



# GENERAL ORDER

Loudoun County Sheriff's Office

<b>Chapter:</b> Correctional Services	<b>Section:</b> 506.6
<b>Subject:</b> Inmate Programs and Services	<b>Topic:</b> Inmate Mail
<b>Accreditation:</b> 6VAC15-40-600, 6VAC15-40-610, 6VAC15-40-630, 6VAC15-40-640, 6VAC15-40-650	
	<b>Revised:</b> 09/23/2016
<b>Enacted:</b> 04/16/2008	<b>Reaffirmed:</b>
	<b>Last Review:</b>
	<b>Review:</b>

## I. PURPOSE

The purpose of this General Order is to provide directives for operating inmate mail services.

## II. POLICY

It shall be the policy of the Corrections/Court Services Division that all inmates, regardless of their confinement status, shall be afforded the same correspondence rights, and that mail shall not be withheld or otherwise used as punishment. Inmates who are indigent shall be supplied with a fixed amount of stationery and postage.

The physical mailing address for the Adult Detention Center is:

Loudoun County Adult Detention Center  
42035 Loudoun Center Place  
PO Box 7700  
Leesburg, VA 20177-7700

Mail shall be distributed Monday through Friday, excluding holidays, within twenty-four (24) hours of delivery to the facility. At no time shall mail be distributed by an inmate, nor shall staff make it accessible to any inmate other than the addressee. All legal mail to and from attorney offices shall be sent through the United States Postal Service, unless authorized by the Division Commander or designee. All incoming legal correspondence shall be opened and searched in the presence of the inmate. Inmates shall not be permitted to write to other inmates within the Adult Detention Center or any other facilities used to house Loudoun County Inmates. There shall be no limit on the volume of letter mail an inmate may send or receive, or on the length, language, content, or source of such letter mail, except where there is clear and convincing evidence to justify such limitations for security reasons. All outgoing inmate mail shall be stamped with the Adult Detention Center stamp stating, "The Adult Detention Center has neither censored nor inspected this item, therefore, the Adult Detention Center does not assume responsibility for its content" prior to being sent to the Mailroom. Mail addressed to an inmate who has been transferred or released shall be marked "Return to Sender" and sent out in the next mail delivery. All outgoing mail (general correspondence) shall be left opened and unsealed for inspection for contraband as per the USPS Administrative Support Manual, Section 274.96. All outgoing collected mail will then be sent to the Administrative area for processing.

It shall also be the policy that sexually explicit materials sent through the mail be controlled to preserve facility security, promote rehabilitation, and support our obligation to staff under Title VII of the Civil Rights Act of 1964.

Books, magazines, newspapers, or periodicals shall be provided to each housing unit by the facility. The Assistant Division Commander of Confinement shall authorize which newspapers and magazines are to be provided. Inmate's personal subscriptions will not be allowed or accepted. Further, it shall be the policy to control the introduction of bulk mail into the facility to reduce the work load of inspecting each piece of mail for contraband and to reduce the potential of a fire hazard within the facility.

This General Order is based upon Federal court rulings regarding the restriction of inmate mail when there is a "rational basis" for the decision or where it serves a "legitimate penological interest" in preserving prison security and promoting rehabilitation. Citations include:

Thompson v. Patterson, 985 F.2d.202, 5<sup>th</sup> Cir. 1993  
Cox v. Embly, 784 F.Supp. 685, E.D.MO 1992  
Dawson v. Scurr, 986 F.2d. 257, 8<sup>th</sup> Cir. 1993

### III. PROCEDURE

#### A. Collection and Distribution of Mail

1. At a minimum of one (1) time per shift, deputies will collect mail and have it delivered to the Central Control to be stamped and sent out.
2. All inmates will be responsible for the control of their outgoing letters. Deliberate security violations may result in disciplinary action. Violations of postal laws may result in referral for prosecution to the appropriate authorities.

#### B. Inspection of Mail

1. All general correspondence shall be turned into the post deputy opened, unsealed, and subject to censorship by authorized personnel, and examined for contraband as per the USPS Administrative Support Manual, Section 274.96. If searched, all legal correspondence shall be opened in the presence of the inmate. After the outgoing mail has been searched for contraband, mail will be processed through an automated sealer to be sealed before being taken to the mail box located in the Administrative area. All outgoing letters must include proper postage, name and address for delivery, your name, and the Adult Detention Center's return address. Any envelopes that are not properly filled out will be returned for corrections. Contraband must be processed in accordance with General Order # 502.7, Contraband Control.

2. Money orders received through the mail will be processed in accordance with General Order # 506.2, Inmate Financial Accounting System.
3. In the event that any legal mail is suspicious in nature, the deputy noting the activity will complete an in-house incident report and verify that the information is logged in the Shift Pass-On for all staff to be made aware of the potential for unauthorized communication.

C. Restricted Correspondence

1. At the written request of a parent or guardian of a juvenile who corresponds with an inmate, the Assistant Division Commander of Confinement may, at their discretion, terminate such correspondence and notify the inmate of the decision.
2. To avoid safety and fire hazards, a limit of five (5) letters may be stored in an individual cell. Inmates are not to keep envelopes. If the inmate requests an address from an envelope, the inmate may write the address down. In the event the address is a label, the deputy may write the address on a piece of paper provided by the inmate. Do not give the inmate the address label. With the exception of legal mail, this excess mail must be picked up/released to someone within 14 days or it will be destroyed.
3. Correspondence may not be allowed if determined to be a threat to the safe and secure operation of the facility.
4. Sexually explicit material that is in the possession of an inmate, or that has been sent through the mail to an inmate, will be seized and destroyed.
5. The inmate will be given written notice of the seizure.

D. Seizure of Mailed Items

1. When it is necessary to remove any item(s) from incoming mail, an In-House Incident Report of such action will be made by the deputy seizing the item(s). The record must include:
  - a. The inmate's name and inmate 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.
2. Seized material will require a memo explaining the purpose of the seizure to the Division Commander, through the chain of command. The Division

Commander's decision to seize mailed items will be forwarded to the inmate in writing. In the event that the Division Commander disapproves the material, the material must be returned to the sender or retained along with a copy of the decision in the inmate's property.

3. When contraband is seized which is not illegal, a written notice must be forwarded by the Assistant Division Commander of Confinement to the inmate and to the sender. The notice should indicate the item has been determined to be contraband and state the reason for the seizure. Both the inmate and sender may appeal the decision to the Division Commander.
4. In the event that the Division Commander upholds the appeal, the sender or inmate will be asked if they wish to return the item(s) at their expense or have them destroyed. If the sender or inmate does not respond in writing within fourteen (14) days, the contraband will be destroyed.
5. When contraband is seized which is illegal, criminal prosecution will be initiated by staff or may be sought through the Criminal Investigations Division, at the discretion of a squad supervisor.

E. Bulk Rate Mail

1. Incoming bulk rate mail will be disposed of in the trash.

IV. DOC STANDARD #

6VAC15-40-600: Correspondence Privileges

Written policy procedure and practice shall ensure that all inmates, regardless of their jail status, shall be afforded the same correspondence privileges; correspondence privileges shall not be withdrawn as punishment.

Compliance Documentation:

- Review written policy and procedure
- Interview staff/inmates

6VAC15-40-610: Volume and Content of Inmate Mail

Written policy, procedure and practice shall ensure there is no limit on the volume of letter mail an inmate may send or receive, or of the length, language, content or source of such letter mail except where there is clear and convincing evidence to justify such limitation.

Compliance Documentation:

- Review written policy and procedures
- Documentation of exceptions (if applicable)
- Interview staff/inmates

All correspondence and packages received (excluding legal mail) may be searched for contraband. This does not need to occur in the inmates' presence. Provisions should be included to address forwarding mail after transfer or release and correspondence to other inmates within the facility or between facilities. Limitations based on public safety or facility security should be documented.

6VAC15-40-630: Outgoing and Incoming Letters

Written policy, procedure and practice shall ensure that outgoing letters shall be collected and sent daily except Saturday, Sunday and holidays. Incoming letters to inmates shall be delivered no less than 24 hours after arrival at the facility or shall be forwarded or returned to sender.

Compliance Documentation:

- Review written policy and procedures
- Interview staff/inmates

6VAC15-40-640: Incoming General Correspondence

All general correspondence may be opened, examined, and censored by authorized personnel as per the USPS Administrative Support Manual, Section 274.96. If searched, all legal correspondence shall be opened in the presence of the inmate.

Compliance Documentation:

- Review written policy and procedures
- Review documentation (if applicable)
- Interview staff

6VAC15-40-650: Notice of Seizure of Mail Contraband

Written policy, procedure and practice shall assure the notice of the seizure of mail contraband be given to the inmate and the sender together with the written reason for the seizure. The sender shall be allowed the opportunity to appeal the seizure to the facility administrator or a designee empowered to reverse such seizure. Unless it is needed for criminal investigation or prosecution, property that can legally be possessed outside the facility shall be stored, returned to sender, if known, or destroyed.

Compliance Documentation:

- Review written policy and procedures
- Review notification to sender and inmate (for the sender, it includes notification of right to appeal)
- Review seizure records, if applicable
- Interview staff/inmates

Seizure includes any item, which the inmate cannot keep in his possession, including items placed with his property to be returned to him upon release.

This General Order becomes effective September 23, 2016, and rescinds all previous rules and regulations pertaining to the subject.