

## 1.5.D.3 Inmate Correspondence

### I Policy Index:



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### II Policy:

Inmate correspondence shall be monitored and inspected by staff to prevent escapes, detect and deter the introduction of contraband, and to 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, postcards, greeting cards or other printed material, including 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, 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.

**Privileged/Legal Correspondence:**

- Correspondence mailed directly to or from a court, judge, attorney or specific governmental official or agencies specifically 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.

**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 the inmate 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 is generally not processed on weekends or state or federally recognized holidays; however, the Warden may authorize an exception as deemed necessary. The Warden or designee may approve additional days which correspondence and packages is 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 and processed by mailroom staff is generally 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 may apply to inmates wishing to correspond with other incarcerated individuals.
1. 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.
    - a. Inmates may be required to complete an *Inter-Facility Inmate to Inmate Correspondence Request* form (See [Attachment 2](#)).
    - b. 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.
    - c. Legal material contained in such correspondence is subject to inspection by mailroom staff.
  2. Inmates shall not send correspondence intra-facility or through the state's Central Mail Service, unless approved by unit staff.
  3. Inmates approved to correspond with other inmates at another facility may use any stationary (includes colored paper or post cards) and envelopes permitted by the facility for the purpose inmates corresponding with those outside of the facility (out-going correspondence).
- D. For security reasons, all envelopes and packages containing 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 if the sender can be positively identified through examination of the contents. 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.
- E. An inmate's general correspondence privileges to send correspondence to an identified individual or entity may be restricted to (1) enforce compliance with a court order (i.e. "no contact with victim") or (2) abide by a request for termination of correspondence, or (3) for specific abuses or violations of the correspondence system, DOC policy or rules or (4) in response to a specific threat to the safety, security and operation of the institution.
- F. Inmates who knowingly violate a court ordered no contact order or DOC generated *Correspondence Termination Notice* (See [Attachments 3](#) and [4](#)), are subject to disciplinary action. Staff will document the incident/violation in an Incident Report and follow procedures set forth in DOC policy 1.3.C.2 [Inmate Discipline System](#). SIU staff will be notified of the violation, if not aware already.

1. Any correspondence 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* received by the DOC cannot be appealed by inmates through the Administrative Remedy Process.
- G. Inmates with separation requirements or on monitoring status are not permitted to correspond with the other specified inmate (See DOC policies 1.4.B.2 *Male Inmate Classification* and 1.4.B.14 *Female Inmate Classification*) without advance approval by the Warden or designee.
- H. 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).
- I. Inmates are responsible for informing their correspondents of the rules that apply to sending and exchanging correspondence through the inmate correspondence system.
- J. Incoming and outgoing correspondence may only contain correspondence for the addressed party/individual. Third party correspondence is not permitted.
- K. Inmates may not forward, receive or possess correspondence addressed to another inmate, except as authorized by the Warden or designee
- L. Each institution will ensure postage stamps, stationary, writing utensils and envelopes are sold through commissary. Inmates will be permitted the opportunity to purchase correspondence supplies to meet their correspondence needs. Indigent inmates will be permitted to access correspondence supplies, consistent with rules of the institution and DOC policy.

## **2. Incoming General Correspondence and Printed Matter:**

- A. Incoming correspondence and printed matter, including newsletters, brochures and bulk mailings not addressed to a specific inmate (e.g. "current resident", "current occupant", "resident" or "all inmates"), will be rejected and do not require a rejection notice be provided to the sender.
- 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. Incoming correspondence may not be censored. 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 the inmate's presence. Approved and accepted packages will be opened and inspected outside the 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 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 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. Stickers, tape, self-adhesive labels (return address labels), and sealing wax or sticky, foreign substances not originally part of the envelope, are not permitted. 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 by mailroom staff from the envelope to prevent reuse or introduction of contraband. Envelopes that do not meet the criteria 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, tape or other adhesive material, glitter, powder, crayon, chalk, lip stick or any foreign substance attached to or absorbed by the correspondence/material, maps, calendars, 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 or "post-it" notes.
    - a. All incoming correspondence must meet the following criteria:
      - 1) General correspondence must be on plain white copy/typing paper or lined white paper (legal paper). Post cards and commercial or personal greeting cards are not permitted.
      - 2) All text/drawing on the paper must be typed, printed or hand-written in ink pen (excluding metallic ink pens) or black graphite pencil. No markers or crayons.
  5. Correspondence received with postage due will not be accepted and will be returned to the sender without notification to the inmate.
- C. Contraband or correspondence that does not comply with the required standards which is discovered with other correspondence within an opened envelope, will be removed/separated from the accepted correspondence. The accepted correspondence may be delivered to the inmate. Any 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 properly documented, reported and disposed of in accordance with the facility's applicable operational memorandum(s) and accepted practices for handling evidence (See SDCL § [24-2-26](#)), following proper notice to the inmate and sender.
- D. The amount of incoming correspondence and printed material which 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 or in their possession to maintain and preserve safety, security and sanitation standards.
- E. Inmates may receive printed matter or correspondence provided this is sent to the inmate directly from a publisher, distributor or institution of higher learning providing the correspondence course. This includes accredited and non-accredited correspondence courses. Materials must be soft cover. Correspondence course printed matter may include colored paper or colored envelopes.
- F. General correspondence delivered/transferred to an inmate becomes the inmate's personal property, subject to established policies and procedures that apply to inmate personal property, including established limits and search/inspection and seizure procedures by staff.

- G. Incoming correspondence that is approved but appears damaged through handling by the U.S. Postal Service, will be repaired to the extent possible, to facilitate delivery to the inmate, or a photocopy may be made of the correspondence for delivery to the inmate by mailroom staff. The same process shall apply to correspondence accidentally damaged by mailroom staff. Such accidental damage shall not be subject to or otherwise require 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 by mailroom staff. 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 or poses an immediate threat. Such inspection will be completed in the presence of the inmate. If any contents are withheld from delivery, the inmate shall be notified of the correspondence/material withheld and the reason shall be documented.
  2. Inspection may include opening all seams of any envelope containing legal/privileged correspondence which is intended for delivery to the inmate. 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 may be received in colored/non-white envelopes and retained by the inmate.
  3. The inmate addressee will be informed in writing by staff 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 will document the delivery of privileged/legal correspondence to the inmate on the *Inmate Legal Mail Acknowledgement* form ([Attachment 11](#)). The log may be stored as a hardcopy and/or electronically in the mailroom. Logs shall be maintained for three (3) years from the date the log was created.
- E. 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 and/or electronically in the mailroom. Logs shall be maintained for three (3) years from the date the log was created.

- F. If an inmate refuses to sign the Inmate *Legal Mail Acknowledgement* form refuses to accept privileged/legal correspondence or package, staff will note the refusal in the *Legal Mail Log* and the correspondence or package will be returned unopened to the sender.
- G. Inmates will be permitted to receive and retain envelopes with or without pre-paid postage included in privileged/legal correspondence and 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 or 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 DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#). All funds received and accepted 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 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 will be accepted for processing and deposit. 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 returned to the sender shall be at the inmate's expense. Mailroom staff will typically request a Certificate of Mailing from the U.S. Post Office when returning funds to the sender. 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 of the mailroom staff 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 (may include photocopies or 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, return address. Nicknames and aliases will not be accepted.
1. If the envelope or box 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 items in approved packages.
1. Staff may inspect, read, scan and examine outgoing general correspondence or property for prohibited items, contraband or content (See ARSD [17:50:10:02](#)).
  2. Correspondence will not be censored (See ARSD [17:50:10:07](#)).
  3. Outgoing general correspondence will be approved and mailed out, held for investigative purposes or rejected and returned to the inmate. Approved correspondence will be sealed within the accompanying envelope or package.
- E. Checks issued from an inmate's account to be included in inmate outgoing correspondence must be approved by unit staff and brought to the mail room or delivered to the mail room staff for placement in the inmate supplied envelope by banking staff (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. The correspondence must be inspected for contraband by staff prior to sealing the envelope. Staff will seal the envelope and sign or initial over the sealed flap of the envelope in the inmate's presence.
- 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 the 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. 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 jeopardizes the health and safety of others or was sealed without proper authorization, the sealed envelope or package may be opened and inspected by unit staff or SIU staff. Staff must provide the inmate notice the sealed envelope or package was opened, including the reason the envelope or package was opened. If the envelope or package is found to contain unacceptable material, the envelope or package and its contents may be seized as evidence. If no prohibited material is found, the envelope or package and its contents shall be mailed without further delay.
1. After conclusion of the search and/or disciplinary proceedings, any material identified as legal/privileged correspondence contained in the confiscated envelope 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 ten dollars (\$10.00) per month, per inmate. State-paid postage is limited to first class mail and does not include certified mail or any other additional fees/charges that may apply. 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](#)).

- 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 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, security interests, preventing escape and encouraging rehabilitation of inmates within the facility, is not permitted and may be confiscated or rejected. Unacceptable correspondence may be considered on a case-by-case basis, consistent with this policy and directive as provided by the Warden or designee. Inmates will be notified of any material withheld or rejected (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 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.
  - 5. Material that advocates or encourages violence or contains threats of physical harm against any person.
  - 6. Material that illustrates, explains, encourages, describes or teaches the ability to frustrate a crowd, group disruption or methods to incite a riot.
  - 7. Material that teaches or gives the ability to sabotage or disrupt communication networks, including internal and external communications and automated information systems.
  - 8. 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 staff in the course of their duties.

9. 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.
10. Printed material containing complementary items that meet the definition of contraband or otherwise deemed unacceptable (free CDs, fragrance samples, scratch tickets, posters, calendars, 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 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 from the printed matter or correspondence or redact any printed content.
  - 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.
11. Material that depicts pornography (See DOC policy 1.3.C.8 [Pornography](#)).
12. Materials encouraging sexual behavior that is criminal in nature, or material sent to a sex offender which Sex Offender Management staff determine detrimental to the rehabilitation of the sex 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 1.2.C.9 [Sex Offender Restrictions](#)).
13. Pictures of current or past DOC staff, contract staff, volunteers or interns of the DOC, unless approved by the Warden or designee.
14. 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.
15. Material that contains encoded material, organized symbols or written in code. This does not automatically prohibit magazines, publications, written materials and correspondence written in a recognized foreign language or materials generated and received directly from a reputable source. Material believed to be written in a foreign language will be considered on a case-by-case basis.
  - 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. Materials/correspondence will be considered on a case-by-case basis, given the totality of the circumstances around the correspondence. The Warden or designee will be notified if foreign language material is rejected (both incoming and outgoing).
  - c. Foreign language and Braille publications received directly from a recognized library or approved and legitimate source may be approved with or without translation of the material, provided permitting the material does not present any legitimate concerns to the safety, security or good order of the institution.

16. 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.
  17. Material that advocates racial, religious or national hatred in such a way to create a danger of violence in the facility.
  18. Material that encourages or instructs the commission of criminal activity.
- 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. Bulk religious and cultural material from a legitimate source will be delivered to the Cultural Coordinator for review.
- C. If mailroom staff excludes or confiscates correspondence or items contained within correspondence or a package not 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 from which the correspondence or item(s) was rejected. 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 confiscate the correspondence, printed matter or item of contraband included in the correspondence and complete a Mailroom Correspondence Rejection Notice –Inmates (See [Attachment 6](#)). The notice shall be sent to the inmate the same day 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/item.
      - 1) If the inmate chooses to send out the excluded or confiscated item, the inmate must provide an addressed envelope with the appropriate postage to mailroom staff.

- b. If the excluded or confiscated correspondence contains items not subject to rejection (approved checks, money orders, cards), 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 of the correspondence or printed matter.
    - 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 in a fund designated by the Warden.

## 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 until the Mail Security Coordinator or SIU responds. SIU staff should notify the Postal Inspector about the correspondence.
- 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](#)) 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. Staff shall be assigned to investigate the possible loss and will report any confirmed losses to Postal Inspector by calling (877) 876-2455 or providing written report to: [postalinspectors.uspis.gov](http://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-4-4496).
  - C. Incoming correspondence that cannot be returned to the sender or forwarded to the inmate may be destroyed by mailroom staff.

## 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.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 "circulars, 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 pervious 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 by 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 C. **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.

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

04/17/2018

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 Offender Correspondence Request

The **Inter-Facility Inmate to Offender Correspondence Request** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Inter-Facility Inmate to Offender Correspondence Request** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Inter-Facility Inmate to Offender Correspondence Request**.

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     Printed Name of Approving Authority/Staff    Date:

Disapproved

Revised: 04/27/2018

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### Attachment 3: Correspondence/Telephone Termination Request

The **Correspondence/Telephone Termination Request** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Correspondence/Telephone Termination Request** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Correspondence/Telephone Termination Request**.

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

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Corr-Telephone Termination Request Please refer to DOC policy 1.5.D.3 and 1.5.D.4 Offender Correspondence / Inmate Access to Telephones	
<b>CORRESPONDENCE/TELEPHONE TERMINATION REQUEST</b>			
Dear Sir or Madam:			
The Department of Corrections will stop mail and/or telephone calls from a specific inmate(s) in response to a written request from you. You may make the written request on behalf of yourself, your current spouse, or any minor children residing in your household.			
It has come to our attention that		<input type="text"/>	<input type="text"/>
		<small>(inmate name)</small>	<small>(inmate number)</small>
may have been contacting you or may want to contact you with unwanted correspondence and/or telephone calls. This letter is to inform you that you may request "no contact" with the above named inmate by completing the information below. Please make sure you sign this letter at the bottom and mail it back to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please mail this letter to the South Dakota State Penitentiary address.			
It is possible an inmate may find some other means of contacting you. The Department of Corrections will take the steps available to prevent any further contact from the inmate. Please report any further contact from the inmate to the facility where you believe the inmate is housed. If you are unsure of where the inmate is housed, please contact the South Dakota State Penitentiary.			
<b>MAIL:</b>			
I/We		<input type="text"/>	request that the
		<small>(print your name)</small>	
above named inmate be prevented from contacting me by <b>MAIL</b> at the following address:			
Street	<input type="text"/>		
P.O. Box	<input type="text"/>		
City/State	<input type="text"/>	Zip	<input type="text"/>
<b>TELEPHONE</b>			
I/We		<input type="text"/>	request that the
		<small>(print your name)</small>	
Above named inmate be prevented from contacting me by <b>TELEPHONE</b> at the following numbers (please include the area code):			
Home:	<input type="text"/>		
Business:	<input type="text"/>		
Cell:	<input type="text"/>		
Other:	<input type="text"/>		
Signed:		<input type="text"/>	
South Dakota State Penitentiary	Mike Duffee State Prison	South Dakota Women's Prison	
Attn: Mail Room Officer	Attn: Mail Room Officer	Attn: Mail Room Officer	
P.O. Box #111	1412 Wood Street	3200 E. Highway 34	
Sox Falls, SD 57117-9111	Springfield, SD 57062-2239	C/o 510 E. Capitol Avenue	
		Pierre, SD 57501	
Revised: 10/22/08		Page: 1 of 1	



## Attachment 5: Admission Document

The **Admission Document** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Admission Document** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
  
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Admission Document**.

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 1.1B.2 and 1.5D.3) Inmate Accounts and Trust Fund Responsibility - Offender Correspondence
<b>ADMISSION DOCUMENT</b>	
<b>PERSONAL PROPERTY AGREEMENT</b>	
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 MAINTAIN 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.	
<b>RECEIPT OF INMATE LIVING GUIDE</b>	
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.	
<b>BEHAVIOR WHILE IN THE DEPARTMENT OF CORRECTIONS</b>	
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 I/PD (INDIVIDUAL PROGRAM DIRECTIVE) AND THIS NEGATIVELY IMPACT MY PAROLE RELEASE.	
<b>AUTHORIZATION TO DEPOSIT</b>	
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.	
<b>JUDGMENT PAPERS</b>	
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.	
<b>RELIGIOUS/CULTURAL AFFILIATION</b>	
MY RELIGIOUS/CULTURAL AFFILIATION IS (PROTESTANT, WICCAN, NATIVE AMERICAN, MUSLIM, ETC.)	
<input type="text"/>	
<b>INMATE'S PRINTED NAME</b>	<b>INMATE SIGNATURE</b>
<input type="text"/>	<input type="text"/>
<b>STAFF WITNESS SIGNATURE</b>	<b>DATE</b>
<input type="text"/>	<input type="text"/>
Revised: 04/20/2005 <span style="float: right;">Page 1 of 1</span>	

## Attachment 6: Mailroom Correspondence Rejection Notice-Inmate

The **Mailroom Correspondence Rejection Notice-Inmate** sample form is located on the state's WAN and the actual copy for use is in carbon format.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Mailroom Correspondence Rejection Notice-Inmate** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Mailroom Correspondence Rejection Notice-Inmate**.

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

South Dakota Department of Corrections Policy Distribution: Public	Attachment 6: Mailroom Correspondence Rejection Notice-Offender Please refer to DOC policy 1.5.D.3 Inmate Correspondence
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**MAILROOM CORRESPONDENCE REJECTION NOTICE-OFFENDER**

To:     
Inmate's Last Name      First      ID#

Mailroom staff are rejecting the following described correspondence or printed matter for the reason(s) indicated below:

Item received from (name of sender):

Description/reason for rejection:

The correspondence contains contraband or unauthorized items that must be removed to facilitate delivery.

The correspondence violates a Prohibited Act or any other rule, regulation, policy, operational memorandum or directive governing the DOC or this facility.

The correspondence contains unauthorized funds, personal check, or cash.

You are not authorized to receive or send correspondence to/from the correspondent.

Privileged/legal correspondence that appears to include items of general correspondence.

The correspondence violates postal regulations, i.e. threats, blackmail or extortion.

The correspondence is contained within an unauthorized envelope.

The correspondence or printed matter is coded or requires translation.

The correspondence has been deemed suspicious or dangerous, as defined within the policy.

Other:

Staff Member's Name      Signature      Date

You may appeal any decision to reject correspondence through the Administrative Remedy process (See DOC policies 1.3.E.2 Administrative Remedy).

A copy of the completed Notice provided to the inmate shall be retained mailroom staff for three (3) years from the date the Notice was issued. Following expiration of the three (3) year period, the Notice will be destroyed.

Revised: 02/08/2018 Page 1 of 1

## Attachment 7: Mailroom Correspondence Rejection Notice-Sender

The **Mailroom Correspondence Rejection Notice-Sender** sample form is located on the state's WAN and the actual copy for use is in carbon format.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the **Mailroom Correspondence Rejection Notice-Sender** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select **Mailroom Correspondence Rejection Notice-Sender**.

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>Please refer to DOC policy 1.5.D.3 Inmate Correspondence</p> <p><b>MAILROOM CORRESPONDENCE REJECTION NOTICE-SENDER</b></p> <p>To: _____ Sender</p> <p>Description of rejected item/correspondence: _____</p> <p>Name of Offender who received the rejected correspondence: _____</p> <p>Mailroom staff are rejecting the following described correspondence/publication for the reason(s) indicated below:</p> <p><input type="checkbox"/> The correspondence contains contraband or unauthorized items that must be removed to facilitate delivery.</p> <p><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.</p> <p><input type="checkbox"/> The correspondence contains unauthorized funds, postal check, or cash.</p> <p><input type="checkbox"/> You are not authorized to receive or send correspondence to/from the correspondent.</p> <p><input type="checkbox"/> Privileged/legal correspondence that appears to include items of general correspondence.</p> <p><input type="checkbox"/> The correspondence violates postal regulations, i.e. threats, blackmail or extortion.</p> <p><input type="checkbox"/> The correspondence is contained within an unauthorized envelope.</p> <p><input type="checkbox"/> The correspondence or printed matter is coded or requires translation.</p> <p><input type="checkbox"/> The correspondence has been deemed suspicious or dangerous, as defined within the policy.</p> <p><input type="checkbox"/> Other: _____</p> <p>_____ Staff Member's Name      _____      _____ Signature    Date</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>Revised: 02/08/2018      Page 1 of 2</p>	<p>South Dakota Department of Corrections - Attachment 7: Mailroom Correspondence Rejection Notice-Sender Policy Distribution: Public</p> <p>Please refer to DOC policy 1.5.D.3 Inmate Correspondence</p> <table><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 500 E. Capitol Ave. Pierre, SD 57501</td></tr></table> <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 copies of Notice will be destroyed.</p> <p>Revised: 02/08/2018      Page 2 of 2</p>	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 500 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 500 E. Capitol Ave. Pierre, SD 57501		

## Attachment 8: Discarded Items From Printed Matter

The ***Discarded Items from Printed Matter*** form is located on the state's WAN.

A copy may be printed using **Microsoft Word** as follows:

1. Click [here](#) to access the ***Discarded Items from Printed Matter*** by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select ***Discarded Items from Printed Matter***.

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 Acknowledgement* form is located on the state's WAN.

A copy may be printed using *Microsoft Office Excel Worksheet* as follows:

1. Click [here](#) to access the *Inmate Legal Mail Acknowledgement* by:
  - a. Placing mouse on the word "here" above
  - b. Press and hold the "Ctrl" key on the keyboard
  - c. Click the left button of mouse.
2. Or Select **File/New** from the Menu Bar / Select the **DOC** tab / Select ***Inmate Legal Mail Acknowledgement*** .

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