



POLICY STATEMENT
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: Inmate Mail and Incoming Publications		Policy Number: DC-ADM 803
Date of Issue: August 3, 2020	Authority: Signature on File John E. Wetzel	Effective Date: August 10, 2020

I. AUTHORITY

The Authority of the Secretary of Corrections to direct the operation of the Department of Corrections is established by Sections 201, 206, 506, and 901-B of the Administrative Code of 1929, 71 P.S. §§61, 66, 186, and 310-1, Act of April 9, 1929, P.L. 177, No. 175, as amended.

II. APPLICABILITY

This policy is applicable to all facilities operated under the jurisdiction of, or conducting business with the Department of Corrections.

III. POLICY

It is the policy of the Department to allow an inmate access to communicate with members of society through the mail system¹ as set forth in this policy and procedures manual, to inspect mail, determine the types of publications allowed, and to review publications intended for inmates. Restrictions shall be related directly to facility order and security, public safety, and obscenity laws and statutes.²

IV. PROCEDURES

All applicable procedures are contained in the procedures manual that accompanies this policy document.

¹ 5-7D-4492 (5-ACI-7D-06)

² 5-7D-4487 (5-ACI-7D-01), 5-7D-4488 (5-ACI-7D-02), 5-7D-4490 (5-ACI-7D-04)

V. SUSPENSION DURING AN EMERGENCY

In an emergency or extended disruption of normal facility operation, the Secretary/designee may suspend any provision or section of this policy for a specific period.

VI. RIGHTS UNDER THIS POLICY

This policy does not create rights in any person nor should it be interpreted or applied in such a manner as to abridge the rights of any individual. This policy should be interpreted to have sufficient flexibility to be consistent with law and to permit the accomplishment of the purpose(s) of the policies of the Department of Corrections.

VII. RELEASE OF INFORMATION AND DISSEMINATION OF POLICY

A. Release of Information

1. Policy

This policy document is public information and may be released upon request.

2. Confidential Procedures (if applicable)

Confidential procedures for this document, if any, are not public information and may not be released in its entirety or in part, without the approval of the Secretary of Corrections/designee. Confidential procedures may be released to any Department of Corrections employee on an as needed basis.

B. Distribution of Policy

1. General Distribution

The Department of Corrections policy and procedures shall be distributed to the members of the Central Office Executive Staff, all Facility Managers, and Community Corrections Regional Directors on a routine basis. Distribution of confidential procedures to other individuals and/or agencies is subject to the approval of the Secretary of Corrections/designee.

2. Distribution to Staff

It is the responsibility of those individuals receiving policies and procedures, as indicated in the "General Distribution" section above, to ensure that each employee expected or required to perform the necessary procedures/duties is issued a copy of the policy and procedures either in hard copy or via email, whichever is most appropriate.

VIII. SUPERSEDED POLICY AND CROSS REFERENCE**A. Superseded Policy****1. Department Policy**

DC-ADM 803, Inmate Mail and Incoming Publications, issued October 3, 2018, by Secretary John E. Wetzel.

2. Facility Policy and Procedures

This document supersedes all facility policy and procedures on this subject.

B. Cross Reference(s)**1. Administrative Manuals**

- a. DC-ADM 005, Collection of Inmate Debts
- b. DC-ADM 801, Inmate Discipline
- c. DC-ADM 804, Inmate Grievance System
- d. 6.3.1, Facility Security
- e. 7.3.1, Reentry and Transition
- f. 7.8.1, Inmate Recreational and Therapeutic Activities

2. ACA Standards

- a. Administration of Correctional Agencies: 2-CO-5D-01
- b. Adult Correctional Institutions: 5-3D-4274 (5-ACI-3D-01), 5-3D-4275 (5-ACI-3D-02), 5-3D-4276 (5-ACI-3D-03), 5-4A-4266 (5-ACI-4A-20), 5-4B-0021 (5-ACI-4B-20), 5-7D-4487 (5-ACI-7D-01), 5-7D-4488 (5-ACI-7D-02), 5-7D-4489 (5-ACI-7D-03), 5-7D-4490 (5-ACI-7D-04), 5-7D-4491 (5-ACI-7D-05), 5-7D-4492 (5-ACI-7D-06), 5-7D-4493 (5-ACI-7D-07), 5-7D-4494 (5-ACI-7D-08), 5-7D-4495 (5-ACI-7D-09), 5-7D-4496 (5-ACI-7D-10)
- c. Adult Community Residential Services: 4-ACRS-6A-06, 4-ACRS-6A-08, 4-ACRS-6A-09
- d. Correctional Training Academies: None

3. PREA Standards (28 C.F.R.)

115.51



PROCEDURES MANUAL
Commonwealth of Pennsylvania • Department of Corrections

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Policy Number:

DC-ADM 803

Date of Issue:

August 3, 2020

Authority:

Signature on File
John E. Wetzel

Effective Date:

August 10, 2020

Release of Information:

Policy Document: This policy document is public information and may be released upon request.

Procedures Manual: The procedures manual for this policy may be released in its entirety or in part, with the prior approval of the Secretary/designee. Unless prior approval of the Secretary/designee has been obtained, this manual or parts thereof may be released to any Department employee on an as needed basis only.

DC-ADM 803, Inmate Mail and Incoming Publications Procedures Manual
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BULLETIN
Commonwealth of Pennsylvania • Department of Corrections

Policy Subject:

**Inmate Mail and Incoming Publications Procedures Manual
Section 1 – Mail Processing Procedures**

Policy Number:

DC-ADM 803, Section 1, Bulletin 01-01

Original Issue Date:

August 3, 2020

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Authority:

**Signature on File
Dr. Laurel R. Harry**

Effective Date:

September 14, 2026

Bulletin 01-01 to Section 1 – Mail Processing Procedures of Department administrative policy **DC-ADM 803, “Inmate Mail and Incoming Publications,”** is hereby distributed to expand the procedures for processing incoming inmate privileged mail. Changes are shown in bold, italics, and strikethrough.

Subsection D.3 is added/amended as follows:

D.3.i.

- i. Mailroom staff ~~will ensure that all the information below is entered~~ ***shall confirm the correct Control Number (ACN or CCN) and weekly Time Code (TC), if applicable, are on the envelope for all legal mailings and mailroom staff shall verify that the return address and entity name on the envelope corresponds with the address and correct spelling of the attorney/law firm or court. Once complete, mailroom staff shall enter the following information*** into the Digital Master Log prior to the privileged correspondence being forwarded, unopened, to the facility Security Office:

- (1) inmate name and institutional number;
- (2) institution;
- (3) ACN/***CCN/MCN***;
- (4) TC;

- (5) verification of sender/address; and
- (6) accepted/rejected with reason.

D.3.q.

q. After receipt of the privileged correspondence, the facility Security Officer ~~will~~**shall**:

- (1) check to ensure the **control number (ACN/CCN/MCN)** and TC have been removed from the exterior of the envelope;
- (2) verify that the identity of the recipient is the same as the inmate called to receive the correspondence by ~~check~~**verification** of the inmate's state ID card;
- (3) ***without reading the contents of the privileged correspondence***, open and ***visually*** inspect the privileged correspondence, ***including the mail and envelope***, for ***the presence of*** contraband ***or reasonable suspicion of contraband, i.e., stains, discolorations, changes in the integrity of the paper***, in the presence of the inmate to whom it was addressed;
 - (a) ~~Commissioned s~~Staff may direct the use of drug detection measures based upon ***reasonable*** suspicion including, but not limited to, the use of ~~ion scanning~~***electronic drug detection*** equipment or K-9 air scans. ***Staff shall complete a DC-121, Part 3, Employee Report of Incident, documenting the results of all performed tests.***
 - (b) ~~K-9 air scans may also be conducted randomly on opened privileged correspondence.~~ Such procedures shall be designed so as to preclude any opportunity for inadvertent or intentional reading or skimming of the correspondence.
- (4) ***If reasonable suspicion of the presence of contraband, the actual presence of contraband, or policy violations exists, the officer shall complete a DC-121 in accordance with Department policy 6.3.1, "Facility Security." As applicable, the report shall include:***
 - (a) ***the contents that were deemed to be contraband or deemed not to be legal material;***
 - (b) ***a description of the basis for reasonable suspicion that contraband is present;***
 - (c) ***the name and institutional number of the inmate to whom the mail was addressed; and***
 - (d) ***the name and address of the person/organization who sent the mail.***
- (5) ***the Security Officer shall confiscate the mail when indicating factors, as specified in Department policy 6.3.12 "Drug Interdiction," are present and the***

mail shall be forwarded to the SPC for additional testing. Mail that is returned from the SPC and/or a drug lab after a finding that drugs are not present shall be delivered to the inmate. The legal mail application shall be updated accordingly.

- (6) Mail that does not contain indicating factors, as specified in Department policy 6.3.12, shall be provided to the inmate, unless there is an overwhelming suspicion of the presence of drugs. In such instances, the Security Officer shall immediately contact the SPC for further direction. The legal mail application shall be updated accordingly.***
- (7) When no contraband or policy violations are discovered, no indicating factors as specified in Department policy 6.3.12 are present, and there is no overwhelming suspicion that drugs are present, staff shall deliver the privileged correspondence to the inmate.***
- (8) Complete the Digital Master Log with:***
 - (a) Inmate signature (digital signature pad) or document the fact that the inmate refused to sign.***
 - (b) If an inmate refuses to sign for their legal mail, regardless of what path the legal mail took to be deliverable, the inmate shall be issued a Notice of Unacceptable Correspondence Form to document the refusal and the mail shall be returned to sender.***
 - (c) Fill out comments when applicable.***
- r. Document contraband finds policy violations and file a ~~DC-121, Part 3, Employee Report of Incident~~, in accordance with Department policy ~~6.3.1, "Facility Security."~~ The report shall include: the contents that were deemed to be contraband or deemed not to be legal material; the name and institutional number of the inmate who received the mail; and the name and address of the person who sent the mail. The facility Security Officer shall forward a copy of the staff member's report **referenced in Subsection D.3.q.(4) above** to the Bureau of Facility Security and Special Operations.***

Section 1 – Mail Processing Procedures (see Bulletin 01-01)

A. Mail Privileges

1. An inmate is permitted to correspond with the public, his/her attorney(s), and public officials.¹
2. There is no limit to the number of correspondents to whom an inmate may send or from whom an inmate may receive mail.²
3. All incoming, **non-privileged** inmate correspondence must be addressed and sent to the Department's contracted central incoming inmate mail processing center. Mail must be addressed as follows:

Smart Communications/PA DOC
Inmate Name/Inmate Number
Institution Name
P.O. Box 33028
St. Petersburg, FL 33733

Example:

Smart Communications/PA DOC
Joe Jones/AB1234
SCI Camp Hill
P.O. Box 33028
St. Petersburg, FL 33733

4. All incoming, **privileged** inmate correspondence must be addressed and sent to the inmate at the address of the institution where he or she is housed. Mail must be addressed as follows:

Inmate Name/Inmate Number
Institution Name
Institution Legal Mailing Address

Example:

Joe Jones/AB1234
SCI Camp Hill
P.O. Box 8837
2500 Lisburn Road
Camp Hill, PA 17001

¹ 5-4A-4266 (5-ACI-4A-20), 5-4B-0021 (5-ACI-4B-20), 5-3D-4275 (5-ACI-3D-02), 5-7D-4487 (5-ACI-7D-01), 5-7D-4492 (5-ACI-7D-06)

² 5-4A-4266 (5-ACI-4A-20), 5-4B-0021 (5-ACI-4B-20), 5-7D-4487 (5-ACI-7D-01), 5-7D-4488 (5-ACI-7D-02)

5. An inmate may not:

- a. correspond with a current or former inmate, parolee, probationer, or co-defendant unless approval is given pursuant to this policy;
- b. transfer or receive through any means whatsoever, negotiable instruments, money, or items of monetary value to or from any other inmate, former inmate, parolee, probationer, co-defendant, the individual family members of any of the preceding individuals, or victim(s) of the inmate's criminal acts or their immediate family members without the prior written approval of the Facility Manager/designee. Approval granted at one facility shall transfer with the recipient inmate to any other Department facility; however, any approval granted or transferred may be revoked for changed circumstances;
- c. receive personal checks, cash, or money orders sent through the mail. A personal check, cash, or money order discovered during an inspection shall be treated as contraband and held pending any grievance or appeal concerning it.³

Money orders will only be accepted through the third-party vendor contracted by the Department for this purpose. This service allows funds to be posted to inmate accounts electronically. The sender must follow the vendor's procedures to use the service. Additional information concerning the vendor is available through the Department's website, www.cor.pa.gov. If a family member or friend sends, or has any business, financial entity, or other entity send a financial instrument in an attempt to circumvent the requirement to use the contracted third-party vendor, the financial instrument shall be deemed contraband;

NOTE: An inmate shall be permitted to receive copies of cancelled checks, but shall not be permitted to receive originals or copies of blank checks, cash advances, vouchers, and/or credit/debit/charge cards from any source.

- d. receive any financial instrument including cashier's checks except as part of a legitimate business transaction. Such documentation should be sent to the Business Office where the inmate is housed in accordance with **Subsection E. below**;
- e. retain official government-issued documents such as a driver's license, birth certificate, social security card, welfare card, medical card, etc. Such documentation should be sent to the Business Office where the inmate is housed in accordance with **Subsection E. below**;
- f. correspond with any of the following individuals unless prior written approval was provided by the Facility Manager/designee. Approval granted at one facility shall transfer with the recipient inmate to any other Department facility; however, any approval granted or transferred may be revoked for changed circumstances;

³ 5-7D-4493 (5-ACI-7D-07)

- (1) a current or former employee;
 - (2) a current or former volunteer;
 - (3) a current or former contract employee;
 - (4) a victim(s) of the inmate's criminal acts (the Office of the Victim Advocate [OVA] will provide verification that an individual is a victim of the inmate's criminal acts, at the request of the Facility Manager/designee); or
 - (5) the immediate family members of any of the preceding individuals.
- g. send or receive correspondence containing threatening or obscene materials or correspondence containing criminal solicitations or furthering a criminal plan or misconduct offense;
- h. use the facility address to fraudulently identify himself/herself as an employee, agent, or representative of the facility; for example:
- Theodore Smith, Paralegal
SCI Mahanoy
301 Morea Road
Frackville, PA 17932
- i. write to an individual who has informed the Department, in writing, that he/she does not wish to receive correspondence from the inmate, or anyone who has an active Protection from Abuse Order (PFA) against the inmate that prohibits such contact. This restriction is not to be interpreted to infringe on the right of an inmate to correspond with a public official with regard to the performance of his/her official duty or to file pleadings in a court. When the inmate is given a "no contact" restriction, the name of the individual who requested the restriction and the date the restriction was issued to the inmate shall be entered by the Unit Manager/designee into the Unit Management System under the "Security Concerns" tab;
- j. correspond with any prohibited party sent through a third party;
- k. correspond with a public official using an address different than the official's business address;
- l. send battery-operated greeting cards;
- m. send or receive "bill-me-later" or free gift transactions;
- n. receive correspondence or homemade artwork that has any item affixed to it (excluding a mailing label that is affixed to the envelope) with glue or other types of adhesives, including tape;

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- o. receive correspondence that exceeds the following size specifications: 12.5 inches wide or 25.5 inches long (mail that conforms to 8.5 inches by 11 inches will result in the best quality product); and
 - p. receive more than 25 photographs per individual item of correspondence.
- 6. When an inmate wishes to correspond with an inmate at another facility (whether under the Department's jurisdiction or the jurisdiction of any other state, county, or federal agency or contractor) or a juvenile in a detention center:
 - a. neither inmate can be in disciplinary custody status;
 - b. each inmate must submit a request to the counselor at his/her current facility; the request must include the name and number of the other inmate, the relationship between them, the reason for the correspondence, and the name of the facility where the other inmate is located;
 - c. the counselor will verify the relationship between the inmates, and prepare and circulate a **DC-46, Vote Sheet**;
 - d. if approved, the counselor will prepare a **Correspondence Between Inmates Form (Attachment 1-A)**, obtain the Facility Manager/designee's signature, and forward it to the Facility Manager/designee of the other facility;
 - e. the Facility Manager/designee at the recipient inmate's facility shall review the **Correspondence Between Inmates Form** and determine whether to approve the request to correspond;
 - f. if both Facility Managers/designees approve the request, a copy of the **Correspondence Between Inmates Form** shall be placed in the **DC-14, Counselor File**, a notation shall be made in the automated Inmate Cumulative Adjustment Record (ICAR), and the Mailroom Supervisors at both facilities shall be notified; and, when inmates have been permitted to correspond because of a pending legal case, the Mailroom Supervisor shall verify the status of the case with the Department's Office of Chief Counsel every six months. Unless permission to correspond has been otherwise terminated, the Mailroom Supervisor shall notify every staff member who was designated to receive a copy of the **Correspondence Between Inmates Form** approving the correspondence when the case has been completed and the permission to correspond will be terminated;
 - g. the inmates must refrain from mentioning facility security, staff, or inmates in their communication;
 - h. the facility may read both incoming and outgoing correspondence between the inmates, to ensure compliance with the conditions of these procedures;

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- i. permission to correspond with an inmate at a facility under the Department's jurisdiction or the jurisdiction of any other state, county, or federal agency or contractor or a juvenile in a detention center shall be reviewed by the Facility Manager/designee at least every six months and may be withdrawn at any time; and
 - j. permission to correspond granted at one facility shall transfer with the inmate to any other Department facility; however, any approval granted or transferred may be revoked for changed circumstances and affected parties shall be notified by the Facility Manager/designee.
7. Each inmate will be permitted, without cost, to mail eight, one-ounce, first-class letters per month.⁴
8. An inmate may send at his/her own expense an unlimited number of letters.⁵ Envelopes are available for purchase through Commissary. If an inmate has purchased envelopes prior to a transfer to another facility, the inmate shall be allowed a one-for-one exchange of envelopes upon arrival at the new facility.
9. No threatening, obscene, or if the inmate is under the age of 18, explicit sexual material, pictorial nudity, contraband, material containing a criminal solicitation, or material describing or in furtherance of a criminal plan or misconduct offense may be contained in the mail or placed on the envelope.
10. All outgoing mail shall include on the envelope the fully-approved inmate name, Department inmate number, and return address printed in a legible, undisguised manner on the upper, left-hand corner of the envelope. An envelope not bearing this information will be opened and returned to the inmate, if the inmate is identified. Non-privileged correspondence shall include the central incoming inmate mail processing center return address as listed above. Privileged correspondence will have the facility mailing address with the inmate's name and number as the return address. EXCEPTION: To preserve the confidentiality of inmates reporting allegations of sexual assault to the Pennsylvania State Police (PSP), an envelope addressed to: BCI/PREA Coordinator, 1800 Elmerton Avenue, Harrisburg, PA 17110 is not required to include the inmate name or Department number. **[28 C.F.R. §115.51(b)]** PSP has asked that an inmate reporting an allegation of sexual assault include his or her name and inmate number within the body of the letter contained inside the envelope so that PSP can identify the person making the allegation and communicate with them as PSP deems necessary.
11. All outgoing correspondence will be stamped "Inmate Mail – PA. DEPT. OF CORRECTIONS."
12. The inmate shall seal and place all outgoing correspondence in the collection boxes provided in each housing unit and/or other designated locations.

⁴ 5-7D-4489 (5-ACI-7D-03), 4-ACRS-6A-06

⁵ 5-7D-4488 (5-ACI-7D-02)

13. Photographs containing obscenity, explicit sexual material, or nudity, as specified in **Section 2** of this procedures manual are prohibited.
14. No inmate may possess and the Department will not disseminate to any inmate obscene material in any form.
15. In accordance with 18 Pa. C.S.A. §5903, the Department will not disseminate obscene, nude, or explicit sexual materials in any form to an inmate under the age of 18. Any inmate under the age of 18 found to be in possession of obscene or explicit sexual materials will be subject to a misconduct in accordance with Department policy **DC-ADM 801, “Inmate Discipline.”**

B. General Incoming Inmate Mail Procedures

1. Inmate mail will be refused for the following reasons:
 - a. non-privileged inmate correspondence that is sent to a prison instead of the Department’s contracted central mail processing center;
 - b. mail that has postage due;
 - c. privileged mail that does not contain a valid Attorney Control Number (ACN), **Court Control Number (CCN)**, **Non Attorney/Court Control Number (MCN)**, and/or Time Code (TC) as applicable;
 - d. mail that does not contain a return address consisting of the sender’s name, street address, including a suite or apartment number as applicable, city, and state (the official state abbreviation may be used). Correspondence from a foreign country must also include the name of the foreign country; and
 - e. incoming mail for an inmate that is not addressed with the approved inmate name and Department number as reflected on the inmate roster. If an inmate has been transferred or released, mail shall be forwarded (if privileged, unopened) to the new address, if known, for 60 days.⁶ If no forwarding address is available, mail shall be refused. It is the responsibility of the inmate to notify correspondents of a change of address.
2. When the delivery of incoming correspondence has been accepted and any item other than a publication contained therein is determined to be prohibited:
 - a. the copies of permitted contents shall be delivered to the inmate unless otherwise provided in this policy. The mailroom staff shall complete and send to the inmate a **Notice of Unacceptable Correspondence Form (Attachment 1-B)**. A copy of the **Notice of Unacceptable Correspondence Form** shall be sent to the Security Office at the facility and to the sender of the correspondence, if identifiable;

⁶ 5-7D-4496 (5-ACI-7D-10), 4-ACRS-6A-09

- b. the inmate may file a grievance from the **Notice of Unacceptable Correspondence Form** within 15 working days of the date the Notice is sent. The inmate shall use the **DC-804 Part 1, Official Inmate Grievance Form to file an appeal and follow the appeals process as outlined in Department policy DC-ADM 804, "Inmate Grievance System;"**
 - c. the sender shall appeal by writing a letter addressed to the Facility Manager, containing a copy of the **Notice of Unacceptable Correspondence Form** and clearly stating the reason the sender believes the correspondence should have been accepted;
 - d. the grievance shall be assigned for processing pursuant to the procedures in Department policy **DC-ADM 804** which are available online at the Department's official website www.cor.pa.gov and the appeal process set forth therein shall govern all subsequent levels of challenge;
 - e. upon receipt of the ***inmate appeal***, the grievance coordinator shall issue notification to the mailroom, security office, or contracted mail processing center, as appropriate, identifying the prohibited item at issue and directing that the item(s) be held pending the outcome of the grievance or related processes;
 - f. the mailroom, security office, or contracted mail processing center shall hold the prohibited items pending further notification from the grievance officer; and
 - g. upon resolution of the matter, the grievance officer will inform the mailroom, security office, or contracted mail processing center of the outcome:
 - (1) if the item is permitted, the mailroom, security office, or contracted mail processing center shall cause copies of the prohibited item(s) to be delivered to the inmate; and
 - (2) if the item is not permitted, the inmate (if known) will be permitted to mail it out of the facility at the inmate's expense. If the inmate refuses to pay for the item to be mailed, Department staff will destroy the item(s), hold the correspondence item(s) for investigation, as evidence, or otherwise properly dispose of it. Material that cannot be legally mailed will not be sent.
3. Incoming correspondence may contain copies of Internet pages, news clippings, articles, printouts, or material from social networking, social media, or Internet sites if such material otherwise complies with the provisions of this procedures manual. The content of Internet pages, news clippings, articles, printouts, or material from social networking, social media, or Internet sites will be reviewed by Department staff. Content that may violate the criteria set forth in **Section 2** of this procedures manual shall be forwarded to and reviewed by the Inmate Publication Review Committee (IPRC).
4. Incoming correspondence may contain photographs subject to the following limitations:

- a. no more than 25 photographs may be contained in any mailing. Any item of correspondence that has more than 25 photographs will result in confiscation of all photographs. An inmate may receive duplicate photographs only with the permission of the Facility Manager/designee;
 - b. the content of photographs will be reviewed by Department staff. Content that may violate the criteria set forth in **Section 2** of this procedures manual shall be forwarded to and reviewed by the IPRC. The **Mailroom** shall issue a **Notice of Photo Denial Form (Attachment 1-C)** with notice to the inmate and notice to the Office of Policy, Grants, and Legislative Affairs (who will provide notice to the sender) in all cases where photographs are denied based upon content;
 - c. nothing in this policy shall be interpreted to permit an inmate to possess more photographs than permitted by the policy governing the inmate's housing status; and
 - d. as with all incoming correspondence, photographs will be copied and the copies will be provided to the inmate. Original photographs will not be returned or preserved. Rather, original photographs are subject to the retention and disposal cycle for incoming non-privileged correspondence provided in this procedures manual.
5. Incoming inmate mail will be processed Monday through Friday excluding state/federal holidays as outlined below. Mail will be scanned by the Department's contracted vendor and an electronic copy will be made available to the appropriate facility. Facility staff will print the correspondence and deliver it to the inmate. A reasonable effort shall be made to ensure that incoming inmate mail is delivered to the inmate on the same day that it is received from the Department's contracted incoming inmate mail processor, excluding weekends and holidays, unless the mail contains content requiring review by the IPRC in accordance with **Section 2** of this procedures manual or the mail is being held for investigative purposes.
- a. An inmate who wishes to have his/her mail held by the mailroom while on an Authorized Temporary Absence (ATA) must submit a written notice to the Mailroom Supervisor. A **DC-135A, Inmate's Request to Staff Member** may be used for this purpose.
 - b. Any inmate who receives a letter of a disturbing nature should bring the matter to the attention of the housing unit officer and make arrangements to discuss the problem with his/her Unit Manager or counselor.

C. Incoming Inmate Mail Procedures – Non-Privileged Mail

1. All incoming inmate mail (other than privileged) must be sent to the Department's contracted incoming inmate mail processor as stated in **Subsection A. above**.
2. Contracted mail processing center staff will open and scan each piece of incoming inmate correspondence. Staff will not read incoming correspondence unless authorized to do so under the applicable provisions of this policy or as specifically directed by

authorized Department staff. Correspondence from the Department's Office of Chief Counsel is not privileged and is to be opened in accordance with this process.

3. Contracted mail processing center staff will electronically transmit the scanned copies of the inmate incoming mail to appropriate facility staff.
4. The contracted mail processing center shall retain the following records related to the processing of inmate incoming mail in accordance with the following periods:
 - a. the original incoming correspondence will be securely maintained for 45 days and then securely destroyed unless otherwise directed by the Department; and
 - b. scanned electronic copies of the incoming correspondence will be securely maintained for 45 days and then securely destroyed unless otherwise directed by the Department.
5. Facility staff will print and deliver paper copies of the incoming inmate correspondence to the inmate recipients. Staff will not read incoming correspondence unless authorized to do so under the applicable provisions of this policy or as specifically directed by authorized Department staff.
6. Incoming correspondence, other than privileged correspondence, may be read or reviewed upon the written order of the Facility Manager/designee. Incoming correspondence, other than privileged correspondence, may be reproduced upon written order of the Executive Deputy Secretary for Institutional Operations (EDSI)/Regional Deputy Secretary only when there is reason to believe that the security of the facility may be threatened, that this directive is being violated, that there is evidence of criminal activity or of a misconduct offense, or in connection with an investigation being conducted by the Bureau of Investigations and Intelligence (BII).⁷
7. The Facility Manager/designee shall review the status of the facility's mail monitoring on a monthly basis. In cases where the EDSI/Regional Deputy Secretary's approval is required, a request must be made in writing every 60 days for continued reproduction of correspondence. This request should also include a brief update of the ongoing investigation.
 - a. The facility Security Office shall submit a quarterly report to the EDSI/Regional Deputy Secretary outlining all inmate correspondence being monitored/reproduced on the **Inmate Correspondence Tracking Form (Attachment 1-D)**.
 - b. If approved by the EDSI/Regional Deputy Secretary, the Deputy of Facility Security and Special Operations/BII/designee will notify the Facility Manager/designee and the Intelligence Gathering Captain to commence monitoring and/or photocopying the correspondence. A request must be made in accordance with **Subsection C.6. above** to continue reproduction of correspondence.

⁷ 5-7D-4491 (5-ACI-7D-05), 4-ACRS-6A-08

8. Federal, state, and local income tax filing documents shall not be delivered to an inmate, as these may be used to file fraudulent tax returns. If an inmate has a legitimate need to file a tax return, he/she may request the proper forms from the Unit Management Team.
9. When a refund check from the Pennsylvania Treasury Department, another state, the Internal Revenue Service (IRS), a foreign country, or a county or municipality of any of the preceding is received, mailroom staff shall notify the Intelligence Gathering Captain/Security Lieutenant. If issued by the Commonwealth, these checks are identifiable by the address information that shows through the window on the envelope, REVREFUND, is printed and visible. For a United States or Commonwealth check, the Intelligence Gathering Captain/Security Lieutenant shall contact the PA Department of Revenue/IRS Office of Criminal Tax Investigations and advise them of the inmate's name, social security number, and check amount. The PA Department of Revenue and/or IRS representative will advise the Security Office as to the legitimacy of the refund. The Office of Chief Counsel shall be contacted if tax refund checks are received from other sources.
10. The contracted mail processing staff shall forward to the Department the original of any official documents such as a driver's license, birth certificate, social security card, welfare card, medical card, etc., received in the incoming inmate correspondence. Such documents shall not be delivered to the inmate, but shall be transferred to a designated safe area or file and maintained by the Department at the appropriate facility Business Office. Department staff shall notify the inmate and his/her counselor of the document being held.
11. When any documentation concerning Uniform Commercial Code (UCC) filings, the redemptive process, "Acceptance for Value" presentments, or documents indicating copyright or attempted copyright of a name is received, mail processing staff shall notify the Intelligence Captain/Security Lieutenant. A **Notice of Unacceptable Correspondence Form** shall be completed and sent to the inmate and the sender, if identifiable. The inmate shall have 15 working days from the date of the notice to provide, in writing, to the Intelligence Captain/Security Lieutenant an explanation of the legal basis or purpose for his/her possession of the material. In the alternative, the inmate may choose to file a grievance under Department policy **DC-ADM 804** explaining the legal basis or purpose for his/her possession of the material. Any and all documents or materials referenced in this paragraph shall be confiscated and considered contraband, whether processed through the mailroom or found anywhere else within the facility.

D. Incoming Inmate Mail Procedures – Privileged Mail

1. Attorney Control Numbers (ACN)/**Court Control Number (CCN)/Non Attorney/Court Control Number (MCN)**

Incoming privileged correspondence delivered through the postal or mail delivery system must possess a Department-issued ACN/**CCN/MCN**.

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- a. An attorney, a court or an elected or appointed federal, state, or local official, or other approved entity may request an ACN/**CCN/MCN** through the Pennsylvania Department of Corrections (PA DOC) public website <https://privilegedmails.cor.pa.gov/> or by contacting Central Office by email at RA-CRatrnycntrlnum@pa.gov.
 - b. The requester shall be responsible to complete a **DC-4409, Control Number Request Form** for validation purposes.
 - c. The Bureau of Facility Security and Special Operations shall review each applicant and assign an ACN/**CCN/MCN** to approved requesters.
 - d. **Control number** recipients shall treat *their* ACN/**CCN/MCN** as confidential.
 - e. Any **control number** recipient or other person who suspects that an ACN/**CCN/MCN** was compromised should report that suspicion to the Bureau of Facility Security and Special Operations. The Department will issue replacement **control numbers** as appropriate.
 - f. The Department reserves the right to re-assign any **control number** as needed.
 - g. **Control number** recipients agree to utilize the **control numbers** only to send confidential, privileged communications. Further, as a condition of use of the privileged correspondence procedures, **control number** recipients agree not to send any original documents from third parties (any documents generated by someone other than the sender). **Control number** recipients that violate this condition may be prohibited from using the privileged correspondence system.
2. Secondary Authentication Number - Weekly Time Codes (TC)
- a. Incoming privileged correspondence delivered through the postal or mail delivery system must also possess a Department-issued weekly TC, with the exception of court mail.
 - b. The TC will be emailed to each ACN holder (except the courts) each week. The TC will be sent to the email address specified in the **Control Number Request Form**. Each Saturday at **10:00 P.M.**, a new TC will be issued by the Department. The authentication number provided is valid only for the following week.
3. Processing of Incoming Privileged Correspondence.
- a. All incoming, privileged inmate correspondence must be addressed and sent to the inmate at the address of the institution where he or she is housed. Senders of privileged communications should avoid the use of staples, fasteners, or bindings.
 - b. Envelopes containing privileged correspondence must contain the following:

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- (1) Law Office/**Court or non attorney/court** name and address of record as the return address;
 - (2) ACN/**CCN/MCN**; and
 - (3) TC (**ACN and MCN only**).
- c. UNDER NO CIRCUMSTANCE SHOULD THE ACN AND/OR TC APPEAR ANYWHERE OTHER THAN THE OUTSIDE **FRONT** OF THE ENVELOPE.
- d. Privileged correspondence shall only contain essential, confidential, attorney-client communication.
- e. Privileged correspondence shall only contain documents that originated from the sending **Control Number holder**. Third party original documentation is strictly prohibited. Third party original documentation is any documentation that was received by the sending **Control Number holder** from any third party and not originally generated by the sending **Control Number holder**. Such third party original documentation may not be forwarded through the privileged correspondence system. Copies of such documentation made by the sending **Control Number holder** may be sent through the privileged correspondence system.
- f. Failure to comply with any of the above requirements may result in the rejection of the correspondence.
- g. If privileged correspondence is found to contain any contraband, the associated **control number** may be revoked and criminal charges may result.
- h. Incoming privileged correspondence shall not be opened by the mailroom staff.
- i. Mailroom staff ~~will ensure that all the information below is entered~~ **shall confirm the correct Control Number (ACN or CCN) and weekly Time Code (TC), if applicable, are on the envelope for all legal mailings and mailroom staff shall verify that the return address and entity name on the envelope corresponds with the address and correct spelling of the attorney/law firm or court. Once complete, mailroom staff shall enter the following information** into the Digital Master Log prior to the privileged correspondence being forwarded, unopened, to the facility Security Office:
- (1) inmate name and institutional number;
 - (2) institution;
 - (3) ACN/**CCN/MCN**;
 - (4) TC;
 - (5) verification of sender/address; and

- (6) accepted/rejected with reason.
- j. The **control number** and TC (**ACN and MCN only**) shall be validated against the Digital Master Log to ensure accuracy.
- k. Unopened privileged correspondence is subject to K-9 air scans and x-ray imaging prior to being forwarded to the facility Security Office.
- l. Notice of nondelivery of any opened incoming privileged correspondence shall be made as follows:
 - (1) an inmate shall be issued a **DC-154A, Confiscated Items Receipt**; and
 - (2) the sender shall be provided with an email notification if the sender's email is on record, otherwise the sender will receive written notice through the mail.
- m. Privileged correspondence shall not be rejected without the explicit permission from the Bureau of Facility Security and Special Operations.
- n. Mailroom staff will physically remove the **control number** and TC from the exterior of the envelope and add the legal mail tracking number from the Digital Master Log **to the back on the envelope**.
- o. Mailroom staff will forward all acceptable privileged correspondence to the facility Security Office, unopened, for delivery to the inmate.
- p. An inmate who wishes to have his/her privileged correspondence held by the mailroom while on ATA must submit a written notice to the Mailroom Supervisor. A **DC-135A** may be used for this purpose. If the Mailroom Supervisor does not receive a **DC-135A**, the privileged correspondence will be forwarded to the inmate's temporary location.
- q. After receipt of the privileged correspondence, the facility Security Officer ~~will~~**shall**:
 - (1) check to ensure the **control number (ACN/CCN/MCN)** and TC have been removed from the exterior of the envelope;
 - (2) verify that the identity of the recipient is the same as the inmate called to receive the correspondence by ~~check~~**verification** of the inmate's state ID card;
 - (3) **without reading the contents of the privileged correspondence**, open and **visually** inspect the privileged correspondence, **including the mail and envelope**, for **the presence of** contraband **or reasonable suspicion of contraband, i.e., stains, discolorations, changes in the integrity of the paper**, in the presence of the inmate to whom it is addressed;

- (a) ***Commissioned*** ~~s~~Staff may direct the use of drug detection measures based upon **reasonable** suspicion including, but not limited to, the use of ~~ion-scanning~~ **electronic drug detection** equipment or K-9 air scans. **Staff shall complete a DC-121, Part 3, Employee Report of Incident, documenting the results of all performed tests.**
- (b) ~~K-9 air scans may also be conducted randomly on opened privileged correspondence.~~ Such procedures shall be designed so as to preclude any opportunity for inadvertent or intentional reading or skimming of the correspondence.
- (4) ***If reasonable suspicion of the presence of contraband, the actual presence of contraband, or policy violations exists, the officer shall complete a DC-121 in accordance with Department policy 6.3.1, "Facility Security." As applicable, the report shall include:***
 - (a) ***the contents that were deemed to be contraband or deemed not to be legal material;***
 - (b) ***a description of the basis for reasonable suspicion that contraband is present;***
 - (c) ***the name and institutional number of the inmate to whom the mail was addressed; and***
 - (d) ***the name and address of the person/organization who sent the mail.***
- (5) ***the Security Officer shall confiscate the mail when indicating factors, as specified in Department policy 6.3.12 "Drug Interdiction," are present and the mail shall be forwarded to the SPC for additional testing. Mail that is returned from the SPC and/or a drug lab after a finding that drugs are not present shall be delivered to the inmate. The legal mail application shall be updated accordingly.***
- (6) ***Mail that does not contain indicating factors, as specified in Department policy 6.3.12, shall be provided to the inmate, unless there is an overwhelming suspicion of the presence of drugs. In such instances, the Security Officer shall immediately contact the SPC for further direction. The legal mail application shall be updated accordingly.***
- (7) ***When no contraband or policy violations are discovered, no indicating factors as specified in Department policy 6.3.12 are present, and there is no overwhelming suspicion that drugs are present, staff shall deliver the privileged correspondence to the inmate.***
- (8) ***Complete the Digital Master Log with:***

- (a) ***Inmate signature (digital signature pad) or document the fact that the inmate refused to sign.***
 - (b) ***If an inmate refuses to sign for their legal mail, regardless of what path the legal mail took to be deliverable, the inmate shall be issued a Notice of Unacceptable Correspondence Form to document the refusal and the mail shall be returned to sender.***
 - (c) ***Fill out comments when applicable.***
- r. ~~Document contraband finds policy violations and file a DC-121, Part 3, Employee Report of Incident, in accordance with Department policy 6.3.1, “Facility Security.” The report shall include: the contents that were deemed to be contraband or deemed not to be legal material; the name and institutional number of the inmate who received the mail; and the name and address of the person who sent the mail. The facility Security Officer shall forward a copy of the staff member’s report~~ ***referenced in Subsection D.3.q.(4) above*** to the Bureau of Facility Security and Special Operations.
- 4. Incoming privileged correspondence may only be read upon the written approval of the Secretary/designee when there is reason to believe that there is a threat to facility security or criminal activity.
- 5. In cases where the Secretary’s approval to read incoming privileged correspondence is required, a request must be made in writing every 30 days for continued reproduction of correspondence. This request should also include a brief update of the ongoing investigation.
- 6. Hand-delivered Incoming Privileged Correspondence

An inmate’s attorney or authorized representative may hand-deliver privileged correspondence to the facility where the inmate is housed.

 - a. The delivery of documents must be made during the facility’s normal business days and business hours unless permission has been granted in advance by the Facility Manager/designee.
 - b. The envelope containing privileged correspondence must contain the following:
 - (1) Law Office/***Court or non attorney/court*** name and address of record as the return address;
 - (2) the recipient’s inmate name and inmate number;
 - (3) ACN/***CCN/MCN***; and
 - (4) TC (***ACN and MCN only***).

- c. After receipt, the hand-delivered correspondence will be transferred to the facility mailroom where it will be processed in the same manner as incoming privileged correspondence delivered by post in accordance with this Subsection.
- 7. A **Control Number holder** who has a need to return or provide a third party original document(s) to an inmate, may contact the Office of Chief Counsel to request an exception to this policy.
- 8. **Personal Service of Documents | Court Papers**

Service of documents upon inmates is a process separate and apart from any mail process and procedure. Service may be performed by the PSP, Marshal, Sheriff, Constable, or in some cases anyone over the age of 18. The procedure is as follows.

a. Service by PSP/Marshal/Sheriff/Constable

The service of documents from the PSP, Marshal's Services, County Sheriffs, or Constables to inmates housed within our facilities should be handled in the following manner:

- (1) ***person making service arrives at the facility;***
- (2) ***the front desk/lobby officer should notify the Security Captain/designee of his/her arrival;***
- (3) ***the Security Captain/designee will make arrangements for the inmate to be moved to a location within the facility to facilitate service;***
- (4) ***escort the serving party to and from the inmate's location within the secure perimeter of the facility;***
- (5) ***the Security Captain/designee will make a copy of the documents to be served, and the copy will be served upon the inmate; and***
- (6) ***the documents that were copied will then be destroyed, with the inmate retaining the served copy.***

b. Service by Others

Any other persons attempting to serve documents/court papers to inmates housed within our facilities must coordinate their efforts through the respective Superintendent's Office. Documents to be served may be copied in the presence of the serving party, the copy served upon the inmate, and the copied documents destroyed.

- c. ***It is at the inmate's discretion whether he/she wishes to accept service. Service of documents/court papers shall be coordinated prior to arrival at the facility and shall occur only during normal business hours. Attorney/Court control numbers are not required.***

E. Business Office and Transactional Matters

1. An inmate may not possess, receive, or retain cashier's checks or ***certified*** copies of official documents such as driver's license, birth certificate, social security cards, etc. Such documents should not be sent through the inmate mail delivery systems. Such documents must be sent directly to the Business Office at the institution where the inmate is located and must be addressed as follows:

Attn: Business Office/RE: Inmate Name/Inmate Number
Address Line #1
Address Line #2

Example:

Attn: Business Office/RE: John Smith/AB1234
P.O. Box 8837
Camp Hill, PA 17001

2. The Business Office shall:
- a. for cashier's checks for legitimate financial instruments – ***the facility mailroom personnel shall*** record the instrument, indicating the nature of the receipt, the sender, the amount received, and the date.⁸ A **DC-130B, Cash Transaction Receipt** shall be issued to the inmate for all amounts received. The cashier's check shall be forwarded to the facility Business Manager who shall deposit the money into the inmate's account; and
 - b. for official government-issued document(s) - retain the document(s) in a designated safe area or file and be maintained by the Department. The Business Office shall notify the inmate and the inmate's counselor of the arrival of the official document(s).
3. Any forms of general incoming inmate or other correspondence, such as letters, pictures, greeting cards, children's drawings, etc., that are sent directly to the institution's Business Office for the processing of financial or official documentation are strictly prohibited. Such correspondence will not be delivered to any other parties and will be destroyed.
4. An inmate may not receive original transactional documentation through the non-privileged correspondence system. Original transactional documentation, meaning documentation for which the originals are required to be signed by the inmate in order to carry out a transaction (i.e., contractual documentation, title/deed transfer documentation,

⁸ 5-7D-4494 (5-ACI-7D-08)

etc.) must be mailed to the attention of the facility Business Office at the institution where the inmate is housed and must identify the inmate by name and number. The Business Office/designee will **forward the document to the inmate's Unit Manager who will** coordinate a time for the inmate to review, sign the documents, if desired, and **the inmate shall** pay the postage to have the document mailed out of the facility. This process is for transactional documentation only; inmates will not be permitted to keep original documentation sent through this process.

5. Original account statements/official bank correspondence should be sent directly to the Business Office at the institution where the inmate is located. All account statements/official bank correspondence sent directly to the institutions must be addressed as noted above.

When mail containing account statements/official bank correspondence arrives to the institution addressed to the Business Office, the mailroom shall open and inspect the mail. Mailroom staff shall make a copy of the account statements/official bank correspondence and deliver a copy to the inmate. The account statements/official bank correspondence originals shall be destroyed after a copy is delivered to the inmate.

Account statements/official bank correspondence received by the Department's contracted mail processing vendor will be processed as general incoming correspondence.

6. Inmate Savings/Investment Accounts
 - a. An inmate is permitted to maintain a savings account that was opened prior to his/her incarceration. An inmate who maintains such an account may receive copies of account statements and correspondence from the financial institution holding the account, provided that he or she informs the facility's Mailroom Supervisor of the name of the financial institution.
 - b. An inmate is permitted to open one savings account during his or her incarceration. An inmate who maintains such an account may receive copies of account statements and correspondence from the financial institution holding the account, provided that he or she informs the facility's Mailroom Supervisor of the name of the financial institution.
 - c. An inmate is permitted to open one investment account during his or her incarceration. An inmate who maintains such an account may receive copies of account statements and correspondence from the licensed investment professional through whom the account is established, provided that he or she informs the facility's Mailroom Supervisor of the name of the licensed financial institution or licensed investment professional through whom the account is established.

- d. All savings/investment account passbooks and account identification (e.g., account identification card, check cashing, etc.) shall be held by the facility Business Office until the inmate is released.
- e. ***When mail containing deposit and withdrawal slips arrives at the institution addressed to the Business Office, the mailroom staff shall open and inspect the mail. Mailroom staff shall make a copy of the deposit or withdrawal slips and deliver a copy to the inmate. The deposit and withdrawal slip originals shall be destroyed after the copy is delivered to the inmate.***

All deposit/withdrawal slips received via the Department's contracted mail processing center will be processed as general incoming correspondence.

Copies of savings/investment account statements and deposit and withdrawal slips may be held by the inmate with his/her personal property, unless a reason exists to believe that there is a threat to facility security or criminal activity, in which case, the materials will be considered contraband.

7. Inmate Checking Accounts

- a. An inmate with a checking account opened prior to his/her incarceration shall not use the account while incarcerated.
- b. The opening of a checking account while incarcerated is prohibited.

8. Inmate Credit or Charge Account or Debit Account

- a. An inmate with a charge card, credit card account, or debit account opened prior to his/her incarceration shall not charge to the account or make expenditures from the account while incarcerated.
- b. The opening of a charge card, credit card account, or debit account while incarcerated is prohibited.
- c. "Blank checks" or "cash advance vouchers" associated with charge and credit card accounts or debit accounts are considered contraband, and shall not be provided to inmates.
- d. Credit or charge account or debit account solicitations and applications are considered contraband, and shall not be provided to inmates.
- e. Account statements for inmates who opened a charge card, credit card account, or debit account prior to incarceration, may be held by the inmate with his/her personal property, unless a reason exists to believe that there is a threat to facility security or criminal activity, in which case, the materials will be considered contraband and confiscated by staff.

9. Other Investments

- a. An inmate is prohibited from acquiring or transferring stocks, bonds, or any other form of security or investment other than as set forth in **Subsection E.6.c. above**.
- b. An inmate who wishes to transfer stocks, bonds, or any other form of security or investment acquired prior to his or her incarceration must place the security under the control of a third party who is neither an inmate nor a parolee.

F. General Outgoing Inmate Mail Procedures

1. Outgoing mail placed in housing unit collection boxes or other designated locations shall be collected each day, Monday through Friday, excluding state/federal holidays. A reasonable effort shall be made to ensure that such mail is delivered to the U.S. Postal Service on the same day.
2. Outgoing mail shall NOT be placed in the lock-boxes designated for inmate grievances and/or **DC-135A** forms.
3. The inmate will be notified when outgoing mail is being held.⁹
4. ***Mail that is to be returned to the inmate will be accompanied by a Returned Mail Notice (Attachment 1-E) outlining the reason for being returned.***

G. Outgoing Inmate Correspondence Procedures – Non-Privileged Correspondence

1. The Facility Manager/designee may authorize the opening and reading of outgoing correspondence other than privileged correspondence only when there is reason to believe that the security of the facility may be threatened, that this directive is being violated, there is evidence of criminal activity or of a misconduct offense, or in connection with an investigation being conducted by BII.¹⁰
2. Outgoing correspondence, other than privileged correspondence, may be reproduced upon written approval of the EDSI/Regional Deputy Secretary only when there is reason to believe that the security of the facility may be threatened, this directive is being violated, there is evidence of criminal activity or of a misconduct offense, or in connection with an investigation being conducted by BII. If the request to reproduce the correspondence originated with BII or the Central Office Deputy of Facility Security and Special Operations, the Deputy of Facility Security and Special Operations/BII/designee will notify the Facility Manager/designee and the Intelligence Gathering Captain to commence monitoring and/or photocopying the correspondence upon approval of the EDSI/Regional Deputy Secretary. A request must be made in accordance with **Subsection C.6. above** to continue reproduction of correspondence.

⁹ 5-7D-4491 (5-ACI-7D-05)

¹⁰ 5-7D-4491 (5-ACI-7D-05), 4-ACRS-6A-08

3. The facility Security Office shall submit a quarterly report to the EDSI/Regional Deputy Secretary outlining all inmate correspondence being monitored/reproduced on the **Inmate Correspondence Tracking Form**.

H. Outgoing Privileged Correspondence¹¹

1. Outgoing privileged correspondence will not be opened, read, censored, or reproduced outside the presence of the inmate, except under the following conditions:
 - a. the Facility Manager/designee may request, in writing, the opening, reading, censoring, and/or reproducing of outgoing privileged correspondence outside the inmate's presence and transmit the request to the Secretary/designee and set forth the reasons for the request; and
 - b. the Secretary/designee may grant permission to open, read, censor, and/or reproduce outgoing privileged correspondence outside of the inmate's presence only when there is reason to believe there is a threat to facility security or criminal activity including, but not limited to, the following:
 - (1) any information relating to a possible escape;
 - (2) the introduction of weapons, drugs, money, or other contraband that presents a clear threat to the security of the facility;
 - (3) any information relating to a possible prison disturbance or other activity that presents a clear threat to the security of the facility; and
 - (4) any information relating to other criminal activity; specifics of the suspected activity must be provided.
2. A log shall be kept of instances where outgoing privileged correspondence is opened, read, censored, and/or reproduced, and the inmate shall be notified unless such notification would impede an investigation of a threat to facility security including a misconduct offense or suspected criminal activity. The inmate shall be notified that his/her mail was opened, read, censored, and/or reproduced at the completion of the investigation.

I. Electronic Mail (Email)

1. All inmate emails are monitored by a software program designed to alert staff if an email contains inappropriate content. The email system contains disclaimers to advise all users that the content of the communications are subject to monitoring. The email system is not designed or intended to be used to facilitate privileged communication. Privileged communications should be made through the inmate telephone, regular mail, or visiting processes.

¹¹ 5-7D-4492 (5-ACI-7D-06)

2. Facility mailroom staff shall forward any email that contains inappropriate content to the facility Security Office for review.
3. The facility Security Office shall review the email content for threats to the security of the facility, evidence of criminal activity, or any violations of this procedures manual.
4. If the facility Security Office has determined that the email is not a threat to the security of the facility, evidence of criminal activity, or in violation of this procedures manual, it will be returned to the mailroom to be delivered to the inmate.
5. Email may be read and reproduced by the facility Security Office, the Central Office Bureau of Facility Security and Special Operations, and/or BII.
6. Any inappropriate email will be rejected with a notice to the sender stating:

The referenced message was rejected as containing inappropriate content. If you wish to appeal the rejection you must send a written appeal to the Facility Manager within 15 working days of this message. Further information is available in Department policy **DC-ADM 803, Section 2**, which can be found at www.cor.pa.gov.

J. Presorted Standard Mail

Magazines and newspapers sent by Presorted Standard Mail will be accepted and reviewed according to the Department's policies and procedures.

K. Certified or Registered Mail

1. Each facility shall establish procedures in cooperation with the local Postmaster for the processing of certified and registered mail.
2. The inmate is responsible for determining whether mail is to be sent via certified or registered mail.
3. Unless otherwise provided in this procedures manual, the inmate must have funds available in his/her account and an approved cash slip for such postage payment in order to send mail certified or registered.
4. ***The original Certified and Return Receipt slips that are returned to the institution, after delivery, will be forwarded to the inmate for his/her retention.***

L. Stationery, Pen, and Postage for Indigent Inmates

Upon written request, an indigent inmate, as defined in the **Glossary of Terms**, shall be provided with stationery and a pen, and shall be able to anticipate the cost for postage to file papers necessary for the good faith pursuit of legal remedies.¹²

¹² 5-3D-4274 (5-ACI-3D-01), 5-3D-4276 (5-ACI-3D-03), 4-ACRS-6A-06

1. No-Cost Stationery and Pens

- a. An inmate may submit a **DC-135A** for no-cost stationery to the facility Business Manager/designee. The request shall contain:
 - (1) the date of the request;
 - (2) whether a pen is needed;
 - (3) the current balance in his/her inmate facility account, if known; and
 - (4) the name of the court in which the case is pending, the case/docket number, the caption/title of the case, and type of case.
- b. The Business Manager/designee shall review the information contained in the **DC-135A**, and verify that the inmate has insufficient funds to purchase the needed material.
- c. The Business Manager/designee shall respond to the request within five working days of receipt.
- d. Upon approval, the inmate shall be provided free of charge:
 - (1) a pen of the type permitted under the policy and rules governing the inmate's housing unit; and
 - (2) a packet of 50 sheets of clean 8 ½" x 11" paper. If the quantity of paper proves to be insufficient, the inmate may submit a request for one more additional packet per month.

2. Postage and Copying

a. Anticipated Postage

- (1) An indigent inmate may anticipate on his/her account, postage for legal mail, to include exhaustion of grievances, and copying charges up to \$11 per month.¹³ Under no circumstances, shall the Business Manager/designee approve requests in excess of \$11 per month. An inmate is responsible for managing his/her funds and monthly postage allowance to meet his/her legal needs.
- (2) The Business Manager/designee shall respond to a request to anticipate postage within five working days of receipt.

¹³ 4-ACRS-6A-06

- (3) After all deductions are taken in accordance with Department policy **DC-ADM 005, “Collection of Inmate Debts”** any money received in an inmate’s account shall be used to satisfy the postage debt and copying fees.

b. Postage Limitations

An indigent inmate will be permitted to anticipate the deposit of funds into his/her account for regular first-class postage only except that:

- (1) a “Petition for Review” to respondents and filed in the Commonwealth Court is the only legal document required to be served by certified mail. An inmate may anticipate funds to file and serve a Petition for Review by certified mail and may also anticipate funds to include a return receipt for the certified mail if the inmate chooses to do so;
- (2) an inmate may not be permitted to anticipate the deposit of funds into his/her account to mail documents in any case in which he/she is not a party;
- (3) any misuse of postage and incomplete or false requests shall be grounds for disapproval of any further anticipation for postage and for discipline; and
- (4) the inmate may seek review of any decision regarding this Section as outlined in Department policy **DC-ADM 804**.

M. Inmates Who Regularly Use Names Different from the Name on the Commitment Form

1. An inmate who has made a permanent legal change in his/her name, so that it differs from the commitment name, may submit a request to the Facility Manager for permission to use the new name for limited purposes. This request must include the reason(s) why the inmate wishes to use the new name.
2. The Facility Manager shall review and grant permission for limited use of the approved name if the name was changed for legitimate reasons. Legitimate reasons shall include changes because of change in gender, marital status, religious reasons, and ethnic identification. Only permanent name changes will be approved. Multiple changes will not be honored.
3. The Facility Manager shall notify the inmate of his/her decision on the request to use the new approved inmate name. If the request is approved, the Facility Manager shall inform the inmate in writing of the permitted uses of the newly approved inmate name. The Facility Manager shall advise the inmate that the newly approved inmate name may not be used to mislead or commit fraud and that abuse of the guidelines established for this procedure may result in withdrawal of approval to use the newly approved inmate name. If this request is disapproved, the Facility Manager shall explain the reasons for disapproval.

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4. The facility is not required to permit an inmate to use a new name that has not been approved by these procedures.
5. The newly approved inmate name shall be added to the inmate's records as an AKA (also known as). No Department records will be changed absent a court order specifically directing that the records be changed. If such an order is issued, it shall be referred to the Office of Chief Counsel for review. This type of change will not be handled pursuant to the procedures established here. A court order authorizing and ordering a change of name does not automatically mandate changes in existing records.
6. When an inmate changes his/her name, the Records Office shall notify the OVA and the Parole Supervisor at the facility.
7. The inmate must continue to respond when addressed by his/her commitment name and to sign the commitment name for all purposes except those listed below.
 - a. A visitor may identify the inmate he/she wishes to visit by using the newly approved inmate name.
 - b. The inmate may execute a **DC-155, Power of Attorney** authorizing the endorsement of checks in the newly approved inmate name. A notation shall be made on the second form indicating this form does not supersede the **DC-155** under the commitment name, but is only additional authorization.
 - c. After the execution of the new **DC-155** the inmate may receive deposits to his or her inmate account using the newly approved inmate name.
 - d. It is the inmate's responsibility to advise any person who wishes to use the newly approved inmate name for the purposes described above that he/she must, whenever using the newly approved inmate name, also provide other data; inmate number and commitment name, so that the facility can identify the inmate. A visitor, correspondence, or publication that does not present or contain data sufficient to identify the inmate may be disapproved.
 - e. It is the inmate's responsibility to change his/her name on his/her social security card using the procedures required by the Social Security Administration (SSA) (refer to Department policy **7.3.1, "Reentry and Transition"**). The Department has been informed that a new card will be issued with the inmate's original social security number. A new number is not issued for a name change. The inmate will have to send the original Court Order that grants the legal name change with the application for name change. Photocopies or notarized copies of documents are not accepted.
8. An inmate shall be issued and charged for the replacement ID card in accordance with Department policy **6.3.1** when he or she has been authorized to use a newly approved inmate name.

9. The inmate shall be charged \$10 for a new fingerprint card that is required for a name change.
10. Abuse by the inmate of any of these guidelines shall be treated as disobedience of a direct order, and may be grounds for revocation of permission to use the newly approved inmate name, and for disciplinary action.
11. An inmate may seek review of a decision pursuant to these procedures by filing an inmate grievance under Department policy **DC-ADM 804**.

N. Inmate Organization Correspondence

1. Only approved inmate organizations as defined by Department policy **7.8.1, “Inmate Recreational and Therapeutic Activities”** may send and receive mail.
2. Payment of postage is the responsibility of the inmate organization.
3. All incoming and outgoing inmate organization correspondence must be reviewed and approved by the facility staff coordinator for the organization.
4. All outgoing correspondence must be reviewed by the staff coordinator for the organization to ensure compliance with Department policies.
5. Outgoing correspondence must be sealed and delivered to the mailroom by the staff coordinator.
6. An inmate organization may not send mail to an inmate of any federal, state, or county prison or of any juvenile detention center.

Section 2 – Publications¹

A. General

1. Incoming publications are governed by this policy and are not to be considered outside purchases. Inmates in general population may receive incoming publications subject to any applicable limit on the amount of property the inmate is permitted to store. Inmates in any housing status other than the facility's general population, may receive incoming publications unless the receipt of publications is prohibited by the policy applicable to the inmate's housing status. Incoming publications will be searched for contraband and reviewed for content. The covers of publications may be damaged through examination or removed where inspection of the cover is deemed necessary and no reasonably available alternative form of inspection is adequate.
2. Incoming publications must be received from their original source.
3. An inmate may receive more than one copy of a publication only with special approval of the Incoming Publication Review Committee (IPRC). Approval may be sought by submitting a **DC-135A, Inmate's Request to Staff Member** to the IPRC.
4. Upon transfer, publications/photographs approved at one Pennsylvania Department of Corrections (PA DOC) facility will be permitted in another PA DOC facility unless there is a change in circumstances (for example, but not limited to, the addition of a publication to the Department's Reviewed Publication List). The IPRC at the receiving facility will review any publications/photographs to determine whether any such changed circumstances exist.
5. If a publication or photograph that is otherwise permitted to be possessed by an inmate contains content that may potentially violate any of the criteria set forth in **Subsection E.1.c. below**, the Mailroom Supervisor, School Principal, Librarian, or other Department staff shall forward these publications to the IPRC, along with an **Incoming Publication Review Form (Attachment 2-A)**.
6. An inmate may receive soft cover photo books that contain 26 pages or less and a size not to exceed 8x11 inches from an approved original source/third party outside vendor. Each page may contain more than one photo. The front and back cover of the book are not considered pages of the book, regardless of whether they contain photos or not. Photos shall not violate any of the criteria set forth in **Subsection E.1.c. below**. Any photo book received by a mailroom that has more than 26 pages, exceeds the 8x11 inches size, or contains a hard cover will be denied.
7. Books and newsletters from non-profit religious and charitable organizations, when addressed to an individual inmate, shall be delivered to the inmate even if mailed at less than first or second-class mail rates (Presorted Standard Mail rate), as long as the

¹ 5-7D-4490 (5-ACI-7D-04)

publication is permitted based on all other criteria set forth in this policy and the policies applicable to the inmate's housing status.

8. Inmates are permitted to receive donated publications with the following stipulations:
 - a. the publication must be received from an original source;
 - b. the publication must be specifically addressed to an individual inmate as set forth in **Subsection B.2. below**; and
 - c. the publication/photo must be inspected, reviewed, and be permissible based on all other criteria set forth in this procedures manual.
9. Donated publications may also be accepted for common inmate use/reference. Publications donated to a facility must be mailed to the Security Processing Center (SPC), who shall then forward to the respective Librarian or the Facility Chaplaincy Program Director (FCPD) at the facility as appropriate, upon IPRC approval, when necessary. The Librarian or FCPD, as appropriate, shall determine whether to accept the donation based upon available library space and whether the publication enhances the library's offerings or is merely cumulative or supplemental to existing resources.

B. Security Processing Center (SPC)

1. The SPC is located at 268 Bricker Road in Bellefonte, PA 16823. The sole function of the SPC is to screen incoming items, including publications for contraband as defined by 18 Pennsylvania Consolidated Statutes § 5123 - Contraband and other illegal items.
2. All incoming individual inmate publication(s) must be addressed as follows:

Inmate Name/Inmate Number
Address of SPC

Example:

Joe Jones/AB1234
268 Bricker Road
Bellefonte, PA 16823

3. All incoming staff publication(s) must be addressed as follows:

Name of Staff – Institution Name (three letter abbreviation)
Address of SPC

Example:

John Smith – ALB
268 Bricker Road
Bellefonte, PA 16823

4. All donated publications or bulk mailings must be addressed as follows:

For Distribution
DOC (for all facilities) or (three letter abbreviation of a specific facility)
Address of SPC

Examples:

For Distribution		For Distribution
DOC		Education - COA
268 Bricker Road	OR	268 Bricker Road
Bellefonte, PA 16823		Bellefonte, PA 16823

5. Newspapers and television channel listings, i.e. TV Guides, may be addressed to the individual inmate and mailed or delivered to the facility by an original source. All other publications shall be processed by the SPC.
6. Items received by the SPC from an outside source will be scrutinized using the assets located at the SPC and, once cleared, shall be forwarded to the respective facility. Once received from the SPC, the facility mailroom will ensure the items are delivered within 48 hours of their arrival unless referred to the IPRC. A reasonable effort shall be made to ensure that the incoming inmate publication is delivered to the inmate on the same day that it is received from the SPC, excluding weekends and holidays.²
7. If a publication contains a free sample item (lotion, perfume, etc.), it shall be removed from the publication during the contraband search and prior to being forwarded to the respective facility for delivery to the inmate.
8. Items received by the SPC will be searched for contraband and illegal items only.
9. When an item is seized by the SPC, the SPC Officer in Charge (OIC)/designee will notify the facility Security Office, Mailroom Supervisor, Office of Policy, Grants, and Legislative Affairs, and the Bureau of Facility Security and Special Operations of the seizure using the **Notice of Incoming Publication Confiscation Form (Attachment 2-B)**. The facility Security Office will then notify the inmate of the seizure by forwarding a copy of the confiscation form to him/her.

C. Mailroom Responsibilities

1. Mailroom staff shall verify all incoming items through the SPC's digital tracking system and shall use sound judgment in determining if an item is labeled incorrectly or if there is an attempt to introduce contraband into a facility.
2. All shipping material received from the SPC, including boxes and labels, should be treated as secure/restricted items and shall be destroyed. It shall be the responsibility of

² 5-7D-4494 (5-ACI-7D-08), 5-7D-4495 (5-ACI-7D-09)

the Mailroom Supervisor to ensure that these items are defaced prior to their disposal into any trash receptacle. At no time shall an inmate have access to any of the aforementioned items.

D. Incoming Publications Review Committee (IPRC)

1. The IPRC must include at least three facility personnel selected by the Facility Manager/designee at each facility to review incoming publications and photos that may contain prohibited content. This committee shall contain one member from the Education Department (Librarian, Teacher, or School Principal), one member from the facility Security Office, and the Mailroom Supervisor. Additional staff may be added at the Facility Manager/designee's discretion. The Mailroom Supervisor shall be designated as the primary contact for the Office of Policy, Grants, and Legislative Affairs.
2. Initial Review Process
 - a. The IPRC shall review all incoming publications/photographs within ten days of receipt to determine whether they will be permitted or denied.
 - b. The content criteria listed in **Subsection E.1. below** apply to the review of all publications, including photographs. The review begins by determining whether the publication appears on the Department's Reviewed Publication List. If not, the procedures set forth in **Subsection D.2.c. below** apply. If the publication appears on the Department's Reviewed Publication List, the procedures set forth in **Subsection D.2.d. below** apply.
 - c. When a facility IPRC reviews and denies a publication that does not appear on the Department's Reviewed Publication List.
 - (1) The IPRC must complete the electronic **Notice of Incoming Publication Denial Form (Attachment 2-C)** by entering the following:
 - (a) publication name, if known, or a brief description of the publication;
 - (b) date of the publication;
 - (c) publisher's name and complete mailing address; and
 - (d) reason(s) that the publication was denied with brief narrative why the contents violates the policy, including page numbers.
 - (2) The IPRC must, within two working days of a decision to deny a publication:
 - (a) provide the **Notice of Incoming Publication Denial Form** to the inmate to whom the publication was addressed; and

- (b) email a copy of the completed form to the Office of Policy, Grants, and Legislative Affairs.
- (3) The Office of Policy, Grants, and Legislative Affairs shall, within seven working days of receipt of the completed **Notice of Incoming Publication Denial Form**, notify the publisher of the denial of the publication by forwarding a copy of the **Notice of Incoming Publication Denial Form**. Duplicate notification shall not be required for a single issue of a publication or for a publication appearing on the Department's Reviewed Publication List.
- d. When the IPRC determines that the publication appears on the Department's Reviewed Publication List, the publication shall not be reviewed for compliance with the criteria set forth in **Subsection E.1. below**. Instead, the publication shall be permitted, denied, or otherwise treated as set forth in the Department's Reviewed Publication List, provided that it also is compliant with the provisions of this procedures manual other than **Subsection E.1. below**. When a publication that appears on the Department's Reviewed Publication List is denied:
 - (1) the IPRC shall within two working days:
 - (a) complete Section 1 of the **Notice of Incoming Publication Denial Form**; and
 - (b) provide a copy of the completed **Notice of Incoming Publication Denial Form** to the inmate.
 - (2) duplicate notification shall not be required for a single issue of a publication or for a publication appearing on the Department's Reviewed Publication List.

E. Incoming Publications/Photographs

1. Criteria

a. General

- (1) Any Item that has been determined to be contraband as defined by 18 Pennsylvania Consolidated Statutes § 5123 - Contraband, shall be seized by the SPC. Notification will be made to the inmate using the appropriate channels at each facility.
- (2) A request for and receipt of any publication or photograph may be disapproved when the publication or photograph contains content considered to pose a potential threat to security, contains nudity, explicit sexual materials, or obscene material as set forth in **Subsection E.1.c. below**.
- (3) No publication shall be prohibited solely on the basis that the publication is critical of penal facilities in general, of a particular facility, an official of the

Department, or of a correctional or penological practice in this or in any other jurisdiction.

- (4) Recognized original source textbooks in chemistry, physics, or the social sciences shall be permitted as long as these publications adhere to the criteria outlined below.
- (5) Any publication that contains one or more sections dealing with prohibited topics must be disapproved in its entirety. If a publication is disapproved because of a section(s) dealing with prohibited topics, facility staff may not alter the publication by removing the prohibited section(s) in an attempt to make the publication acceptable. The publisher may alter the publication by removing the prohibited section(s), republishing the publication, and resending it to the inmate. Any resubmitted publication shall be reviewed as though it was being submitted for the first time.

b. Security Issues

Written narratives/language and/or visual/graphic representations/images containing any of the following content shall be denied:

- (1) information regarding the manufacture of explosives, incendiaries, weapons, escape devices, or other contraband;
- (2) instruction regarding the ingredients or manufacture of poisons, drugs, or intoxicating beverages;
- (3) writings which:
 - (a) advocate violence;
 - (b) advocate insurrection or guerrilla warfare against the government or any of its facilities;
 - (c) create a danger within the context of the correctional facility;
 - (d) advocate, assist, or are evidence of criminal activity or facility misconduct; or
 - (e) could facilitate the planning of an escape or criminal activity or would pose a security threat to the Department, its staff, contractors, volunteers, or facilities.
- (4) racially inflammatory material, material that could cause a threat to the inmates, staff, or security of the facility, material that encourages or promotes the belief that one group of persons is superior over another, or describes rites or ceremonies that include instruments that could be used to cause harm to one's

self or others, except if this material is contained in religious material or a sacred text in which case it must be reviewed using the criteria set forth in **Subsection E.1.d. below**.

- c. Publications and Photographs Containing Obscene Material, Explicit Sexual Material, and Nudity
 - (1) Except as provided below, correspondence, publications, and/or photographs containing explicit sexual material (other than in narrative form), and/or nudity as defined in the **Glossary of Terms**, are prohibited from entering a facility or being possessed within a facility. Obscene material is illegal and will not be permitted under any circumstances.
 - (2) Correspondence and publications containing nudity or explicit sexual material (other than in narrative form), as defined in the **Glossary of Terms**, may be permitted if the material has artistic, educational, or medical value. The below listed considerations will guide the Department in determining whether to permit nudity, explicit sexual material, or obscene material:
 - (a) is the material in question contained in a publication that regularly features sexually explicit content intended to raise levels of sexual arousal or to provide sexual gratification, or both? If so, the publication will be denied for inmate possession; or
 - (b) is it likely that the content in question was published or provided with the primary intention to raise levels of sexual arousal or to provide sexual gratification, or both? If so, the publication or content will be denied for inmate possession.
- d. Religious Materials and Sacred Texts
 - (1) Religious materials and sacred texts that contain otherwise prohibited material shall be prohibited if they explicitly direct followers to act violently or encourage violent acts against Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) populations, persons of other races, nationalities, religions, etc. or direct the use of instruments to cause harm to one's self or others. Religious materials and sacred texts that only promote a sincerely held belief, as opposed to directing followers to act on that belief, shall be permitted.
 - (2) The below listed considerations will guide the Department in determining whether religious materials and sacred texts are to be permitted or prohibited.
 - (a) Does the religious material or sacred text contain racially inflammatory material or encourage or promote the belief that one group of persons is superior over another or contain descriptions of religious rites or ceremonies that may include instruments that could be used to harm one's self or others?

- i. If not, the religious material or sacred text must be permitted.
 - ii. If so, does the religious material or sacred text explicitly direct followers to act violently or encourage violent acts against persons of other races or nationalities, etc. or to use instruments to harm one's self or others? Only religious material or a sacred text that explicitly directs followers to act violently or encourages violent acts can be prohibited.
- (b) The IPRC may consult with the FCPD in evaluating religious publications and sacred texts. The Secretary's Office of Inmate Grievances and Appeals (SOIGA) shall consult with the Religious Accommodation Review Committee in reviewing appeals from the denial of religious publications or sacred texts.

2. Grievance Review Process

a. Inmate Grievance Review

- (1) An inmate may seek review of a decision denying a publication/photograph by filing an appeal in accordance with Department policy **DC-ADM 804 "Inmate Grievance System."** If a timely grievance is not filed, the publication will be destroyed after 30 working days unless:
 - (a) the inmate submits a cash slip for the cost of shipping the publication out of the Department to a specific person within 15 working days;
 - (b) the publisher submits a timely permitted appeal under **Subsection E.2.c. below**; or
 - (c) if the publication(s) is being held for investigative purposes.
 - (2) The publications that appear on the Department's Reviewed Publication List are those that have received final content review as the result of an inmate or a publisher appeal. The Department will not re-review the content of publications on the Department's Reviewed Publication List.
- b. The Facility Grievance Coordinator shall notify the Mailroom Supervisor when an appeal concerning the denial of a publication is filed and shall inform the Mailroom Supervisor of the final decision when the appeal process is completed.
- (1) The Mailroom Supervisor shall hold the publication until the appeal process is completed.
 - (2) SOIGA shall refer grievance appeals challenging the denial of a publication for content reasons to the Office of Policy, Grants, and Legislative Affairs for review.

(3) The Office of Policy, Grants, and Legislative Affairs shall review all content-based appeals, advise SOIGA of its determination, and add the final appeal decision to the Department's Reviewed Publication List.

(4) SOIGA shall notify the inmate of the final appeal decision.

c. Publisher Appeals

(1) A publisher may seek review of a decision denying a publication by filing an appeal to the Office of Policy, Grants, and Legislative Affairs within 15 working days of the date on the **Notice of Incoming Publication Denial Form**. An appeal may be in the form of a letter setting forth the reasons the publisher believes the decision to deny the publication was erroneous and must include a copy of the **Notice of Incoming Publication Denial Form** the publisher received. The Office of Policy, Grants, and Legislative Affairs may, in its sole discretion, accept an untimely appeal for demonstrated good cause. Multiple appeals by the publisher of the same issue of a publication are prohibited and shall be disregarded.

(2) The Office of Policy, Grants, and Legislative Affairs shall notify the Mailroom Supervisor at the inmate addressee's facility that the publisher's timely appeal has been received.

(3) The Mailroom Supervisor shall hold the publication until the grievance process, including grievance appeals, if any, is completed.

(4) The Office of Policy, Grants, and Legislative Affairs shall decide a publisher's appeal within 15 working days of receipt. The Office of Policy, Grants, and Legislative Affairs shall forward its decision concerning a publisher's permitted appeal to the publisher and the Mailroom Supervisor at the inmate addressee's facility, and add the publication to the Department's Reviewed Publication List.

(5) The Office of Policy, Grants, and Legislative Affairs' decision concerning a publisher's appeal is final.

d. Post-Appeal Procedures

Upon completion of the appeal process or the publisher's appeal, or both, the publication shall be processed in accordance with the final decision.

ACN – Attorney Control Number. *These are control numbers issued to individual attorneys or law firms to conduct privileged communications with clients housed within the Department.*

Approved Inmate Name – The name under which the inmate is committed to the Department and/or a name change that is in accordance with Department policy **11.5.1, “Records Office Operations.”**

Cashier’s Check – a check drawn by a bank and payable from the bank’s own funds.

Catalogue – Printed material the primary purpose of which can reasonably be regarded as offering anything other than a publication for sale, loan, or exchange.

CCN – Court Control Number. *These are control numbers issued to court systems only.*

Charge Card Account – A charge card account is a financial arrangement with a merchant or company requiring the account holder to pay any balance on the account in full at the end of each month, and is subject to interest charges by the merchant or company (e.g., American Express or a Sears Charge Card.)

Content – As used in this policy, content refers to the substance of the writings, the words and what they mean, and also includes nude photos.

Contraband – An item that an inmate is prohibited from possessing or an item that an inmate is permitted to possess, but which has been altered or is being used for something other than its intended purpose.

Control Number – A number obtained through the Department’s Office of Chief Counsel authorizing an attorney or court to use the Department’s system designed to ensure facility security as well as essential, confidential attorney-client communications.

Court – The (1) Pennsylvania Supreme Court, including any justice of such court, the Prothonotary, and any division of such court; (2) Pennsylvania Superior Court and Commonwealth Court of Pennsylvania, including any judge of such courts, clerk of courts and Prothonotary of such courts and any division of such courts; (3) any court of common pleas, including any judge, clerk of courts, or Prothonotary of such court as well as the domestic relations and children and youth services divisions of such courts; (4) the Philadelphia Municipal Court, including any judge, Prothonotary or clerk of courts of such court; (5) any magisterial district court or magisterial district judge; (6) any federal district court, including any judge, clerk of court or marshal of such court; (7) any United States Court of Appeals, including any judge, clerk, marshal or division of such court; (8) the United States Supreme Court, including any justice, clerk, marshal or division of such court; (9) any analogous court of another state, including any judge, justice, division, office or official of such court; and (10) any administrative court or judge of any federal or state agency.

Credit Card Account – A credit card account is a financial arrangement with a bank or company allowing the account holder to maintain a balance on the account at the end of the

month, and is subject to interest charges by the merchant or company (e.g., Visa or MasterCard).

Department Reviewed Publication List – A list maintained by the Department consisting of the name, date, publisher, and review discussion for all publications that have received final review after any appeal of a Facility Manager’s decision to prohibit the publication.

Electronic Mail (Email) – Mail that is sent electronically using a vendor contracted by the Department.

Explicit Sexual Material – Any book, pamphlet, magazine, printed matter, sound recording, explicit and detailed verbal description, narrative account, or other material of the following: (1) sexual conduct, which means acts of masturbation, homosexuality, sexual intercourse, sexual bestiality, or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks or, if the person is a female, breast; (2) sadomasochistic abuse, which means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound, or otherwise physically restrained on the part of one so clothed; (3) sexual excitement, which means the condition of the human male or female genitals when in a state of sexual stimulation or arousal.

Facility Mail Distribution System – The system used to deliver and pick-up mail from inmates within the facility.

Facility Manager – The Superintendent of a State Correctional Facility or the Motivational Boot Camp, Director of a Community Corrections Center, or Director of the Training Academy.

Incoming Publications Review Committee (IPRC) – A committee of at least three facility personnel selected by the Facility Manager/designee at each facility that reviews incoming mail that may contain prohibited content. ***The committee shall contain one member of the education department (librarian, teacher, or school principal), one member from the facility security office, and the mailroom supervisor. Additional staff may be added at the Facility Manager/designee’s discretion. The mailroom supervisor shall be designated as the primary contact for the Office of Policy, Grants, and Legislative Affairs.***

Indigent Inmate – An inmate for whom the combined balances of his/her facility account and any other accounts are \$10 or less at all times during the 30 days preceding the date on which the inmate submits a request to the person designated by the Facility Manager/designee. An inmate who refuses available work/school although he/she is physically able and not precluded from work/school by virtue of his/her housing status, is not indigent for the purposes of this policy and is not eligible for free stationery or to anticipate for postage. An inmate who is self-confined may also be considered as refusing available work although physically able as determined by the Program Review Committee (PRC). Any inmate who has funds in another account, which if deposited in his/her facility account would bring his/her balance to more than \$10, is not indigent. Any inmate who has not made a good faith effort to manage his/her money so as to be able to pay the necessary costs of litigation himself/herself is not indigent.

Investment Account – Any brokerage, individual retirement, or similar account through which a licensed investment professional buys and sells stocks, bonds, mutual funds, and other investments on the account holder's behalf for a fee.

MCN – Non Attorney/Court Control Number. *These control numbers are issued to organizations/persons in order to conduct privileged communications that fall outside of an attorney, law firm, or court system.*

Nipple – The protrusion from the human breast including all of the areola.

Non-Content – Non-Content means matters other than the content such as contraband, e.g. glue, perfume, unpaid envelopes, Sovereign Citizen, and UCC materials.

Nudity – The showing of the human male or female genitals, pubic area, or anus with less than a fully opaque covering or the showing of the female nipple with less than a fully opaque covering, or the depiction of covered male genitals in a discernible turgid state.

Obscene Material – Any book, photograph, pamphlet, magazine, printed matter, sound recording, explicit and detailed verbal description, narrative account, or other material is considered obscene if one of the following applies:

1. an average person applying contemporary community standards would find that the subject matter taken as a whole appeals to the prurient interest; and
2. the subject matter depicts or describes in a patently offensive way; (a) ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, anal or oral sodomy and sexual bestiality, (b) patently offensive representations or descriptions of masturbation or execratory functions, (c) in a sexual context, flagellation or torture upon a nude person or one clad only in undergarments, a mask or bizarre costume or fettered, bound or otherwise restrained, and/or (d) lewd exhibition of the genitals.

Original Source – A publisher, bookstore, book club, distributor or department store, or commercial distributor of a publication or a duly formulated not-for-profit organization that distributes the specific publication in connection with its religious, charitable, or public service purpose.

Photo Book – *A soft cover publication limited to 26 pages (not including the front and back cover) sent from an approved original source/third party outside vender.*

Photograph – A picture produced by photography or a duplicate of such a picture.

Presorted Standard Mail – Mail that usually consists of sales flyers, form letters, or other printed pieces that are generally identical in content, but do not meet the criteria of a publication as defined in the definition of publication. This mail is specifically identified with a United States Postal Service Presorted Standard Mail Stamp.

Privileged Correspondence

1. Outgoing Privileged Correspondence is outgoing inmate mail addressed to the following persons:
 - a. Elected or appointed federal, state, or local officials: One to whom the inmate has petitioned to redress a grievance. The term elected or appointed official includes, but is not limited to: the courts, the President of the United States, the Governor, the Attorney General, and a District Attorney. The term elected or appointed official does not include the Veterans Administration, Bureau of Motor Vehicles, Social Security Administration, Department of Education, the Pennsylvania Prison Society, the Pennsylvania Parole Board (PB), or agencies to whom the inmate has applied for benefits.
 - b. Attorney: Any person authorized under applicable law to practice law and who is engaged in an attorney/client relationship with the inmate addressee. All correspondence to attorneys must be clearly marked with the attorney's full name, or the full name and address of the law firm, printed on the envelope for it to be considered privileged.
2. Incoming Privileged Correspondence is incoming inmate mail as described below:
 - a. Mail from an inmate's attorney that is either hand-delivered to the facility by the attorney or delivered through the mail system. ***This correspondence shall contain the attorney's issued control number and secondary authentication number, which was issued to the sender by the Department's Office of Chief Counsel, in order to be accepted, processed, and delivered to the inmate.***
 - b. Mail from a court.
 - c. Mail from an elected or appointed federal, state, or local official who has sought and obtained a control number issued by the Department's Office of Chief Counsel. **NOTE:** Not all correspondence between an inmate and elected or appointed federal, state, or local official will require privileged correspondence processing. Control numbers will only be issued when the underlying matter involves matters related to a confidential investigation process or similar concerns.

Prurient – Obsessively interested in sexual matters; marked by an obsessive interest in sex; arousing or appealing to an obsessive interest in sex.

Public Mail Systems – The United States Postal Service and private carriers who serve the public with systems to move pieces of mail from one location to another.

Publication – Printed material that is circulated among the public for conveying information, including, but not limited to, newspapers, magazines, hardcover or paperback books, catalogues, pamphlets, and newsletters regardless of Postal Rate.

DC-ADM 803, Inmate Mail and Incoming Publications Procedures Manual
Glossary of Terms

Savings Account – A passbook or statement savings account, certificate of deposit account, or Tuition Assistance Plan with a financial institution that is licensed by the federal government or a state government.

Storage Space – The amount of space an inmate is permitted to use to store his/her property as permitted by the policy applicable to the inmate's housing unit.

TC – Time Code or Secondary Authentication Number. Used in conjunction with the ACN or MCN when sending privileged correspondence.

Undeliverable Mail – Mail that cannot be identified for delivery to a specific addressee.