

<b>UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES</b>		
<b>Policy: 04-03</b>	Page 1 of 4	
<b>RESIDENT MAIL</b>		
<p><b>RATIONALE:</b> To provide an opportunity for minors to maintain relationships with family members and other supportive persons and organizations, and to allow for legally required communication.</p> <p><i>Related Policies, Applicable Standards, Statutes: JJYS policies 04-02 Religious Programs; 04-08 Youth Grievance Process; 05-10 Contraband</i></p>		
<b>Original Effective: August 11, 2004</b>	<b>Revision: April 29, 2024</b>	<b>Next Review Due: April 26, 2027</b>

**I. DESCRIPTION**

Minors residing in Division facilities/programs have the right to communicate through written correspondence with members of their family, legal counsel, and other persons and organizations, subject to the limitations necessary to maintain order and security of the facility or program.

**II. DEFINITIONS**

The following terms are defined for this policy as:

- A. **Contraband Items:** Items which may not be legally possessed by a minor or prohibited by Division policy 05-10 Contraband or a Division facility/program operation manual.
- B. **Correspondence:** Mail or written communication to or from minors, including letters, postcards, and greeting cards.
- C. **Parcel:** A package that contains more than written correspondence.
- D. **Privileged mail:** Correspondence that is legally protected from disclosure. It is between the minor and their attorney, judge, rape crisis counselor or clergy (as defined in Policy 04-02 Religious Programs).

### **III. POLICY**

- A. Minors shall be permitted to send letters subject to the limitations necessary to maintain order and security of the facility or program.
- B. Mail may be regulated to ensure the safety and security of JJYS facilities, programs, and people.
- C. During the minor's stay at a Division facility or program, minors are not allowed subscriptions by mail.

### **IV. PROCEDURE**

- A. Outgoing Mail
  - 1. There is no limit to the volume of mail a minor may send, as long as it does not interfere with facility security, programming or treatment needs of minors. Any need to limit outgoing mail shall be documented by the Assistant Program Director (APD).
  - 2. All outgoing correspondence shall be clearly addressed. There shall not be any drawings, symbols or words on the outside of the envelope that interfere with facility security, programming or treatment needs of minors.
- B. Incoming Mail
  - 1. Incoming correspondence shall be clearly addressed. Incoming correspondence with drawings, symbols or words on the outside of the envelope that interfere with facility security, programming or treatment needs of minors shall be returned to the post office. The exterior of the envelope shall not contain any ink stamps, stickers or be discolored.
  - 2. Incoming correspondence that interferes with facility security, programming or treatment needs may be restricted by the APD after consultation with the Program Director.
  - 3. Mail without a return address shall be returned to the post office.
  - 4. The number of letters a minor may have in their individual room may be restricted for safety and security reasons. Minors shall be advised of these restrictions upon admittance to the program or facility.
  - 5. Staff shall distribute mail daily, except on Sundays and holidays.
  - 6. Correspondence not allowed in a minor's room shall be held with other personal items for safekeeping, and returned upon release from the facility, or given to the parent/legal guardian.
  - 7. Incoming mail shall be opened in the presence of staff in camera view and shaken out to check for contraband. Staff shall visually scan mail for overtly inappropriate text or drawings, hate, gang or drug speech, or threats to the facility, an unknown person, or ongoing criminal activity.

8. If any of these elements are discovered, the letter and its contents shall be given to the appropriate supervisor for further action.
9. If mail is determined to be inappropriate, it shall not be delivered to the minor. The minor shall be verbally notified and the mail held by the APD or designee for five business days pending a grievance. If no grievance is filed in five business days, the mail shall be returned to the post office.
  - a) Returned correspondence shall be documented by the facility/program APD or their designee. Documentation shall include the names of the sender, intended receiver, photo of the correspondence and the reason returned.
  - b) The regular grievance procedure shall be followed in accordance with policy 04-08 Youth Grievance Process.
10. Parcels shall be opened in the presence of two staff. The contents shall be inventoried and documented according to the facility/program operations manual. Items not allowed in a minor's room shall be held with other personal items for safekeeping, and returned upon release or given to the parent/legal guardian.
11. Parcels that cannot be held in the minor's designated locker/storage area due to size or quantity shall be returned to the sender and the minor shall be notified.

C. Reading Incoming or Outgoing Mail

1. Mail may be read by the facility/program supervisor or APD if contraband, overtly inappropriate text or drawings, hate, gang or drug speech, or threats to the facility, an unknown person, or ongoing criminal activity are discovered.
2. Staff shall not read a minor's incoming or outgoing mail at the time it is received, or at any time thereafter, unless directed by the facility APD or supervisor.
3. Minors shall be notified at the time of admission to the facility, as a routine part of the orientation process, that under specific circumstances the facility/program supervisor or APD may read their mail, excluding privileged mail as defined above.
4. In cases where there is documentation to justify reading a minor's mail, the minor shall be notified and the mail is to be referred to the facility/program supervisor or APD to be read.
5. The facility/program supervisor or APD shall document in a CARE note mail that is read and clearly outline the rationale for opening and reading the correspondence.


- D. Minors may not send or receive mail from residents or inmates in prisons or other correctional settings, with the exception of parent(s), legal guardian(s), sibling(s) or others as approved by court order, the APD or designee. Correspondence arriving from other minors in Division custody, or other

correctional facilities, shall be returned unopened to the post office and the minor notified.

**V. Continuous Renewal**

This policy shall be reviewed every three (3) years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



Brett Petersen, Director  
Division of Juvenile Justice & Youth Services

04/29/2024  
Signature Date