff are acceptable.
 - 11) Facility mailroom employees will have the authority to reject mail containing any foreign, unknown, or unauthorized (liquid, powder, greasy, glued, or painted) substances that may pose a justifiable security risk to the facility. In such cases that mail and substance will be turned over to the facility OIG investigator for testing, investigation, and proper disposition.
 - 12) If the OIG investigator suspects the article of incoming mail contains contraband and/or a restricted substance, the following procedure will be implemented:
 - a) The article of mail will be photo copied in black and white. The original will be kept by the OIG. The photo copy will be delivered to the offender.
 - b) If dangerous contraband is found, the card, letter, drawing and/or envelope will be treated as criminal evidence.
 - 13) Three-way/third party mail.
 - 14) Once a property item (excluding written documentation) has been taken out of or sent outside of the DOC, re-entry will not be allowed, unless the item was sent out of the facility for approved repair or written approval was given by the administrative head.
 - 15) Game boards, trading cards, and game accessories.
- e. Any incoming mail items that contain information or documents that are not being rejected, yet contain sensitive information or documents that may be inappropriate for an offender to have in their immediate possession (e.g.,

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birth certificate, social security card), will be sent to the offender's case manager. The case manager will forward the document(s) to the Offender ID Bank.

- f. Additional review may be conducted based on specific offender behavior related to incoming or outgoing mail. Any additional review must be approved by the administrative head.
- g. If an offender grieves the decision to reject any form of incoming mail, in accordance with AR 850-04, *Grievance Procedures*, the item(s) in question will not be disposed of and will be maintained at the facility until all phases of the grievance are addressed and/or resolved. In the event that mail containing materials printed from the internet is rejected, the item of mail and all rejected materials printed from the internet will be retained within the facility's mailroom for a period of 60 days *after* the completion of the grievance process.

V. RESPONSIBILITY

- A. Administrative heads or designees of facilities will keep completed AR Form 300-38A, Outgoing Restricted Inspection Mail Logs and AR Form 300-38B, Incoming Restricted Inspection Mail Logs in a central location for a minimum of 3 years.
- B. The director of Prisons or designee will ensure that this AR is reviewed annually and updated as necessary.

VI. AUTHORITY

- A. C.R.S. 18-8-201. Aiding Escape.
- B. C.R.S. 18-8-204. Introducing contraband in the second degree.
- C. C.R.S. 18-8-204.1. Possession of contraband in the first degree.
- D. C.R.S. 24-4.1-302.5. Rights afforded to victims.

VII. HISTORY

March 1, 2022
February 1, 2021
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March 15, 2017
August 15, 2016
September 15, 2015
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ATTACHMENTS:

- A. AR Form 300-38A, Outgoing Restricted Inspection Mail Log
- B. AR Form 300-38B, Incoming Restricted Inspection Mail Log
- C. AR Form 300-38C, Restricted Inspection Mail Stamp
- D. AR Form 300-38D, Notice of Rejection/Disposition of Mail
- E. AR Form 300-38E, Offender Mail Forwarding Request
- F. AR Form 300-38F, Mail Office Withdrawal Slip
- G. AR Form 300-38G, Mail Office Package Slip
- H. AR Form 100-01A, Administrative Regulation Implementation/Adjustments

Restricted Inspection Mail Stamp

FACILITY

DATE REC'D

DOC EMPLOYEE LAST NAME

ID #

INT

DOC#

OFFENDER LAST NAME

INT



Notice of Rejection/Disposition of Mail

Facility/Unit: _____ Date: _____ Offender/DOC#: _____
Your mail to/from: _____ or Publication: _____

(include name, issue number, page(s) of offender publication and RMMS number if available) has been rejected or declared contraband for the following reason(s):

- Contains threats or plans of criminal activity.
Contains threats of physical harm against any person.
Violates or concerns plans for activities in violation of the Code of Penal Discipline, law, or DOC policy.
Is in code and/or not understood by the reader.
Contains information that constitutes a danger to a person or threat to the security and safety of the facility.
Concerns and/or attempts to send contraband into or out of any DOC operated or contract facility.
Concerns plans for escape.
Sends, receives, solicits or contains money orders or any other items of value from other currently incarcerated DOC offenders, or the relatives or visitors of other offenders in the custody of the DOC.
Creates a substantial danger to the emotional or mental health of an offender.
Contains cash, unauthorized personal checks, or paper money orders.
There is a written request from a citizen that mail from an offender be discontinued.
Indicates an offender is entering into a contract or engaging in business without the written approval of the administrative head.
Contains decorative stamps or stickers on the envelopes or contents that cannot easily be removed and searched.
Contains postage stamps, (unless being sent in accordance with IV.C.4.f. in this AR) stamped envelopes, blank stationery, blank writing paper, blank cards, or blank post cards.
Contains Polaroid photos.
Contains photos that were not distributed through a DOC facility from another DOC offender.
Contains unknown substance(s).
Material that describes or depicts the design or manufacture of firearms, explosives, or other weapons or destructive devices, or controlled substances or intoxicants, or which provide detailed instructions regarding the illegal use of such items.
Material that by depiction or description advocate violence, hatred or vengeance against any individual or group based upon their race, religion, nationality, sex, or ethnicity or that appears more likely than not to provoke or to precipitate a violent confrontation between the recipient and any other person.
Material that by depiction or description support the illegal activities of a security threat group contrary to the security interests of the facility or the individual rehabilitative goals of the recipient.
Sexually explicit material pursuant to AR 300-26, "Publications".
Material which poses a potential threat to the safety and security of the offender population or DOC employees, contract workers, and volunteers by advocating facility disruption or noncompliance with prison rules or regulations.
Game boards, trading cards, game accessories
Other.

DISPOSITION

- Sent to publication committee.
Declared contraband, not for offender disposition.
Declared contraband; offender must designate disposition within ten days.
Returned to sender.
Other

Date: _____ Mailroom DOC Employee Signature: _____

Date: _____ Mailroom DOC Employee Signature: _____

I designate the following disposition of the above items:

- I do not waive legal confidentiality. I understand this letter will be sent back to the sender for the appropriate information and thus I understand it will result in delay of delivery of restricted mail to me.
I waive legal confidentiality and grant permission to process mail as non-restricted mail.
Destroy
Return to sender at my expense
Send to the following address at my expense:

Date: _____ Offender Signature: _____



Offender Mail Forwarding Request

The facility will forward first class mail or other mail that the sender or addressee has guaranteed to pay for forwarding postage. In order to receive forwarded mail, fill out the address labels below. The forwarding request will be honored for 30 days from the date of signature. **You must print legibly.**

OFFENDER NAME: _____ DOC# _____ DATE: _____

Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:
Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:
Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:
Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:
Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:
Forwarding Address: Name: Address:	Forwarding Address: Name: Address:	Forwarding Address: Name: Address:

Mail Office Withdrawal Slip

Name: _____

DOC # _____ Date _____

Your account has been charged \$ _____

For postage used for:

- Package shipped UPS – Parcel Post
- Certification/return receipt
- Additional postage was needed

Mail Office Supervisor

Mail Office Package Slip

Name: _____

DOC # _____ Date _____

Received by: _____ Date: _____

The State of Colorado Department of Corrections, any and all of the employees of the Department of Corrections, and any and all of the facilities or departments connected with the above will not be responsible for damage to or loss and/or theft of any personal article belonging to the noted offender whose signature appears above after the delivery of the said item to the offender.

