


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE Pursuant to NH RSA21-H:8 (III) Internal Practices and Procedures	CHAPTER <u>Ops/Mgmt of Dept Activities</u> STATEMENT NUMBER <u>314.12</u>
SUBJECT: INCOMING PRIVILEGED MAIL HANDLING AND DISTRIBUTION	EFFECTIVE DATE <u>6/2/2026</u>
PROPONENT: <u>Michelle Edmark, Warden</u> <i>Name/Title</i> <u>NHSPM 603-271-5603</u> <i>Office Phone #</i>	REVIEW DATE <u>6/2/2026</u> SUPERSEDES PPD# <u>NEW</u> DATED <u>NEW</u>
ISSUING OFFICER:  <hr/> <i>William Ryan Hart, Jr., Commissioner</i>	DIRECTOR'S INITIALS _____ DATE _____ PUBLIC FACING: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
REFERENCE NO: See reference section on last page of PPD.	

(a) **PURPOSE:**

- (1) This guideline establishes standardized procedures for the handling of incoming materials classified as privileged correspondence, including legal mail, in accordance with state administrative rules [Cor 314.11, Privileged Correspondence](#); [Cor 314.12, Legal Mail](#). This process provides for the photocopying of all incoming legal mail prior to delivery to inmates. The purpose of this procedure is to reduce the introduction of illegal substances, which are frequently applied to paper products and smuggled into correctional facilities through legal mail channels.

(b) **APPLICABILITY:**

- (1) To all staff employed and inmates residing within the New Hampshire Department of Corrections correctional facilities.

(c) **POLICY:**

- (1) It is the policy of the New Hampshire Department of Corrections to open, inspect, and photocopy all incoming privileged correspondence, including legal mail, in the presence of the inmate while the process is actively recorded, and to provide the inmate with copies of the incoming privileged mail. State Administrative Rules have the power of law and serve as the governing policy framework established by the State of New Hampshire.

(d) **DEFINITIONS:**

- (1) Incoming Privileged Mail means correspondence with persons or entities identified in Cor 314.11 (h) including but not limited to: public officials, including any elected state or federal official or any appointed head of a state or federal agency, courts, attorneys, medical offices, or

law-enforcement agencies. All privileged mail shall be completely confidential and shall be clearly marked "Privileged" on the address side of the envelope.

- (2) Legal mail means correspondence between an inmate and his or her attorney(s) but does not include electronic messages. All legal mail shall be completely confidential and shall be clearly marked "Legal Mail" on the address side of the envelope.
- (3) Photocopying and Shredding Stations will be the mobile location for the photocopying and shredding of incoming privileged mail.

(e) PROCEDURE:

- (1) The mail room will be responsible for receiving incoming privileged mail and recording it on the [Incoming Privileged Mail Log \(Attachment 1\)](#). The privileged mail and Incoming Privileged Mail Log will be forwarded to the appropriate unit for distribution.
- (2) All incoming privileged mail and any legal documents contained in an inmate's property during transfers between county or state facilities, including documents received during court proceedings, shall be opened, inspected, photocopied, and shredded in the presence of the inmate to whom the materials are addressed. The process shall be actively recorded using body-worn cameras and conducted within view of facility surveillance cameras when applicable.
- (3) Designated photocopiers and shredding stations shall be placed within appropriate locations within each facility depending on the particular needs of the unit in the facility.
- (4) The photocopier shall not have the capability of retaining data.
- (5) The photocopier shall be in view of a facility camera when available, and officers will have their body worn cameras activated when opening, inspecting, photocopying and distributing privileged mail.
- (6) If the photocopier is broken, privileged mail will not be held. It will be processed according to [Cor 314 Inmate Mail, Electronic Messaging, and Package Service](#) without photocopying until such time as the photocopier is repaired.
- (7) Inmates shall be called to the location of the designated photocopier and shredding stations to observe their privileged mail being opened, photocopied and shredded. The inmate will provide their signature before receiving the photocopied mail.
- (8) Staff shall not read the privileged correspondence. Staff shall put on personal protective equipment, at a minimum, disposable gloves.
- (9) The inmate will view the envelope while staff has possession of it.
- (10) Staff will open and inspect the mail for contraband as defined by COR and departmental policy. Staff shall photocopy all pages of the correspondence, including the envelope, in view of the inmate while actively recording on their BWC. If contraband is found, staff will take appropriate action including but not limited to proper confiscation of evidence, timely notification to the Investigations Bureau, and facility security leadership. Staff should secure suspected contraband in accordance with evidence collection procedures.
- (11) The inmate shall retain the privileged photocopied black and white documents which will include a photocopy of the outer envelope.
- (12) The staff member who photocopies the privileged mail, will shred the original correspondence in the presence of the inmate.
- (13) The inmate will sign the Incoming Privileged Mail Log acknowledging that they are accepting a complete and accurate copy of the privileged mail.
- (14) The staff member who photocopies the privileged mail will then print their name on the corresponding line on the Incoming Privileged Mail Log.
- (15) After completing privileged mail call distribution, the completed Incoming Privileged Mail Log will be placed in the Privileged Mail Log Binder. At this time staff can deactivate their BWC.
- (16) After completing privileged mail call distribution, the Photocopying and Shredding Station will be locked and returned to the units designated location.

- (17) When the shredder bin becomes full, staff will remove the trash bag of the shreds and bring them to the designated SecurShred bin.
- (18) Monthly oiling of the shredders will be maintained by the Investigations Bureau.
- (19) If supplies (paper, toner etc.) run low, please notify your unit leadership so they can make timely requests.
- (20) The Photocopying and Shredding Stations will consist of the following:
 - a. 19X43 Inch Black Rolling Cabinet
 - b. 1 Key per Cabinet
 - c. Brother MFC-L5715DW Printer/Scanner – No internal memory
 - d. Fellowes Shredder
 - e. 1 Extra Toner
 - f. 1 Binder
 - g. 1 Roll of trash bags
 - h. Extra Reams of Paper
 - i. Jackey V2000 Power Supply (SHU(2), HSC, SPU, NHC FW)

REFERENCES:

[Cor 314.00 Inmate Mail, Electronic Messaging and Package Service](#)

ATTACHMENTS:

[Attachment 1 - Incoming Privileged Mail Log](#)