

201—20.4(904) Mail. Constructive, unlimited correspondence with family, friends, and community sources will be encouraged and facilitated. Inmates 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 inmate use of the mail.

20.4(1) Nonconfidential.

a. Mail will not be read or censored on a regular basis unless there is justifiable cause. In an effort to maintain proper security measures, mail may be monitored on a random basis.

b. All nonconfidential mail shall be inspected for contraband. Nonconfidential mail shall be read when there is suspected abuse of correspondence or a threat to the good sense of order and security of the institution.

20.4(2) Confidential.

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

b. Confidential mail will be opened and inspected for contraband and to ensure that the contents are from the return addressee, only in the presence of the inmate.

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 citizens' aide office.

(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 received from the office of citizens' aide shall be delivered unopened.

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

c. No mail lists will be maintained restricting persons from writing to inmates or inmates writing to persons in the public. All letters mailed by inmates 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/superintendent from parents or guardian before correspondence with inmates will be allowed.

g. Inmates/offenders under correctional supervision or detention will not be allowed to correspond with other inmates/offenders 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 inmate.

h. Inmates 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 inmates able to pay the mailing costs. Inmates that are unable to pay mailing costs 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 inmate.

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 inmate 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 inmate that the mail was addressed to will have the option of paying the postage to return the mail to the sender or having the mail destroyed by institutional staff. The inmate 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/superintendent.

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

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 inmate (exceptions may be made by the warden/superintendent).

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 inmate’s name, number (if known), 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 inmate name and number as well as 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 inmate’s transfer or release.

v. An individual may deposit funds in an inmate’s account by sending only bank drafts or money orders payable to (warden or superintendent’s name) for (inmate’s name). Identification of the sender and a cover letter shall accompany the bank draft or money order. These funds may be enclosed with a letter to the inmate but shall not be enclosed with a package.

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.