

201—20.4(2C,904) Mail. Constructive, unlimited correspondence with family, friends, and community sources will be encouraged and facilitated. Incarcerated individuals have the responsibility in the use of correspondence to be truthful and honest. Institutions have the responsibility to maintain a safe, secure, and orderly procedure for use of the mail by an incarcerated individual. Mail is additionally governed by the provisions of department of corrections policy OP-MTV-01.

20.4(1) *Nonconfidential.*

a. In an effort to maintain proper security measures, mail may be monitored and read on a random basis.

b. All nonconfidential mail shall be inspected for contraband.

20.4(2) *Confidential.*

a. Confidential mail, as defined in this rule, will not be read or censored.

b. Confidential mail will be delivered unopened and then, in the presence of the incarcerated individual, will be opened and inspected for contraband and to ensure that the contents are from the return addressee.

Confidential mail may be read only after a finding of probable cause by a court of competent jurisdiction that a threat to the order and security of the institution or abuse of correspondence exists.

c. Confidential letters may be written to: (the sender's name and address must be appropriately identified on the envelope)

(1) Officers of federal, state, or municipal courts (judges, judges' law clerks, prosecuting attorneys, court administrators).

(2) Federal agencies chief administrative officer, elected or appointed officials.

(3) State agencies chief administrative officer, elected or appointed officials.

(4) Clerk of court.

(5) The sentencing state department of corrections chief executive officer, deputy directors.

(6) Sentencing state board of parole.

(7) Attorney.

(8) The office of ombudsman.

(9) Any additional exception by law or policy.

(10) Civil rights commission.

d. Envelopes containing confidential correspondence shall be marked as "confidential" by the sender.

20.4(3) *General.*

a. Pursuant to Iowa Code chapter 2C, mail addressed to and received from the ombudsman office shall be delivered unopened.

b. When sending confidential mail, incarcerated individuals may be requested to seal the envelope in the presence of staff after the envelope and letters have been inspected for contraband.

c. All letters mailed by incarcerated individuals will be left unsealed for inspection of the contents only. Envelopes shall contain letters to the addressee only.

d. All other nonconfidential correspondence and packages, both incoming and outgoing, shall be opened for inspection to remove items of contraband.

To facilitate institutional inspection of first-class mail, writers should avoid enclosures other than the written correspondence. Traditional items such as snapshots of appropriately clothed individuals and clippings from published material may be permitted. Each institution shall have guidelines for the amount and type allowed.

e. With the exception of weekends and holidays, incoming and outgoing mail will not be retained for more than 24 hours prior to delivery unless unusual circumstances exist such as staff shortage, suspected correspondence violations, disturbance, or similar constraints.

f. Persons under the age of 18 must provide written permission to the warden from parents or guardian before correspondence with incarcerated individuals will be allowed.

g. Incarcerated individuals under correctional supervision or detention will not be allowed to correspond with other incarcerated individuals unless the individuals are immediate family and approved by the authority of the institution or both authorities in the case of correspondence between facilities.

“Immediate family” means mother, father, sister, brother, half sister, half brother, spouse, son, daughter, natural grandparents, and natural grandchildren. Legal guardian, foster parents, stepparents, stepchildren, stepsister, and stepbrother will be included provided a positive relationship exists or contact will confer a benefit to the incarcerated individual.

h. Incarcerated individuals will be denied mail privileges with persons that might present a risk to the order and security of the institution.

i. All outgoing mail must be sent directly to the individual that the correspondence is written to, and all incoming mail must be sent directly from the individual that wrote the correspondence.

j. No limit will be placed on the number of letters mailed for incarcerated individuals able to pay the mailing costs. Incarcerated individuals who are unable to pay mailing costs for legal mail will receive limited assistance which may be recoverable.

k. Stamped, return-addressed envelopes will be sold through canteen services for all outgoing letters and will be purchased by the incarcerated individual.

l. Special equipment may be used to review envelopes for items in the envelopes other than the letter. When the contents of the correspondence is inappropriate or contraband items which are not illegal to possess under the law are found in the mail, the mail will be rejected and the incarcerated individual shall be notified with the option to return to sender or destroy.

m. When mail is rejected due to inappropriate contents of the correspondence or contraband is found, provided the correspondence is not retained for investigation or prosecution, the incarcerated individual to whom the mail was addressed will have the option of paying the postage to return the mail to the sender or having the mail destroyed by institutional staff. The incarcerated individual must choose one of the two options within three days of the rejection notice. This rule is in reference to the return of opened mail per United States Postal Service, Office of Classification and Rates Administration, Ruling #206.

The sender of rejected correspondence may protest the decision in writing to the warden.

n. All outgoing parcel post items will be packed and sealed by the mail room and postage charged to the incarcerated individual.

o. Letters will not be delivered which are written in a foreign language or code unless the foreign language is the only language of the incarcerated individual (exceptions may be made by the warden).

p. The sender’s name shall be signed in full at the end of the letter. The sender’s name and address shall appear in the upper left-hand corner of the envelope.

q. The incarcerated individual’s name, ID number, box number or street address, city, state, and zip code shall also appear on the envelope of incoming mail.

r. All outgoing mail shall contain a return address including the incarcerated individual’s name and ID number as well as the name of the institution, address, and zip code.

s. Reasonable size restrictions of envelopes may be imposed.

t. Each institution shall have written procedures for disposition (safekeeping and preservation) of contraband.

u. Only first-class letters and packages will be forwarded after an incarcerated individual’s transfer or release.

v. An individual may deposit funds in an incarcerated individual’s account by money order, cashier’s check, or electronic funds transfer. Personal checks and cash will not be accepted. Only money orders and cashier’s checks will be accepted for deposit into an incarcerated individual’s account by mail. Money orders and cashier’s checks must be made payable to the Iowa Department of Corrections Incarcerated Individual Fiduciary Account (IDOC IIFA) and sent to: Fort Dodge Correctional Facility, 1550 L Street, Suite B, Fort Dodge, Iowa 50501, and must include the incarcerated individual’s name and ID number and the sender’s name and complete address. Funds will also be accepted via electronic funds transfers from authorized vendors. An incarcerated individual’s suspected abuse of requests for money from the public may be cause for limits or restrictions on the amounts of money which can be received and from whom money can be received.

w. Misuse of mails will result in institution discipline and be reported to the United States Postal Inspector or other state or federal agencies for action.

x. O-mail. "O-mail" is electronic mail that can be sent to and from incarcerated individuals and the public.

(1) The incarcerated individual's family and friends shall be responsible for registering on the corrlinks Internet site to enroll in the O-mail system: www.corrlinks.com.

(2) Each O-mail message is limited to two pages, and attachments are not allowed.

(3) There is a cost for sending an O-mail message, which shall be the responsibility of the sender.

(4) Incoming and outgoing O-mail shall meet the same standards as referenced in this rule for incarcerated individuals' mail.

(5) Staff may review the contents of O-mail messages.

This rule is intended to implement Iowa Code section 2C.14.

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