

## 1.5.D.3 Inmate Correspondence

### I Policy Index:



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### II Policy:

Inmate correspondence will be monitored and inspected to prevent escapes, detect and deter the introduction of contraband and maintain order, control and safety within any institution under the supervision of the DOC. The DOC shall promulgate rules pursuant to Chapter 1-26 concerning public contact with inmates through mail services.

### III Definitions:

#### **General Correspondence:**

Written communication to or from inmates, such as letters, postcards, greeting cards or packages sent through private or public carriers.

#### **Privileged/Legal Correspondence** (See [Attachment 1](#)):

- 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 in state or United States courts), an approved designee of said attorney, a judge or an officer of the court (state or federal); or an organization or entity which is known to provide legal services to inmates (see Attachment 1, paragraph A).
- Incoming and outgoing mail from specific governmental officials or agencies specifically identified in Attachment 1, or incoming mail from other governmental officials or agencies specifically identified in Attachment 1 that identify the mail as "legal" or "privileged".

#### **Censorship:**

Deleting or editing a portion of an item of correspondence (See ARSD [17:50:10:07](#)).

#### **Rejected Correspondence:**

Items of correspondence returned to the sender or discarded due to a violation of this policy, any facility operational memorandums, or violations of the policies and/or state or federal law.

#### **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).

**Contraband:**

An item that an inmate is not authorized to have. Approved items may be contraband if they have been altered, are possessed in higher quantity than authorized, are used in ways for which they were not intended, or are obtained through an unapproved source.

**Inmate:**

Any person sentenced or committed to, or placed in an adult DOC 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.

**IV Procedures:****1. General Regulations:**

- A. All incoming and outgoing general correspondence for inmates must be processed through the facility's mailroom. Incoming and/or outgoing inmate letters, packages or notes cannot be passed through a control room, staff member, or visit room.
1. Normally, incoming and outgoing correspondence will be processed by the mailroom staff within forty-eight (48) hours of being received; excluding days which mail is not scheduled to be processed. Excludes correspondence requiring translation.
  2. Inmate correspondence is not processed on Sunday or state or federally recognized holidays.
  3. Privileged/legal correspondence is not delivered on weekends or holidays.
  4. Correspondence delivery and pickup is limited to the United States Postal Service and commercial shipping carriers; i.e. United Parcel Service and FedEx.
- B. Inmates will be permitted to send or receive general correspondence with the following exceptions:
1. Inmates may not send or receive correspondence to or from another inmate on supervised release, or any inmate housed in any penal or correctional facility, including federal, state, county and contract facilities. Exceptions include but are not limited to an inmate's immediate family members and inmates who have a child together (proven through a birth certificate and only if both inmates have parental rights) and inmates who are co-parties in an active legal case.
    - a. Inmates may request to correspond with an immediate family member who is an inmate (see definition above) by completing an [Inter-Facility Inmate to Inmate Correspondence Request](#) form (See [Attachment 2](#)).
    - b. The Warden, Deputy Warden, Associate Warden, Executive Director of the Board of Pardons and Paroles, or designee will respond to an inmate's inter-facility request with written approval or denial.
  2. An Associate Warden or staff member of equal rank has authority to approve correspondence between inmates.
  3. Free advertising materials, flyers, pamphlets, circulars, newsletters, bulletins, non-subscriptive or free catalogues will normally not be delivered to inmates.

- a. Standard mail sent from a recognized religious organization in care of the institution's Cultural Activities Coordinator may be approved and delivered to inmates by the Cultural Activities Coordinator.
4. Adult inmates cannot send correspondence intra-facility or through the state's Central Mail Service.
- C. All correspondence must bear the full name and address of the sender on the outside of the envelope/package. Nicknames and aliases will not be accepted. At the discretion of mailroom staff, 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 through examination of the contents of the envelope/package.
  - D. An inmate's general correspondence privileges may be suspended/withdrawn to enforce compliance with a court order (i.e. "no contact with victim"), when requested by a recipient in writing, for violation of DOC policy or rules, or on a case-by case basis when the Warden or his/her designee determines an inmate's correspondence and/or participation in the institutional correspondence system is detrimental to the security, good order or disciplined operation of the facility, for the protection of the general public, or when the correspondence facilitates or continues criminal activity.
  - E. Inmates who knowingly violate a court ordered no contact order or notification of no contact (See [Correspondence/Telephone Termination Notice - Attachment 4](#)) will be subject to disciplinary action. Staff will document the incident/violation in a disciplinary report and follow the procedures set forth in DOC policy 1.3.C.2 [Inmate Discipline System](#).
    1. 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.
    2. Any correspondence sent by an inmate believed to be in violation of a judicial no contact order may be confiscated and used as evidence.
    3. Inmates will be notified via the [Correspondence/Telephone Termination Notice](#) (See [Attachment 4](#)) when his/her correspondence privilege with a specified individual(s) is withdrawn.
    4. Court orders and/or institutional [Correspondence/Telephone Termination Notices](#) served to an inmate cannot be appealed by the inmate through the Administrative Remedy Process.
  - F. Inmates with separation requirements or monitoring status are not allowed to correspond with each other (See DOC policies 1.4.B.2 [Male Inmate Classification](#) and 1.4.B.14 [Female Inmate Classification](#)).

## **2. Incoming General Correspondence:**

- A. Incoming general correspondence sent to an inmate will be opened and inspected by staff to prevent inmate receipt of correspondence that threatens facility security and/or good order of the facility (See ARSD [17:50:10:05](#)).
  1. Incoming inmate packages will not be opened in the inmate's presence unless there is a barrier or screen between the inmate and the staff member opening the package. Packages will be opened and searched outside the inmate's presence.

- B. If contraband is included within an item of general correspondence received by an inmate, the items of contraband will be removed from the correspondence and may be used as evidence.
1. Contraband will be properly documented, reported and disposed of in accordance with the facility's applicable operational memorandum(s) and procedures pertaining to contraband (See SDCL § [24-2-26](#)).
- C. All incoming correspondence must contain the following:
1. The sender's first and last name and full mailing address.
  2. The inmate's first and last name and ID number.
  3. Correspondence that does not include the above information will be rejected.
- D. The amount of incoming correspondence which an inmate may receive is unlimited.

### 3. Incoming Privileged/Legal Correspondence:

- A. Correspondence clearly identified as privileged/legal sent to an inmate will be opened by staff in the presence of the inmate (See ARSD [17:50:10:04](#)).
- B. Privileged/legal correspondence sent to an adult inmate will be inspected by unit staff in the presence of the inmate. Staff will determine the genuineness of the addressor (See ARSD [17:50:10:04](#)).
1. Staff **will not read** the content of privileged/legal correspondence but **will inspect** the correspondence page-by-page, in the presence of the inmate, to prevent the introduction of contraband and to confirm the contents were sent by addressor.
  2. Privileged/legal correspondence may be inspected for contraband in the same manner described herein by staff conducting searches of inmate living quarters or other areas of an institution where inmate privileged/legal correspondence may be located or stored (See DOC policy 1.3.A.5 [Searches - Adult and Juvenile Institutions](#)).
- C. Unit staff will document the delivery of privileged/legal correspondence to the adult inmate.
1. The outside of the envelope containing privileged/legal correspondence will be stamped with the following:
 

Date: \_\_\_\_\_

I acknowledge that this envelope was opened in my presence by:

Staff Member: \_\_\_\_\_

Inmate: \_\_\_\_\_
  2. At the time of delivery, the unit staff member delivering the privileged/legal correspondence will:
    - a. Fill in the date and his/her name in the space provided.
    - b. Have the inmate sign in the space provided.

- c. In the presence of the inmate, open and inspect the privileged/legal correspondence for contraband and determine the genuineness of the addressor.
  - d. Give the approved envelope and its contents to the inmate.
- D. Packages clearly identified as coming from a privileged/legal source will be opened in the presence of the inmate (See Section 2 A. 1.) The inmate will be required to acknowledge receipt by his/her signature.
- E. Staff will complete the [Inmate Legal Mail Log](#) (See [Attachment 11](#)) for all incoming inmate correspondence determined by staff to be privileged/legal correspondence.

#### 4. Receiving Funds/Money Orders:

- A. Inmates may receive money orders or care packs from immediate family members and friends on the inmate'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.
- B. Cash will not be accepted for deposit into an adult inmate's account. Correspondence containing cash will be rejected (See ARSD [17:50:01:18](#)).
- C. Inmates may receive business/payroll checks, checks issued by a government agency, United States Postal Money Orders, cashier's checks or money orders issued by companies licensed to sell money orders (in U.S. dollars only) through the mail for deposit into their institutional account (See DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#)).
  - 1. Business/payroll checks, checks issued by a government agency, cashier's checks and money orders must contain the name of the sending party.
  - 2. Personal checks will not be accepted for deposit into an inmate's institutional account.
  - 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. Prior to the deposit of funds into an inmate's sub account, the inmate must sign and date the [Admission Document](#) (See [Attachment 5](#)) granting the DOC authorization to deposit the funds. This authorization is valid until the inmate is released or discharged from the DOC.
- D. Funds meeting all of the required criteria will be deposited into the inmate's institutional subaccount, in accordance with DOC policy 1.1.B.2 [Inmate Accounts and Financial Responsibility](#). After the funds have been deposited, a receipt of the deposit will be provided to the inmate.
- E. All cash or rejected funds sent to an inmate shall be returned to the sender via mail, at the expense of the inmate. Mailroom staff will typically request a Certificate of Mailing from the U.S. Post Office when mailing inmate correspondence containing rejected funds.
- F. The sender of the returned or rejected money order or care pack may appeal the return/rejection to the Warden or Superintendent.
- G. The inmate may appeal a decision to reject the money order or care package through the administrative remedy process (See DOC policy 1.3.E.2. [Administrative Remedy for Inmates](#)).

## 5. Outgoing Correspondence:

- A. All outgoing correspondence must bear the inmate's full name, ID number (as appears on the inmate's DOC issued ID) and complete return address. Nicknames and aliases will not be accepted.
  - 1. If the envelope or package does not bear the name, ID number and address of the sender, it 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 before processed for mailing.
  - 3. Inmates who are classified as indigent may request envelopes and stationary for the purpose of composing and sending out legal/privileged mail (See [Attachment 1](#) for a complete list) by contacting a unit staff member. (See ARSD [17:50:10:01](#)).
    - a. The Warden may establish a maximum dollar value for indigent postage and supplies to be issued to an inmate each calendar month (See DOC policy 1.2.E.1 [Inmate Commissary](#)).
- B. Outgoing general correspondence must be placed in an unsealed envelope in an outgoing mail box.
  - 1. Staff may inspect and read outgoing general correspondence (See ARSD [17:50:10:02](#)).
  - 2. Outgoing general correspondence will not be censored (See ARSD [17:50:10:07](#)).
  - 3. Outgoing general correspondence will either be approved and mailed out, or rejected in its entirety.
- C. Outgoing correspondence placed in altered envelopes, homemade envelopes, or envelopes obtained from an unauthorized source will be rejected.
- D. Designated staff shall approve all checks issued from an inmate account before placed in the outgoing mail (See ARSD [17:50:10:03](#)).
- E. Outgoing correspondence returned to an inmate via the U.S Postal Service as non-deliverable is not considered rejected mail and will be returned to the inmate.

## 6. Outgoing Privileged/Legal Correspondence:

- A. Outgoing privileged/legal correspondence is not required to have postage attached. Such correspondence must be inspected for contraband by unit staff before being sealed by the inmate. Staff will sign or initial over the sealed flap of the envelope in the inmate's presence.
- B. Each housing unit will maintain a regular time on weekdays for inmates to bring privileged/legal correspondence (must be in an unsealed, self-addressed envelope) to the unit coordinator or designee. Staff will make rounds to collect privileged/legal correspondence in segregation units.
- C. Outgoing privileged/legal correspondence will be inspected.
  - 1. Staff will not read the privileged/legal correspondence but may inspect the contents page-by-page in the inmate's presence to prevent the movement of contraband.

2. If there is a question by staff whether the correspondence qualifies as legal mail, the mail may be retained until determination is made. Correspondence may be held for no more than 24 hours, excluding weekends and holidays.
- D. If an inmate is found to be abusing the privileged/legal correspondence process, the correspondence in question may be confiscated and used as evidence in a disciplinary hearing.
1. After the conclusion of the disciplinary proceedings, correspondence determined not to be privileged/legal, will be returned to the inmate. The inmate may send the correspondence out via general correspondence.
- F. State-paid postage for outgoing privileged/legal correspondence is limited to five (5) mailings per week, per inmate. Postage paid by the DOC for privileged/legal correspondence 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.
- G. Staff will complete the [Inmate Legal Mail Log](#) (See [Attachment 11](#)) for all outgoing privileged/legal correspondence.

## 7. Confiscated Correspondence:

- A. Items that violate criminal law, DOC policy, rules, or facility operational memorandums will be removed from the correspondence and confiscated. Such items may be used as evidence during the disciplinary and/or criminal proceeding (See DOC policies 1.3.C.2 [Inmate Discipline System](#)).
1. Inmates who violate the procedures of this policy may be subject to disciplinary action and/or criminal prosecution.
  2. If an inmate is suspected of committing a criminal offense through use of the correspondence system, the proper authorities will be notified by the Special Investigations Unit or other designated security staff.
- B. General correspondence or items contained in general correspondence that constitute a threat to the security or disciplined operation of the institution, will be turned over to the Special Investigations Unit or other designated security staff.

## 8. Rejecting Correspondence:

- A. The following items and/or incoming and outgoing general correspondence containing any of the following, may be rejected (this is not an inclusive list):
1. Includes any information about the planning, promoting or furtherance of criminal activity.
  2. Violates a prohibited act, rule, regulation or directive governing the DOC, or contains any information that if communicated, would create a threat to the security of the institution.
  3. Contains instructions for the manufacture or construction of an unconventional or improvised weapon, explosives, narcotics, drug paraphernalia, alcoholic beverages or unlawful substances, or contains plans to smuggle contraband into or out of the institution.
    - a. Illegal contraband (i.e. weapons, explosives, drugs) included in correspondence will be turned over to law enforcement authorities.
  4. Materials that promote gaming activity, defined as when anything of value is bet or wagered.

5. Advocates violence or contains threats of physical harm against any person or criminal activity.
6. Any materials which illustrate, explain, describe or teach the ability to frustrate a crowd or methods to incite a riot.
7. Any materials which teach or give the ability to sabotage or disrupt communications networks; including internal and external communications and automated information systems.
8. Any materials which illustrate, explain, describe or teach the ability to manipulate in any form or fashion a locking device, mechanical restraint or any safety equipment used by staff in the course of their duties.
9. Any materials which depict gang activity, gang insignia, or may be construed as pertaining to gang/security threat group activity.
10. Postage stamps, plain or stamped envelopes, stickers, maps, calendars of any type, Polaroid photos, unused cards or postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of paper, homemade craft items or altered magazines (including any picture, articles, or any item that has been taken out of a magazine), construction paper and pages from coloring books. The following cards will be rejected:
  - a. Homemade envelopes are not permitted in incoming or outgoing mail.
  - b. Homemade cards are not permitted in incoming mail.
  - c. Musical cards or cards that contain a mechanical mechanism are not permitted.
  - d. Cards larger than 8 ½" x 11" will not be accepted.
  - e. Cards containing glitter.
11. Magazines/publications containing complementary items that meet the definition of contraband (free CDs, fragrance samples, scratch tickets, etc.). Items held in place with a perforated edge may be removed by mailroom staff to facilitate delivery of the magazine/publication. 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 magazine/publication by tearing pages from the magazine/publication.
12. Any material that depicts pornography, sexually-explicit conduct and/or nudity, including language or drawings (See DOC policy 1.3.C.8 [Pornography](#) for definitions).
13. Materials encouraging sexual behavior that is criminal in nature, or behavior determined by Sex Inmate Management staff to be detrimental to an inmate's rehabilitation.
  - a. Possession of certain materials by a sex inmate may be a violation of the inmate's STOP contract (See DOC Policy 1.2.C.9 [Sex Offender Restrictions](#)).
14. Pictures of current or ex-staff members, contract staff members, volunteers or interns of the DOC.
15. Violates postal regulations e.g., threats, blackmail, extortion. Such correspondence shall be reported by mailroom staff to the proper postal authorities and Special Investigations Unit.

16. Contains encoded material or material written in code. This does not automatically prohibit magazines/publications and/or letters written in a recognized foreign language.
    - 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 twenty (20) working days to facilitate translation and review of the contents.
    - b. If after twenty (20) days attempts to translate the materials are unsuccessful, the correspondence may be rejected.
    - c. Magazines/publications in languages other than English must be reviewed and approved by mailroom staff. Braille publications received from a recognized library will generally be approved for inmates with a documented vision disability.
  17. Depicts, encourages, or describes methods of escape from secure custody or restraint, or contains blueprints, drawings or similar descriptions of correctional facilities.
  18. Advocates racial, religious, or national hatred in such a way as to create a danger of violence in the facility.
- B. If mailroom staff determines a portion or all of an inmate's correspondence is rejected (See Section 8), staff will confiscate the correspondence or the item of contraband contained in the correspondence and completes a [Mailroom Correspondence Rejection Notice –Inmates](#) (See [Attachment 7](#)). The notice shall be sent to the inmate the same day the correspondence is rejected.
1. Rejected correspondence and/or contraband contained in the correspondence is subject to one of the following actions:
    - a. The correspondence 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](#) has been signed and provided no appeal was received by the Warden or Superintendent from the Sender of the rejected correspondence/item.
      - 1) If the inmate chooses to send the rejected correspondence or item of contraband out, the inmate must provide an address to mailroom staff and pay all mailing expenses associated with sending the correspondence or item out of the facility.
    - b. If the correspondence contains items not subject to rejection (approved checks, money orders, books, cards), the inmate may choose to accept these items. The remaining portion of the correspondence and/or item(s) that is rejected is subject to the rejected correspondence procedure, (see a. above).
    - c. The rejected correspondence 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 provided no appeal is received by the Warden or Superintendent from the sender of the rejected correspondence.
      - 1) If an appeal is received by the Warden from the sender of the rejected correspondence, the rejected correspondence or item(s) may not be discarded until the sender's appeal process is exhausted (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 involving rejected correspondence and/or items are not required to take action on the correspondence and/or item(s) until the Administrative Remedy process is exhausted.
3. Inmates who have not filed an AR have sixty (60) days from the date the [Mailroom Correspondence Rejection Notice- Inmate](#) is signed by mailroom staff to notify staff of their intended action.
  - a. If the inmate fails to respond to the [Mailroom Correspondence Rejection Notice- Inmate](#) within sixty (60) days from the date the notice was signed by mailroom staff, and no appeal or Administrative Remedy is pending, mailroom staff may choose to have the correspondence and/or items destroyed by mailroom staff.
- C. If mailroom staff rejects correspondence or items sent to an inmate, staff will send a [Mailroom Correspondence Rejection Notice-Sender](#) (See [Attachment 8](#)) to the sender.
  1. The sender may appeal mailroom staff's decision to reject the correspondence or items by writing to the Warden having authority over the DOC 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 an appeal by the sender.
  2. The sender may appeal the Warden's decision by writing to the Secretary of Corrections within thirty (30) days of date the Warden or Superintendent signed the response to the sender. 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 C.C. the Warden.
    - b. The Secretary's decision is final.
  3. The Warden will notify mailroom staff of the Secretary's decision.
- D. In any instance where the intended recipient/inmate of the incoming correspondence cannot be determined, and there is correspondence contains no return address, the correspondence will be discarded by mailroom staff. If money is included in the correspondence, the money will be deposited in a fund designated by the Warden.

## 9. Mailroom Security:

- A. Inmates who work in the mailroom may be pat searched prior to entering the mailroom.
  1. The mailroom officer may require a strip search of an inmate worker entering the mailroom if he/she believes a pat search is insufficient to detect possible contraband (See DOC policy 1.3.A.5 [Searches - Adult Institutions](#)).
- B. Staff working in the mailroom will wear protective gloves when opening and/or inspecting correspondence that appears suspicious. Mailroom staff is not otherwise required to wear gloves when opening and/or inspecting correspondence.

- C. Each facility shall maintain a Mail Security Coordinator, who will assume command of a situation involving suspicious correspondence.
1. If suspicious mail or packages is encountered, the Mail Security Coordinator will be called to the scene immediately.
  2. The Mail Security Coordinator will follow the guidelines listed in the [Risk Management Bulletin Issue 43: Anthrax Threat Guide for South Dakota](#) (See [Attachment 10](#)).
  3. Suspicious mail or packages may consist of:
    - a. Protruding wires, strange odors, leaking and substance, outside covering is stained or the envelope or package contains any unidentified substance(s), i.e. powder, liquid, residue.
    - b. A city or state in the postmark that does not match the return address.
    - c. Unusual weight, given the size of the envelope or package, or an envelope or package that is lopsided or oddly shaped.

## 10. Forwarding Correspondence:

- A. Correspondence received at a DOC facility for an inmate who is released, transferred, or discharged will be forwarded to the inmate's last known address.
1. It is the inmate's responsibility to notify his/her correspondents of his/her new address, preferably prior to leaving the facility.
- B. When possible, correspondence that cannot be forwarded will be returned to the sender.
- C. Incoming correspondence that cannot be returned to the sender or forwarded to the inmate may be destroyed by mailroom staff.

## 1. Appeal Process:

- A. An inmate may appeal a rejection, confiscation or the handling of correspondence by staff through the Administrative Remedy process (See DOC policies 1.3.E. 2 [Administrative Remedy for Inmates](#)).
1. No-contact orders issued by the court and/or institutional [Correspondence Termination Notices](#) served upon an inmate cannot be appealed through the Administrative Remedy process.

## V Related Directives:

SDCL §§ [1-15-20](#) 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, bulletins" and **Added** "sent standard mail" to Section 1 B. 3. **Deleted** "Materials" and **Replaced** with "Standard mail sent" and **Added** "approved and" and **Deleted** "adult" all in Section 1 B.3. a. **Added** "the State Central Mail Services" to Section 1 B. 4. and 5. **Added** "or his/her designee" and **Added** "an offender's correspondence and/or participation in the institutional correspondence system" in Section 1 D. **Added** "provided the offender can be identified" in Section 3 A. 1. **Added** "for the purpose of writing to attorneys, the courts, the Secretary of Corrections, the Governor of South Dakota, legal services or other officials identified in Attachment 1" in Section 4 A. 3.

**January 2013:** **Deleted** c. "Offenders may be subject to disciplinary action for failure to abide by this regulation" in Section 1 B. **Deleted** b. "Juvenile offenders may be restricted from receiving their and fourth class mail (i.e. "junk mail") at the discretion of supervising staff" from Section 1 B. **Added** "At the discretion of the Warden or his/her designee, correspondence that does not bear the full name and address of the sender on the envelope/package, may be accepted if the sender can be identified by the contents of the envelope/package" in Section 1 C. **Added** 3. to Section 1 D. **Added** "sent or received by an offender" in Section 1 E. 1. **Added** "where an offender's privileged/legal correspondence may be located or stored" in Section 2 C. 2. **Deleted** "any other material included as part of" in Section 2 D. 4. a. **Deleted** "at the conclusion of the disciplinary proceeding" in Section 2 D. 4. a. **Added** "ongoing or pending" to Section 2 D. 4. b. **Added** "The sender of the rejected correspondence and/or the juvenile

may appeal staff's decision to reject the correspondence in accordance with the procedures of this policy" in Section 2 F. 1. **Added** "in the presence of the juvenile" in Section 2 G. 2. **Deleted** "rejected" and **Replaced** with "returned to the sender" in Section 3 C. 2. **Added** F. to Section 3. **Added** "in the offender's presence" in Section 4 C. 2. a. **Deleted** "may result in a disciplinary write-up" in Section 6 A. 4. **Deleted** "homosexuality" in Section 6 A. 9. **Added** 1. and a-d to Section 6 B. **Added** new C. and changed previous C and D. to D. and E. in Section 6. **Added** "or Superintendent" to Section 7 C. **Deleted** "provided a correct forwarding address is available" and **Replaced** with "to the offender's last known address" in Section 8 A. **Added** B. and B.1 to Attachment 2.

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

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

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

**August 2015:** **Added** "excludes correspondence requiring translation" in Section 1 A. 1. **Added** 4. To Section 1 A. **Added** "offenders who have a child together (proven through a birth certificate) and only if both offenders have parental rights, or offenders who are co-parties in an active legal case" in Section 1 B. 1. **Added** "to prevent offender receipt of correspondence that threatens facility security or good order of the institution. **Added** 3. to Section 2 C. **Deleted** a. in Section 3 B. 1. **Added** E. to Section 5. **Added** "for contraband" and **Added** "by the offender. Staff will sign or initial over the sealed flap of the envelope in the offender's presence" in Section 6 A. **Deleted** D. in Section 6 and **Added** 2. to Section 6 C. **Added** "State-paid postage is limited to first class mail and does not include certified mail or any other additional fees/charges that may apply" in Section 6 F. **Added** "or contains any information that, if communicated, would create a threat to the security of the institution" in Section 8 A. 2. **Deleted** "ammunition" and **Added** "unconventional and improvised" and **Added** "or contains plans to smuggle contraband into or out of the institution" in Section 8 A. 3. **Deleted** "with Fantasy Sports Leagues or other types" and **Deleted** "This includes but is not limited to baseball, basketball, football, racing and other sporting teams or events" in Section 8 A. 4. **Added** "or contains threats of physical harm against any person or threats of criminal activity" in Section 8 A. 5. **Added** "gang insignia and "security threat group" in Section 8 A. 9. **Added** "provided such removal involves loose advertisement cards/items that include a perforated edge" in Section 8 A. 11. **Added** a. to Section 8 A. 11. **Added** "including language or drawings" in Section 8 A. 12. **Added** "Incoming or outgoing" and **Added** "other than English. Including correspondence written in more than one language" in Section 8 A. 16. **Added** c. to Section 8 A. 16. **Added** 19 to Section 8 A.

**September 2015:** **Deleted** "cannot receive funds from another offender (includes those on felony probation), another offender's family or friends, a W-2/M-2, volunteers of the DOC, or a third party on behalf of another offender unless authorized by the Warden, Superintendent or his/her designee" and **Replaced** with "may receive money orders or care packs from immediate family members and friends on the offender's approved visit list or immediate family members and friends otherwise approved to

send the inmate money order or care packs by the Warden or Superintendent or his/her designee.” in Section 4 A. **Added** G. and H. to Section 4.

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

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

*03/22/2016*

Date

## Attachment 1: Definition of Privileged/Legal Correspondence

- A. Incoming and outgoing correspondence from the following sources is normally 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 Attorneys.
  6. Public Defenders office (State or Federal).
  7. Public Advocates Offices.
  8. South Dakota Advocacy Services (SDAS).
  9. South Dakota Attorney General or South Dakota Assistant Attorneys General.
  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. 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).
  15. 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 have been verified by unit staff as either summons or complaints, or other documents 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 will be allowed to summarily review the documents in order to determine whether they are summons and complaints, subpoenas, or other documents intended for service of process.
- C. The following incoming correspondence will normally be treated as privileged/legal only if the envelope is clearly marked "personal", "legal" or "privileged".
2. U.S. and State Representatives and Senators.
  3. Governors (other than the Governor of South Dakota).
  4. Prison or correction agencies or officials (other than the South Dakota Secretary of Corrections).
  5. Parole authorities.
  6. Law enforcement agencies or officials.
- D. Examples of outgoing correspondence NOT considered privileged/legal:
1. U.S. and State Representatives and Senators.
  2. Governors (other than the Governor of South Dakota).
  3. Prison or corrections agencies or officials (other than the South Dakota Secretary of Corrections).
  4. Parole authorities.
  5. Law enforcement agencies or officials (excluding SD Division of Criminal Investigation).
  6. The National Association for the Advancement of Colored People (NAACP).
  7. The Bureau of Indian Affairs (BIA).
  8. Amnesty International.
  9. The State Bar Association of South Dakota and its committees.

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

## Attachment 2: Inter-Facility Inmate to Inmate Correspondence Request

The **Inter-Facility Inmate to Inmate 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 Inmate 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 Inmate Correspondence Request**.

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

South Dakota Department of Corrections Policy Distribution: Public		Attachment: Inter-Facility Offender to Offender Correspondence Request Please refer to DOC policy 1.5.D.3 Offender Correspondence	
<b>INTER-FACILITY OFFENDER TO OFFENDER CORRESPONDENCE REQUEST</b>			
Offender Name:	Last	First	ID Number
Facility:	Unit/Program:		
Normally, you will only be allowed to correspond between DOC Facilities with members of your immediate family. You may be required to provide proof of your relationship with the person with whom you wish to correspond.			
Name of person with whom you wish to correspond:			
Offender Name:	Last	First	ID Number
Relationship of this person to you:			
Facility:	Unit/Program:		
State below your reason for wanting to correspond with this person.			
Send this completed form to the Deputy Warden of the facility (SDSP or DSP), Associate Warden (SDWP) or Program Manager (STAR Academy) to which you are assigned.			
<b>DO NOT WRITE BELOW THIS LINE</b>			
Willing From:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Deputy Warden/AW/Program Manager	Date:
Willing To:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	Deputy Warden/AW/Program Manager	Date:
If approved, send copies to the following:		Deputy Warden / AW / Program Manager of receiving facility. To Mailroom of sending adult facility.	
If disapproved, send copies to the following:		To Offender	
Revised: 10/23/2008		Page 1 of 1	

### 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"/>
		(inmate name)	(inmate number)
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
		(print your name)	
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
		(print your name)	
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 DeWeese State Prison	South Dakota Women's Prison	
Attn: Mail Room Officer	Attn: Mail Room Officer	Attn: Mail Room Officer	
P.O. Box 8011	1412 Wood Street	3200 E. Highway 34	
Sooux Falls, SD 57117-9011	Springfield, SD 57062-2239	C/o 500 E. Capitol Avenue	
		Pierre, SD 57501	
Revised: 10/22/08		Page 1 of 1	





## Attachment 7: Mailroom Correspondence Rejection Notice-Offender

The **Mailroom Correspondence Rejection Notice-Offender** 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-Offender** 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-Offender**.

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

South Dakota Department of Corrections Policy Distribution: Public	Attachment: Mailroom Correspondence Rejection Notice-Offender Please refer to DOC policy 1.5.D.3 Offender 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/publication for the reason(s) indicated below:

Item received from (name of sender):

Description of item causing rejection:

- The item contains contraband. This includes any information regarding planning or promoting criminal activities.
- The item violates a Prohibited Act or any other rule, regulation or directive governing the DOC or this facility as described above.
- The item contains instructions for the manufacture or use of a weapon, explosive, narcotic, narcotic paraphernalia or alcoholic beverage.
- The item advocates violence or may cause violence or other serious disruption of the security or disciplined operation of the institution as described above.
- The item depicts pornographic material or encourages sexual behavior, pornography, nudity or sexually explicit conduct which is criminal in nature and/or may be detrimental to your rehabilitation. Included in this item are pictures, photographs, drawings, etchings, paintings, writings or illustrations depicting or describing sexual behavior, pornography, nudity, sexually explicit conduct, child pornography, bestiality or acts of sexual violence.
- The item violates postal regulations and includes: threats, blackmail, extortion or similar violations.
- The item contains postage stamps, plain or stamped envelopes, stickers, maps, calendars, Polaroid photos, unused postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of extra paper unrelated to the correspondence, homemade craft items, altered magazines, homemade cards or envelopes, musical or toy records larger than 8 1/2" x 11" (The specific item is noted above).
- The item contains pictures of current or ex-staff members, contract staff members, volunteers or former interns.
- The item contains encoded material.
- The item depicts, encourages or describes methods of escape from correctional facilities or contains blueprints or similar descriptions of SD correctional facilities.
- The item advocates racial, religious or national hatred in such a way so as to create a danger of violence in the facility.
- Other:

Revised: 01/29/2013	Page 1 of 2
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## Attachment 8: 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.

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

To: \_\_\_\_\_  
Sender

Description of rejected item/correspondence: \_\_\_\_\_

Name of Offender who received the rejected correspondence: \_\_\_\_\_

Mailroom staff are rejecting the following described correspondence/publication for the reason(s) indicated below:

- The item contains contraband. This includes any information regarding planning or promoting criminal activities.
- The item violates a Prohibited Act or any other rule, regulation or directive governing the DOC or this facility.
- The item contains instructions for the manufacture or use of a weapon, explosive, narcotic, narcotic paraphernalia or alcoholic beverage.
- The item advocates violence or may cause violence or other serious disruption of the security or disciplined operation of the institution as described above.
- The item depicts pornographic material or encourages sexual behavior, pornography, nudity or sexually explicit conduct which is criminal in nature and/or may be detrimental to your rehabilitation. Included in this item are pictures, photographs, drawings, etchings, paintings, writings or illustrations depicting or describing sexual behavior, pornography, nudity, sexually explicit conduct, child pornography, bestiality or acts of sexual violence.
- The item violates postal regulations and includes threats, blackmail, extortion or similar violations.
- The item contains postage stamps, plain or stamped envelopes, stickers, maps, calendars, Polaroid photos, unused postcards, more than five (5) small newspaper clippings, more than ten (10) sheets of extra paper unrelated to the correspondence, homemade craft items, altered magazines, homemade cards or envelopes, musical cards or cards larger than 8 1/2" x 11".
- The item contains pictures of current or ex-staff members, contract staff members, volunteers or former interns.
- The item contains encoded material.
- The item depicts, encourages or describes methods of escape from correctional facilities or contains blueprints or similar descriptions of SD correctional facilities.
- The item advocates racial, religious or national hatred in such a way so as to create a danger of violence in the facility.
- Other: \_\_\_\_\_

_____ Staff Member's Name	_____ Signature	_____ Date
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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:

Warden SD State Penitentiary PO Box 5911 Sioux Falls, SD 57117	Warden Mike Durfee State Prison 1412 Wood St. Springfield, SD 57062	Warden SD Women's Prison 3200 East Highway 34 c/o 500 E. Capitol Ave. Pierre, SD 57501	Superintendent STAR Academy 12279 Brady Drive Custer, SD 57730
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MR-1B



## Attachment 10: Anthrax Threat Guide for South Dakota

# RISK MANAGEMENT BULLETIN

### Issue 43: Anthrax Threat Guide for South Dakota

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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.**

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