

1.5.D.3 Inmate Correspondence

I Policy Index:



Date Signed: 11/04/2020
Distribution: Public
Replaces Policy: N/A
Supersedes Policy Dated: 08/21/2019
Affected Units: All Institutions
Effective Date: 11/04/2020
Scheduled Revision Date: October 2021
Revision Number: 18
Office of Primary Responsibility: DOC Administration

II Policy:

Inmate correspondence shall be monitored and inspected by staff to prevent escapes, detect and deter introduction of contraband, and maintain order, control and safety within Department of Corrections institutions. The DOC may promulgate rules pursuant to Chapter 1-26 and SDCL §1-15-20 concerning inmate correspondence. Correspondence related rules, regulations and policies shall be made available to staff, inmates and their correspondents (See ACA 4-4487).

III Definitions:

Censorship:

For the purpose of this policy, censorship is the act of deleting or editing of a portion of an item of correspondence (See ARSD 17:50:10:07).

Contraband:

An item forbidden for entry or removal within a DOC institution or possession by an offender. Approved property items may be contraband if altered, possessed in higher quantity than authorized, used in a way that is contrary to intended use or obtained through an unapproved means or source.

General Correspondence:

Written communication to or from inmates, to include letters or other printed material and packages, which is initiated, forwarded, sent, received or transmitted through the U.S. Postal Service or private commercial carrier, to or from an inmate.

Immediate Family:

For the purposes of this policy, immediate family includes an inmate's spouse, children, parents, sisters, brothers, stepchildren, step-parents, step-sisters and step-brothers, half-sisters and half-brothers, grandparents and great-grandparents, mother-in-law, father-in-law, sister-in-law, or brother-in-law (spouse of inmate's brother or sister or brother or sister of inmate's spouse).

Inmate:

Any person sentenced or committed to or placed in a facility or program under the control of the Department of Corrections or incarcerated in any penal or correctional facility, including federal, state, county and contract facilities.

Printed Matter:

Books, magazines, calendars (subject to certain size stipulations), newspapers and periodicals. Must be received directly from the publisher, distributor or accredited institution of higher learning, unless the inmate receives prior approval from the Warden or designee.

Privileged/Legal Correspondence:

- Correspondence mailed directly to or from a court, judge, attorney or specific governmental official or agencies identified in Attachment 1 of this policy.
- Incoming and outgoing First-Class mail or packages, which on the face of the envelope or package, clearly identifies the sender or recipient as an attorney (must be licensed to practice law in state and/or Federal court) or an approved designee of said attorney, a judge, an officer of the court (state or federal) or an organization or entity known to provide legal services to inmates and complete address.

Rejected Correspondence:

Items of correspondence returned to the sender or discarded for violation of DOC policy, facility operational memorandums or state or federal law.

Third Party:

Third party mail, including e-mail, other than that received or sent through a South Dakota Department of Corrections service provider, is prohibited. Mail sent or received through a social networking, persona introduction or pen pal service, rather than directly to, or from the individual named on the envelope, is considered third party mail.

IV Procedures:

1. General Regulations:

- A. It is the responsibility of each inmate to familiarize themselves with this policy.
- B. All incoming and outgoing inmate correspondence must be processed through the institution's mailroom. Incoming and outgoing inmate general correspondence cannot be passed through the control room, staff, visits or in any other manner that circumvents the approved correspondence process.
 1. Excluding weekends and holidays, incoming correspondence will typically be processed and distributed to inmates by mailroom staff within forty-eight (48) hours of receipt at the institution (See ACA 4-4495). Correspondence requiring translation and packages may take additional time to inspect and process. Approved packages and printed material will typically be delivered to inmates within 72 hours of receipt in the mailroom. Correspondence received for inmates temporarily housed off-site, i.e. court or hospital, may be held longer than 48 hours and will be distributed to the inmate upon return to the facility.
 2. Correspondence and packages are generally not processed on weekends or state or federally recognized holidays; however, the Warden or designee may authorize an exception as deemed necessary. The Warden or designee may approve additional days which correspondence and packages are not processed, based on emergency situations, which is defined as the disruption of normal institutional procedures or activity, such as fire, riot, escape, natural disaster or other serious incident (See ACA 4-4495).

3. Privileged/legal correspondence is not processed on weekends, holidays or days when general correspondence is not processed. To ensure minimal delay in processing privileged/legal mail, the Warden or designee will ensure alternative staff persons are designated to inspect and ensure delivery of privileged/legal mail when the primary staff person(s) assigned to this task is unavailable.
 4. Outgoing correspondence collected from inmates is generally processed by mailroom staff and sent to the post office within 48 hours of receipt in the facility mailroom.
 5. Delivery and pickup of inmate general correspondence is limited to the U.S. Postal Service (USPS) and approved commercial shipping carriers; i.e. United Parcel Service (UPS), FedEx.
- C. Certain limitations apply to inmates wishing to correspond with a prisoner of a state correctional facility.
1. Inmates are required to complete an *Inter-Facility Inmate to Inmate Correspondence Request* form (See [Attachment 2](#)) to request to correspond with another state prisoner.
 2. Approval for such correspondence privileges may be revoked or rescinded at any time if it is determined the correspondence violates DOC rules or policy, or is not in the best interest of the both parties or the DOC.
 3. Legal material contained in such correspondence is subject to inspection by mailroom staff.
 4. Inmate to inmate correspondence may only be shared with the approved and intended inmate recipient.
 - a. Inmates may not send correspondence intra-facility or through the state's Central Mail Service, unless approved by unit staff.
 - b. Inmates approved to correspond with another inmate may use any stationary (including colored paper or post cards and envelopes) permitted by the prison, to correspond with the approved inmate.
- D. For security reasons, all envelopes and packages containing inmate correspondence must bear the full name, inmate ID number and complete name and address of the sender on the outside of the envelope/package. Nicknames, aliases, titles and prefixes only ("Dr." or "Reverend", etc.) will not be accepted. At the discretion of mailroom staff, envelopes and packages that do not include the full name and complete address of the sender may be accepted, only if the sender can be positively identified through examination of the contents. Envelopes and packages that do not meet the requirements will be returned unopened to the sender with a brief description of the reason the envelope or package was rejected.
- E. An inmate's privilege to send correspondence to an individual or entity may be restricted to (1) enforce compliance with a court order (i.e. "no contact with victim"), (2) abide by the individual or entity's request to terminate receipt of the inmate's correspondence, (3) for specific abuses or violations of the correspondence system, DOC policy or rules or (4) diminish a specific threat to the safety, security and operation of the institution.
- F. Inmates found to have knowingly violated a court ordered no contact order or DOC generated *Correspondence Termination Notice* (See [Attachments 3](#) and [4](#)), are subject to disciplinary action (See DOC policy 1.3.C.2 [Inmate Discipline System](#)). Special Investigations Unit (SIU) staff will be notified of the violation.

1. Recovered correspondence generated by the inmate intended for delivery to a prohibited person, or received by the person, may be used as evidence.
 2. Inmates shall receive notice when their privilege to communicate with a particular person has been terminated.
 3. Court ordered no contact and *Correspondence/Telephone Termination Notices* cannot be appealed through the Administrative Remedy Process.
- G. Inmates may not send, receive, transfer or possess correspondence intended for delivery to a victim of their crime, as defined within SDCL § [23A-28C-4](#), if the victim has notified the DOC they wish to be protected from contact by the inmate, including enforcement of any order of protection (See SDCL § [23A-28C-1](#)).
- H. Those wishing to correspond with an inmate are responsible for following all rules that apply to sending and exchanging correspondence with inmates.
- I. Incoming and outgoing correspondence may only contain correspondence for the addressed/intended recipient. Third party correspondence is not permitted.
- J. Inmates may not forward, receive or possess another inmate's correspondence.
- K. Each institution will ensure postage stamps, stationary, writing utensils and envelopes are available through commissary. Inmates are permitted to purchase correspondence supplies to meet their correspondence needs. Indigent inmates are permitted to access to limited correspondence supplies, consistent with rules of the institution and policy.

2. Incoming General Correspondence and Printed Matter:

- A. Incoming correspondence and printed matter that is not addressed to a specific inmate (e.g. "current resident", "current occupant", "resident" or "all inmates"), will be rejected and does not require a rejection notice.
- B. Incoming general correspondence sent to an inmate in an approved and accepted envelope will be opened and inspected by mailroom staff (See ARSD [17:50:10:05](#)). Inspection may include staff reading and examining the correspondence, envelope and any other contents contained therein. Correspondence will not be withheld or disclosed to another person unless subject to further review, or when considered evidence.
1. Incoming packages will not be opened in an inmate's presence. Packing material (e.g. plastic, "bubble wrap", "peanuts", plastic wrap, insulation, paper, cardboard) that may be a potential threat to the safety, security or orderly operation of the institution will be withheld from delivery to the inmate.
 2. Mailroom staff will take secure possession of inmate Social Security cards, marriage/birth/death certificates, driver licenses, state IDs, including any copy of these documents, or other identification documents received at the institution. The inmate will be notified of the receipt of these items. Such documents will be securely delivered to Central Records staff or designated Unit staff for proper storage.
 3. Incoming envelopes must be white in color (exceptions may apply to religious and education organizations or attorney/privileged sources) and may only include an affixed canceled postage stamp or postage label and return address, which may only be printed, typed or hand-written in ink (excluding metallic pens) on the envelope. Padded envelopes are not allowed unless

received from an approved source. Stickers, tape, self-adhesive labels (return address labels), sealing wax and sticky or foreign substances not originally part of the envelope, are not permitted on the envelope. Envelopes may contain drawing, provided this is in black graphite pencil or ink pen (excluding metallic ink pens). Drawing or marking in crayon, paint, marker or colored pencil or chalk is not permitted. Cancelled postage stamps will be removed from received envelopes by mailroom staff. Envelopes that do not meet the requirements will be returned unopened to the sender with a brief description of the reason the envelope was rejected.

4. Incoming correspondence and printed materials may not include any of the following: unused postage stamps, unused envelopes, stickers (unless applied by an outside vender, i.e. price tag, bar code), tape or other adhesive material, glitter, powder, crayon, chalk, lip stick or any foreign substance attached to or absorbed by the correspondence/material. Light boxes shall be available to mailroom staff.
 5. Polaroid photos, greeting cards, postcards, computer/music disks/CDs, more than five (5) small newspaper clippings, blank paper, homemade craft items, construction paper, colored paper, coloring book pages and "post-it" notes are not permitted.
 6. General correspondence must be on plain white copy/typing paper or lined white paper (legal paper), unless received directly from an attorney/privileged source, religious organization or educational institution. Post cards and commercial or personal greeting cards are not permitted.
 - a. All text/drawing on the paper must be typed, printed or hand-written in ink pen (excluding metallic ink pens) or black graphite pencil only.
 7. Correspondence received with postage due will not be accepted and will be returned to the sender without notification to the inmate.
- C. Contraband and correspondence that does not comply with the required standards, may be removed from received correspondence, which is opened/processed by mailroom staff to facilitate delivery of approved items of correspondence contained within the envelope. Contraband or non-permitted items will not be delivered to the inmate and must be properly disposed of or sent out by the inmate.
1. Contraband will be documented, reported and disposed of in accordance with the facility's applicable operational memorandum(s) and accepted practices for handling contraband and/or evidence (See SDCL § [24-2-26](#)), following proper notice to the inmate and sender.
- D. The amount of incoming correspondence and printed material an inmate may receive is unlimited; however, limits may be placed on the volume of correspondence and printed material received at one time by an inmate or stored in an inmate's cell/possession, to maintain and preserve safety, security and sanitation standards.
- E. Inmates may receive approved printed matter through the inmate correspondence system, provided this is sent to the inmate directly from a publisher, distributor or institution of higher learning providing the educational correspondence course (includes accredited and non-accredited correspondence courses). Books must be soft cover. Correspondence course materials may include colored paper or colored envelopes.
- F. General correspondence transferred to an inmate becomes inmate personal property and is subject to established policies and procedures that apply to personal property, including established limits and search/inspection.

- G. Approved incoming correspondence or printed matter that appears damaged through handling by the U.S. Postal Service, may be repaired to the extent possible by mailroom staff, to facilitate delivery to the inmate, or a photocopy may be made of the correspondence for delivery to the inmate. The same process shall apply to correspondence accidentally damaged by mailroom staff. Accidental damage is not subject to reimbursement or replacement of postage costs by the DOC.

3. Incoming Privileged/Legal Correspondence:

- A. Only privileged/legal correspondence readily and clearly identifiable as privileged/legal correspondence shall be treated as such. It is the responsibility of the sender to clearly indicate the correspondence contained within the envelope or package is privileged/legal.
- B. Correspondence/envelopes and package clearly designated privileged/legal shall remain secure and in the control of authorized staff until personally delivered to the inmate addressee.
- C. Privileged/legal correspondence or packages will be examined, scan searched and inspected by designated staff in the presence of the inmate, to ensure the contents meet policy requirements and do not contain contraband (See ACA 4-4492). Correspondence and packages may be searched outside the presence of the inmate in emergency situations, such as correspondence or packages perceived to pose an immediate threat. An emergency exception requires authorization from the Mail Security Coordinator or Special Investigation Unit staff. During the inspection of privileged/legal correspondence, staff will determine the genuineness of the addressor (See ARSD [17:50:10:04](#)).
1. Staff shall not read, censor or unreasonably delay privileged/legal correspondence or packages, unless, after opening the envelope or package, there is a reasonable belief supporting the correspondence contained is not privileged/legal correspondence, poses an immediate threat or otherwise violates policy or correspondence requirements. Such inspection will be completed in the presence of the inmate. If any of the content is withheld from delivery, the inmate shall be notified of reason and this shall be noted on the *Inmate Legal Mail Acknowledgement* form ([Attachment 11](#)).
 2. Inspection may include opening all seams of any envelope containing legal/privileged correspondence. If the envelope is to be withheld from delivery to the inmate for safety and security reasons, the inmate may request a photocopy of the outside portion of the envelope showing the sender's name, return address and postmark date. Privileged/legal correspondence/envelopes may be on colored/non-white envelopes and paper and shall be delivered to the intended recipient.
 3. The inmate will be informed in writing if privileged/legal correspondence properly marked and intended for delivery to an inmate, is accidentally opened by staff outside the presence of the inmate.
- D. Staff must document the delivery of privileged/legal correspondence to the inmate on the *Inmate Legal Mail Acknowledgement* form ([Attachment 11](#)). The inmate is required to sign for the delivered correspondence. The log shall be stored as a hardcopy (in the mailroom) or electronically. Logs shall be maintained for three (3) years from the date the log was created.
- E. If an inmate refuses to sign for receipt of the correspondence, staff will note the refusal and the correspondence or package will be returned unopened to the sender.
- F. Mailroom staff shall document all privileged/legal correspondence or packages received at the facility in the *Inmate Legal Mail Log* (See [Attachment 10](#)). The log may be stored as a hardcopy in

the mailroom or electronically. Logs shall be maintained for a minimum of three (3) years from the date the log was created.

- G. Inmates will be permitted to receive and retain envelopes with or without pre-paid postage included in privileged/legal correspondence provided the envelope is self-addressed or clearly stamped "Legal Mail".

4. Receiving Funds through the Mail System:

- A. All incoming correspondence and packages will be opened by mailroom staff to intercept cash, checks and money orders (ACA 4-4493).
- B. Cash will not be accepted for deposit into an inmate's account (See ARSD [17:50:01:18](#) and ACA 4-4493).
- C. Inmates may receive employer/payroll checks, checks issued by a government agency, United States postal money orders, cashier's checks and money orders issued by companies licensed to issue funds through the correspondence system for deposit into their institutional accounts. Accepted funds will be processed in accordance with and subject to, DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#). All funds received must be in U.S. dollars. The following shall apply:
1. All checks must include information identifying the issuer of the funds.
 2. Personal checks will not be accepted.
 3. All money orders must contain the following:
 - a. The inmate's first name, last name and ID number.
 - b. The sender's complete name and address.
 4. Inmates must have a valid (signed and dated) *Admission Document* (See [Attachment 5](#)) on file (scanned into COMS) authorizing the DOC to deposit funds received on behalf of the inmate before such funds can be accepted. This authorization shall remain valid until the inmate is discharged or terminates authorization through written notice provided to the DOC. If the inmate has declined to sign an *Admission Document*, or no valid *Admission Document* exists, the funds must be returned to the sender.
- D. All cash or rejected funds shall be sent out at the inmate's expense. A notice of rejected correspondence ([Attachment 6](#)) shall be completed by mailroom staff and sent to the inmate.
- E. The sender of the rejected funds may appeal the decision to reject the funds to the Warden. [Attachment 7](#) will be completed by staff and accompany the correspondence and/funds returned to the sender.

5. Outgoing Correspondence:

- A. When the inmate bears the mailing cost, there is no limit on the volume of correspondence the inmate can send out. The length, language or content of the correspondence shall not be limited, except when there is reasonable belief that limitation is necessary to protect public safety or institutional order and security (ACA 4-4488).

- B. An approved envelope or package must be used to send correspondence (includes photocopies, photos or property) out of the institution. Drawing on the envelope is permitted, provided it is in pencil or black ink. All outgoing envelopes or packages must bear the inmate's full name, ID number and return address. Nicknames and aliases will not be accepted.
 - 1. If an envelope or package does not include the required identifying information, the envelope or package will not be sent out and will be returned to the inmate, provided the inmate can be identified.
 - 2. Proper postage must be affixed to all outgoing general correspondence and packages. Correspondence or packages without proper postage will not be sent out and will be returned to the inmate. Inmates may not send correspondence collect on delivery (COD).
 - 3. Inmates requesting additional mail services shall be responsible for the cost of those services. Mailroom staff at the facility will make reasonable efforts to obtain the requested additional service upon receipt of full payment for the additional service from the inmate.
- C. Outgoing general correspondence must be placed in an unsealed envelope in a mail box provided by the institution. Arrangements may be made with mailroom staff to send out inmate property in approved packages.
 - 1. Staff may inspect, read, scan and examine outgoing general correspondence, packages and contents (See ARSD [17:50:10:02](#)).
 - 2. Outgoing correspondence will not be censored (See ARSD [17:50:10:07](#)).
 - 3. Outgoing correspondence will either be approved and mailed out, held for investigative purposes or rejected and returned to the inmate. Approved correspondence and contents will be sealed within the accompanying envelope or package by staff.
- E. Checks issued from an inmate's account to be included in inmate outgoing correspondence must be issued by the business office and delivered to the mail room staff for placement in the inmate supplied envelope or package (See ARSD [17:50:10:03](#)).
- F. Outgoing correspondence returned to an inmate non-deliverable by the U.S Postal Service, is not considered rejected mail and will be returned to the inmate.

6. Outgoing Privileged/Legal Correspondence:

- A. Inmates shall be permitted to mail privileged/legal correspondence to designated officials (privileged correspondence). Only correspondence properly designated as privileged/legal correspondence will be considered privileged/legal correspondence.
- B. Each housing unit will maintain regular and designated times on weekdays for inmates to mail privileged/legal correspondence. The correspondence must be delivered to staff by the inmate in an unsealed, self-addressed envelope or provided to staff making rounds to collect correspondence prepared for mailing.
- C. Outgoing privileged/legal correspondence will be inspected. Staff shall not read, censor, copy or unreasonably delay privileged/legal correspondence without cause.

1. Staff will not read privileged/legal correspondence but may inspect the correspondence page-by-page in the inmate's presence (ACA 4-4492).
 2. If there is a question whether the correspondence qualifies as privileged/legal correspondence, the correspondence will be returned to the inmate until unit staff can be consulted to review the correspondence in question. A determination will generally be made within 24-hours of the inmate first presenting the correspondence for mailing, excluding weekends and holidays.
 3. Staff will seal the envelope and sign or initial over the sealed flap of the envelope in the inmate's presence. The envelope will be identified as privileged/legal mail.
 4. Privileged/legal correspondence submitted with general correspondence in the same envelope will be considered general correspondence and subject to the same reviewing and inspection as general correspondence.
- D. If an inmate is suspected of abusing the privileged/legal correspondence process, or there is reasonable suspicion supporting a sealed envelope or package may contain material that may jeopardize the health and safety of others, or the envelope was sealed without proper authorization, the sealed envelope or package may be opened and inspected by staff. The inmate must be provided notice the sealed envelope or package was opened, including the basic reason the envelope or package was opened. If the envelope or package is found to contain unacceptable material, the envelope and its contents may be seized as evidence. If no prohibited material is found, the envelope or package and its contents shall be sealed and mailed without further delay.
1. After conclusion of the disciplinary proceedings, any seized material identified as legal/privileged material will be returned to the inmate.
- E. State-paid postage for privileged/legal correspondence is limited to five (5) mailings per week, per inmate. State-paid postage will not exceed fifteen dollars (\$15.00) per month, per inmate. The new month shall start with the first full week of the month. State-paid postage is limited to first class mail and does not include certified mail or any other additional fees/charges that may apply. Inmates who request additional mail services be applied to privileged/legal mail are responsible for those costs. There is no limit on the amount of privileged/legal mail an inmate may send out at their own expense.
- F. Staff will complete the *Inmate Legal Mail Log* (See [Attachment 10](#)) for all outgoing privileged/legal correspondence.
- G. Inmates classified as indigent will be provided reasonable postage, envelopes, writing materials and stationary for the purpose of composing and mailing legal/privileged mail (See [Attachment 1](#) for a complete list) (See ACA 4-4489). Indigent inmates may contact a member of their unit team (See [ARSD17:50:10:01](#)) to request correspondence materials.
1. The Warden will establish a maximum dollar value for indigent postage and correspondence supplies available to indigent inmates at the facility (See DOC policy 1.2.E.1 [Inmate Commissary](#)).

7. Confiscated General Correspondence:

- A. Correspondence or items contained on or within the envelope or package that violate state or federal law, DOC policy, rules or facility operational memorandums, will be removed and may be held as evidence (See DOC policies 1.3.C.2 [Inmate Discipline System](#)). A rejection notice shall be sent.

- B. Any items or correspondence contained within any correspondence, envelope or package that constitutes a threat to the security or disciplined operation of the institution may be withheld from delivery to the inmate, confiscated and/or turned over to the Special Investigations Unit staff.
- C. Correspondence that induces or furthers illegal activity may be withheld or confiscated. This includes inmate correspondence ordered to be monitored by court order or as part of an ongoing Federal, State or local investigation.
- D. Photo copies of the original correspondence, printed matter or contraband shall be considered the same as originals and may be used as evidence.

8. Correspondence and Printed Matter Guidelines:

- A. Correspondence and printed material inconsistent or contrary to the legitimate penological objectives of the DOC, including maintaining institutional order, discipline, safety, security, preventing escape and encouraging rehabilitation of inmates within the facility, is not permitted and may be rejected and/or confiscated. Inmates will be notified of correspondence or printed material that is rejected or confiscated (ACA 4-4491). The following items will be rejected (this is not intended to be an inclusive list):
 - 1. Material that includes information about the planning, promotion or furtherance of criminal activity.
 - 2. Material that violates a prohibited act, rule, regulation, policy, operational memorandum or directive of the DOC; or contains any information that if communicated to an inmate, may create a threat to the safety, security and good order of the institution.
 - 3. Material depicting or describing procedures for the manufacture or construction of an unconventional or improvised weapon, explosive, incendiary device, narcotics, drug paraphernalia, alcoholic beverage or unlawful substance, contraband or any unapproved item; or contains plans to smuggle contraband into or out of the institution.
 - a. Any correspondence containing illegal contraband (i.e. weapons, explosives, drugs), as defined by state or Federal statute, contraband or any unapproved item(s) may be confiscated and held as evidence.
 - 4. Material that advocates or encourages violence or contains threats of physical harm against any person.
 - 5. Material that illustrates, explains, encourages, describes or teaches the ability to frustrate a crowd, group disruption or methods to incite a riot.
 - 6. Material that teaches or gives the ability to sabotage or disrupt communication networks, including internal and external communications and automated information systems.
 - 7. Materials that illustrate, explain, describe or teach the ability to manipulate in any form or fashion, a locking device, mechanical restraint or safety equipment used by DOC staff in the course of their duties.
 - 8. Materials that depict gang activity, gang insignia or may be construed as pertaining to, initiating or furthering gang/security threat group activity, within the facility or outside the facility.
 - 9. Printed material containing complementary items considered contraband, i.e. free CDs, fragrance samples, scratch tickets, posters. Rejected items held in place with a perforated

- edge may be removed by mailroom staff to facilitate delivery of the printed matter to the inmate. Removal of perforated edge items by staff does not constitute censorship and does not require a rejection notice.
- a. Staff may not significantly alter the printed matter by tearing, cutting or otherwise removing pages, parts of pages or redacting/blocking out language.
 - b. If any such item is removed from printed matter, staff will document this on [Attachment 8](#) and provide the completed notice to the inmate.
10. Material determined to be pornography (See DOC policy 1.3.C.8 [Pornography](#)).
 11. Materials sent to a sex offender which Sex Offender Management staff have determined are detrimental to the rehabilitation of an offender attending or receiving STOP programing.
 - a. Possession of certain materials by a sex offender inmate may be a violation of the inmate's STOP contract (See DOC Policy 1.4.A.3 [Sex Offender Management Program](#)).
 12. Pictures of current or past DOC staff, contract staff, volunteers, interns or other offenders, unless obtained through an authorized and approved means.
 13. Material that violates U.S. postal regulations e.g., contains content describing threats, blackmail or extortion. Such correspondence shall be reported to the Special Investigations Unit.
 14. Material that contains encoded material, organized symbols or is written in code. This does not automatically prohibit printed matter or correspondence written in a recognized foreign language. Material believed to be written in a foreign language will be considered on a case-by-case basis based on the ability to translate the material or reasonable assurance it does not pose a threat to safety or security.
 - a. Incoming and outgoing correspondence written in a language other than English, including correspondence written in more than one language, may be delayed up to an additional ten (10) working days to facilitate translation/verification.
 - b. If, after ten (10) days, good faith attempts by staff or other resources to translate the materials are unsuccessful or too costly, or there is reason to believe the content may be in violation of this policy, the material may be rejected.
 - c. Foreign language and Braille publications received directly from a recognized library or approved and legitimate outside source, i.e. publisher or bookstore, may be approved without translation of the material.
 15. Material that depicts, encourages, aids or describes methods of escape from secure custody or restraint; or contains blueprints, drawings or similar descriptions of correctional facilities. Maps that do not pose a threat to safety or security are permitted, i.e. education or religious purposes. Maps of the local area (city where the facility is located) are NOT permitted.
 16. Material that advocates racial, religious or national hatred in such a way to create a danger of violence in the facility.
- B. Incoming correspondence, including newsletters, brochures and bulk mailings not addressed to a specific inmate, will be rejected. Correspondence rejected for this reason is not subject to the Correspondence Rejection Notice process.

- C. If mailroom staff excludes or confiscates correspondence or items contained within correspondence or a package permitted for delivery to an inmate, mailroom staff will send a *Mailroom Correspondence Rejection Notice-Sender* (See [Attachment 7](#)) to the sender. Exclusion or confiscation of correspondence, printed material or items shall be related directly to the maintenance of institutional order and security (ACA 4-4490).
1. The sender may appeal the decision to reject the correspondence, printed matter or items by writing to the Warden having authority over the facility. The sender has thirty (30) days from the date the notice was signed by mailroom staff to appeal the decision.
 - a. The Warden will respond in writing within thirty (30) days of receipt of the sender's appeal.
 2. The sender may appeal the Warden's decision by writing to the Secretary of Corrections within thirty (30) days of date the Warden signed the response. The sender should include the response received from the Warden with his/her appeal to the Secretary.
 - a. The Secretary will respond in writing to the sender within thirty (30) days of receipt of the appeal and copy the Warden.
 - b. The Secretary's decision is final.
 3. The Warden must notify mailroom staff of the Secretary's decision.
- D. If mailroom staff determines items, printed matter or correspondence is to be excluded or confiscated, staff will complete a Mailroom Correspondence Rejection Notice –Inmates (See [Attachment 6](#)). The notice shall be sent to the inmate within 48 hours of when the correspondence is rejected.
1. Excluded or confiscated correspondence, printed matter or contraband is subject to one of the following actions:
 - a. The correspondence, printed matter or item of contraband will be returned to the sender at the inmate's request. This may occur only after thirty (30) days have passed from the date the *Mailroom Correspondence Rejection Notice- Sender* was signed, and only if no appeal was received by the Warden from the sender of the rejected correspondence.
 - 1) If the inmate chooses to send out the excluded or confiscated correspondence, the inmate must provide an addressed envelope with the appropriate postage to mailroom staff.
 - b. If the excluded or confiscated correspondence has been opened and found to contain items not subject to rejection (approved checks, money orders), the inmate may choose to accept and receive these items. The rejected portion of the correspondence will be sent out as described in 1 a. above.
 - c. The rejected correspondence, printed matter or item(s) may be destroyed at the inmate's request. This may occur only after thirty (30) days have passed from the date the Mailroom Correspondence Rejection Notice- Sender has been signed and no appeal is received by the Warden from the sender.
 - 1) If an appeal is received by the Warden from the sender, the rejected or confiscated correspondence, printed matter or item(s) shall be retained pending exhaustion of the grievance process (See paragraph C. below).
 2. Inmates may file an Administrative Remedy (AR) within thirty (30) days from the date they received the *Mailroom Correspondence Rejection Notice- Inmate*.

- a. Inmates who have filed an AR regarding excluded or confiscated correspondence, printed matter or items, are not required to take action until the Administrative Remedy process is exhausted.
 - b. Mailroom staff will ensure an adequate description of the excluded or confiscated correspondence, printed matter or items is retained and sent to the reviewing authority/Warden, so a decision can be rendered.
3. Inmates who have not filed an AR have 30 days from the date the *Mailroom Correspondence Rejection Notice- Inmate* is signed by staff to notify the mailroom staff of their intended action.
- a. If the inmate fails to respond to the *Mailroom Correspondence Rejection Notice- Inmate* within 30 days from the date the notice was signed, and no appeal or Administrative Remedy is pending, mailroom staff may dispose of the correspondence, printed matter or item in an appropriate manner and all copies of the completed Notice provided to the inmate.
4. Upon determination certain common, bulk, commercial or frequent correspondence, printed matter or items will not be allowed (excluded), the Warden or designee may notify institutions of the decision to reject the correspondence, printed matter or item to ensure consistency at all institutions.
- E. In any instance where the intended recipient of correspondence or printed matter cannot be determined, and the correspondence or printed matter contains no return address, the correspondence or printed matter will be destroyed by mailroom staff. If money is included in the correspondence, the money will be deposited into the general fund.

9. Mailroom Operations:

- A. Staff assigned to the mailroom will be trained in safe mail handling procedures and importance of following safe mail handling procedures.
- B. Unauthorized individuals shall not have access to the mailroom. Only authorized staff is allowed in the mailroom. Unauthorized individuals in the mailroom must remain under direct supervision of authorized staff. Doors to the mail room shall remain secured when not occupied by authorized staff.
- C. All staff working in the mailroom shall wear approved, DOC issued, protective gloves when screening correspondence, including opening, inspecting or otherwise handling correspondence. All personal-protection provided by the DOC will be properly applied by mailroom staff.
- D. Each facility shall designate a Mail Security Coordinator or member of the Special Investigations Unit (SIU) to assume command of situations involving suspicious or dangerous correspondence and to ensure mail security and safety protocols are followed.
- E. Staff encountering suspicious or dangerous correspondence will contact the Mail Security Coordinator or SIU staff immediately. The Mail Security Coordinator or SIU staff will assume command of the situation.
- F. Suspicious or dangerous correspondence includes but is not limited to:

1. Protruding wires, strange odors, leaking any substance, paper that is stained or discolored, or the envelope or package contains any unidentified substance(s), i.e. powder, liquid, residue.
 2. A city or state in the postmark that does not match the return address or no return address.
 3. Unusual weight, given the size of the envelope or package or an envelope or package that is rigid, bulky, lopsided or oddly shaped.
 4. Any discoloration, stain of the paper or any indication the paper has been exposed to a liquid/fluid, such as ink or print that is blurred or appears to have run on the paper.
- G. When suspicious or dangerous correspondence is detected, staff shall maintain a safe distance between themselves and the item. The item shall remain isolated from staff and inmates and not handled until the Mail Security Coordinator or SIU responds. SIU staff should notify the Postal Inspector about and dangerous correspondence received.
- H. Exposure to certain hazardous materials or drugs is dangerous and may pose certain health risks to those exposed. Exposure can occur through contact with skin or inhalation of the substance. Staff will follow the guidelines listed in the Risk Management Bulletin Issue 43: *Anthrax Threat Guide for South Dakota* (See [Attachment 9](#)) and DOC policy 1.3.A.16 [Staff Use of Naloxone](#) when there is reason to suspect the staff member may have had direct contact with a hazardous material or drug. Persons who may have been exposed will be isolated. All persons in the mail room will wash their hands with soap and water. If any person present when the hazardous material or drug was in the mailroom experiences health issues that may be related to exposure to such items, medical or emergency services must be contacted immediately.
- I. Theft of mail is a federal crime. Staff shall report suspected mail losses to the Mail Security Coordinator or SIU staff. SIU staff may be assigned to investigate the possible loss and must report any confirmed losses due to theft to the Postal Inspector by calling (877) 876-2455 or providing written report to: postalinspectors.uspis.gov.

10. Forwarding Correspondence:

- A. When possible, first-class correspondence received at a DOC facility for released, discharged or deceased inmates will be forwarded to the inmate's last known forwarding address (ACA 4-4496).
1. It is the inmate's responsibility to notify his/her correspondents of changes in their address.
 2. Correspondence received at the facility for a released, discharged or deceased inmate is not required to be opened and inspected. It is the policy of the U.S. Postal Service to accept and forward unopened first-class mail without additional postage charges
- B. When possible, correspondence that cannot be forwarded will be returned to the sender (ACA-4496).
- C. Incoming correspondence that cannot be returned to the sender or forwarded to the inmate may be destroyed by mailroom staff after 30 days has elapsed since the correspondence was received.

V Related Directives:

SDCL §§ [1-15-20](#), [23A-28C-1](#), [23A-28C-4](#) and [24-2-26](#)

ARSD [17:50:01:18](#), [17:50:10:01](#), [17:50:10:02](#), [17:50:10:03](#), [17:50:10:04](#), [17:50:10:05](#) & [17:50:10:07](#).

DOC policy 1.1.B.2 – [Inmate Accounts and Financial Responsibility](#)
DOC policy 1.2.C.9 – [Sex Offender Restrictions](#)
DOC policy 1.2.E.1 – [Inmate Commissary](#)
DOC policy 1.3.A.5 – [Searches – Adult Institutions](#)
DOC policy 1.3.A.16 – [Staff Use of Naloxone](#)
DOC policy 1.3.C.2 – [Inmate Discipline System](#)
DOC policy 1.3.C.8 – [Pornography](#)
DOC policy 1.3.E.2 – [Administrative Remedy for Inmates](#)
DOC policy 1.4.B.2 – [Male Inmate Classification](#)
DOC policy 1.4.B.14 – [Female Inmate Classification](#)
[Inmate Living Guide](#)

VI Revision Log:

November 2004: New policy.

July 2006: **Changed** the name to reflect that the policy now applies to all institutions. **Revised** the definition of offender. **Added** reference to DOC policies 1.3.C.3, 1.3.E.3. **Added** language that certain contraband items may be discarded without a Mailroom Correspondence Rejection Notice. **Added** correspondence restrictions for inmates with separation requirements or monitoring status with each other. **Revised** attachment 1. **Deleted** definition of inmate.

October 2008: **Revised** policy and attachments in accordance with DOC policy 1.1.A.2. **Deleted** former ss (B1 and B2) regarding the contents of privileged/legal mail given to offender of being considered general correspondence, **revised** ss (C1) to state unit staff will inspect both incoming and outgoing mail in the presence of the offender, **deleted** statement in ss (1a) regarding examples of contraband, such as letter or documents, **added** statement regarding in the presence of the offender in ss (2c), **combined** ss (E2 and former E3), **replaced** “Youth Treatment Director” with “Youth Treatment Supervisor” and **deleted** “Platoon Commander” in ss (F1a) of Incoming Correspondence. **Deleted** statement regarding examples of contraband, such as letters or documents in ss (2a1) and **deleted** former ss (4) regarding contents of privileged/legal correspondence being something other than legal correspondence of Outgoing Correspondence. **Added** current staff to ss (A9 of Rejecting Correspondence). **Deleted** “recipient” as it relates to offender when appropriate throughout policy. **Replaced** “staff” with “unit staff” throughout policy. **Revised** wording and bullets throughout policy. **Added** titles of Attachments 4 and 5 when referenced in policy. **Added** reference to DOC policy in section V. **Revised** titles of Attachment 2, 3, 4, 5, 6, 7, and 9 throughout policy, attachments and the WAN. **Revised** Attachment 8 segment regarding 5 small newspaper clippings and 10 sheets of extra paper to be consistent with policy.

October 2009: **Added** reference to DOC policies 1.3. A.6, 1.4.B.14 to policy, **revised** titles of DOC policies 1.4.B.2 and 1.3.A.5 to be consistent with actual policies. **Added** ss (A4 of Rejecting Correspondence) regarding fantasy football.

October 2010: **Revised** formatting of Section I. **Revised** ss (A) to state released to reside in the community and **added** new ss (A1) both within (Forwarding of Mail). **Added** SDAS as its own entity within Attachment 1.

December 2011: **Added** “(must be licensed to practice in state or United States courts), and approved designee of said attorney” to definition of Privileged/Legal Correspondence **Added** definition of Contraband. **Added** “incoming and outgoing” and “excluding days which mail is not scheduled to be processed” to Section 1 A. 1. **Deleted** “and will provide the applicable offenders with” and **Replaced** with “through” in Section 1 B. 1. b. **Added** “or on a case-by-case basis when the Warden or Superintendent determines it is detrimental to the security, good order or discipline of the facility, for the protection of the general public or the correspondence may facilitate criminal activity” to Section 1 D. **Added** 1. “Offenders who have had their correspondence privileges suspended will be permitted to notify persons who he/she regularly corresponds concerning the suspension”. and **Added** 2. “Any non-privileged mail received for the offender during the period of suspension will be secured and retained by the mailroom officer until the suspension period is complete” to Section 1 D. **Added** E. “Offenders who knowingly violate a no contact request after receiving a Correspondence/Telephone Termination Notice or after receiving notification of a no contact order issued by the court are subject to disciplinary action.

Staff will document the incident/violation in a disciplinary report and follow the procedures of DOC policy” to Section 1. **Deleted** “during the disciplinary process” from Section 1 E. 1. **Added** “originating” to Section 1 E 2 **Added** 4. “No contact orders issued by the court and/or institutional Correspondence Termination Notices served upon an offender cannot be appealed through the Administrative Remedy Process” to Section 1 E **Deleted** G. from Section 1. **Added** “Adult and juvenile offender” to Section 2 A. **Added** “and to determine the genuineness of the addressor” to Section 2 C. **Added** “and to confirm the contents are privileged/legal and have been sent by the addressor” to Section 2 C. 1 **Added** “credit or debit” cards” to Section 2 C. 1. a. **Added** “and to confirm the genuineness of the addressor” to Section 2 D. 2. c. **Added** “clearly identified as coming from an approved privileged/legal source or containing” to Section 2 D. 3 **Added** c. “Contraband will be confiscated, properly documented and reported to the designated staff/supervisor and disposed of in accordance with the facility’s operational memorandums and outlined procedures” to Section 2 D. 4. **Removed** “sealed” from Section 2 E. 3. **Added** “and to determine the genuineness of the addressor” to Section 2 F. 2. **Added** “unless authorized by the Warden, Superintendent or his/her designee” to Section 3 A. **Added** “United States Postal Money Orders” and “issued by companies licensed to sell money orders, (in U.S. dollars only) to Section 3 D. **Deleted** “or phone account” in Section 3 D. 3. **Deleted** “be rejected” and **Replaced** with “not be sent out” in Section 4 A. 1. **Deleted** “The DOC may provide postage for indigent adult offenders” and **Replaced** with “Offenders who are classified as indigent may request postage, (first class only), envelopes and stationary through their unit team” to Section 4 A. 3. **Added** a. “Each Warden may establish a maximum dollar value for indigent postage and supplies that can be received by an offender during a twenty-eight (28) day period for privileged and non-privileged correspondence” to Section 4. A. 3. **Added** “non-privileged” to Section 4 A. 4 **Added** “that exceeds the standard U.S. postal rate for first class mail” to Section 4 A. 4. c. **Deleted** 2) “Offenders are not allowed to possess another offender’s property, including another offender’s legal documents” from Section 4 C. 2. a. **Added** “outgoing” to Section 4 C. 3. **Deleted** “the offender correspondence” and **Replaced** with “privileged/legal correspondence” to Section 4 C. 3. a. **Added** F. “Designated staff shall approve all checks issued from an inmate account before they are placed in the outgoing mail” to Section 4. **Added** “construction” “ammunition” and “or other unlawful substances” to Section 6. A. 3. **Added** a. “illegal contraband (i.e. weapons, drugs, etc.) will be turned over to law enforcement authorities” to Section 6 A. 3 **Added** a. “The purchase, possession or attempted possession of pornography by a sex offender is a violation of the Stop Contract” to Section 6 A. 9. **Added** “or is written in code” and “recognized” to Section 6 A. 12. **Added** a. “incoming and outgoing correspondence written in a foreign language may be delayed up to an additional twenty (20) days to facilitate translation and review of the contents” to Section 6 A. 12. **Added** b. “If attempts to translate are unsuccessful with the twenty (20) days, the correspondence may be rejected” to Section 6 A. 12 **Added** 13. “Depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of SD correctional facilities” to Section 6 A. **Added** 14 “Advocates racial, religious, or national hatred in such a way so as to create a danger of violence in the facility” to Section 6 A **Added** “up to” and “consecutive” to Section 6 C. 1. **Added** “Risk Management Bulletin Issue 43: Anthrax Threat Guide for SD” to Section 7 C. 2. **Added** “or contains any powdery substance/residue” to Section 7 3. a. **Deleted** “offenders released to reside in the community” and **Replaced** “and addressed to an offender who has been released, transferred or discharged” **Added** “No contact orders issued by the court and/or institutional Correspondence Termination Notices served upon an offender cannot be appealed through the Administrative Remedy Process” to Section 9. A.

November 2012: **Deleted** “non-subscriptive third class/bulk rate mail and **Replaced** with “circulares, newsletters, and bulletins” and **Added** “sent standard mail” to Section 1 B. 3. **Deleted** “Materials” and **Replaced** with “Standard mail sent” and **Added** “approved and” and **Deleted** “adult” all in Section 1 B.3. a. **Added** “the State Central Mail Services” to Section 1 B. 4. and 5. **Added** “or his/her designee” and **Added** “an offender’s correspondence and/or participation in the institutional correspondence system” in Section 1 D. **Added** “provided the offender can be identified” in Section 3 A. 1. **Added** “for the purpose of writing to attorneys, the courts, the Secretary of Corrections, the Governor of South Dakota, legal services or other officials identified in Attachment 1” in Section 4 A. 3.

January 2013: **Deleted** c. “Offenders may be subject to disciplinary action for failure to abide by this regulation” in Section 1 B. **Deleted** b. “Juvenile offenders may be restricted from receiving their and

fourth class mail (i.e. "junk mail") at the discretion of supervising staff" from Section 1 B. **Added** "At the discretion of the Warden or his/her designee, correspondence that does not bear the full name and address of the sender on the envelope/package, may be accepted if the sender can be identified by the contents of the envelope/package" in Section 1 C. **Added** 3. to Section 1 D. **Added** "sent or received by an offender" in Section 1 E. 1. **Added** "where an offender's privileged/legal correspondence may be located or stored" in Section 2 C. 2. **Deleted** "any other material included as part of" in Section 2 D. 4. a. **Deleted** "at the conclusion of the disciplinary proceeding" in Section 2 D. 4. a. **Added** "ongoing or pending" to Section 2 D. 4. b. **Added** "The sender of the rejected correspondence and/or the juvenile may appeal staff's decision to reject the correspondence in accordance with the procedures of this policy" in Section 2 F. 1. **Added** "in the presence of the juvenile" in Section 2 G. 2. **Deleted** "rejected" and **Replaced** with "returned to the sender" in Section 3 C. 2. **Added** F. to Section 3. **Added** "in the offender's presence" in Section 4 C. 2. a. **Deleted** "may result in a disciplinary write-up" in Section 6 A. 4. **Deleted** "homosexuality" in Section 6 A. 9. **Added** 1. and a-d to Section 6 B. **Added** new C. and changed previous C and D. to D. and E. in Section 6. **Added** "or Superintendent" to Section 7 C. **Deleted** "provided a correct forwarding address is available" and **Replaced** with "to the offender's last known address" in Section 8 A. **Added** B. and B.1 to Attachment 2.

September 2013: **Added** "their spouse or their minor children" in Section 1 e. 2. **Added** F. to Section 3. New Section 3. "Incoming Privileged/legal Correspondence" **Changed** title of Section 4 from "Receipt of Money" to "Receiving Funds/Money". **Added** "This authorization is valid until the offender is released or discharged from the DOC" in Section 4 D. 3. **Added** "Mailroom staff will typically request a Certificate of Mailing from the U.S. Post Office when mailing offender correspondence containing rejected checks" in Section 4 F. **Deleted** "request postage (first class only) in Section 5 A. 3. **Deleted** "per 28 days" and **Replaced** with "during a calendar month" in Section 5 A. 3. a. **Deleted** d. "Juvenile offenders are expected to send one letter per week to their parents or legal guardians. Two additional letters may also be sent at STAR Academy's expense" in Section 5 A. 4. **Deleted** "If the contents of the outgoing privileged/legal correspondence are determined to be privileged/legal in nature" in Section 5 D **Added** new title to existing language in previous section 5/ new section 6 "Outgoing Privileged/Legal Correspondence" **Added** H to Section 6 **Deleted** "or use" in Section 8 A. 3 **Added** D. to Section 10.

November 2014: **Added** 1. to Section 2 A. **Deleted** 1-3 in Section 1 D. **Deleted** 1-2 in Section 2 B. **Deleted** 1. **Deleted** "the entire correspondence will be rejected" and **Replaced** with "the check will be returned to the sender" in Section 4 D. 2. in Section 7 B. **Added** "removal of items of contraband by staff does not constitute censorship" in Section 8 A. 11. **Added** "and is determined by Sex Offender Management staff" to section 8 A. 13. **Added** "and or materials contained in the correspondence which are rejected are" in Section 7 B. 1. **Revised** language in Section 8 B. 1. b.

March 2015: **Added** C. 1 & 2 to Section 2. **Added** 3. a. & b. to Section 4 D. **Added** "construction paper and pages from coloring books" and **Added** e. to Section 8 A. 10

August 2015: **Added** "excludes correspondence requiring translation" in Section 1 A. 1. **Added** 4. To Section 1 A. **Added** "offenders who have a child together (proven through a birth certificate) and only if both offenders have parental rights, or offenders who are co-parties in an active legal case" in Section 1 B. 1. **Added** "to prevent offender receipt of correspondence that threatens facility security or good order of the institution. **Added** 3. to Section 2 C. **Deleted** a. in Section 3 B. 1. **Added** E. to Section 5. **Added** "for contraband" and **Added** "by the offender. Staff will sign or initial over the sealed flap of the envelope in the offender's presence" in Section 6 A. **Deleted** D. in Section 6 and **Added** 2. to Section 6 C. **Added** "State-paid postage is limited to first class mail and does not include certified mail or any other additional fees/charges that may apply" in Section 6 F. **Added** "or contains any information that, if communicated, would create a threat to the security of the institution" in Section 8 A. 2. **Deleted** "ammunition" and **Added** "unconventional and improvised" and **Added** "or contains plans to smuggle contraband into or out of the institution" in Section 8 A. 3. **Deleted** "with Fantasy Sports Leagues or other types" and **Deleted** "This includes but is not limited to baseball, basketball, football, racing and other sporting teams or events" in Section 8 A. 4. **Added** "or contains threats of physical harm against any person or threats of criminal activity" in Section 8 A. 5. **Added** "gang insignia and "security threat group" in Section 8 A. 9. **Added** "provided such removal involves loose advertisement cards/items that include a perforated edge" in Section 8 A. 11. **Added** a. to Section 8 A. 11. **Added** "including language or drawings" in Section 8 A. 12. **Added** "Incoming or outgoing" and **Added** "other than English.

Including correspondence written in more than one language” in Section 8 A. 16. **Added** c. to Section 8 A. 16. **Added** 19 to Section 8 A.

September 2015: Deleted “cannot receive funds from another offender (includes those on felony probation), another offender’s family or friends, a W-2/M-2, volunteers of the DOC, or a third party on behalf of another offender unless authorized by the Warden, Superintendent or his/her designee” and **Replaced** with “may receive money orders or care packs from immediate family members and friends on the offender’s approved visit list or immediate family members and friends otherwise approved to send the inmate money order or care packs by the Warden or Superintendent or his/her designee.” in Section 4 A. **Added** G. and H. to Section 4.

March 2016: Deleted definition of “Offender” Deleted E. in Section 2. **Deleted** E. in Section 3. and 1-2. **Deleted** C. in Section 4 and 1-2. **Deleted** 4. and a. b. c. in Section 5 A. **Deleted** G. in Section 6. **Deleted** term “offender” and **Replaced** with “inmate” throughout the policy. **Deleted** term “superintendent” from policy. **Deleted** Attachments 5 and 7 reference juvenile offenders.

October 2016: Added “The Warden or designee may approve additional days which mail is not processed based on extenuating circumstances, i.e. staff illness, lock-down, acclimate weather, etc.” in Section 1 A. 2. **Added** “Both authorities must approve the exception. **Added** “Exceptions may be revoked at any time be either authority” in Section 1 B. 1. b. **Added** “or days when mail is not processed (see 2. above)” in Section 1 A. 3. **Deleted** “Any person may request general correspondence originating from an inmate not be sent to him/her, his/her spouse, his/her minor children or minor children over whom he/she is guardian. The person must complete and return the Correspondence/Telephone Termination Request (See Attachment 3) to the DOC” in Section 1 E. **Added** G. and H. to Section 1. **Added** 2. to Section 2 A. **Added** “however, limits may be placed on the volume of correspondence inmate’s retain in their cell when necessary to maintain safety, security and sanitation” in Section 2 C. **Deleted** C. in Section 2. **Added** E. to Section 3. **Added** “terminates authorization through written notice provided to the DOC” in Section 4 C. 4. **Deleted** “twenty” and **Replaced** with “five” in Section 8 A 16. a. Revised language in Section 6 C 2. **Added** C. to Section 7. **Added** “Unopened correspondence returned to the sender does not require a notice” to Section 8 B. **Added** “or member of the Special Investigations Unit” in Section 9. C. **Added** “dangerous” to Section 9 C. 3. **Added** “deceased” to Section 10 A.

October 2017: Added definition of “General Correspondence” and “Printed Matter” and “Third Party”. **Added** “Correspondence received for inmates temporarily housed off-site, i.e. court or hospital, may be held for longer than 48 hours and will be distributed to the inmate upon their return to the facility” in Section 1 B. 1. **Added** “on an emergency situation, which is defined as the disruption of normal facility procedure or activity caused by fire, riot, escape, natural disaster, adverse staff action or other serious incident (See ACA 4-4495). This will be promptly reported to the Director of Prison Operations” to Section 1 B. 2. **Added** “The facility shall ensure that alternative staff persons are designated to inspect privileged/legal mail when the primary staff person assigned to this task is not available to that there is minimal delay in processing privileged/legal mail” in Section 1 B. 3. **Added** “If the request involves an outside agency, the approving DOC authority will contact the outside agency and explain the request” to Section 1 C. 2. b. **Added** 1) and 2) to Section 1 C. 2. b. **Added** c. to Section 1 C. 2. **Added** “and will be returned to the sender through the mail service. Inmates will be notified of the return” in Section 1 C. **Added** new G. and J. and K. to Section 1. **Added** “and Printed Material” to Section 2. **Added** “Inspection may include staff reading the correspondence to Section 2 A. **Added** 4. to Section 2 A. **Deleted** “Unless there is a barrier or screen between the inmate and the staff member opening the package.” and **Added** “Packing material (e.g. plastic, “bubble wrap”, “peanuts”, plastic wrap, insulation, cardboard) that may be a potential threat to the safety, security or orderly operation of the facility may be withheld from the inmate” in Section 2 A. 1. **Added** 3. to Section 2. A. **Added** D. E. and F. to Section 2. **Added** new A. and B. to Section 3. **Added** “Exceptions may be applied to suspicious mail, which shall not be opened in the presence of the inmate. Such and exception requires authorization from the Mail Security Coordinator or Special Investigation Unit staff.” in Section 3 C.” **Added** 1-4 to Section 3 C. **Added** G. to Section 3. **Added** A. to Section 4. **Added** new A. to Section 5. **Added** 3. to Section 5 B. **Added** 3. to Section 6 C. **Added** “Printed Material” to Section 7. **Added** new A. in Section 8. **Added** a. and b. to Section 8 A. 3. **Deleted** c. d. e. in Section 8. 10. **Deleted** “20” and **Replaced** with “10” in Section 8. A. **Added** “symbols” and **Added** “material believed to be written in a foreign language will be

considered on a case-by-case basis” to Section 8 A. 16. **Added** “or too costly” and **Added** “or other resource” and **Added** “The Warden or designee will be notified if foreign language material is rejected (incoming or outgoing)” in Section 8 16 b. **Added** 19. to Section 8 A. **Added** new C. to Section 8. **Added** b. to Section 8 D. 2. **Deleted** “60 days” and **Replaced** with “15 days” in Section 8 D. 3. and a. **Added** 4. to Section 8 D. **Added** A. B.D. E. H. G. to Section 9. **Deleted** Section 11 Appeal Process. **Added** 14 to Attachment 1. **Revised** Attachments.

April 2018: **Revised** language in Section 1 D. **Deleted** “Correspondence that is not accepted shall be returned to the sender” and **Replaced** with “Envelopes and packages that do not meet the criteria will be returned unopened to the sender with a brief description of the reason the envelope or package was rejected” in Section 1 D. **Added** “which may only be printed, typed or hand-written in ink (excluding metallic pens) on the envelope” and **Added** “Envelopes and packages that do not meet the criteria will be returned unopened to the sender with a brief description of the reason the envelope or package was rejected” in Section 2 A. 3. **Added** “in an approved and accepted envelope” in Section 2 B. **Added** “approved and accepted” in Section 2 B. 1. **Deleted** “more than ten (10) sheets of plain white paper or lined white/legal pad paper” and replaced with “blank paper” in Section 2 B 4. **Added** “opened” in Section 2 C. **Revised** E. in Section 2 to permit colored paper and envelopes.

August 2019: **Added** “with a prisoner of a state correctional facility” and **Deleted** “of other incarcerated individuals” in Section 1 C. **Deleted** “Inmates may not correspond with an offender on supervised release (parole or probation) or any offender sentenced, committed, held or placed in a facility or program under the control of Federal, State or local corrections or the contract facility/community corrections program of any correctional entity unless this has been approved by the Deputy Warden, Associate Warden or designee” in Section 1 C. **Added** d. to Section 1 C. 1. **Added** “including any copy of these documents” in Section 2 B. 2. **Added** “(exceptions may apply to religious and education organizations or attorney/privileged sources)” in Section 2 B. 3. **Added** “(unless applied by an outside vender, i.e. price tag, bar code)” and **Deleted** “maps and calendars” and **Added** “Light boxes shall be available to mailroom staff” in Section 2 B. 3. **Added** “unless received directly from an attorney/privileged source, religious organization or educational institution” in Section 2 B. 6. **Added** “or otherwise violates policy or correspondence requirements” in Section 3 C. 1. **Added** “The inmate is required to sign for the delivered correspondence” in Section 3 D. **Deleted** “ten” and **Replaced** with “fifteen dollars” and **Added** “The new month shall start with the first full week of the month” in Section 6 E. **Added** “A rejection notice shall be sent” in Section 7 A. **Deleted** “Material that promotes gaming activity. Gaming is defined as the act of applying anything of value as a bet or wager. Materials that facilitate or further gaming activity amongst inmates within a DOC facility or gaming activity that originates in a DOC facility is prohibited” in Section 8 A. 4. **Added** “or other offenders, unless obtained through an authorized and approved means” in Section 8 13. **Added** “Maps that do not pose a threat to safety or security are permitted, i.e. education or religious purposes. Maps of the local area (city where the facility is located) are NOT permitted” in Section 8 16. **Deleted** “Bulk religious and cultural material from a legitimate source will be delivered to the Cultural Coordinator for review” in Section 8 B. **Deleted** “same day” and **Replaced** with “within 48 hours” in Section 8 D. **Added** “after 30 days has elapsed since the correspondence was received” in Section 10 C.

November 2020: **Deleted** 1.2.C.9 Sex Offender Restrictions and **Replaced** with 1.4.A.3 Sex Offender Management Program in Section 8 A. 11.a.

Mike Leidholt (original signature on file)

Mike Leidholt, Secretary of Corrections

11/04/2020

Date

Attachment 1: Definition of Privileged/Legal Correspondence

A. Incoming and outgoing correspondence from the following sources is considered privileged/legal:

1. Judge of any court.
2. Clerk of any court.
3. County Auditor.
4. Private practice attorneys/lawyers or law firms.
5. State's Attorney.
6. Public Defender office (State or Federal).
7. Public Advocate Offices.
8. South Dakota Advocacy Service (SDAS).
9. South Dakota Attorney General or representative of the Attorney General's office.
10. South Dakota Governor.
11. South Dakota Secretary of Corrections.
12. U.S. Attorney General, U.S. Attorney for South Dakota and Assistant U.S Attorneys for South Dakota.
13. South Dakota Division of Criminal Investigation.
14. Inmate foreign nationals shall be permitted write their embassy or consulate.
15. Organizations or entities which are known to provide legal services (such as East/West River Legal Services, Dakota Plains Legal Services and the American Civil Liberties Union).
16. Organizations or entities which are known to provide rape crisis/ victim advocate services (such as Compass Center, Missouri Shores, Working Against Violence and River City Domestic Violence Center).

B. Outgoing correspondence addressed to county sheriffs:

1. If the contents of the outgoing correspondence are a summons, complaint or other document intended for service of process, and it is addressed to a county sheriff's office, the mail will be treated as privileged/legal mail. Unit staff are allowed to summarily review the documents in order to determine whether they are summons and complaints, subpoenas, or other documents intended for service of process.

C. The following incoming correspondence will normally be treated as privileged/legal only if the envelope is clearly marked "personal", "legal" or "privileged".

2. U.S. and State Representatives and Senators.
3. Governors (other than the Governor of South Dakota).
4. Prison or correction agencies or officials (other than the South Dakota Secretary of Corrections).
5. Parole authorities.
6. Law enforcement agencies or officials.

D. Examples of outgoing correspondence NOT considered privileged/legal:

1. U.S. and State Representatives and Senators.
2. Governors (other than the Governor of South Dakota).
3. Prison or corrections agencies or officials (other than the South Dakota Secretary of Corrections).
4. Parole authorities.
5. Law enforcement agencies or officials (excluding SD Division of Criminal Investigation).
6. The National Association for the Advancement of Colored People (NAACP).
7. The Bureau of Indian Affairs (BIA).
8. Amnesty International.
9. The State Bar Association of South Dakota and its committees.

10. The Center for Constitutional Rights (main office is in New York, NY).
11. Governmental agencies or officials not listed above in Section A.
12. National Commission on Correctional Health Care (NCCHC).

Attachment 2: Inter-Facility Inmate to Inmate Correspondence Request

The *Inter-Facility Inmate to Offender Correspondence Request* form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Inter-Facility Inmate to Offender Correspondence Request.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Attachment: Inter-Facility Inmate to Offender Correspondence Request
Policy Please refer to DOC policy 1.5.D.3
Distribution: Public Inmate Correspondence

INTER-FACILITY INMATE TO OFFENDER CORRESPONDENCE REQUEST

Inmate Name: Last First ID Number

Facility: Unit/Program:

At this time, I am requesting to correspond with an offender sentenced, committed, held or placed in a facility or program under the control of Federal, State or local corrections.

Name of person with whom I request to correspond:

Offender Name: Last First ID Number

Relationship of this person to you:

Facility: Facility Address:

Relationship verified by Unit Staff: _____
(Unit Staff Name, Printed)

My reason for requesting to correspond with this person:

Immediate family member

Shared parental rights of a child

Co-party in an active legal case directly related to current sentence or pending criminal charges

Other Please explain: _____

Return completed form to your Unit Staff at (SDSP or DSP) or Deputy Warden (SDWP).

DO NOT WRITE BELOW THIS LINE

Approved Disapproved Printed Name of Approving Authority/Staff Date:

Revised: 04/27/2018 Page 1 of 1

Attachment 3: Correspondence/Telephone/Messaging Termination Request

The **Correspondence/Telephone/Messaging Termination Request** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Correspondence-Telephone Termination Request.doc>

The gray areas indicate the information that is to be entered.

<p>South Dakota Department of Corrections Attachment: Corr-Telephone Termination Request Policy Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Distribution: Public Inmate Correspondence / Inmate Access to Telephones</p> <p>CORRESPONDENCE/TELEPHONE/MESSAGING TERMINATION REQUEST</p> <p>Dear Sir or Madam:</p> <p>The Department of Corrections will make reasonable efforts to stop correspondence, messages and telephone calls from the below specified inmate to you. Parents and/or guardians of a minor child may, in the best interests of the child, make a termination request on behalf of the child.</p> <p>Please list the inmate(s) _____ (Inmate's name) _____ (ID number)</p> <p><input type="checkbox"/> Check here for all inmates</p> <p>By completing this form, you are requesting to terminate (indicate type of contact) <input type="checkbox"/> Telephone Contact <input type="checkbox"/> Correspondence <input type="checkbox"/> Messaging with the above listed inmate. Please sign and date this request and return it to the facility.</p> <p>It is possible the inmate may find some other means of contacting you. Please report any contact or attempt to contact by the inmate(s) to staff at the facility. If you are unsure of the inmate's assigned facility, please contact the Department of Corrections at (605) 773-3478.</p> <p>MAIL:</p> <p>I: _____ request that the (print your name and minor child's name if you are requesting on their behalf)</p> <p>above named inmate terminate contact as indicated above to the following address:</p> <p>Street _____ P.O. Box _____ City/State _____ Zip _____</p> <p>TELEPHONE</p> <p>I: _____ request that the (print your name and minor children if requesting on their behalf)</p> <p>above named inmate terminate contact by TELEPHONE to the following numbers (please include the area code):</p> <p>Home: _____ Business: _____ Cell: _____ Other: _____</p> <p>Signed: _____ Date: _____</p> <table><tr><td>South Dakota State Penitentiary Attn: Mail Room Officer P.O. Box 5911 Sioux Falls, SD 57117-5911</td><td>Mike Durfee State Prison Attn: Mail Room Officer 1412 Wood Street Springfield, SD 57062-2239</td><td>South Dakota Women's Prison Attn: Mail Room Officer 3200 E. Highway 34 C/o 500 E. Capitol Avenue Pierre, SD 57501</td></tr></table> <p>Revised: 02/07/2018</p>	South Dakota State Penitentiary Attn: Mail Room Officer P.O. Box 5911 Sioux Falls, SD 57117-5911	Mike Durfee State Prison Attn: Mail Room Officer 1412 Wood Street Springfield, SD 57062-2239	South Dakota Women's Prison Attn: Mail Room Officer 3200 E. Highway 34 C/o 500 E. Capitol Avenue Pierre, SD 57501	<p>South Dakota Department of Corrections Attachment: Corr-Telephone Termination Request Policy Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Distribution: Public Inmate Correspondence / Inmate Access to Telephones</p> <p>Approved Termination Requests shall be maintained in the Special Investigations Unit of the institution and/or by unit staff.</p> <p>Approved Termination Requests shall be kept on file until such time as the requesting party terminates the request in writing or the inmate discharges, releases from the institution, at which time the request shall be properly disposed of.</p> <p>Approved requests for termination of correspondence are not automatically renewed if an inmate is returned to DOC custody from supervision or is incarcerated on another number. A new request is generally required from the requesting party.</p> <p>Revised: 02/07/2018</p>
South Dakota State Penitentiary Attn: Mail Room Officer P.O. Box 5911 Sioux Falls, SD 57117-5911	Mike Durfee State Prison Attn: Mail Room Officer 1412 Wood Street Springfield, SD 57062-2239	South Dakota Women's Prison Attn: Mail Room Officer 3200 E. Highway 34 C/o 500 E. Capitol Avenue Pierre, SD 57501		

Attachment 4: Correspondence/Telephone/Messaging Termination Notice

The **Correspondence/Telephone/Messaging Termination Notice** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Correspondence-Telephone Termination Notice.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Corr.-Telephone Termination Notice Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Inmate Correspondence / Inmate Access to Telephones
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CORRESPONDENCE/TELEPHONE/MESSAGING TERMINATION NOTICE

To: _____ (Inmate name) _____ (ID number)

You are hereby notified that you:

- May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the person(s) listed below. You will be subject to disciplinary action if you violate this termination notice. Contact shall include the following forms of communication: Correspondence Telephone Messaging.
- May not contact, attempt to contact, have someone else contact, or attempt to have someone else contact the telephone number listed below on your behalf by telephone. You will be subject to disciplinary action if you violate this termination notice.

Name(s)/ _____
Telephone: _____

_____ (printed staff member name) _____ (date)

_____ (staff member signature)

****A copy of the completed form should be kept by Unit Management and/or the Special Investigations Unit with the approved Correspondence Termination Request (Attachment 3).

Revised: 02/07/2018 Page 1 of 1

Attachment 5: Admission Document

The **Admission Document** form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Admission Document.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Admission Document (Please refer to DOC policy 1.5.D.3 and 1.5.D.4) Reserve Access and Financial Responsibility - Offender/Conservator				
ADMISSION DOCUMENT					
PERSONAL PROPERTY AGREEMENT					
YOU ARE HEREBY ADVISED THAT YOU ARE FULLY RESPONSIBLE FOR ANY AND ALL PERSONAL PROPERTY INCLUDING, BUT NOT LIMITED TO: JEWELRY, RADIO, TELEVISION SET, AND OTHER ELECTRICAL APPLIANCES AND/OR ANY OTHER VALUABLES THAT YOU ELECT TO RETAIN IN YOUR CELL OR ROOM.					
IN THE EVENT THAT YOU ARE PLACED IN A HOUSING UNIT THAT DOES NOT PERMIT CERTAIN PERSONAL PROPERTY ITEMS, THESE ITEMS WILL BE INVENTORIED AND STORED IN A SECURE AREA UNTIL SUCH TIME AS THEY MAY BE RETURNED TO YOU. YOU MAY ELECT TO MAIL YOUR PROPERTY TO A PERSON OF YOUR CHOICE WITH ALL EXPENSES TO BE PAID BY YOU OR SENT TO GOODWILL. EITHER WAY, YOU WILL BEAR ALL RESPONSIBILITY FOR ITS DISPOSITION.					
I CERTIFY THAT I HAVE READ AND UNDERSTAND THE FOREGOING AND THAT BY AFFIXING MY SIGNATURE BELOW, I RELIEVE THE STATE OF SOUTH DAKOTA, THE WARDENS OF STATE CORRECTIONAL FACILITIES AND ALL OFFICIALS AND EMPLOYEES OF THE STATE OF SOUTH DAKOTA OF ANY PECUNIARY LIABILITY IN THE EVENT ANY OF MY PERSONAL PROPERTY IS LOST, STOLEN, OR DAMAGED.					
RECEIPT OF INMATE LIVING GUIDE					
I ACKNOWLEDGE RECEIVING A COPY OF THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS INMATE LIVING GUIDE. I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO READ AND FOLLOW THE RULES AND REGULATIONS IN THE INMATE LIVING GUIDE. I ALSO UNDERSTAND THAT THE INMATE LIVING GUIDE MUST REMAIN IN MY POSSESSION THROUGHOUT MY IMPRISONMENT WITH THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS, AND I AM SUBJECT TO PAYING THE REPLACEMENT COST FOR A NEW INMATE LIVING GUIDE.					
BEHAVIOR WHILE IN THE DEPARTMENT OF CORRECTIONS					
I UNDERSTAND THAT I AM IMMEDIATELY OBLIGATED TO FOLLOW THE RULES OF THE DEPARTMENT OF CORRECTIONS AND THE INSTITUTION IN WHICH I AM HOUSED. ANY VIOLATIONS BY ME OF THOSE RULES FROM THIS POINT FORWARD WILL BE CONSIDERED IN MY CLASSIFICATION AND PLACEMENT. VIOLATIONS OF THE RULES ALSO MAY EFFECT A FINDING OF NONCOMPLIANCE WITH MY FUTURE IPO (INDIVIDUAL PROGRAM DIRECTIVE) AND THUS NEGATIVELY IMPACT MY PAROLE RELEASE.					
AUTHORIZATION TO DEPOSIT					
I AUTHORIZE THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS TO CASH CHECKS MADE PAYABLE TO ME. THE MONEY FROM THESE CHECKS WILL BE DEPOSITED INTO MY ACCOUNT. IF I REFUSE TO AUTHORIZE THE DOC TO CASH CHECKS MADE PAYABLE TO ME AT THIS TIME, I UNDERSTAND THAT I MAY NOT BE OFFERED AN OPPORTUNITY TO UTILIZE THE SERVICES OF INMATE ACCOUNTS FOR A PERIOD OF SIX (6) MONTHS.					
JUDGMENT PAPERS					
I ACKNOWLEDGE THAT I AM ENTITLED TO RECEIVE ONE COPY OF MY JUDGMENT/COMMITMENT PAPERS TO THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS WHILE IN THE CREATION UNIT.					
RELIGIOUS/CULTURAL AFFILIATION					
MY RELIGIOUS/CULTURAL AFFILIATION IS (PROTESTANT, WIGGAN, NATIVE AMERICAN, MUSLIM, ETC.)					
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">INMATE'S PRINTED NAME</td> <td style="width: 50%;">INMATE SIGNATURE</td> </tr> <tr> <td style="width: 50%;">STAFF WITNESS SIGNATURE</td> <td style="width: 50%;">DATE</td> </tr> </table>		INMATE'S PRINTED NAME	INMATE SIGNATURE	STAFF WITNESS SIGNATURE	DATE
INMATE'S PRINTED NAME	INMATE SIGNATURE				
STAFF WITNESS SIGNATURE	DATE				
Revised: 10/20/2005	Page 1 of 1				

Attachment 6: Mailroom Correspondence Rejection Notice-Inmate

The *Mailroom Correspondence Rejection Notice-Inmate* is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Mailroom Correspondence Rejection Notice-Inmate.docx>

The gray areas indicate the information that is to be entered.

<p>South Dakota Department of Corrections Policy Distribution: Public</p> <p style="text-align: right;">Attachment 6: Mailroom Correspondence Rejection Notice-Inmate Please refer to DOC policy 1.5.D.3 Inmate Correspondence</p> <h3 style="text-align: center;">MAILROOM CORRESPONDENCE REJECTION NOTICE - INMATE</h3> <p>To: <input type="text"/> <input type="text"/> <input type="text"/> Inmate's Last Name First Name ID#</p> <p>You have received correspondence, printed matter or a package which is addressed to you but has been rejected, withheld, excluded or confiscated. The reason for this response is noted below.</p> <p>You have 30 days to initiate action.</p> <p>Received from (name of sender): <input type="text"/></p> <ul style="list-style-type: none"><input type="checkbox"/> Contains items of contraband.<input type="checkbox"/> Contains unauthorized funds, i.e. personal check, or cash.<input type="checkbox"/> Envelope or package with insufficient address information or contained prohibited material.<input type="checkbox"/> Printed matter was not sent from a dealership, bookstore, publisher, distributor or institution of higher learning, or book that is not soft cover.<input type="checkbox"/> Prohibited correspondence i.e. (court order, victim, another inmate, Termination Notice).<input type="checkbox"/> Includes information about the planning, promotion or furtherance of criminal activity.<input type="checkbox"/> Violates a prohibited act, rule, regulation, policy, operational memorandum or directive of the DOC, or contains any information may create a threat to the safety, security and good order of the institution.<input type="checkbox"/> Depicts or describes procedures to manufacture or construct an unconventional or improvised weapon, explosive, incendiary device, narcotics, drug paraphernalia, alcoholic beverage or unlawful substance, contraband or any unapproved item; or contains plans to smuggle contraband into or out of the institution.<input type="checkbox"/> Promotes gaming activity.<input type="checkbox"/> Advocates or encourages violence or contains threats of physical harm against any person.<input type="checkbox"/> Illustrates, explains, encourages, describes or teaches the ability to frustrate a crowd, group disruption or methods to incite a riot.<input type="checkbox"/> Teaches or gives the ability to sabotage or disrupt communication networks, including internal and external communications and automated information systems.<input type="checkbox"/> Illustrates, explains, describes or teaches the ability to manipulate in any form or fashion, a locking device, mechanical restraint or safety equipment.<input type="checkbox"/> Depicts gang activity, gang insignia or may be construed as pertaining to gangs or with the intent of initiating or furthering gang activity within or outside the institution. <p style="text-align: center;">Revised: 10/18/2020 Page 1 of 2</p>	<p>South Dakota Department of Corrections Policy Distribution: Public</p> <p style="text-align: right;">Attachment 6: Mailroom Correspondence Rejection Notice-Inmate Please refer to DOC policy 1.5.D.3 Inmate Correspondence</p> <ul style="list-style-type: none"><input type="checkbox"/> Depicts pornography (See DOC policy 1.3.C.8 <i>Pornography</i>). Includes personal photographs of an individual(s) when the photo depicts sexual suggestive acts such as intercourse, fellatio or sodomy.<input type="checkbox"/> Pictures of current or past DOC staff, contract staff, volunteers or interns of the DOC.<input type="checkbox"/> Violates U.S. postal regulations e.g., contains content describing threats, blackmail or extortion or is non mailable under law or postal regulations.<input type="checkbox"/> Contains coded correspondence or printed matter, organized symbols or written in code.<input type="checkbox"/> Depicts, encourages, aids or describes methods of escape from secure custody or restraint; or contains blueprints, drawings or similar descriptions of correctional facilities.<input type="checkbox"/> Advocates racial, religious or national hatred in such a way as to create a danger of violence in the institution.<input type="checkbox"/> Other: <input type="text"/> <p style="text-align: center;"><input type="text"/> <input type="text"/> <input type="text"/> Staff Member's Name Signature Date</p> <p style="text-align: center;">Revised: 10/18/2020 Page 2 of 2</p>
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Attachment 7: Mailroom Correspondence Rejection Notice-Sender

The **Mailroom Correspondence Rejection Notice-Sender** is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Mailroom Correspondence Rejection Notice-Sender.doc>

The gray areas indicate the information that is to be entered.

<p>South Dakota Department of Corrections - Attachment 7: Mailroom Correspondence Rejection Notice-Sender Policy Distribution: Public</p>	<p>South Dakota Department of Corrections - Attachment 7: Mailroom Correspondence Rejection Notice-Sender Policy Distribution: Public</p>			
<p>MAILROOM CORRESPONDENCE REJECTION NOTICE-SENDER</p>	<table border="0"><tr><td>Warden South Dakota State Penitentiary PO Box 5911 Sioux Falls, SD 57117</td><td>Warden Mike Durfee State Prison 1412 Wood St. Springfield, SD 57062</td><td>Warden South Dakota Women's Prison 3200 East Highway 34 c/o 300 E. Capitol Ave Pierre, SD 57501</td></tr></table>	Warden South Dakota State Penitentiary PO Box 5911 Sioux Falls, SD 57117	Warden Mike Durfee State Prison 1412 Wood St. Springfield, SD 57062	Warden South Dakota Women's Prison 3200 East Highway 34 c/o 300 E. Capitol Ave Pierre, SD 57501
Warden South Dakota State Penitentiary PO Box 5911 Sioux Falls, SD 57117	Warden Mike Durfee State Prison 1412 Wood St. Springfield, SD 57062	Warden South Dakota Women's Prison 3200 East Highway 34 c/o 300 E. Capitol Ave Pierre, SD 57501		
<p>To: _____ Sender</p>	<p>A copy of the completed Notice provided to the sender shall be retained by mailroom staff for three (3) years from the date the Notice was issued. Following expiration of the three (3) year period, the copy of Notice will be destroyed.</p>			
<p>Description of rejected item/correspondence: _____</p>	<p>_____</p>			
<p>Name of Offender who received the rejected correspondence: _____</p>	<p>_____</p>			
<p>Mailroom staff are rejecting the following described correspondence/publication for the reason(s) indicated below:</p>	<p>_____</p>			
<ul style="list-style-type: none"><input type="checkbox"/> The correspondence contains contraband or unauthorized items that must be removed to facilitate delivery.<input type="checkbox"/> The correspondence violates a Prohibited Act or any other rule, regulation, policy, operational memorandum or directive governing the DOC or this facility.<input type="checkbox"/> The correspondence contains unauthorized funds, personal check, or cash.<input type="checkbox"/> You are not authorized to receive or send correspondence to/from the correspondent.<input type="checkbox"/> Privileged/legal correspondence that appears to include items of general correspondence.<input type="checkbox"/> The correspondence violates postal regulations, i.e. threats, blackmail or extortion.<input type="checkbox"/> The correspondence is contained within an unauthorized envelope.<input type="checkbox"/> The correspondence or printed matter is coded or requires translation.<input type="checkbox"/> The correspondence has been deemed suspicious or dangerous, as defined within the policy.<input type="checkbox"/> Other: _____	<p>_____</p>			
<p>_____ Staff Member's Name</p>	<p>_____</p>			
<p>_____ Signature</p>	<p>_____</p>			
<p>_____ Date</p>	<p>_____</p>			
<p>You are advised that you may appeal this decision by sending a letter, including a copy of this notice, within 30 days of the date indicated above, to:</p>	<p>_____</p>			
<p>Revised: 02/08/2018</p>	<p>Revised: 02/08/2018</p>			
<p>Page 1 of 2</p>	<p>Page 2 of 2</p>			

Attachment 8: Discarded Items From Printed Matter

The *Discarded Items from Printed Matter* form is located at:

<M:\DOC\DOC Policies\Agency\DOC Policies\Attachment Templates\Discarded Items From A Magazine.doc>

The gray areas indicate the information that is to be entered.

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Discarded Items From Printed Matter Please refer to DOC policy 1.5.D.3 Offender Correspondence
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Attachment 9

DISCARDED ITEMS FROM PRINTED MATTER

Printed material containing complementary items that meet the definition of contraband or are otherwise deemed unacceptable (free CDs, fragrance samples, scratch tickets, etc.) shall not be delivered. Rejected items held in place with a perforated edge may be removed from the printed matter by mailroom staff to facilitate delivery of the printed matter. Removal of such items by staff does not constitute censorship and does not require a rejection notice.

Staff may not significantly alter the printed matter by tearing, cutting or otherwise removing pages, parts of pages from the printed matter or redact any printed content.

Name of Printed Matter:

The following item(s) was removed:

Mailroom Staff Name Date

Revised: 01/31/2018 Page 1 of 1

Attachment 9: Anthrax Threat Guide for South Dakota

RISK MANAGEMENT BULLETIN

Issue 43: Anthrax Threat Guide for South Dakota

The South Dakota Division of Emergency Management has developed the following Anthrax Threat Guide for the State of South Dakota and asked our office to assist in distributing this information to all of you.

ATTENTION: In the event of any TERRORISM THREAT - CALL OR HAVE SOMEONE CALL the agencies noted below. Tell them the manner of the threat and the specifics about what is happening and give them your exact location so they can find you. GO TO "Immediate Actions" on back page of this BULLETIN!

1. Call 911, or local law enforcement and explain the nature of the threat. This will usually dispatch Fire, Law, EMS, and in some cases HAZMAT and public health.
2. Call FBI at 605-334-6881 (Sioux Falls), 605-367-7500 (Pierre), 605-343-8632 (Rapid City) or Minneapolis Office after hours number 612-376-3200.
3. Call South Dakota Division of emergency Management Duty Officer 605-773-3231 and explain the nature of the threat this will activate all pertinent state agencies.
4. For immediate health consultation call the Department of Health at 1-800-592-1861 or 605-280-4810.

This Guide is intended to provide recipients of letters and packages containing an anthrax threat with useful information and guidance to help them deal more effectively with an incident, should one occur. (If you have any questions about this guide or need further information to assist with anthrax threat planning, contact LaJean Volmer, Bioterrorism Preparedness and Response Coordinator at 605-773-7593 or Mike Smith Director SO Public Health Laboratory 605-773-3368)

Immediate Actions: Do not panic

Unopened letter or letter that appears empty.

1. Place envelope in a plastic ziplock bag or glassine envelope.
2. Keep others away.
3. Wash hands and exposed skin (arms) with SOAP and WATER.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. Phone numbers on front page of this Bulletin.

Envelope with powder and powder spills out onto surface.

1. DO NOT clean powder up. Keep others away.
2. WASH hands and exposed skin (arms) with SOAP and WATER.
3. DO NOT brush off your clothes.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)
5. REMOVE clothing and place in a plastic bag, as soon as possible. Close bag and place in second plastic bag. Clearly label and identify contents, retain for law enforcement, may be evidence.
6. SHOWER with SOAP and WATER as soon as possible at home. DO NOT use bleach or other disinfectant.
7. PUT on fresh clothing.
8. MAKE a list of all people (names, addresses and phone numbers) who had contact with the powder and give to local public health authorities. They may be instructed to watch for fever or other symptoms over the next couple of days.

Package marked with threatening message such as "Anthrax".

1. DO NOT OPEN.
2. LEAVE it and EVACUATE the room.
3. KEEP others from entering.
- 4.
5. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)

Aerosolization, small explosion, or letter stating "Anthrax in Heating System".

1. LEAVE room immediately.
2. SECURE entry.
3. SHUT down air handling system.
4. NOTIFY your supervisor, local law enforcement, FBI and SD Division of Emergency Management. (Phone number on front page of this Bulletin.)
5. REMAIN on premises until responders arrive.
6. MAKE list of all people (names, addresses and phone numbers) who were in the building at the time and give to local public health authorities. They may be instructed to watch for fever or other symptoms over next couple of days.

For all suspicious unlabeled mail notify law enforcement. Do not open.

*Bureau of Administration * Office of Risk Management
1429 East Sioux Avenue
Pierre, SD 57501-3949
Phone: (605) 773-5879 * FAX (605) 773-5880*

Attachment 11: Inmate Legal Mail Acknowledgment

The *Inmate Legal Mail Acknowledgment* form is located at:

[\\ESPR1FS26\Office\TEMPLATE\DOC\DOC-ALL\Inmate Legal Mail Acknowledgement.xlsx](#)

The gray areas indicate the information that is to be entered.

Legal Mail Log					
By signing this document you are agreeing that your received your legal mail on the specified date and that it was opened in your presence.					
Unit					
Date	Inmate Name (printed)	Inmate Signature	ID. No.	Sender	Staff Name

Page 1