

YOUTHS' MAIL

AUTHORITY:	Administrative Directive California Code of Regulations, Title 15, Section 1375		
RESCINDS:	Procedure Manual Item 3-9-001 , dated 08/18/23		
FORMS:	Notice of Monitored Mail Status	(F057-6011)	
	Notice of Rejection of Incoming Mail	(F057-6012)	
	Notice of Correspondence Rejection (Sending Party)	Attachment A	
	Notice of Correspondence Rejection (Youth)	Attachment B	
PURPOSE:	To establish a standardized method of processing youths' mail.		

I. GENERAL INFORMATION

- A. Per Section 1375 of Title 15, the facility administrator shall develop and implement written policies and procedures for correspondence.
- B. Youth in juvenile facilities should be encouraged to maintain ties with their families and the community by sending and receiving mail. Further, they have the right to exchange confidential information with their legal representatives, public officials, clergy, and the judiciary via privileged mail.
- C. All youth will be advised of the mail procedure during orientation or no more than 24 hours from the time of intake. Mail is defined as letters and packages. Staff will wear protective gloves when opening incoming mail or packages. Packages will be opened and inspected for contraband BEFORE being delivered to facility living units, **unless its legal mail.**
- D. Privileged/confidential mail (hereinafter "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, and the Board of State and Community Corrections (BSCC), officials of the confining and releasing authority, Clergy, or Deputy Probation Officer(s) **or Office of Youth and Community Restoration (OYCR). Facility staff may open and inspect such mail only to search for contraband and in the presence of the youth.**
- E. **With the exception of legal mail**, all envelopes and items included therein shall be scanned via the mail screening device. **Legal mail will remain unopened, with only the exterior being scanned.**
- F. Mail will be distributed to youth daily and logged in the ICMS-Institutional Case Management System at the time of distribution. If the distribution is withheld or delayed for any reason, this will also be logged in ICMS and approved by an SPCO.
- G. Withholding of mail is defined as not delivering all or part of the mail to the youth. Decisions to withhold mail will be made by the unit SPCO or Duty Officer. Mail that is withheld will be handled in one of three ways:

1. If the mail or items therein are hazardous or could impact facility safety and security, it shall be forwarded to the Orange County Sheriff's Department **(OCSD)** for testing and confirmation. Once tested, any dangerous materials or contraband shall be marked for destruction.
2. If the mail is deemed inappropriate for youth (such as pornography), it shall be returned to the sender.
3. All illegal material(s) that could implicate anyone in illegal activities will be treated as evidence per department policy and shall be referred for further investigation by the appropriate law enforcement agency.

H. Contraband is described as:

1. Any object or substance, the possession of which would constitute a crime under the laws of California (e.g., drugs).
2. Any object or substance which would pose a danger within the facility (e.g., weapons).
3. Any object or substance which would interfere with the day-to-day operation of the program (e.g., pornography, magazines inciting violence, etc.).
4. Pictures or reading material depicting gang-related activities or gang ideation (Hand signs, colors, graffiti on walls, indicia, buttons, badges, or articles of clothing) which identify gang behaviors.
5. When a youth is sent material not prohibited by law but considered contraband by the facility, the material shall be returned to the sender or placed in the youth's property and given to the youth upon release. In either event, the youth must be informed the material is considered contraband and will not be allowed in the facility.

- I. Mail returned to sender will simply be marked "RETURN TO SENDER." If it has been opened, the mail, in its original envelope, will be placed in a larger envelope that will be sealed before it is placed in the mail.
- J. A youth will be permitted to send and receive unlimited letters each week. All privileged mail will be at the County's expense.
- K. No outgoing or incoming mail will be read unless the youth is on monitored mail status.
- L. All incoming mail, except legal mail, will be opened, **analyzed by the mail scanner**, and inspected for contraband. Mail shall not be read by staff.
- M. All outgoing mail will be given to staff for mailing. Mail shall not be read by staff. Staff are to initial the top right corner of the envelope.
- N. Inspection of mail shall not result in the withholding of mail from a youth, or the post office, for a period over 24 hours unless the mail fits within the descriptions cited in

G.1-3 (except legal holidays and weekends). If mail is withheld, the youth will be notified via the appropriate form(s).

- O. The decision to place a youth on monitored mail status will be made only ensuring safe and orderly operation of the facility and protecting the youth and staff. Please refer to PMI **3-9-004** regarding the process and procedure for Monitored Mail Status.

II. PROCEDURE

- A. Institutional Security Unit (ISU) graveyard staff will retrieve the mail from reception.

1. Before the electronic scan, ISU will log in to the system, and a test will be completed to ensure accuracy.
2. ISU will ensure all bulbs are working correctly.
3. ISU will open each envelope, **providing it is not legal mail**, one at a time, to be scanned to ensure no cross-contamination of letters.
4. Staff will place mail content(s) and envelope (one at a time) on the screen, then initiate an electronic scan. If the scan results are negative, staff shall return the mail to the envelope, then to the unit for distribution in the morning. Staff shall immediately contact the Duty Officer if the mail scan is positive for drugs or controlled substances. The mail, envelope, and content(s) shall be placed in an evidence bag and locked in an evidence locker for testing by the **OCS** lab. ISU staff will write a Special Incident Report (SIR) on their findings.
5. Staff may scan pictures; however, due to chemical compounds, false positives may occur. Refer to the unit **SPCO**.
6. Only scan the envelope of legal mail. DO NOT open or scan contents inside the envelope (privileged/confidential).
7. DO NOT read the mail.

- B. Unit staff will:

1. Ensure persons to whom the youth writes or from whom the youth receives letters have not been officially restricted from communication by Court Order or are not in a correctional facility.
2. Ensure all mail is delivered to the youth or the post office within 24 hours, excluding weekends and holidays and logged in ICMS when distributed. Night staff will document the names and addresses of all incoming mail in the youth's **facility** file, using the incoming/outgoing mail form. Night staff will initial each item of mail to indicate mail has been processed and recorded. Day staff shall distribute processed mail each day by noon. Mail shall not be withheld as a means of discipline.
3. Complete an SIR when information justifies placing the youth on monitored mail status. Submit the SIR, with any mail, or other pertinent documents, to the unit **SPCO**.

4. Ensure no mail is read unless it has been previously documented in the youth's folder via Form F057-6011, SPCO authorization has been obtained, and the youth has been informed and has chosen to have the mail read rather than returned to sender.
 5. All **legal** mail shall be opened in front of the youth during mail distribution.
 6. Ensure all outgoing mail is properly sealed by the youth and addressed, including the return address of the youth. Day staff shall inspect, initial and place outgoing mail in a designated location at each facility/unit. Night staff shall document the names and addresses of all outgoing mail in the youth's **facility** file and place it in the designated location for outgoing mail.
- C. Mail with any of the characteristics cited in Section I. H. (1-5) of this policy shall be withheld. Withheld incoming mail shall be returned to the sender. Withheld outgoing mail shall be returned to the youth.

When mail is withheld, both the sender and the youth shall be promptly notified via the Notice of Correspondence Rejection form (attachment). This form shall include an explanation of the basis for the decision and a notification of the appeal process. The names of the youth and sender shall appear on the forms. The youth shall sign this form acknowledging their mail is being withheld. All correspondence rejections sent shall be documented in ICMS and that the form was given to the youth.

The author of withheld correspondence shall be notified of the right to appeal the decision to the facility manager(s). The decision to withhold mail may be grieved by the youth pursuant to **Residents'** Grievance Procedure.

REFERENCES:

Procedures	3-5-004	Youths' Rights/Orientation
	3-5-015	Residents' Grievance Procedure
	3-7-003	Disposition of Contraband
	3-9-002	Pictures and Reading Material
	3-9-004	Monitored Mail and Monitored Telephone Status
	3-9-005	Attorney Contact with Incarcerated Youth
	3-10-002	Incentives and Disciplinary Due Process
	3-11-001	Youth's Facility Folders
Policies	A-1	Policy, Procedure and the Law
	F-7	Personal Property of Minors in Juvenile Institutions

Attachments

K. Carvo

APPROVED BY:



ORANGE COUNTY PROBATION DEPARTMENT

NOTICE OF CORRESPONDENCE REJECTION

(Sending Party)

☐ Juvenile Hall ☐ Youth Guidance Center ☐ Youth Leadership Academy

TO:

Your correspondence from _____ dated _____ was
found to be unacceptable because _____

If you believe that this rejection was improper, please contact the Facility Manager.

Signed

SPCO Signature

Date



ORANGE COUNTY PROBATION DEPARTMENT

NOTICE OF CORRESPONDENCE REJECTION (Youth)

☐ Juvenile Hall ☐ Youth Guidance Center ☐ Youth Leadership Academy

TO: _____

Your correspondence from _____ dated _____ was
found to be unacceptable because _____

If you believe that this rejection was improper, you have the right to appeal this decision to the Facility Manager by filling out a grievance form.

I have Received this notice:

I have notified the youth:

Youth refused to sign but was notified on
this date:

Signature of Youth

Date

SPCO Signature

Date

SPCO Signature

Date