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10 Attorneys for Defendants Corrections
11 Corporation of America, Todd Thomas, Ben
12 Griego, Marcos Lopez and Daren Swenson

13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF ARIZONA**

15 Prison Legal News, a project of the Human
16 Rights Defense Center, a Washington non-
17 profit charitable corporation,

18 Plaintiff,

19 v.

20 Corrections Corporation Of America, a
21 Maryland corporation; Daren Swenson, CCA
22 Regional Director of Operations; Todd
23 Thomas, Warden, Saguaro Correctional
24 Center; Ben Griego, Assistant Warden,
25 Saguaro Correctional Center; Marco Lopez,
26 Chief of Security, Saguaro Correctional
27 Center; and DOES 1-100, inclusive,

28 Defendants.

NO. 2:09-cv-01831-PHX-ROS

SETTLEMENT AGREEMENT

21 Plaintiff and Defendants ("Parties") have participated in a Settlement
22 Conference before the Honorable David Duncan, Magistrate Judge of the United States
23 District Court for the District of Arizona on March 25, 2010.

24 The Parties agree that they intend to reach of settlement of this matter on the
25 following terms:

26 1. Prison Legal News will not be placed on a prohibited vendor list, nor
27 will Prison Legal News be subject to a blanket prohibition at Saguaro Correctional Center.
28

1 2. Prisoners at Saguaro Correctional Center will receive books and
2 publications paid for or ordered by third parties (gift publications), as long as otherwise
3 permissible, pursuant to Policy No. 16-1, which is already in place at Saguaro
4 Correctional Center and is attached to this agreement as Exhibit A.

5 3. If any incoming book or publication from Prison Legal News is
6 rejected, the material shall be held at the institution for a period of thirty (30) days after
7 having provided notice to Prison Legal News. Prison Legal News shall be given notice
8 and opportunity to respond while material is being held.

9 4. Defendant will provide Notice to Prison Legal News if outgoing
10 correspondence to Prison Legal News is prevented from being sent.

11 5. Plaintiff agrees that the terms of this Agreement in no way restrict
12 Defendants' ability to manage Saguaro Correctional Center, and that the Defendants may
13 place restrictions on certain publications pursuant to Policy No. 16-1 and limit the amount
14 of property held by inmates pursuant to the facility's property retention policy.

15 6. Defendants agree that Prison Legal News is an "authorized retailer"
16 as defined in Policy 16-1.

17 7. Subscription cards affixed to Prison Legal News are not to be
18 intentionally removed from publications.

19 8. In the event that Plaintiff becomes aware of a potential violation of
20 the Settlement Agreement, Plaintiff agrees to attempt to resolve the violation by
21 contacting Defense counsel directly, prior to seeking court enforcement of this
22 Agreement.

23 9. CCA shall pay Prison Legal News a lump sum of \$70,000 for
24 damages, attorney's fees and costs. Plaintiff is not entitled to additional attorney's fees or
25 costs for monitoring compliance with this agreement, but may be entitled to recover
26 reasonable attorneys fees and costs, to be determined by the court, incurred as a result of
27 filing a successful Motion to Enforce the settlement agreement. In consideration thereof,
28 Prison Legal News will execute an appropriate release.

10. Prison Legal News agrees that any press release issued to other media regarding the settlement of this matter will omit the amount of the lump sum payment.

11. The parties consent to the reservation and exercise of jurisdiction by the United States District Court and assigned Magistrate Judge over all disputes between and among the Parties arising out of this Agreement, including but not limited to, interpretation and enforcement of the terms of this Agreement.

12. This Agreement, and all responsibilities and obligations herein, shall terminate on December 5, 2011. On December 5, 2011, the Parties shall stipulate to dismiss the action with prejudice.

13. CCA shall post a notice of this settlement, substantially in the form of Exhibit B hereto, conspicuously in the libraries, dayrooms and other common areas of Saguardo Correctional Center, and shall maintain the posting until the above-referenced termination date.

Corrections Corporation of America

Date: 6/2/2010

BY: [Signature]

Cole Carter

TITLE: Assistant General Counsel, Operations

Jones, Skelton & Hochuli, P.L.C.

Date: _____

BY: _____

Daniel P. Struck

Attorneys for Defendants

Prison Legal News

Date: 6/2/2010

BY: [Signature]

Rosen Bien & Galvan, LLP

Date: 6/2/2010

BY: [Signature]

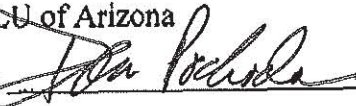
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Ernest Galvan

Attorneys for Plaintiffs

ACLU of Arizona

Date: 6/3/10

BY: 

Daniel Pochoda

Attorneys for Plaintiffs

EXHIBIT A

 CORRECTIONS CORPORATION OF AMERICA	POLICY TITLE		Correspondence Procedures		
	CHAPTER	16	POLICY NUMBER	16-1	Page 1 of 25
	EFFECTIVE DATE		SUPERSEDES DATE		
	OCTOBER 28, 2009		NOVEMBER 1, 1997		
<i>SIGNATURE ON FILE AT FACILITY SUPPORT CENTER</i> <i>Richard P. Seiter</i> <i>Executive Vice President/Chief Corrections Officer</i> <i>SIGNATURE ON FILE AT FACILITY SUPPORT CENTER</i> <i>G.A. Puryear, IV</i> <i>Executive Vice President/General Counsel</i>	FACILITY NAME	SAGUARO CORRECTIONAL CENTER			
	FACILITY EFFECTIVE DATE		FACILITY SUPERSEDES DATE		
	FEBRUARY 1, 2010		JANUARY 1, 2009		

16-1.1 POLICY:

It is the policy of CCA to allow all inmates/residents, including those housed in segregation units, to correspond with individuals and organizations outside of the facility. The sending and receiving of correspondence will only be restricted to the extent necessary to prevent a threat to the safety, security, and good order of the facility, the safety or well being of any individual, or for other legitimate penological purposes.

16-1.2 AUTHORITY:

CCA Company Policy

16-1.3 DEFINITIONS:

Certified Mail – Uninsured first class mail requiring proof of delivery.

Censoring Mail – The act of monitoring and withholding general correspondence, periodicals, and publications that are found to be detrimental to the security, good order, or discipline of the facility or that might incite violence or facilitate criminal activity.

Contraband – For the purpose of this policy, any items found in incoming/outgoing mail that are not authorized at the facility and/or not authorized to be sent out of/into the facility.

First Class Mail – A class of mail that includes all matter wholly or partly in writing or typewriting, all actual and personal correspondence, all bills and statements of account (e.g. postcards, letters, and sealed parcels).

General Correspondence – Mail, incoming and outgoing, between an inmate/resident and individual other than those approved for special correspondence.

Hazardous Material – Any article or substance designated by the U.S. Department of Transportation (DOT) as being capable of posing an unreasonable risk to health, safety, and property during transportation.

Indigent Inmate/Resident - An inmate/resident having maintained a balance of at least three dollars (\$3.00) or less in their account, physical possession, or in both combined for thirty (30) days prior to the request for supplies. However, some facilities may vary due to contract requirements.

AT THIS FACILITY, THE DOLLAR AMOUNT USED FOR INDIGENCY IS:

THREE DOLLARS (\$3.00).

AT THIS FACILITY, THE PROCEDURE USED FOR INDIGENCY IS:

THREE DOLLARS (\$3.00) OR LESS FOR THIRTY (30) CONTINUOUS DAYS.

Inmate/Resident – Any adult or juvenile, male or female housed in a CCA facility. Inmates/residents may also be referred to as detainees, prisoners, or offenders depending on classification and in accordance with facility management contracts.

Insured Mail – A service that provides indemnity coverage for a lost, rifled, or damaged article, subject to the standards for the service and payment of the applicable fee.

Perishable Matter – An item (such as produce, live animal, or live plant) that can deteriorate in the mail and thereby lose value, create a health hazard, or cause a nuisance or disturbance under ordinary mailing conditions.

Obscene Material – Catalogs, advertisements, brochures and other material is deemed obscene when **ALL** of the following apply:

- The average person, applying contemporary state standards, would find that the material, taken as a whole, appeals to the prurient interest;
- The material, taken as a whole, depicts or describes, in a patently offensive way, sexual content as defined in this policy; and
- The material, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Printed Matter – Paper on which words, letters, characters, figures or images (or any combination of them) not having the character of a bill or statement of account, or of actual personal correspondence, have been reproduced by any process other than handwriting or typewriting.

Publication – Books, periodicals, newspapers, pamphlets, brochures, flyers, magazines, newsletters or similar materials (to include articles printed from the internet or clipped from magazines/newspapers) published by an individual, organization, or corporation that is distributed or made available through any means.

Reasonable Suspicion – Actions, conduct, or circumstances which lead the company to believe that activity in conflict with CCA policy and procedures has taken or is taking place.

Registered Mail – A service by which, through a system of receipts, the United States Postal Service (USPS) monitors the movement of the piece of mail from the point of acceptance to the point of delivery. The sender receives a receipt at the time of mailing and a delivery record is kept at the post office of address.

Sexual Content –Content, regardless of how it is produced, that contains any picture, photograph, drawing, or similar visual representation or image of an individual or portion on the human body which depicts nudity, sexual conduct, sadomasochistic abuse, bestiality, or homosexuality and/or detailed verbal descriptions or narrative accounts of deviate sexual behavior.

Special Correspondence – Mail between an inmate/resident and persons designated special correspondents by this policy.

Standard Mail – A class of mail consisting of mailable matter that is not required to be mailed as first-class mail or is not mailed as a publication.

- Standard mail matter that weighs fewer than sixteen (16) ounces and includes circulars, printed matter, pamphlets, catalogs, newsletters, direct mail, and merchandise or mail matter that weighs sixteen (16) ounces or more.
- Standard mail matter that weighs sixteen (16) ounces or more but no more than seventy (70) pounds such as bound printed matter.

16-1.4 PROCEDURES:

PROCEDURES INDEX

SECTION	SUBJECT
A	Communication of Procedures
B	Supplies and Postage
C	Envelope Preparation
D	Correspondence Receptacles
E	United States Postal Service (USPS) Regulations
F	Facility Postal Services
G	Prohibited Correspondence/Items
H	Prohibited Publications
I	Suspicious Correspondence
J	Funds
K	Special Correspondents
L	Restricted Correspondents
M	Inmate/Resident Correspondents
N	Internal Correspondence
O	Collection of Correspondence
P	Inspection/Review of Correspondence
Q	Withheld Correspondence/Items/Publications
R	Distribution of Correspondence
S	Packages
T	Correspondence Restriction
U	Forwarding of Correspondence

A. COMMUNICATION OF PROCEDURES

1. The Inmate/Resident Handbook will include information regarding the facility's correspondence procedures. At a minimum, the handbook will include the following:
 - a. General reference to this policy and availability of the policy;
 - b. Mailing address of the facility;
 - c. Mailing address for funds;
 - d. Procedures for obtaining supplies and postage;
 - e. Instructions on how to address envelopes;
 - f. List of special correspondents;
 - g. Notification that as long as the inmate/resident bears the mailing cost, there is no limit on the volume of correspondence that the inmate/resident can send/receive or on the length, language, content, or source of correspondence or publications except when it is a clear violation of this policy;
 - h. Notification that general correspondence may be opened and inspected for security reasons;
 - i. Notification that special correspondence will only be opened in the presence of the inmate/resident;
 - j. Procedures for censoring mail; and
 - k. Package procedures (if applicable).
2. All employees responsible for the collection, review/inspection, distribution, and disposition of inmate/resident correspondence will be required to review this policy and sign a 1-1G Policy/Post Order/PCN Acknowledgement form.

- a. All 1-1G's will be maintained by the facility Manager, Quality Assurance in accordance with procedures outlined in CCA Policy 1-1 Policy Management.

B. SUPPLIES AND POSTAGE

1. Indigent Inmates/Residents

Upon request, indigent inmates/residents will be provided with supplies and postage for general and special correspondence as outlined below. A charge will not be placed against future deposits to the inmate/resident's trust account to recover the costs of materials and postage provided to the inmate/resident while the inmate/residents was in indigent status.

a. General Correspondence

- i. Indigent inmates/residents will be provided a sufficient amount of supplies (i.e. paper and writing utensils) to maintain community ties.
- ii. Indigent inmates/residents will also be provided postage in an amount equal to three (3) one (1) ounce letters per week, unless otherwise mandated by contractual requirements.
- iii. The facility will not be responsible for providing additional postal services (e.g. registered mail, certified mail, insured mail, etc.), unless otherwise mandated by contractual requirements.
- iv. **AT THIS FACILITY, CONTRACTUAL REQUIREMENTS FOR PROVIDING SUPPLIES AND POSTAGE TO INDIGENT INMATES/RESIDENTS FOR GENERAL CORRESPONDENCE ARE:**

FIRST CLASS POSTAGE AND SUFFICIENT SUPPLIES TO SEND AT LEAST THREE (3) GENERAL CORRESPONDENCE ITEMS PER WEEK.

b. Special Correspondence

- i. Indigent inmates/residents will be provided a sufficient amount of supplies (i.e. paper and writing utensils) to write to special correspondents identified in this policy.
- ii. Indigent inmates/residents will also be provided postage in an amount equal to five (5) one (1) ounce letters per week, unless otherwise mandated by contractual requirements.
- iii. The facility will not be responsible for providing additional postal services (i.e. registered, certified, or insured mail), unless otherwise mandated by contractual requirements.
- iv. **AT THIS FACILITY, CONTRACTUAL REQUIREMENTS FOR PROVIDING SUPPLIES AND POSTAGE TO INDIGENT INMATES/RESIDENTS FOR SPECIAL CORRESPONDENCE ARE:**

FIRST CLASS POSTAGE AND SUFFICIENT SUPPLIES TO SEND AT LEAST FIVE (5) SPECIAL CORRESPONDENCE ITEMS PER WEEK.

2. Non-Indigent Inmates/Residents

Non-indigent inmates/residents may purchase supplies and postage through the facility's commissary. The amount of supplies and postage that an inmate/resident may purchase and possess will be in accordance with the facility's allowable property list.

3. Incoming Correspondence

When required by contract, regulations, or law, inmates/residents may receive supplies and postage in incoming correspondence.

AT THIS FACILITY, PROCEDURES FOR RECEIVING SUPPLIES AND POSTAGE IN INCOMING CORRESPONDENCE PER CONTRACT, REGULATIONS, OR LAW ARE:

INMATES ARE PROHIBITED FROM RECEIVING SUPPLIES AND POSTAGE IN INCOMING CORRESPONDENCE. ALL POSTAGE AND SUPPLIES MUST BE PURCHASED THROUGH THE FACILITY COMMISSARY.

C. ENVELOPE PREPARATION

All general correspondence must be received in a standard legal or letter size envelope.

1. Incoming

At a minimum, the following information must be included on any incoming correspondence sent to inmates/residents:

- a. Inmate/resident's name;
- b. Inmate/resident's identification number;
- c. Facility name and address; and
- d. Name and full address of the sender.

NOTE: When the sender is an approved special correspondent, as outlined in this policy, the envelope should also be marked "Confidential".

2. Outgoing

- a. At a minimum, the following information must be included on any correspondence sent by inmates/residents:
 - i. Inmate/resident's name;
 - ii. Inmate/resident's number;
 - iii. Facility name and address;
 - iv. Name and full address of the receiver.
- b. The inmate/resident shall use their commitment name unless it has been legally changed.
- c. Other than the facility address, inmates/residents may not include business names or position titles in their return address information.
- d. All envelopes addressed to special correspondents, as outlined in this policy, must be marked "Confidential".
- e. Drawings on outgoing correspondence are not allowed if they obstruct processing.

- f. Failure to properly address an envelope may result in the opening and return of the correspondence to the inmate/resident.
- g. All outgoing correspondence will include a statement to reflect that the correspondence originated from a correctional facility and that the facility is not responsible for the substance or contents.

D. CORRESPONDENCE RECEPTACLES

- 1. At least one (1) correspondence receptacle will be available for general population inmates/residents to securely drop their outgoing correspondence.

AT THIS FACILITY, THE CORRESPONDENCE RECEPTACLE(S) ARE LOCATED IN THE FOLLOWING LOCATION(S):

ON THE WALKWAY OUTSIDE THE DINING HALL.

- 2. Each facility will establish procedures for the collection of outgoing correspondence for inmates/residents who do not have access to the general population correspondence receptacle (e.g. segregation, medical observation, etc.).

AT THIS FACILITY, CORRESPONDENCE COLLECTION PROCEDURES FOR INMATES/RESIDENTS THAT DO NOT HAVE ACCESS TO THE GENERAL POPULATION CORRESPONDENCE RECEPTACLE(S) ARE:

MAILBOXES IN SEGREGATION ARE LOCATED IN EACH POD. MAIL IS COLLECTED EACH DAY MONDAY-FRIDAY.

E. UNITED STATES POSTAL SERVICE (USPS) REGULATIONS

All correspondence addressed to inmates/residents must be sent through the United States Postal Service (USPS) and comply with USPS Regulations.

- 1. The United States Postal Services (USPS) prohibits the mailing of any of the following:
 - a. Potentially hazardous materials that are not properly marked and packaged;
 - b. Perishable items that are not properly marked and packaged;
 - c. Correspondence containing any vile, or obscene material, and matter inciting violence or terrorism;
 - d. Solicitations that mimic billing statements, unless accompanied by a prominent disclaimer;
 - e. Solicitations stating approval by the USPS or Postmaster General, or conformance to any postal law or regulation; and
 - f. Correspondence that bears deliberate imitations of postal markings and/or postal trademarks (e.g. "Priority Mail", etc.).
- 2. Correspondents are personally responsible for the content of each item of correspondence they send through the USPS.
- 3. Any violation of laws governing correspondence will be referred to postal authorities and to appropriate criminal authorities. The sender may be subject to civil or criminal penalties and/or federal prosecution for violation of postal laws.

F. FACILITY POSTAL SERVICES

1. The facility will provide services for inmates/residents to send correspondence by registered, certified, or insured mail as long as the inmate/resident pays all associated costs according to current postal regulations.
 - a. The facility will not provide for express mail, COD, private carriers, or stamp collecting for inmates/residents while confined at the facility.
2. Facility postal services are intended for inmates/residents and should not be used by employees to send/receive personal correspondence.
 - a. In the event personal correspondence is received for an employee unintentionally, the correspondence will be opened prior to delivery. The employee will be required to sign a 16-1A Unauthorized Use of Facility Mail Services form acknowledging that they understand that they are not to have personal correspondence sent to the facility.
 - b. In the event personal correspondence is placed in an outgoing correspondence receptacle, the correspondence will be returned to the employee. The employee will be required to sign a 16-1A acknowledging that they understand that they are not to send personal correspondence from the facility.
 - c. A copy of the signed 16-1A form will be sent to the Human Resources Office for inclusion in the employee's file.
3. The Facility Mailroom shall maintain a current address list of federal, state, county, appellate, and district courts.
4. The Facility Mailroom shall maintain a current address list of health care providers that CCA uses for off-site inmate/resident medical appointments.
5. Facility Mailroom employees shall obtain postage rate charts through the local servicing post office. Current copies of these charts will be maintained and posted in areas where all inmates/residents have access.
6. Inmates/residents are prohibited from using facility postal services for the following, unless otherwise mandated by contractual requirements:
 - a. Receiving any contraband or anything of an illegal or threatening nature;
 - b. Soliciting or accepting any publication or item which has not been paid for in advance;
 - c. Obligating themselves or others to time payments;
 - d. Joining or participating in book, record, tape, or CD clubs, either personally or via a third-party;
 - e. Soliciting or accepting anything of value without written approval of the Warden/Administrator or designee;
 - f. Sending any items other than correspondence out of the facility without the written approval of the Warden/Administrator or designee;
 - g. Sending or receiving correspondence for another inmate/resident;
 - h. Sending or receiving correspondence with coded messages;
 - i. Sending or receiving information related to the crime or sentence of another inmate/resident;

- j. Directing or conducting any business operations, except as necessary to protect real estate property or close out a business; and
- k. Sending/receiving Cash-On-Delivery (COD) correspondence.

l. AT THIS FACILITY, CONTRACTUAL REQUIREMENTS REGARDING PROHIBITED FACILITY POSTAL SERVICES ARE:

NONE

G. PROHIBITED CORRESPONDENCE/ITEMS

1. Prohibited Correspondence

Correspondence containing malicious, false, inflammatory, or other types of statements or information, the purpose of which is reasonably intended to harm, or intimidate an employee, visitor, or guest may be prohibited. Correspondence that could reasonably jeopardize legitimate penological interests includes, but is not limited to:

- a. Plans to escape;
- b. Plans for criminal activities;
- c. Plans to introduce contraband into or out of the facility;
- d. Plans for activities in violation of facility rules;
- e. Threats to the safety and security of facility order, discipline or rehabilitation;
- f. Information which, if communicated, would create a clear and present danger of violence and physical harm to a human being (including racially inflammatory material);
- g. Letters or materials written in code or a foreign language when the inmate/resident understands English (unless the Warden/Administrator or designee determined that the recipient does not read and write fluently in English);
- h. Correspondence which attempts to forward unauthorized correspondence to a third party;
- i. Obscene material;
- j. Correspondence which encourages deviate sexual behavior which is criminal, in violation of facility rules, detrimental to the rehabilitation of inmates/residents, or determined by the Warden/Administrator or designee to be detrimental to the safety and security of the facility (these materials include, but are not limited to, pictures, drawings, or photographs which display or suggest vaginal, rectal, or oral penetration by a person or object, ejaculation, bestiality, sadistic or masochistic behaviors, child pornography, or the suggestion of child pornography);
- k. Correspondence which may enable one (1) or more inmates/residents to ascertain the time(s), date(s), and/or location(s) of upcoming off-site appointments or transports;
- l. Personal identifying information (e.g. birth certificate, social security number, driver's license number, etc.) of individuals other than the inmate/resident's and his/her immediate family; and

- m. Other general correspondence for which rejection is reasonably related to a legitimate penalogical interest.

NOTE: Any restrictions imposed on prohibited correspondence shall be unrelated to the suppression of expression and may not be restricted solely based on unwelcome or unflattering opinions. These restrictions shall not apply to information and/or statements communicated for the express purpose of obtaining legal assistance.

2. Prohibited Items

Items normally contained in general correspondence that are considered to be prohibited include, but are not limited to:

- a. Maps of the city where the facility is located or surrounding communities;
- b. Polaroid photographs;
- c. Photo negatives/slides;
- d. Photo albums;
- e. Photos of current or former employees;
- f. Framed photos;
- g. Greeting cards larger than 8 X 10;
- h. Greeting cards containing electronic or other non-paper parts;
- i. Greeting cards constructed in such a way to permit concealment of contraband;
- j. Stick on labels or stamps that appear to contain contraband;
- k. Items that are glued, taped, stapled, or otherwise affixed to a page; and
- l. Any items prohibited by law, regulations, or contract.
- m. **AT THIS FACILITY, ADDITIONAL ITEMS PROHIBITED ARE :**

ANY ITEM WITH ANY FORM OF LAMINATION.

H. PROHIBITED PUBLICATIONS

Publications shall be prohibited if they interfere with legitimate penalogical objectives (e.g. deterrence of crime, rehabilitation of inmates/residents, good order of the facility, to ensure an environment free of sexual harassment, etc.), or if the refusal is necessary to prevent the commission of a crime or to protect the interests of crime victims.

Publications shall also be prohibited if they contain pictures, depictions, illustrations, or information related to any of the following subjects:

- 1. Inciting, aiding, or abetting riots, work stoppages, or means of resistance;
- 2. Sending/receiving of contraband;
- 3. Gang information (to includes codes, signs, symbols, training material, etc.);
- 4. Terrorism information;
- 5. Functionality of locks and/or security devices (e.g. cameras, alarms) or how to bypass or defeat the security functions of these devices;

6. Use of hands, feet, or head as weapons, fighting weapons and techniques, self-defense and martial arts;
7. Drug paraphernalia, brewing of alcoholic beverages, or the manufacture or cultivation of drugs, narcotics, or poisons;
8. Racism and/or religious oppression and the superiority of one race/religion/political group over another, and/or the degradation of one race/religion/political group by another;
9. Sale, manufacture, concealment, or construction of ammunition, guns, rifles, bombs, explosives, or any other type weaponry;
NOTE: The mere photograph of a gun or knife in a magazine or publication (e.g. Field and Stream) is not sufficient in and of itself to exclude the publication.
10. Sabotage or disruption of computers, communications, or electronics;
11. Identity theft;
12. Escape methods (e.g. blueprints, drawings, road maps, or descriptions of a correctional facility, etc.);
13. Survival skills that could be used as an aid in eluding capture following an escape;
14. Obscene material;
15. Publications which encourage deviate sexual behavior which is criminal, in violation of facility rules, detrimental to the rehabilitation of inmates/residents, or determined by the Warden/Administrator or designee to be detrimental to the safety and security of the facility (these materials include, but are not limited to, pictures, drawings, or photographs which display or suggest vaginal, rectal, or oral penetration by a person or object, ejaculation, bestiality, sadistic or masochistic behaviors, child pornography, or the suggestion of child pornography);
16. Gambling strategies and other gambling-related material;
17. Patterns for tattoos and/or skin modification equipment which would provide, at a minimum, visual aids for inmates/residents wishing to reproduce this type of body ornamentation and/or equipment;
18. Contents that include cipher or code or instruct on the usage of codes;
19. Acts of violence, that cause or intend to cause, serious criminal injury or harm such as murder, rape, sexual assault, and cruelty to animals; and/or
20. Graphic violence that includes amputation, decapitation, dismemberment, or mutilation maiming or disfigurement.
21. Any other type of content which the Warden/Administrator or designee has designated prohibited due to a threat such content is reasonably believed to pose to the safety, security, and/or orderly operation of the facility.

I. SUSPICIOUS CORRESPONDENCE

1. Suspicious correspondence includes incoming/outgoing correspondence that has one (1) or more of the following characteristics:
 - a. Oily stains on the envelope or on the outside of the package;
 - b. Discolorations on the envelope or on the outside of the package;
 - c. Crystallization on the envelope or on the outside of the package;

- d. Excessive wrapping, tape, or string;
 - e. Rigid, uneven, irregular, or lopsided packages;
 - f. Packages with soft spots, bulges, or excessive weight;
 - g. Packages with protruding wires or aluminum foil; and/or
 - h. Any other characteristic which would give rise to suspicion that the mail system is being used in a way that violates policy, law, or regulation.
2. Facilities may apply heightened scrutiny to the incoming and outgoing correspondence of certain inmates/residents to identify suspicious information. Examples include, but are not limited to, inmates/residents:
- a. Who participated in criminal activity of a sophisticated nature;
 - b. Whose crimes involved mail or fraudulent schemes; and/or
 - c. Who are considered escape risks.
3. Processing of suspicious correspondence may not interfere with the prompt handling of the correspondence. Unless the correspondence is being denied, it will be processed in the normal manner.

J. FUNDS

1. Inmates/residents will be allowed to have funds sent to them while incarcerated. Funds will be sent to inmates/residents at one (1) of the following locations:
- a. To the facility;
 - b. To the company's bank lockbox; or
 - c. To the contracting agency.
 - d. **AT THIS FACILITY, FUNDS WILL BE SENT TO THE FOLLOWING LOCATION:**

CERTIFIED CHECKS, CASHIER'S CHECKS, AND MONEY ORDERS ARE MAILED TO THE COMPANY'S BANK LOCKBOX.

- e. **AT THIS FACILITY, THE ADDRESS WHERE FUNDS WILL BE SENT IS:**

CCA INMATE TRUST
INMATE FIRST & LAST NAME (AS IT APPEARS ON ID CARD)
INMATE COMMISSARY NUMBER _ _ _ _ _
FACILITY: SUARO
P.O. BOX 933488
ATLANTA, GA 31193-3488

2. Funds received must be in the form of a money order or cashier check made payable to the inmate/resident. There is no limit to the amount of funds that the inmate/resident may receive on any given day, unless contractual requirements mandate otherwise.
- 1. Cash will not be accepted.
 - 2. Personal checks will not be accepted.
 - 3. Checks made out to multiple parties will not be accepted.

4. Foreign currency will not be accepted.
5. Wireless transfer services (e.g. Western Union, etc.) are an appropriate means of transferring funds and may be used where available.
3. With the exception of personal checks received at the company's lockbox, unaccepted funds received will be sent back to the sender with a 16-1B Unaccepted Funds Notification. Personal checks received at the company's lockbox will be destroyed.
 - a. In the event cash is received, it will be deposited and a check will be written to the sender for the amount of cash received.
4. Unless approved by the Warden/Administrator (e.g. authorized facility activities/events such as hobby craft sales, etc.), inmates/residents are not authorized to receive funds from the following individuals:
 - a. Other incarcerated inmates/residents;
 - b. Families or visitors of other incarcerated inmates/residents;
 - c. Ex-inmates/residents or their families;
 - d. Employees or their families; and
 - e. Unidentifiable sources.

5. Incoming Funds

All incoming funds must clearly indicate the inmate/resident's name and identification number.

- a. Funds received at the facility may be included with incoming general correspondence.
- b. Funds received at the company's bank lockbox may not have any other documents included in the envelope. Other documents or personal items received at the company's lockbox will be destroyed.
- c. **AT THIS FACILITY, CONTRACTING AGENCY PROCEDURES FOR INCOMING FUNDS ARE:**

<u>RETURNED TO SENDER WITH INSTRUCTIONS TO SEND FUNDS TO CCA INMATE TRUST ADDRESS.</u>

6. Inmates/residents will receive a receipt for all funds received and posted to their trust account. In the event funds were received from multiple sources on the same day, the inmate/resident's receipt will indicate each source separately.

K. SPECIAL CORRESPONDENTS

1. Inmates/residents will be allowed to send/receive confidential correspondence with the following special correspondents:
 - a. State and federal elected officials;
 - b. State and federal officials appointed by the Governor;
 - c. State and federal official appointed by the President of the United States;
 - d. State and federal judges and courts;
 - e. Attorneys who can be verified as licensed to practice law in any state;

- f. City, county, state, and federal officials having responsibility for the inmate/resident's present, prior, or anticipated custody, parole, or probation supervision;
- g. County agencies regarding child custody proceedings;
- h. Officials of a foreign consulate;
- i. Verified legal service providers/organizations (e.g. American Civil Liberties Union, Prison Law Office, National Association of Criminal Defense Lawyers, etc.); and
- j. Facility Support Center Managing Directors, Facility Operations.

k. **AT THIS FACILITY, ADDITIONAL INDIVIDUALS CONSIDERED SPECIAL CORRESPONDENTS ARE:**

NONE

2. Confidential correspondence with the special correspondents listed above is a right guaranteed by law. Intentionally using special correspondence as a means for sending general correspondence or the transmission of contraband items is an abuse of rights guaranteed by law and such abuse may be subject to disciplinary action.

L. **RESTRICTED CORRESPONDENTS**

1. Inmates/residents may not correspond with restricted correspondents as outlined below:
- a. Minors in which the legal guardian has provided written objection;
 - b. Minors, except immediate family members, unless the legal guardian has granted permission;
 - c. Victims of a crime for which the inmate/resident has been convicted of or is presently under indictment, or with any member of a victim's household who is not an immediate family member of the inmate/resident;
 - d. Individuals under probation or parole, unless the paroling officer has granted permission;
 - e. Any individuals that are restricted based on a court order; and/or
 - f. Any individual who has filed a written request to the facility requesting discontinuation of correspondence.
2. If the receiver of any correspondence, general or special, submits a written complaint to the facility, due considerations will be given to any reasonable remedy sought by the individual to include, but not limited to:
- a. Discussing the complaint with the inmate/resident in an attempt to resolve the matter;
 - b. Reading of all correspondence, including special correspondence, addressed to the individual and disallowing only that which appears to perpetrate the problem; and/or
 - c. Disallowing all correspondence to the individual.

3. Any inmate/resident found to be corresponding with a restricted correspondent may be subject to correspondence restriction and/or disciplinary action.
4. **AT THIS FACILITY, CONTRACTUAL REQUIREMENTS REGARDING RESTRICTED CORRESPONDENTS ARE:**

INMATES WILL BE ALLOWED TO SEND LETTERS TO WHOMEVER EXCEPT AS OUTLINED IN 16-1.L.1 OR WHEN A REASONABLE BELIEF EXISTS THAT SUCH CORRESPONDENCE COULD POSE A THREAT TO THE SAFETY AND SECURITY OF THE FACILITY.

M. INMATE/RESIDENT CORRESPONDENTS

1. Inmates/residents may correspond with inmates/residents incarcerated in other correctional facilities as outlined below.
 - a. Prior written approval of the Warden/Administrator or designee must be obtained from each facility. Copies of the approvals will be provided to both inmates/residents.
 - i. Written approvals will remain in effect even though one (1) or both of the inmates/residents are transferred to another facility.
 - b. Correspondence privileges will be limited to:
 - i. Immediate family members (spouse, parents, siblings, children, and grandchildren); and
 - ii. Co-defendants in active cases.
 - c. Correspondence will not be deemed to be special in any manner.
 - d. All outgoing correspondence must remain unsealed until reviewed by designated facility employees.
 - e. Photographs of incarcerated inmates/residents must not be included in any correspondence.
 - f. Inmates/residents may not receive nor send correspondence to multiple inmates/residents inside the same envelope.
2. Correspondence privileges with other inmates/residents may be suspended or terminated by the Warden/Administrator or designee, of either facility, for the following reasons:
 - a. One (1) or both inmates/residents have violated facility rules and regulations;
 - b. The reason for the original approval no longer applies or has been determined to have been erroneous or deceptive;
 - c. The safety, security, or good order of the facility is jeopardized; and/or
 - d. The safety or well being of any individual is jeopardized.
3. Any time that correspondence privileges are suspended or terminated, a 16-1C Inmate/Resident Correspondent Suspension/Termination form will be completed. The facility initiating the 16-1C will send a copy of the 16-1C to the other participating facility and to both inmates/residents.

4. **AT THIS FACILITY, ADDITIONAL CONTRACTING AGENCY PROCEDURES FOR INMATE/RESIDENT CORRESPONDENTS ARE:**

HAWAII INMATES ONLY – INMATES MUST REQUEST APPROVAL TO CORRESPOND WITH OTHER INMATES THROUGH THE HAWAII DEPARTMENT OF PUBLIC SAFETY MAINLAND BRANCH.

N. **INTERNAL CORRESPONDENCE**

1. Inmates/residents may correspond with the appropriate facility employees to address any issues or concerns that they may have.

AT THIS FACILITY, THE PROCEDURES FOR INTERNAL CORRESPONDENCE ARE:

INMATE REQUEST FORMS

2. All internal correspondence to/from Health Services staff and/or the Grievance Officer will be considered special and confidential and will not be opened unless authorized by the Warden/Administrator or designee.
3. Any internal correspondence addressed to contracting agency staff will be considered special and confidential and will not be opened by facility staff. Internal correspondence addressed to contracting agency staff will be forwarded appropriately.

O. **COLLECTION OF CORRESPONDENCE**

Excluding weekends and holidays, or emergency situations, correspondence will be collected from all facility correspondence receptacles on a daily basis.

1. Each facility will prepare a schedule indicating normal collection times for each correspondence receptacle. Each schedule must indicate that the times are approximate and may be altered as necessary due to facility situations.
2. The collection schedule will be posted in an area accessible to all inmates/residents.

P. **INSPECTION/REVIEW OF CORRESPONDENCE**

With the exception of special correspondence, incoming/outgoing correspondence will be opened, inspected, and may be read to make sure that it does not violate the secure and orderly operation of the facility, does not adversely affect the rehabilitative progress of the inmates/residents, is not obscene, or does not conflict with the procedures outlined in this policy.

1. **Universal Procedures**
- a. Disposable gloves will be provided for employees to use while inspecting/reviewing correspondence.
- b. While reviewing correspondence, employees may incidentally learn of information concerning the private lives of inmates/residents or their correspondents.
- i. Employees must be sensitive to the fact that information in correspondence is of a private nature and must be handled discreetly.

- ii. Unless there is a legitimate penalogical concern relating to the facility's security, safety, or orderly operation, the contents of reviewed correspondence are not to be revealed to any other person.
 - c. When reviewing correspondence, disagreement with the sender/receiver's apparent moral values, attitudes, or choice of words will not be used as a reason for withholding or delaying correspondence.
 - d. Canines and x-ray machines may be used, at any time, to search correspondence at the facility's discretion.
 - e. Correspondence will be returned to sender if it is not properly prepared as outlined in 16-1.4C.
 - f. Correspondence addressed to "Current Occupant" or "Current Addressee" will be disposed of.
 - g. All undelivered letters and packages returned to a facility, by the post office, will be opened and inspected before returning to the inmate/resident.
 - i. In the event special correspondence is returned, the envelope shall be opened in the presence of the inmate/resident. The special correspondence will be examined and read to the degree necessary to determine if it was sent out by the inmate/resident and that it was not opened or tampered with before its return to the facility.
 - h. Upon conclusion of review/inspection, correspondence will be resealed (stapled, taped, etc.) prior to sorting for distribution. Caution should be taken when resealing correspondence, to ensure contents are not damaged.
 - i. All correspondence and publications retained as personal property will be subject to search or reading for contraband and security violations.
2. Incoming Correspondence
- a. General
 - i. All incoming general correspondence is subject to being read, in part or in full, and searched for contraband before it is delivered to the inmate/resident.
 - ii. Any enclosures (e.g. newspaper articles, internet articles, or copies thereof, etc.) will be treated in the same manner as the general correspondence.
 - iii. Incoming general correspondence containing contraband or prohibited correspondence/items as outlined in 16-1.4 G. will be withheld.
 - iv. In the event general correspondence is received for an inmate/resident from a health care provider that CCA uses for off-site inmate/resident medical appointments, the correspondence will be withheld in an effort to protect the public, facility employees, and inmates/residents from outside threats during transports/off-site appointments.
 - v. Inmates/residents not wanting their incoming general correspondence to be reviewed/inspected by employees may choose to reject all incoming general correspondence.
 - The inmate/resident must complete and submit the 16-1D Rejection of General Correspondence form to the Facility Mailroom.

- All general correspondence received for inmates/residents who have submitted a 16-1D will not be opened. It will be marked returned to sender and sent back to the local post office.
- b. Special
- i. Incoming special correspondence should be marked “Confidential” and must bear the name and title of a sender considered special under 16-1.4 K. of this policy. Any special correspondence that cannot be identified as special correspondence based on the markings on the outside of the envelope will be treated as general correspondence.
 - ii. Incoming special correspondence may be opened and inspected in the presence of the inmate/resident to whom it is addressed.
 - In the event special correspondence is opened in error, it will not be read but will be immediately resealed. The employee who opened the correspondence in error must mark “opened in error” on the envelope and sign and date the envelope. A log will be maintained to document all special correspondence opened in error.
 - iii. Any enclosures (e.g. newspaper articles, internet articles, etc.) will be treated in the same manner as special correspondence.
 - iv. Prohibited correspondence/items, as outlined above in 16-1.4 G., will be withheld from special correspondence if detected. However, any portions of the special correspondence that do not contain prohibited correspondence/items will be delivered to the addressee.
 - v. Prohibited correspondence will be returned to the special correspondent as outlined in 16-1.4 Q.
3. Outgoing Correspondence
- a. General
- i. All outgoing general correspondence is subject to being read, in part or in full, and searched for contraband before it is sent to the post office for delivery.
 - ii. Any enclosures (e.g. newspaper articles, internet articles, etc.) will be treated in the same manner as general correspondence.
 - iii. Outgoing general correspondence containing contraband or prohibited correspondence/items as outlined above in 16-1.4 G. will not be processed and the inmate/resident may be subject to correspondence restriction or disciplinary action.
- b. Special
- i. All outgoing special correspondence must be marked “Confidential” when it is addressed to individuals outlined in 16-1.4 K. Failure to mark the correspondence as “Confidential” will result in the correspondence being processed as general correspondence.
 - ii. Outgoing special correspondence will be sealed by the inmate/resident prior to depositing into correspondence receptacles.
 - iii. If reasonable suspicion exists to believe that the outgoing correspondence is not special, the Warden/Administrator may hold the

correspondence for two (2) business days prior to mailing to allow verification of the special status of the addressee.

- iv. Outgoing special correspondence may be opened and inspected in the presence of the sending inmate/resident to ensure that the special correspondence does not contain contraband.
 - In the event special correspondence is opened in error, it will not be read but will be immediately resealed. The employee who opened the correspondence in error must mark "opened in error" on the envelope and sign and date the envelope. A log will be maintained to document all special correspondence opened in error.
- v. Any enclosures (e.g. newspaper articles, internet articles, etc.) will be treated in the same manner as the special correspondence.
- vi. If outgoing special correspondence contains prohibited correspondence/items outlined above in 16-1.4 G., the prohibited correspondence/items will be removed from the correspondence before sending. If the prohibited correspondence/item indicates a violation of the law, or intent to violate the law, the matter may be referred to the appropriate authorities for possible prosecution. The inmate/resident may be subject to correspondence restriction or disciplinary action.

AT SAGUARO CORRECTIONAL CENTER, THE FOLLOWING PROCEDURES WILL BE APPLIED TO OUTGOING SPECIAL CORRESPONDENCE IN LIEU OF THOSE OUTLINED IN P.3.b.iv. ABOVE:

- **THE INMATE WILL PRESENT THE UNSEALED SPECIAL CORRESPONDENCE TO A MEMBER OF THE UNIT TEAM STAFF TO INSPECT FOR CONTRABAND. AT NO TIME WILL THE STAFF MEMBER READ OR CENSOR ANY PORTION OF THE SPECIAL CORRESPONDENCE.**
- **AFTER INSPECTION THE INMATE WILL SEAL THE SPECIAL CORRESPONDENCE IN THE PRESENCE OF THE INSPECTING STAFF MEMBER. ONCE SEALED THE SPECIAL CORRESPONDENCE WILL REMAIN WITH THE INMATE FOR PLACEMENT IN THE OUTGOING MAIL.**

4. Publications

- a. All publications will be reviewed/inspected to ensure the following:
 - i. That the publication was sent directly from a recognized publisher, distributor, or authorized retailer.
 - The Warden/Administrator may refuse to process publications shipped from persons, entities, and organizations which cannot assure the facility that the publications have not been handled by persons other than their employees and the employees of the mail or shipping service used for shipments to prevent the introduction of contraband.
 - ii. That the publication does not include pictures, depictions, illustrations, or information as outlined in 16-1.4 H.

- iii. To remove stapled or perforated items including, but not limited to, free product samples, calendars, advertising, or promotional items.
- b. Non-English publications are subject to the same review/inspection and may be subject to a reasonable delay in distribution pending translation. When such delay exceeds five (5) calendar days, the inmate/resident will be notified in writing of the delay, the reason for the delay, and subsequent actions regarding the item.
- c. Unless mandated by contract, law, or regulation, publications will not be rejected solely because they were purchased as gifts or purchased using funds other than those from inmate/resident accounts.

Q. WITHHELD CORRESPONDENCE/ITEMS/PUBLICATIONS

- 1. Prohibited Correspondence (General or Special)
 - a. Facility Mailroom employees will document receipt of prohibited correspondence on the 16-1E Prohibited Correspondence form.
 - i. Withheld correspondence from a health care provider that CCA uses for off-site inmate/resident medical appointments, will be processed as follows:
 - The Chief of Security and Health Services Administrator (HSA) will be notified;
 - The correspondence will be forwarded to the HSA for review; and
 - The HSA or designee will be responsible for reviewing the correspondence from the health care provider, ensuring the privacy of medical information contained within the correspondence, and communicating any health information to the inmate/resident.
 - ii. Unless an investigation or legal/disciplinary action is necessary, prohibited correspondence (general or special) will be returned to the sender along with a copy of the 16-1E and 16-1H Correspondence/Publications Appeal form within two (2) business days of receipt. Where permitted, the cost of returning prohibited correspondence to the sender will be charged to the inmate/resident addressee.
 - Prohibited correspondence withheld for investigation and/or pending legal/disciplinary action will be held until conclusion of the action.
 - In the event correspondence was deemed appropriate based on an investigation and/or no legal/disciplinary charges are recommended, the correspondence will be forwarded to the inmate/resident.
 - iii. When the inmate/resident is not the sender, a copy of the 16-1E and 16-1H will also be provided to the inmate/resident.
- 2. Prohibited Items
 - a. Facility Mailroom employees will document receipt of prohibited items on the 16-1F Prohibited Items form. Copies of the form will be provided to the

inmate/resident along with a copy of the 16-1H form within two (2) business days of receipt.

- b. **AT THIS FACILITY, COPIES OF THE 16-1F AND 16-1H WILL ALSO BE FORWARDED TO THE FOLLOWING INDIVIDUALS:**

<u>CHIEF OF SECURITY AND ASSISTANT CHIEF OF SECURITY.</u>
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3. Prohibited Publications

- a. The Warden/Administrator has the authority to ban publications that routinely contain pictures, depictions, illustrations, or information as outlined in 16-1.4 H.
- i. A review of three (3) or more issues of the publication or all issues of the publication, whichever is less, must be conducted to ensure that the publication meets the criteria outlined above in Q.3.a.
- ii. If the results of the review indicate a need to ban the publication, the following must occur:
- The publisher must be informed, in writing, of the ban on the publication and a brief explanation of the reason(s) for the ban must be included.
 - Within thirty (30) days of the ban, the publication will be included on the facility's banned publication list and posted in an area accessible to the inmate/resident population.
 - The issues reviewed must be retained at the facility for the duration of the ban.
- b. Publications may also be banned when required by the contracting agency. Publications banned by the contracting agency will be posted in an area accessible to the inmate/resident population.
- c. A current list of banned publications must be posted in an area accessible to the inmate/resident population.
- d. Facility Mailroom employees will document receipt of prohibited publications on the 16-1G Prohibited Publication form.
- e. A copy of the 16-1G and 16-1H will be provided to the inmate/resident stating the reason for denial.

4. Appeal

When prohibited correspondence/items/publications have been denied, the inmate/resident and/or the sender will have the opportunity to appeal the denial. Correspondence/items/publications denied for legal/disciplinary action may not be appealed.

- a. Any individual choosing to appeal denied correspondence/publications must complete the 16-1H and return the form to the Facility Mailroom employees within seven (7) calendar days of receipt.
- b. Upon receipt of a 16-1H, Facility Mailroom employees will forward the form to the Warden/Administrator or designee (not to be delegated below Assistant Warden/Administrator) for review and response.

- c. The Warden/Administrator or designee (not to be delegated below Assistant Warden/Administrator) will provide a response to the appeal within fifteen (15) calendar days of receipt. The response will be forwarded to the Facility Mailroom employees who will be responsible for ensuring that the original is maintained at the facility and copies are provided to the sender.
- d. Inmates/residents will have the opportunity to choose disposition of denied appeals regarding prohibited items as outlined below.
- e. The Warden/Administrator or designee's (not to be delegated below Assistant Warden/Administrator) decision is final and concludes the appeal process, unless otherwise specified in the facility management contract.

AT THIS FACILITY, ADDITIONAL CONTRACTUAL PROCEDURES FOR APPEALING DENIED CORRESPONDENCE/ITEMS/PUBLICATIONS ARE:

NONE

5. Disposition

- a. Inmates/residents will be provided the opportunity to designate the disposition of prohibited items on the 16-1F in one (1) of the following manners:
 - i. Destroyed by facility employees;
 - ii. Mailed to an address designated by the inmate/resident at the inmate/resident's expense; or
 - iii. Picked up by an inmate/resident's visitor, with prior approval of the Warden/Administrator or designee.
- b. The inmate/resident will have thirty (30) calendar days to notify the facility of the disposition.

c. **AT THIS FACILITY, CONTRACTUAL REQUIREMENTS REGARDING DISPOSITION OF PROHIBITED ITEMS ARE:**

NONE

6. Destruction

In the event a disposition has not been received by the inmate/resident after thirty (30) calendar days and no pending appeals, grievances, or other hold notices exist, the prohibited items will be destroyed.

- a. Two (2) employees must be present for the destruction.
 - b. The 16-1F must document that a disposition was not received and that no grievance or other hold notice is pending.
 - c. Both employees will sign the 16-1F indicating the date and time of the destruction.
 - d. Upon completion of the destruction, a copy of the 16-1F will be forwarded to the inmate/resident.
7. All signed 16-1E, 16-1F, 16-1G, and 16-1H forms will be maintained at the facility in accordance with CCA Policy 1-15 Retention of Records.

R. DISTRIBUTION OF CORRESPONDENCE

1. Excluding weekends and holidays, or emergency situations, incoming and outgoing correspondence will be distributed within forty-eight (48) hours of the facility's receipt.
 - a. Correspondence received in languages other than English may be subject to a delay for translation of its contents. When such delay exceeds normal distribution timeframes, a 16-11 Correspondence Translation Delay form will be completed and presented to the inmate/resident to acknowledge.
2. The distribution of special correspondence, incoming and outgoing, will be documented. Inmates/residents may be required to sign acknowledging their receipt of the special correspondence.

S. PACKAGES

1. Incoming

In the event the facility allows receipt of special packages, the following will apply:

- a. Each Warden/Administrator may make available to the inmate/resident population a list of items which may be received in packages.
- b. Any person may purchase and send such approved items to any inmate/resident. However, at some facilities the contracting agency allows the package to be sent from a vendor only.

i. **AT THIS FACILITY, THE ITEMS WHICH MAY BE RECEIVED IN PACKAGES ARE AS FOLLOWS:**

ONLY PACKAGES FROM VENDORS APPROVED BY THE FACILITY ADMINISTRATION MAY BE RECEIVED.

ii. **THE NUMBER OF PACKAGES WHICH MAY BE RECEIVED ARE AS FOLLOWS:**

AS ALLOWABLE PROPERTY MATRIX DICTATES.

- c. All incoming packages will be inspected for contraband.
- d. Excluding weekends and holidays, or emergency situations, packages are held no more than seventy-two (72) hours before delivery to the inmate/resident.
2. Outgoing
 - a. All outgoing packages will be inspected for contraband.
 - b. Excluding weekends and holidays, or emergency situations, packages will be shipped within seventy-two (72) hours of receipt.
3. Packages containing non-allowable or excess property items, that are not considered contraband, will be disposed of in accordance with CCA Policy 14-6 Inmate/Resident Property unless contractually mandated otherwise.

AT THIS FACILITY, THE FOLLOWING POLICY IS UTILIZED IN LIEU OF CCA POLICY 14-6:

NONE

4. Contraband will be destroyed in accordance with procedures outlined in CCA Policy 9-5 Searches and Contraband Control unless contractually mandated otherwise.

AT THIS FACILITY, THE FOLLOWING POLICY IS UTILIZED IN LIEU OF CCA POLICY 9-5:

NONE

5. Packages containing legal materials and special information will be processed in the same manner and time frames as special correspondence.

T. CORRESPONDENCE RESTRICTION

1. Correspondence restriction may be imposed on inmates/residents for:
 - a. Violation of the procedures in this policy;
 - b. Violation of USPS regulations;
 - c. Complaints received from the receiver of the correspondence;
 - d. Any other action deemed appropriate by the Warden/Administrator.
2. Anytime a correspondence restriction is imposed a 16-1J Correspondence Restriction Notice must be completed and sent to the affected inmate/resident. The 16-1J must include the reason for the restriction and the length of time the restriction will be imposed.

- a. The 16-1J and all documentation supporting the restriction will be maintained in the inmate/resident's institutional file, unless prohibited by contractual requirements.

- b. **AT THIS FACILITY, CORRESPONDENCE RESTRICTION DOCUMENTS WILL BE MAINTAINED IN THE FOLLOWING LOCATION:**

NONE

3. All correspondence restrictions will be reviewed by the Warden/Administrator or Assistant Warden/Administrator at least once every six (6) months and documented on the 16-1K Review of Correspondence Restriction.
 - a. The purpose for the review is to determine if the inmate/resident's correspondence restriction should be continued or discontinued. The 16-1K must fully document the results of the review.
 - b. The inmate/resident must be provided a copy of the 16-1K.

4. **AT THIS FACILITY, CONTRACTUAL REQUIREMENTS REGARDING CORRESPONDENCE RESTRICTION ARE:**

NONE

U. FORWARDING OF CORRESPONDENCE

1. Inmates/residents are responsible for notifying their correspondents and the publishers of their subscriptions of any change of address. Inmates/residents arriving at the facility or scheduled for transfer or release may request change of address cards from the Facility Mailroom.

2. Facilities are not required to forward correspondence to inmates/residents who are temporarily absent from the facility (e.g. out to court, hospital, etc.) when the inmate/resident is anticipated to return to the facility within two (2) weeks.
3. Correspondence received from an inmate/resident who has been transferred from the facility where the correspondence was received shall be immediately forwarded to the facility or agency that has current custody of the inmate/resident. The correspondence will not be returned to sender as "Addressee Unknown" or "Inmate No Longer Housed At This Facility" unless the inmate/resident has been released from custody and a forwarding address is not available.
4. First class mail and periodicals addressed to an inmate/resident who has been transferred shall be forwarded to the inmate/resident's current address via United States Postal Service (USPS).
5. Standard mail with a "mailer endorsement" (i.e. "Address Service Requested", "Forwarding Service Requested", "Change Service Requested", "Return Service Requested") that was appropriately addressed, but is undeliverable due to the inmate/resident no longer being housed at the facility will be returned to the USPS for processing. Standard mail received without a "mailer endorsement", for inmates/residents no longer at the facility, may be disposed of.
6. **AT THIS FACILITY, ADDITIONAL CONTRACTING AGENCY PROCEDURES FOR FORWARDING CORRESPONDENCE ARE:**

<u>NONE</u>

16-1.5 REVIEW:

This policy will be reviewed by the Office of General Counsel on an annual basis.

16-1.6 APPLICABILITY:

All CCA Facilities (Provided contractual requirements do not mandate otherwise)

16-1.7 APPENDICES:

None

16-1.8 ATTACHMENTS:

- 16-1A Unauthorized Use of Facility Mail Services
- 16-1B Unacceptable Funds Notification
- 16-1C Inmate/Resident Correspondent Suspension/Termination
- 16-1D Rejection of General Correspondence
- 16-1E Prohibited Correspondence
- 16-1F Prohibited Items
- 16-1G Prohibited Publication
- 16-1H Correspondence/Publications Appeal
- 16-1I Correspondence Translation Delay
- 16-1J Correspondence Restriction Notice

16-1K Review of Correspondence Restriction

1-1G Policy/Post Order/PCN Acknowledgement

AT THIS FACILITY ADDITIONAL FORMS UTILIZED ARE:

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16-1.9 REFERENCES:

CCA Policy 1-1

CCA Policy 1-15

CCA Policy 9-5

CCA Policy 14-6

ACA Standards.

4-4266/4-ALDF-2A-60

4-4487

4-4488/4-ALDF-5B-05

4-4489/4-ALDF-5B-06

4-4490/4-ALDF-5B-07

4-4491/4-ALDF-5B-08

4-4492/4-ALDF-5B-09

4-4493

4-4494

4-4495/4-ALDF-5B-10

4-4496

EXHIBIT B

NOTICE OF CHANGE TO POLICY 16-1

In December 2009, CCA revised Policy No. 16-1 regarding prisoner mail to remove certain limitations on publishers' ability to send books and publications to prisoners at Saguaro Correctional Center. You may review a copy of Policy No. 16-1 at the prison library. The pertinent changes are as follows:

1. Prisoners at Saguaro Correctional Center may receive gift publications (that is, books and publications paid for and ordered by third parties), as long as otherwise permitted pursuant to Policy No. 16-1.
2. If any incoming book or publication is rejected, the material shall be held at the institution for a period of thirty (30) days after having provided notice to the publisher. The publisher shall be given notice and opportunity to respond while material is being held.
3. *Prison Legal News* is an approved vendor at Saguaro Correctional Center.