

GEORGIA DEPARTMENT OF CORRECTIONS Standard Operating Procedures		
Policy Name: Offender Receipt Of Mail		
Policy Number: 227.06	Effective Date: 2/26/2018	Page Number: 1 of 18
Authority: Commissioner	Originating Division: Facilities Division	Access Listing: Level II: Required Offender Access

I. Introduction and Summary:

Under the Rules of the Board of Corrections, the Georgia Department of Corrections (GDC or Department) is required to provide offenders with certain mail rights and privileges. Therefore, the Warden or Superintendent of each facility housing offenders under the Department's jurisdiction shall make provisions for receiving and dispatching offender mail. This policy and procedure governs offender correspondence.

II. Authority:

- A. GDC Board Rule: 125-2-4-.06(c) (d), 125-3-1-.06(a), 125-3-3, 125-3-3-.04 (4), and 125-4-6.03(d);
- B. Standard Operating Procedures (SOP): 227.07, Access to Offender Commissary; 227.03, Access to Courts; 227.05, Visitation of Offenders; 226.02, Entry Security Procedures; 209.01, Offender Discipline; 209.02, Prosecution in Local Court; 209.03, Disciplinary Isolation; 227.02, Statewide Grievance Procedure; 206.01, Offender Personal Property Standards; 206.02, Management of Offenders Under Death Sentence; 206.03, Disposition of Abandoned, Tangible Inmate Property; 204.10, Offender Use of the GOAL Device and J-Pay Kiosk; 209.06, Administrative Segregation; 210.01, Inmate/Probation Boot Camp - General Policy; 210.04, Inmate/Probation Boot Camp Rights and Standards; 407.03, Inmate Trust Accounts; and 406.19, Offender Financial Transactions and Business Activities; and
- C. ACA Standards: 2-CO-3C-01, 2-CO-5D-01, 4-4266, 4-4269, 4-4487, 4-4488, 4-4490, 4-4491, 4-4492, 4-4493, 4-4494, 4-4495, and 4-4496.

III. Definitions:

- A. **Contraband** - Items that are not explicitly authorized for possession; were acquired through unauthorized means; exceed personal property limitations on value or amount; cannot be maintained in a neat and safe manner; or which present a fire, sanitation, security, or housekeeping problem.

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- B. **Family** - For the purposes of this SOP, a relationship that falls into one off the following categories: parents (including step-parents, parent through adoption, or person who acted in the capacity of a parent), brothers and sisters (including half-siblings and step-siblings), spouse, grandparents, grandchildren, children (including step-child or adopted child). A spouse or step-children from a common law marriage that occurred on or before January 1, 1997 may be considered family if they meet visitation criteria adopted by the Board of Corrections.
- C. **Media Mail** - Messages sent electronically over an authorized network through a Kiosk.
- D. **Notification Card or Letter** - Post card, index card, or letter that displays the offender's name and address and notifies contacts that he or she is on restriction and the period of restriction.
- E. **Nudity** - A pictorial depiction where the human male or female genitals, pubic area, buttocks, or female breasts are exposed.
- F. **Offender's Attorney** - Includes any attorney with whom the offender has had, or is attempting to establish, an attorney client relationship, and who is licensed to practice in State or United States courts, the U.S. Court of Appeals, or the U.S. Supreme Court. Also, an approved designee of such attorney, as defined in SOP 227.03, Access to Courts.
- G. **Other Governmental Agencies** - Agencies or instrumentalities of municipal, county, state, or federal government.
- H. **The Press** - Newspapers, newsmagazines, news services, and radio and television stations.
- I. **Privileged Mail** - Correspondence between an offender and the Governor, Lieutenant Governor, Members of the General Assembly of Georgia, the President and Vice President of the United States, Members of the United States Congress, Members of the State Board of Pardons and Paroles, Members of the State Board of Corrections, the Commissioner of GDC, the Assistant Commissioners of GDC,

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the Division Directors of GDC, the Commissioner of Community Supervision, the Statewide PREA Coordinator, the GDC Ombudsman's Office, the Courts, all other governmental agencies, the press, and the offender's attorney.

- J. **Publication Review Committee (PRC)** - Consists of representatives from Facilities and the other sections of the Department (OPS., Legal Services, etc.), as needed. The purpose of this Committee is to review impounded publications to determine if they meet the criteria for rejection, to notify institutions of impounded publications, and to maintain and distribute information regarding approved and rejected publications.
- K. **Sexually Explicit Conduct** - A written or pictorial depiction of actual or simulated sexual acts, including, but not limited to, intercourse, sodomy (oral or anal) or masturbation.
- L. **Unauthorized Currency** - Personal checks or other unauthorized checks, cash, debit cards, credit cards, pre-paid or stored value cards, any type of written account numbers, digital, or electronic currency. or money orders.
- M. **Emergency Situations:** Significant disruption of normal facility or agency procedure, policy, or activity caused by riot, and/or disturbance, escape, fire, natural/industrial disaster, employee work stoppage, hostage incident, or another serious incident.

IV. Statement of Policy and Applicable Procedures:

A. Mail Room:

1. Authorization: Mail rooms shall be off limits to all offenders and unauthorized staff. Offenders shall not be utilized to process mail.
2. Mail Room Staff: The Warden or Superintendent shall designate Mail Room Staff to process offenders' incoming and outgoing mail. The Mailroom Staff shall manage mail according to basic postal policies and GDC procedures governing the mail of offenders and will apply basic postal regulations governing the proper handling of the different classes of mail. The Mail Room

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Staff at state prisons shall be dedicated to these duties and shall not be pulled to perform other duties except in Emergency Situations.

3. **Required Addresses on All Incoming and Outgoing Offender Mail:** All incoming and outgoing mail must have a complete name and address of the sender and receiver on the envelope otherwise it will not be processed. A complete address for outgoing and incoming mail shall include the offender's full name, GDC I.D. number, unabbreviated facility name (except for the initials S.P., C.P. P.D.C., etc.), post office box, city, state, and zip code. A return address must be present on incoming mail so that undeliverable mail may be returned to the sender. (Board Rule 125-3-3-.02)

B. Receipt and Distribution of Offender Mail:

1. **Receiving and Stamping:** Mail received at the facility shall be delivered by the end of the next working day except as otherwise provided herein. Excluding weekends, holidays and Emergency Situations, no incoming letters shall be held for more than 48 hours. Only incoming privileged mail shall be date-stamped upon receipt. All postage stamps must be removed or defaced by designated staff before delivery to the offender.
2. **Certified or Registered mail:** Incoming certified or registered mail for offenders shall be processed as all other mail. It shall be delivered to the addressees only after they sign as having received the registered or certified mail.
3. **Delivery:** A designated staff person(s) authorized by the Warden or Superintendent shall deliver mail to the housing units, which shall include Administrative Segregation/Protective Custody/Disciplinary Isolation. Correctional staff shall distribute mail directly to the addressee. Offenders shall not be allowed to distribute mail.
4. **Books, magazines, and other publications:** An offender may receive books, magazines, and other publications only from the publisher, dealer, or Offender's Attorney of record. The offender may receive these items without

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using their monthly package allowance. However, a request must be made for these items on Attachment 3, Request/Authorization to Receive Books, Magazines, & Miscellaneous Items Form S.O.P. 206.01 Offender Personal Property. (With the exception of such items received from an Offender's Attorney of record). The number of books and magazines (combination) is limited to eight (8) total, except for law books, and must meet the requirements of S.O.P. 206.01 Offender Personal Property. Books, magazines, and other publications will be reviewed upon receipt and must meet the criteria established within this policy.

5. Packages: The handling of packages shall be in compliance with SOP 206.01 Offender Personal Property by the designated staff member. Packages shall be distributed to the offender in accordance with designated procedures; however, except for emergency situations, no packages shall be held more than 72 hours.

C. Outgoing Offender Mail:

1. Collection: Outgoing offender mail shall be collected by an employee from locked mail boxes located in designated areas at least once each scheduled work day after 7:00 a.m. The mail shall be dispatched to the United States Post Office on the same day, at a coordinated time with the U.S. Postal Services, which should be no later than 9:00 a.m. Saturdays, Sundays, and holidays are excluded from the mail pick-up and delivery schedule.
2. End-of-Week: On the last work day of each week, **privileged mail** shall be collected twice a day at approximately 7:00 a.m. and 1:00 p.m., and will be dispatched from the facility that same day to the United States Post Office in time for forwarding.
3. Personal Mail: Outgoing personal mail shall be mailed sealed, but may be opened for inspection as indicated elsewhere in this SOP.

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4. Unopened Mail: All outgoing mail that is not opened, including all privileged mail and all unread personal letters, shall have the following stamped on the back of the envelope:

(Name) _____ State Prison (or Center)

(Address) _____

"The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has been neither opened nor inspected. If the writer raises a question or problem over which this facility or center has jurisdiction, you may wish to return the material for further information or clarification. If the writer encloses correspondence for forwarding to another addressee, please return the enclosure to the above address."

D. Privileged Mail:

1. Identification:

- a. **Outgoing:** Outgoing privileged correspondence will be treated as privileged only if the name and official status of the recipient appears on the envelope. The mailing address of outgoing press mail must reflect the name of the newspaper, news magazine, news service, radio station, or television station.
 - i. Outgoing privileged correspondence may be held until the close of business on the second working day after receipt to allow verification of the privileged status of the addressee.
- b. **Incoming:** Incoming privileged correspondence will be treated as privileged only if the name and official status of the sender appears commercially printed on the envelope.
 - i. Incoming privileged correspondence may be held until the end of the second working day after receipt, to allow verification of the privileged status of the sender.

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Note: Privileged mail will not be subject to restriction as a disciplinary measure.

E. Inspection of Offender Mail:

1. Authorization: The only facility or center staff authorized to inspect the contents of offender's mail are the assigned Mail Room Staff, the Warden or Superintendent, Deputy Warden or designee. There shall be no disclosure concerning the inspection or the contents of the correspondence observed except for official purposes. No correctional officer shall read an offender's mail which is brought to the housing unit before distributing the mail to the offenders. After distribution to the offender, delivered mail becomes subject to rules governing personal property as explained in SOP's 206.01, Offender Personal Property, 206.02, Management of Offender Property or Contraband, and 206.03, Disposition of Abandoned, Tangible Offender Property.
2. Inspection of Privileged Mail:
 - a. Mail to and from privileged sources may be externally inspected according to SOP 226.02, Entrance Security Procedures for the purpose of detecting contraband. Following any external inspection, an appropriately designated staff member (this can be the Mail Room Staff) may open and inspect (but not read) all privileged mail in the presence of the offender to whom it is addressed or from whom it originates, unless waived in writing, or in circumstances which may indicate contamination. Staff, in the presence of the offender, may be allowed to inspect outgoing privileged mail for contraband **before it is sealed**.
 - b. The inspection of privileged mail will not be permitted to create undue delays and shall not prevent its delivery by the end of the next working day after receipt.
3. Inspection of Non-Privileged Mail:
 - a. Letters received for offenders shall be inspected to intercept unauthorized

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currency to include but not limited to personal checks or other unauthorized checks, cash, money orders, and any other contraband. Since credit cards, charge cards, debit cards, and similar devices qualify as negotiable instruments, they are contraband and shall be rejected (see SOP 406.19, Offender Financial Transactions and Business Activities). Mail that is intentionally stained or defaced with lipstick or smells of cologne, perfume, or other odors shall also be rejected.

- b. Inspection shall also include the random reading of the mail. A portion of all incoming mail shall be read each week.
- c. Upon review of all incoming mail to offenders, the staff member reviewing these items shall ensure that at no time, with no exceptions will pre-stamped envelopes be allowed to enter a Georgia Department of Corrections facility. This precaution is taken to reduce the introduction of contraband into our facilities.
- d. Approved mail between two offenders shall be inspected for contraband or dangerous information. Any such mail withheld from the recipient shall be handled strictly according to the procedures described in Section G, "Return of incoming mail or removal of items."

F. Mail Restrictions:

General Guidelines - Offenders may correspond with any person without limitation on number of letters. However, limitations on correspondence funds available to indigent offenders will necessarily restrict such offender's outgoing correspondence. Limitations may also be placed on offender mail when there is reasonable belief that limitation is necessary to protect public safety or institutional order and security. Those limitations are expressed throughout this policy. Any and all material printed from the Georgia Department of Corrections website shall be considered contraband. It will neither be received nor possessed by any offender.

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1. Printed Material or Photocopies:

- a. Printed material included with a letter will be limited to 25 sheets of paper, with the following exceptions:
 - i. Court transcripts may be received in their entirety from any source. These transcripts must be for use in the offender's current case:
 - ii. If an offender sends legal documents outside the facility to be copied, the offender may receive all of those copies back in the mail in a single mailing. However, the offender must inform the mail room that the copies are being mailed out of the facility and that they will be returned to the facility;
 - iii. These volume limits do not apply to privileged mail; and
 - iv. All printed material or photocopies must meet the publication criteria as outlined in section VI. H., of this procedure, and it must be stored neatly in the offender's locker in such a way that does not pose a fire, safety, or sanitation hazard.
2. Offender-to-Offender Correspondence: Offenders shall not be allowed to correspond with one another unless they are Family and each facility's Warden or Superintendent has approved it in writing. This written approval shall be maintained in the offender's institutional file and documented in SCRIBE as a case note.
3. Investigations: Offenders under investigation for a serious criminal charge may have their non-privileged mail treated with greater scrutiny. Privileged mail will not apply to this restriction.
4. Specific Restrictions: No one will be limited to a list of approved correspondents. However, the Warden or Superintendent may maintain a list of restricted correspondents.

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5. **Restriction Approval:** Correspondence restrictions will be imposed only with the written approval of the Warden or Superintendent. This written approval shall be maintained in the Warden or Superintendent's office.

6. **Withdrawal of Mail Privilege:** An offender's mail privilege may only be withdrawn as a result of the actions listed below. The only restrictions to the right of correspondence will be those necessary to ensure the safety of the facility or other persons. All offenders must meet rules and regulations for mailing letters. Deliberate violations may result in disciplinary action or referral for prosecution by the appropriate authorities:
 - a. **Abuse:** When an offender is found to have abused the mail privilege under the procedures and infractions described in SOP 209.01, Offender Discipline;
 - b. **Termination Request:** When an individual requests termination of correspondence with the offender; or
 - c. **Security:** On a case-by-case basis, the Warden or Superintendent determines that it is detrimental to the security, good order or discipline of the facility, protection of the general public, or if it might facilitate criminal activity. Documentation **MUST** be kept to support this action along with case notes in SCRIBE.
 - d. **Segregation/Isolation:** Offenders housed in Disciplinary Isolation, Administrative Segregation, and Protective Custody shall receive mail privileges in the same manner as the general population unless the offender's mail privilege has been withdrawn as a result of one (1) or more of the above actions.

7. **Notification of Correspondents:** When an offender's mail privilege is suspended for disciplinary purposes, the facility will permit the offender to notify persons to whom he or she regularly corresponds concerning the period of suspension. The completed notification cards of indigent offenders will be processed by

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the facility. The Warden or Superintendent may also issue a letter for this purpose.

G. Return of Incoming Mail or Removal of Items:

1. **Failure to Comply:** Correspondence may be disallowed because of dangerous content or the offender's failure to comply with correspondence rules and regulations.
2. **Notification:** If a letter is totally or partially rejected, a written notice signed by the official authorizing the rejection and stating the reasons, shall be provided to the sender and the addressee via Attachment 1, Mail Items Rejection Form.
3. **Return:** At the facility's discretion, the entire letter may be returned (if the letter meets the criteria established in section VI.H.1 of this SOP). Illegal and Nuisance Contraband shall be handled per SOP 206.02, Management of Offender Property and Contraband. Stamps or rejected mail (except illegal contraband), may be returned to the sender, at the offender's expense, if he or she is not indigent.
4. **Documentation:** When any item or piece of incoming mail is removed or returned, Mail Room Staff shall document the action by recording the following information on Attachment 1, Mail Rejection Form:
 - a. The offender's name and number;
 - b. A description of the mail in question;
 - c. A description of the action taken and the reason for such action;
 - d. The disposition of the item involved;
 - e. The signature of the Mail Room Staff; and

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f. The offender's signature.

H. Rejection of Publications:

1. Criteria for Rejection: A publication may not be rejected solely because its content is religious, philosophical, political, social, or because its content is unpopular or repugnant. Publications that may be rejected include, but are not limited to, publications that meet one (1) of the following criteria:
 - a. Weapons: It depicts or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.
 - b. Escape: It depicts, encourages, or describes methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of GDC facility.
 - c. Bootlegging or consumption of alcohol or drugs: It depicts or describes procedures for the brewing or consumption of alcoholic beverages, or the manufacture or consumption of drugs or other unlawful substances. Photographs or images of alcohol or drugs in publications or on GOAL devices are prohibited as well.
 - d. Code: It is written in code.
 - e. Violence: It depicts, describes, or encourages activities that may lead to use of physical violence or group disruption.
 - f. Crime: It encourages or instructs in the commission of criminal activity or depicts criminal activity.
 - g. Disruption: The material is of a type that depicts, describes, encourages, or has caused violence or other serious disruption of facility security.
 - h. Hatred: The material advocates racial, religious, or national hatred in such a way so as to create a danger of violence in the facility.

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- i. Security Threat Groups: Encourages, depicts, or describes the use of gang symbols, tattoos, slang, or other gang related activities.
 - j. Sexually Explicit Material: Pictures, publications, and materials featuring nudity or sexually explicit conduct. Nudity is defined as a pictorial depiction where the human male or female genitals, pubic area, buttocks, or male or female breasts are exposed. Sexually explicit conduct is a written or pictorial depiction of actual or simulated sexual acts, including, but not limited to, intercourse, sodomy (oral or anal) or masturbation. A publication will not be prohibited solely because it contains pictorial nudity that has a medical, educational, or anthropological purpose. Publications featuring nudity or sexually explicit conduct may be allowed in some circumstances if they have serious literary, artistic, political, educational or scientific value, and they do not appeal to the prurient (lascivious) interest, and do not describe human sexual behavior in a patently offensive way.
2. Publications may only be rejected on an issue-by-issue basis. No publications should ever be rejected on a subscription or publication basis. Each publication issue must be reviewed without consideration of prior issues.
3. The Warden, Superintendent, or designee shall impound or reject and not issue to offenders any publication found to be inadmissible pursuant to the criteria above. The decision to impound or reject a publication must be made within three (3) workdays of the receipt of the publication at the facility. (See number 6.)
4. If a publication contains materials meeting the criteria for rejection the entire issue of the publication shall be rejected. The mailroom staff shall not remove the objectionable portions in order to allow the remainder of the publication into the facility.
5. When a publication is impounded or rejected by the Warden, Superintendent, or designee because of subject matter content pursuant to VI.H.1., the publication shall be treated as having been found to be detrimental to the security, order, disciplinary or rehabilitative interests of the Department.

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6. Only when the Warden or Superintendent or designee cannot determine if the publication should be rejected, utilizing the criteria as set forth in VI.H.1., the publication shall be impounded for review by the Publication Review Committee (PRC). Any facility or center that impounds a publication for the purposes of further review by the PRC shall be responsible for immediately notifying the facilities representative of the PRC by phone or e-mail that the publication has been impounded. Do not forward any publications for review unless advised to do so by the facilities division representative. Once advised, the sending facility or center will identify the section (s) of concern, to expedite the review. The facilities representative of the PRC will then immediately notify all facilities and centers that the publication has been impounded pending review by the PRC.
7. The impounded publication shall not be allowed in at any facility/center pending this review unless the PRC subsequently reverses the impoundment decision.
8. Any facility or center impounding a publication shall notify the offender that a publication mailed to them was received and impounded pending review by the PRC. Attachment 1, Mail Items Rejection Form shall be utilized to notify the offender.
9. The facility or center is not required to notify the publisher in the event of the rejection of a publication or issue of a publication under this procedure.
10. The PRC will meet on an as needed basis to review impounded publications.
11. The PRC will review submitted impounded publications to determine if they meet the criteria for rejection in VI.H.1. Following review of a publication, the PRC will either allow the publication or reject the publication. Specific reasons for rejecting a publication shall be maintained by the PRC.
12. Following review of a publication, the PRC will notify all facilities and centers of the result of that review. Upon completion of the review, the PRC will return

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the publication to the sending facility or center for appropriate action in accordance with this procedure.

13. The PRC will maintain a list of approved and rejected publications. This list will be forwarded to all facilities and centers electronically on an annual basis. If a facility allows a publication that is subsequently determined to be a rejected, the facility should exercise their authority to confiscate the publication as contraband and handle pursuant to standard operating procedures regarding offender property and contraband.

I. Appeal of Warden’s or Superintendent’s Rejection of Publications:

1. The Warden’s, Superintendent’s, or designee’s decision will remain in force until such time the offender makes an appeal. The offender may submit in writing to the Warden or Superintendent reasons for authorizing receipt of the publication, utilizing the same Mail Items Rejection Form. These written reasons will be forwarded to the Commissioner’s designee (the PRC) with the Warden’s or Superintendent’s reasons for exclusion of the publication utilizing a copy of Attachment 1, Mail Items Rejection Form. Notice of final determination made by the Commissioner’s designee (the PRC) will similarly be given to the offender upon receipt by the Warden or Superintendent.
2. Publication review will not conflict, inhibit, nor replace the grievance process. No publication or documents related to the publication will be destroyed prior to the completion of the review and grievance process. The thirty (30) day time limit on property will not start until the end of the review and grievance process.

J. Postage and Correspondence Material:

1. Delivery outside the U.S.: All offender mail (regular or non-indigent), which is destined for delivery outside of the United States will have proper U.S. postage affixed to the correspondence when received by the facility or center mail room.

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2. Postage Limit: An offender may not possess or control more than 20 stamps at one time.
3. Bulky Items: Postage service, at the offender's expense, will be available to the offender for mailing large quantities of privileged mail or bulky non-privileged items so that the postage stamps in the possession of the offender need not be used.
4. Store Restriction: If offenders are placed on store restriction for any reason, they shall be allowed to purchase stamps and correspondence material for both personal and legal mail.

K. Indigent Offender Mail:

An indigent offenders' mail shall be processed per SOP 406.19, Offender Financial Transactions and Business Activity. Mail Room Staff may be designated to verify the weight for proper postage.

L. Receipt of Unauthorized Currency through the Mail:

1. Money orders shall be removed from the correspondence by the Mail Room Staff and replaced by a written notice for the offender to report to the mail room with a stamped self-addressed envelope to be mailed to the sender of the money order.
2. All cash sent to an offender through the mail shall be documented and then forwarded to the Business Office for disposition.
3. Checks or other negotiable instruments: Periodically, offenders will receive, transfer checks from other institutions and jurisdictions, refund checks, insurance checks, pension checks, and disability checks from various sources such as the Internal Revenue Service, Social Security Administration, Veteran's Administration, State of Georgia, or other governmental agencies. All checks will be intercepted and forwarded to the Business Office for verification and processing per SOP 406.19, Offender Financial Transactions and Business Activity.

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4. Notification: It will be the responsibility of designated staff to maintain records indicating the disposition of all rejected unauthorized currency. The amount, the date it was found in the correspondence, and the offender's name that it was sent to shall be recorded in a log. Attachment 1, Mail Item Rejection Form shall be completed for the rejection of all unauthorized currency and shall be placed in the offender's file.

M. Transferred or Released Offenders:

1. Mail or packages sent to an offender who has been transferred permanently shall be forwarded within four (4) working days to the offender's newly assigned location or back to GDCs approved vender by the designated staff, whichever is appropriate. Newly assigned location includes any custodial confinement such as a facility, center, jail, or out-of-state prison. The inter-facility and center mail system should be utilized when possible. If the offender is released from custody, then the mail should be returned to the sender within four (4) working days.
2. A permanent log shall be maintained by the Mailroom Officer to indicate mail for offenders who have been transferred or released and the date forwarded.
3. Packages and mail received for offenders out-to-court or temporarily assigned to other facilities shall be maintained at the facility. Mail or packages received more than 35 days after the offender is transferred should not be forwarded and shall be returned to sender.

N. Media Mail (Electronic Mail):

Media Mail (Electronic Mail) shall be handled in accordance with SOP 204.10, Offender Use of the GOAL Device and J-Pay Kiosk.

V. **Attachments:**

Attachment 1: Mail Items Rejection Form

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VI. Record Retention of Forms Relevant to this Policy:

Upon completion, Attachment 1 of this SOP shall become part of the offender’s institutional file which shall be maintained according to the official records retention schedule for institutional files.