

MONITORED MAIL AND MONITORED TELEPHONE STATUS

- AUTHORITY:** Administrative Directive
Section 627 Welfare and Institutions Code
California Code of Regulations, Title 15, Section 1375 and 1376
- RESCINDS:** Procedure Manual Item **3-9-004**, dated **08/18/23**
- FORMS:** Notice of Monitored Mail Status (F057-6011)
Notice of Rejection of Incoming Mail (F057-6012)
Notice of Monitored Phone Call Status (F057-6294)
- PURPOSE:** To establish a standardized method for placing youth on Monitored Mail Status and Monitored Telephone Status when needed due to the safety and security of the facility, staff, youth, and community.

I. GENERAL INFORMATION

The decision to place youth on monitored mail and/or monitored telephone status shall be made only **to ensure** the facility's safe and orderly operation and protecting youth, staff, and those in the community.

II. PROCEDURE TO PLACE A YOUTH ON MONITORED MAIL

- A. Mail (incoming or outgoing) will not be read or withheld unless the Facility Administration has determined there is a reasonable suspicion one or more of the following conditions exist:
1. It contains direct evidence of past or contemplated criminal acts.
 2. It advocates or encourages specific acts or contains threats of suicidal intent, violence, or physical harm to self or others.
 3. It advocates plans for escape.
 4. It promotes the furtherance of illegal gang activities.
 5. It contains contraband.
 6. It is to or from an inmate of another correctional facility. (Exceptions to this will be based on pertinent casework review.)
- B. If it is determined that a youth should be placed on monitored mail status due to the above, a Special Incident Report with any mail, or other pertinent documents, must be submitted to the unit Supervising **Probation** Correctional Officer (**SPCO**) **and the SPCO will advise Facility Administration.**
- C. As determined by Juvenile Hall Administration, high-profile cases shall be placed on Monitored Mail status at the time they are booked into Juvenile Hall. Due to the severity of the crime, and the potential for communication with victims or other accomplices involved, youth will remain on this status until the law enforcement

investigation is completed and all reports have been received. No Special Incident Report is needed if placed on such status due to booking charges. The Notice of Monitored Mail Status Form (F057-6011) shall be completed, approved by an SPCO and signed by the youth any time a youth is placed on Monitored Mail status. The youth is to be read the form prior to their signing and provided a copy of the form indicating his/her mail will be read. If the mail is to be returned to sender, the youth will be advised via Form F057-6012.

- D. Ensure one copy of the Special Incident Report, Notice of Monitored Mail, and as necessary, the Notice of Rejection of Incoming Mail **that** is served to the youth **is** routed to the assigned **Deputy Probation Officer (DPO)**, and an additional copy is placed in the youth's **facility** file.
- E. The youth may appeal the decision to be placed on monitored mail status through the grievance procedure (see PMI 3-5-015).
- F. The youth may choose to have his/her mail returned to the sender unopened rather than have it opened and read by staff.
- G. On each occasion mail is read and withheld, the youth will be notified in writing via Form F057-6012, "Notice of Rejection of Incoming Mail", including the reasons for the decision and the right to grieve. **This reasoning will also be documented into the Integrated Case Management System (ICMS).**
- H. Monitored Mail Status does not apply to Privileged mail (**hereinafter "legal mail"**). **Legal mail** is defined as letters to and from a local, state, or federal courts **or agencies**, an attorney, **any member of the State Bar or holder of public office, the Board of State and Community Corrections (BSCC), the Office of Youth and Community Restoration (OYCR)**, officials of the confining and releasing authority, Clergy, **or Deputy Probation Officer(s).**

III. PROCEDURE TO PLACE A YOUTH ON MONITORED TELEPHONE

- A. Youth may be placed on monitored telephone status based on a reasonable suspicion that the youth is using the telephone to plan an escape, threaten witnesses or others, engage in or encourage illegal activity, violate a court order, or otherwise misuse the telephone privilege.
- B. If it is determined a youth should be placed on monitored telephone status due to the above, a Special Incident Report, with any other pertinent documents, must be submitted to the unit **SPCO who will advise Facility Administration.**
- C. As determined by Juvenile Hall Administration, high-profile cases shall be placed on Monitored Telephone status at the time they are booked into Juvenile Hall. Due to the severity of the crime, and the potential for communication with victims or other accomplices involved, youth will remain on this status until the law enforcement investigation is completed and all reports have been received. No Special Incident Report is needed if placed on such status due to booking charges.
- D. The Notice of Monitored Telephone Status Form (F0502-6294) shall be completed, approved by an SPCO, and signed by the youth any time a youth is placed on Monitored Telephone status. The youth is to be read the form prior to their signing and provided a copy of the form.

- E. Ensure one copy of the Special Incident Report and Notice of Monitored Telephone are routed to the assigned DPO, and an additional copy is placed in the youth's **facility** file.
- F. The youth may appeal the decision to be placed on monitored telephone status through the grievance procedure (see PMI 3-5-015).
- G. Monitored calls will be made on the County business phone at times that do not interfere with the safe and orderly operation of the **unit (i.e. during shift change)**.
- H. Youth will be permitted to complete unmonitored telephone calls to their attorneys **and DPO(s)** on the County business phone upon request and at reasonable times that do not interfere with essential program activities (i.e., meals, school, work, counseling, hygiene, visiting or bedtime).

IV. **PROCEDURE WHILE A YOUTH IS ON MONITORED TELEPHONE AND/OR MONITORED MAIL**

A. **Deputy Probation Correctional Officers (DPCOs)** will ensure:

- 1. All monitored telephone calls will be made on the County business telephone.
- 2. Monitored telephone calls will be made at reasonable times that do not disrupt the orderly operation of the unit. Youth being placed on Monitored Telephone status does not deny them the use of phones.
- 3. If the call can be adequately monitored by listening to the youth's side of the conversation only, staff will dial the number, verify the identity of the party contacted and turn the telephone over to the youth.
- 4. The telephone calls will be terminated at the discretion of monitoring staff based on the nature and content of the conversation. A Special Incident Report will be completed detailing the conversation that was terminated **and shall be documented in ICMS.**
- 5. **If the youth has opted to have his/her mail read, mail will be processed in accordance with PMI 3-9-001 - Youth's Mail.**

B. **SPCO** will:

- 1. Advise Facility Administration of any case or circumstance where it appears it may be necessary to place a youth on monitored telephone **or mail** status.
- 2. Review the continued need for the youth's telephone or mail to be monitored every 30 days or sooner as necessary. If the circumstances or situation which required the monitored status are no longer present or have changed, advise Facility Administration with a recommendation to continue or rescind the status. **If it is determined that the monitored status should continue, provide Juvenile Facility Administration with the supporting documentation, such as a Special Incident Report or correspondence from assigned DPO, justifying the continued status and log into ICMS.**

3. Document the date of the review **and** the decision to rescind or continue the monitored telephone status **in ICMS**.

REFERENCES:

Procedures:	3-1-015	Telephone Calls
	3-5-004	Youths' Rights/Orientation
	3-5-015	Resident's Grievance Procedure
	3-7-003	Disposition of Contraband
	3-9-001	Youth's Mail
	3-9-002	Pictures and Reading Material
	3-9-003	Youth's Use of Telephones in Facilities
	3-9-005	Attorney Contact With Incarcerated Youth
	3-10-002	Incentives And Due Process
	3-11-001	Youth's Facility Folders
	3-15-007	Request for Contact via Mail
Policies	A-1	Policy, Procedure and the Law
	F-7	Personal Property of Minors in Juvenile Institutions

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APPROVED BY: