
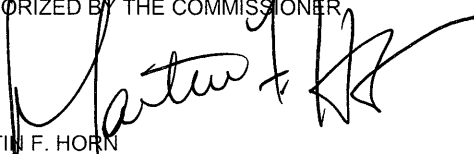


THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



DIRECTIVE

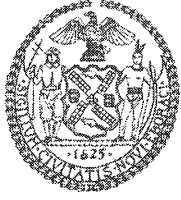

<input type="checkbox"/> NEW <input type="checkbox"/> INTERIM <input checked="" type="checkbox"/> REVISED			SUBJECT		
EFFECTIVE DATE 03/16/09		*TERMINATION DATE / /		INMATE CORRESPONDENCE	
CLASSIFICATION # 4001R-B	SUPERSEDES 4001R-A	DATED 06/16/08	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
RECOMMENDED FOR APPROVAL BY REVIEW BOARD MEMBER			AUTHORIZED BY THE COMMISSIONER		
 CAROLYN THOMAS, CHIEF OF DEPARTMENT SIGNATURE			 MARTIN F. HORN SIGNATURE		

I. PURPOSE

This Directive sets forth the policy, guidelines and procedures for the efficient handling of inmate correspondence by the New York City Department of Correction.

II. POLICY

- A. The general policy of this Directive is to insure the prompt delivery of inmate mail, thereby encouraging contact with family, friends and to support the privacy of such correspondence.
- B. The regulations stipulated in this Directive represent departmental decisions for the benefit of all inmates and for ensuring the safety and security of the facility, inmates, staff and the public.
- C. Inmate correspondence shall be handled in accordance with the guidelines and procedures specified in this Directive.
- D. The Department shall seek criminal prosecution when any item found in correspondence involves a criminal offense.
- E. The United States Postal Service (USPS) operates a program whereby matter may be sent free of charge if mailed by or for the use of blind persons or others who cannot read or use conventionally printed materials due to visual impairment. This program is applicable to inmates who are blind or visually impaired in the custody of the Department. The Department will act as a conduit for the transfer of such mail from an inmate to the Postal Service.

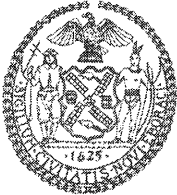

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 2 OF 17 PAGES	

III. DEFINITIONS

- A. Privileged Correspondence – shall mean correspondence to and from attorneys and individuals under the direct supervision of attorneys, assistance agencies and individuals under the direct supervision of legal assistance agencies, and courts. In addition, privileged correspondence shall mean correspondence to and from the State Commission of Correction, Board of Correction and other correctional officials, local, State and Federal law enforcement agencies, media, physicians, clinicians and clergy.
- B. Non-Privileged Correspondence – shall mean all other correspondence.

IV. GUIDELINES



- A. Inmates may correspond with any person, except when there is a reasonable belief that limitation is necessary to protect public safety or maintain facility order and security. Correspondence shall not be deemed to constitute a threat to safety and security of a facility solely because it criticizes a facility, its staff, or the correctional system, or espouses unpopular ideas, including ideas that facility staff deem not conducive to rehabilitation or correctional treatment. The Department shall provide notice of this policy to all inmates in the Inmate Handbook. There shall be no restriction upon incoming or outgoing inmate correspondence based upon either the amount of correspondence sent or received, or the language in which correspondence is written.
- B. There shall be no censorship of any mail either to or from inmates, unless authorized by the Warden as noted in Section IV. C and E of this Directive or a lawful search warrant. No records of correspondence received by any inmate shall be placed in the inmate's institutional files, except for a Warden's order to read an inmate's correspondence as authorized by this Directive.
- C. Outgoing Inmate Non-Privileged Correspondence:
- Outgoing inmate non-privileged correspondence shall not be opened or read except pursuant to a lawful search warrant or the Warden's written order articulating a reasonable basis to believe that the correspondence threatens the safety or security of the facility, another person, or the public.
- Outgoing inmate non-privileged correspondence shall not be read unless there is information from another law enforcement agency, the Commanding Officer of the Department's Intelligence Unit (I.U.), or other Department senior staff officials of the rank of Warden or above that the correspondence may contain one or more of the following:

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 3 OF 17 PAGES	

IV. GUIDELINES (cont.)

- a. Plans for sending contraband into or out of the facility;
 - b. Plans for criminal activity within or outside of the facility; or
 - c. Information, which if communicated, would compromise the security and good order of the facility and/or the safety of any person or persons within or outside the facility.
2. A copy of the Warden's written order (Form #4001A, "WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE") and accompanying documentation to read outgoing correspondence must be promptly provided to the Chief of Facility Operations and placed on file in the facility's Security Office.
 3. The Warden's written order shall state the specific facts and reasons supporting the determination. The Warden shall articulate the facts and supporting reasons by completing Section 1 of Form #4001A, "WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE," Attachment D of this Directive.
 4. The affected inmate shall be given written notification of the determination and the specific facts and reasons supporting it by signing Section 2 of Form #4001A, "WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE." The affected inmate shall then be issued a copy of the form. The Warden may delay notifying the inmate only for so long as such notification would endanger the safety and security of the facility, after which the Warden shall immediately notify the inmate.
 5. A written record of correspondence read pursuant to this subdivision, Form #4001A, "WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE," shall be maintained and shall include: the name of the inmate, the name of the intended recipient, the name of the reader, the date that the correspondence was read, and the date that the inmate received notification.



NOTE: Section 3, "READER OF CORRESPONDENCE" of Form #4001A, shall be completed only after the affected inmate has received notification.
 6. Any action taken pursuant to this subsection shall be completed within five (5) business days of receipt of the correspondence by the Department.

	EFFECTIVE DATE 03/16/09	SUBJECT		
	CLASSIFICATION # 4001R-B	INMATE CORRESPONDENCE		
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 4 OF 17 PAGES	

IV. GUIDELINES (cont.)

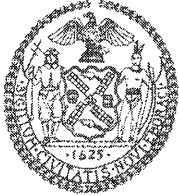

- D. Outgoing inmate privileged correspondence shall not be opened or read except pursuant to a lawful search warrant.
- E. Incoming Inmate Non-Privileged Correspondence:
1. Incoming inmate non-privileged correspondence shall not be opened except in the presence of the intended inmate or pursuant to a lawful search warrant or the Warden's written order articulating a reasonable basis to believe that the correspondence threatens the safety or security of the facility, another person, or the public.
 - a. The Warden's written order shall state the specific facts and reasons supporting the determination. The Warden shall articulate the facts and supporting reasons by completing Section 1 of Form #4001B, "WARDEN'S WRITTEN ORDER TO READ INCOMING INMATE CORRESPONDENCE," Attachment E of this Directive.
 - b. The affected inmate and sender shall be given written notification of the Warden's determination and the specific facts and reasons supporting it. Facility staff shall complete Section 2, "INMATE NOTIFICATION" and Section 3, "SENDER NOTIFICATION" of Form #4001B. The affected inmate shall then sign Section 2 and receive a copy of the form. If the correspondence has a return address, it shall be indicated in Section 3. The facility shall then mail the sender a copy of the form at the Department's expense. If the correspondence did not have a return address, this shall be indicated in Section 3 and the form is to remain on file at the facility. The Warden may delay notifying the inmate and the sender only for so long as such notification would endanger the safety or security of the facility, after which the Warden immediately shall notify the inmate and sender.
 - c. A written record of correspondence read pursuant to this subsection, Form #4001B, "WARDEN'S WRITTEN ORDER TO READ INCOMING INMATE CORRESPONDENCE" shall be maintained and shall include: the name of the sender, the name of the intended inmate recipient, the name of the reader, the date that the correspondence was received and was read, the date that the inmate received notification and the date notification was mailed to the sender.

NOTE: Section 4, "READER OF CORRESPONDENCE" of Form #4001B, shall be completed only after the affected inmate received notification and notification was mailed to the sender.

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 5 OF 17 PAGES	

IV. GUIDELINES (cont.)

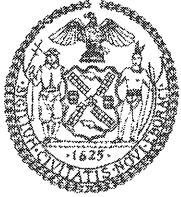

- d. Any action taken pursuant to this subsection shall be completed within five (5) business days of receipt of the correspondence by the Department.
2. Incoming inmate non-privileged correspondence shall not be read except pursuant to a lawful search warrant or the Warden's written order articulating a reasonable basis to believe that the correspondence threatens the safety or security of the facility, another person, or the public.
 3. Incoming correspondence shall not be read unless there is information from another law enforcement agency, the Commanding Officer of the Department's Intelligence Unit, or other Department senior staff officials of the rank of Warden or above that the correspondence may contain one or more of the following:
 - a. Plans for sending contraband into or out of the facility;
 - b. Plans for criminal activity within or outside of the facility; or
 - c. Information, which if communicated, would compromise the security and good order of the facility and/or the safety of any person or persons within or outside of the facility.
 4. A copy of the Warden's written order (Form #4001B, "WARDEN'S WRITTEN ORDER TO READ INCOMING INMATE CORRESPONDENCE") and accompanying documentation to read incoming correspondence must be promptly provided to the Chief of Facility Operations and placed on file in the facility's Security Office.
 5. Incoming privileged correspondence shall not be read except pursuant to a court order. Incoming privileged correspondence shall not be opened and inspected except in the presence of the recipient inmate or pursuant to a lawful search warrant.
- F. The Department shall not maintain any records of correspondence received by any inmate, including sources or amounts of correspondence, except as noted in Sections IV. C and E of this Directive. In addition, nothing herein shall preclude the Department from maintaining, in a place separate from the inmate's institutional file and for the sole purpose of assuring efficient mail delivery, their own records of mail received; provided, however, that such records shall not be used in any way to affect

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 6 OF 17 PAGES	

IV. GUIDELINES (cont.)

any terms or conditions of a inmate's subsequent confinement, nor shall they be released to any party other than the inmate except upon court order or subpoena issued by a governmental agency which, by law, is authorized to inspect Department of Correction records and then only after notice to the party affected, which notice in no event shall be less than twenty-four (24) hours before the return date of the application for the court order or subpoena.

- G. Incoming correspondence may be manipulated or inspected without opening and subjected to any non-intrusive device. Such manipulation or inspection does not in any way or manner remove the responsibility for opening and inspecting all incoming correspondence in the presence of the intended inmate.
- H. Any particular correspondence may be held for an extra twenty-four (24) hours pending resolution of a search warrant application or court order.
- I. Any inmate may address written communications to the Commanding Officer of the facility or the Commissioner. Upon request, an inmate will be supplied with paper and envelope for the purpose of such communication. Such communication shall be promptly delivered to the Warden or transmitted to the Commissioner if intended for the Commissioner.
- J. Employees are prohibited from writing, mailing or conveying any letter or information from or to any inmate or any other person on behalf of an inmate without the approval of the Commanding Officer of the facility.
- K. If an inmate is unable to read or write, he or she may receive assistance with correspondence from other persons, including but not limited to, facility employees and other inmates.
- L. Each facility shall make available for purchase by inmates both stationery and postage.
- M. The Department shall provide indigent inmates (inmates having no funds in their Commissary Account) with free stationery, envelopes and first class postage for all letters to attorneys, courts and public officials. Mail from indigent inmates, addressed to the Office of the Comptroller shall be sent by certified mail at Departmental expense. Inmates receiving funds in their Commissary Accounts sufficient to cover expenses borne by the Department for certified mail within seven (7) calendar days of its posting, may be required to pay for such postage. There shall be no postage weight limitations on this type of correspondence. In addition, two (2) postage free personal letters weighing two (2) ounces or less will be permitted each week to indigent inmates. Each facility shall make available to indigent inmates at Department expense stationery and postage for all letters to attorneys, courts and public officials, as well as two (2) other letters each week.

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 7 OF 17 PAGES	

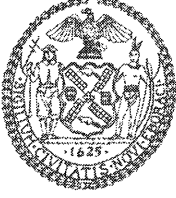

IV. GUIDELINES (cont.)

- N. Inmates shall be permitted at their request and their own expense, to send correspondence by certified mail. However, when the inmate is indigent, and as a matter of law, rule or regulation and such correspondence is required to be sent by certified mail, the expenses shall be borne by the facility concerned.
- O. All procedures, guidelines and restrictions issued concerning the searching and censoring of mail received by inmates in general population as well as any changes in these procedures, guidelines and restrictions, also will apply to mail received by inmates in punitive segregation, close custody, and any other special status.

V. PROCEDURES

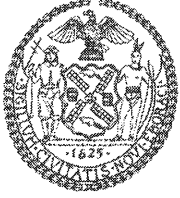

A. INCOMING CORRESPONDENCE

1. In order to enhance the detection of narcotic substances concealed in inmates' incoming correspondence and packages, the following procedures will be adhered to:
 - a. All incoming inmate correspondence and packages to Rikers Island shall be forwarded to the Central Mail Processing Center.
 - b. The Canine Unit will be deployed for a narcotics scent detection of all correspondence and packages prior to being released to the facility.
 - c. Upon completion of the canine narcotics scent detection, Special Operations Division (SOD) will notify the affected commands to retrieve their inmate correspondence and packages.
 - d. Under no circumstances will inmate correspondence or packages be retrieved directly from the United States Postal Service by the individual facility.
2. Incoming inmate correspondence shall be delivered to the intended inmate within a forty-eight (48) hours period after receipt by the facility unless the inmate is no longer in custody. Upon delivery, all incoming correspondence shall be opened and inspected in the presence of the intended inmate.

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 8 OF 17 PAGES	

V. PROCEDURES (cont.)



3. Letters, printed material, photographs, pictures, money orders and Cashier's/Teller's checks may be received in correspondence. This list of items is to be kept on file at the Board of Correction and any revision to the list shall be forwarded to the Board of Correction. The list shall be posted in English and Spanish in each housing area.
4. When any privileged, certified, or special delivery mail is delivered to the inmate, the mail room officer assigned to distribute the mail will require the intended inmate to sign the Mail Logbook to confirm receipt of the correspondence.
5. The Mail Logbook will specify the name and book and case number of the inmate receiving mail, the name of the sending party and/or affiliation, the date of receipt, the inmate's signature and the signature of the officer distributing the mail.
6. No records of correspondence received by any inmate shall be placed in the inmate's institutional file, except as noted in Section IV. C and E of this Directive.
7. If any contraband or prohibited items other than dangerous contraband is found in any incoming correspondence, the inmate shall be so advised and the item shall be confiscated. However, at the inmate's option, the item may be returned to the sender, destroyed or donated to an outside charitable organization. The appropriate form (Form #420A [English] or #420B [Spanish], REMOVAL OF NON-PERMISSIBLE ITEM(S) INCOMING CORRESPONDENCE/PACKAGE) indicating the option selected and containing brief instructions for the appeal procedure shall be prepared in quadruplicate. The first copy shall be filed in the inmate's folder; the second copy shall be given to the inmate; the third copy is for the Board of Correction and the fourth copy shall be forwarded to the General Counsel of this Department. After removal of an item, the incoming correspondence shall be forwarded to the intended inmate.
 - a. If dangerous contraband or an item suspected of being a controlled substance is found therein, the inmate shall be so advised and the item confiscated. The contraband shall be placed in an envelope and sealed in the presence of the inmate and a witnessing officer. Entries shall be made on the sealed envelope denoting the name and address of the sender, a description of the contraband, the name, number and

	EFFECTIVE DATE 03/16/09	SUBJECT		
	CLASSIFICATION # 4001R-B	INMATE CORRESPONDENCE		
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 9 OF 17 PAGES	

V. PROCEDURES (cont.)

location of the inmate recipient and the signature of both witnesses. The sealed envelope shall then be forwarded to the Tour Commander who shall deliver the envelope together with a full written report of the incident to the Commanding Officer for processing and possible criminal action. When an item found in incoming correspondence involves a criminal offense, it shall be forwarded to the appropriate authority for possible criminal prosecution. In such situations, the processing of Form #420A/B may be delayed if necessary to prevent interference with an ongoing criminal investigation.

8. All policies, guidelines, procedures, restrictions and changes issued by the Department concerning the inspection of mail received by inmates in general population, shall also apply to mail received by inmates in punitive segregation, close custody and any other special status.
9. Facilities will not accept cash by mail for deposit into the inmate funds account. In the event cash is received in the mail, it will be held in escrow until the inmate is discharged with the following exceptions:
 - a. Institutionally generated charges (i.e., unpaid restitutions, fines, mandatory surcharges;
 - b. Self-bail; and
 - c. Sent to an authorized third party.
10. All money orders and cashier's checks sent to inmates by mail for deposit in their cash fund accounts shall be received by the Institutional Mail Officer, opened in the inmate's presence and stamped "INMATE FUNDS - FOR DEPOSIT ONLY" prior to the inmate endorsing the same with his/her signature and book and case number. A numbered mail money receipt will be prepared in duplicate by the officer for each inmate receiving money. The original receipt shall be given to the inmate in accordance with the prescribed mail procedure of the institution. The duplicate receipt shall remain in the Mail Money Receipt Book as a permanent record.
 - a. To ensure accountability when different officers use the Mail Money Receipt Book throughout the day, each officer upon completion shall close out the book by clearly printing in blue or black ink, on the reverse side of the last receipt used, the date, time, numbers of the first and last receipts issued, total amount of funds collected (followed by a notation of the breakdown of money orders), and officer's name, followed by his/her signature and shield number. The officer will immediately surrender the money order(s) and book to the Cashier who will verify the

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 10 OF 17 PAGES	

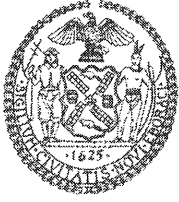

V. PROCEDURES (cont.)

same and affix his/her signature (with name clearly printed below), identification number, the date, and the time below the officer's signature.

The Cashier will then enter in the computer, from the Mail Money Receipt Book, monies received by each inmate according to the following procedure; Inmate Banking Menu, #6 Debit and Credit Inmate Account. A line drawn across the individual receipt will denote that the receipt was entered. After all receipts are in the computer, return to Inmate Banking Menu, #8 Report Menu, then #1 Debit and Credit Register, return to Inmate Banking Menu, to #9 End of Day Processing, etc., then #1 End Day Processing.

The computer hard copy totals will be compared to monies received and verified. A copy of the Debit and Credit Register in addition to the Summary Totals will be attached to the Cashier's Daily Statement. The amount received and receipt numbers will be recorded on line #2, mail money on the Cashier's Daily Statement.

11. When the records indicate that an inmate has been transferred to another facility of the Department, the unopened envelope containing the correspondence shall be properly re-addressed, time-stamped and dispatched promptly to the facility to which the inmate was transferred. However, Privileged Mail shall be processed in accordance with the procedures outlined in Section V. C. Privileged Mail.
12. When the records indicate that an inmate has been transferred to a facility not under the jurisdiction of the Department, the unopened envelope shall be time-stamped and the original address on the envelope shall be crossed out with one (1) diagonal line (/). The name and address of the facility concerned shall be written in ink on the front of the envelope and the re-addressed envelope shall then be forwarded to the facility of record, through the United States Postal Service. No additional postage shall be required. Privileged Mail shall be processed in accordance with the procedures outlined in Section V. C. Privileged Mail.
13. Any "non-privileged mail" received for an inmate who has been discharged from the Department's custody (i.e., release on bail, released in court, completed sentence, etc.), shall be forwarded to the address of record.
 - a. When the records indicate that the inmate has been discharged and there is no forwarding address on record, the mail shall be returned to the sender. The notation **MOVED - Left No Address -** shall be hand-stamped on the envelope. However, if there is no return address on

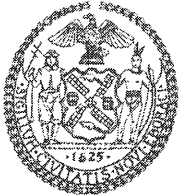

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 11 OF 17 PAGES	

V. PROCEDURES (cont.)

the envelope and the inmate is unknown, the notation ADDRESSEE UNKNOWN shall be hand-stamped on the envelope and returned to the United States Postal Service.

B. OUTGOING CORRESPONDENCE

1. Outgoing inmate correspondence shall be addressed and sealed by the inmate.
2. All outgoing inmate correspondence shall bear the inmate's name, and either the facility post office box, or the inmate's home address in the upper left-hand corner of the envelope. Failure to comply will result in the mail being returned. Free postage shall be provided to indigent inmates in accordance with the policy stated in this Directive.
3. All outgoing inmate correspondence shall be placed in a locked mail receptacle by the inmate, and the mail shall be forwarded through the United States Postal Service at least once each business day.
4. Inmates who are blind or visually impaired may choose to send outgoing mail without postage. The mail may be sent to both domestic and international destinations. The contents of the mail must meet USPS requirements for the free mailing service. These requirements specify the types of items that qualify for the service.
5. The envelope must meet the following two requirements:
 - a. The phrase "Free Matter for the Blind or Handicapped" must be marked on the upper right hand corner of the front.
 - b. The envelope must remain unsealed.
6. The mailroom staff that process outgoing mail shall screen the items mailed to ensure that those being sent without postage are items submitted by inmates entitled to free mail.
 - a. The Officer or other staff person shall maintain a list of the inmates who are blind or visually impaired; the list shall include the name, Book and Case Number, Housing Location and type of disability of the inmates.
 - b. When an inmate is admitted to a Departmental facility and appears to have or is claiming a disability, the inmate shall be assessed in the facility's clinic by medical staff. Once it has been determined by medical staff that the inmate has a disability, the Intake Supervisor or designee,

	EFFECTIVE DATE 03/16/09	SUBJECT		
	CLASSIFICATION # 4001R-B	INMATE CORRESPONDENCE		
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 12 OF 17 PAGES	

V. PROCEDURES (cont.)

shall immediately notify the Associate Counselor located in the Counseling Services Unit at the facility and the Deputy Warden for Programs or his/her designee. The Deputy Warden for Programs will provide the mailroom with an updated disability list on a weekly basis, which shall also include all inmates that are blind or visually impaired. During non-business hours the Intake Supervisor shall forward this information to the office of the Deputy Warden for Programs.

- c. The Officer or other staff person assigned to the mailroom shall check all items of outgoing mail that have no postage and are marked "Free Matter for the Blind and Handicapped" against the weekly list of disabled inmates.
 - i. Letters or packages so marked by inmates who are on the list as qualifying for free mail shall be sent out with all other outgoing mail. The Department shall not be obligated to provide any postage for these materials.
 - ii. Letters or packages so marked by inmates who are not on the list and, therefore, not qualified for free mail shall be returned to the inmates for proper postage.
- d. The Officer or staff person shall leave the letters or packages that qualify for free mailing unsealed so that the USPS may inspect its contents.

C. PRIVILEGED MAIL



1. When any privileged, certified, or special delivery mail is undeliverable, a notation of why delivery could not be effected shall be made in the UNDELIVERED MAIL LOGBOOK – PRIVILEGED, CERTIFIED, REGISTERED and SPECIAL DELIVERY by the Mail Clerk or other person assigned to perform said duties.

The opening/closing date of the Logbook shall be entered on the outside cover of the Logbook.

2. The Logbook shall contain the following headings:

Entry A - Name/address of sender;

Entry B - Name/number of inmate addressee;

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 13 OF 17 PAGES	

V. PROCEDURES (cont.)

Entry C - Reason why mail was undelivered. This entry must be clearly stated, for example:

- i. Inmate was transferred to GMDC.;
- ii. Inmate was released on bail;
- iii. Inmate transferred to State Prison (Give name/address).

Entry D - Action taken, for example:

- i. Mail forwarded to address of record - enter address where mail was forwarded;
- ii. Return to sender - enter reason why mail is being returned to sender, e.g., addressee unknown, insufficient information, etc.

Entry E - Date action taken as per Entry "D" above;

Entry F - Name/I.D. number of person processing the mail - recording the entries.

After making the logbook entries, the Mail Clerk shall then process the mail as specified in this section.



3. FORWARDING OF PRIVILEGED MAIL

All privileged mail addressed to an inmate who has been transferred to another facility within the Department or transferred outside the jurisdiction of the Department shall be time-stamped and imprinted with a standardized stamp provided by the Department (see Exhibit A), and processed by the Mail Clerk or officer assigned to perform Mail Clerk duties.

- a. Prior to the Mail Clerk imprinting the envelope, a diagonal line (/) shall be placed through the original address.
- b. The stamp shall contain the following information:

FORWARD TO (ADDRESS ONLY)

- i. DATE RECEIVED;
- ii. DATE FORWARDED;

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 14 OF 17 PAGES	

V. PROCEDURES (cont.)

- iii. FORWARDING FACILITY (NAME OF);
 - iv. FORWARDED BY (NAME/I.D. # OF PERSON PROCESSING THE MAIL)
- c. The Mail Clerk will then clearly print the information required in the imprinted captions and then forward the piece of mail to the United States Postal Service for processing, or to the facility of record if the inmate was transferred to a facility within the Department.



4. RETURN OF PRIVILEGED MAIL TO SENDER

- a. When privileged mail is received for an inmate who has been discharged and there is no record or a forwarding address, or in cases where the mail can not be delivered to the inmate because of "insufficient information," "addressee unknown," or "no forwarding address," the privileged mail shall be time-stamped and imprinted with the standardized stamp provided by the Department (see Exhibit B), before it is returned to the sender. Prior to the Mail Clerk imprinting the envelope, a diagonal line (/) shall be placed through the original address.

The stamp shall contain the following information:

RETURN TO SENDER

- i. DATE RECEIVED;
- ii. DATE FORWARDED;
- iii. (CHECK THE APPROPRIATE BOX)
- iv. // NO FORWARDING ADDRESS;
- v. // ADDRESSEE UNKNOWN;
- vi. // UNDELIVERABLE - INSUFFICIENT INFORMATION;
- vii. FORWARDED BY FACILITY (NAME OF);
- viii. FORWARDED BY (NAME/I.D. # OF PERSON PROCESSING THE MAIL).

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 15 OF 17 PAGES	



V. PROCEDURES (cont.)

NOTE: Prior to any privileged mail being returned to sender, the Mail Clerk shall make a reasonable attempt to locate the forwarding address of the inmate concerned, by perusing the inmate's folder or by referring to the Inmate Information System (I.I.S.); in addition, before any privileged mail is returned to sender, the Mail Clerk shall submit the mail to the supervisor in charge of the Mail Room, who shall ensure that every effort to locate the addressee was made.

- b. The Mail Clerk will then clearly print the information required in the imprinted captions, check the appropriate box and then forward the piece of mail to the United States Postal Service for RETURN TO SENDER.

D. APPEAL

1. Within twenty-four (24) hours after the removal of any item(s) from correspondence, the intended inmate, the Board of Correction and the General Counsel of this Department shall be given written notification of such removal. Such notice may be delayed, if necessary, to prevent interference with any ongoing criminal investigation. See Attachments: Form #420A (English) and Form #420B (Spanish). This notice shall include:
 - a. The name (and number, if inmate) and address of sender;
 - b. The name and number of the recipient (sentenced - use sentence number; detention - use book and case number);
 - c. The item(s) removed;
 - d. The reason(s) for removal;
 - e. The disposition of the item(s);
 - f. The appeal procedure.
2. The removal of the item(s) from an incoming letter may be appealed to the Board of Correction by the affected person.
3. The affected person shall be advised that notice of the intent to appeal the removal must be given in writing, to the facility, to the Department and the Board of Correction.

	EFFECTIVE DATE 03/16/09	SUBJECT INMATE CORRESPONDENCE		
	CLASSIFICATION # 4001R-B			
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 16 OF 17 PAGES	

V. PROCEDURES (cont.)



4. After notice is filed, the appeal may be submitted and the Department, the facility and any affected person may submit to the Board of Correction for its consideration any additional relevant material.
5. The Board of Correction or its designee, shall issue a written response to the appeal within fourteen (14) business days after receiving notice of the appeal.

VI. REFERENCE

Directive #1500R-A, entitled "STANDARD OPERATING PROCEDURE FOR RECEIPT, DISBURSEMENT AND ACCOUNTING OF INMATE CASH FUNDS", dated 11/10/97 (as amended).

VII. ATTACHMENTS

- A. Exhibit A - Standardized stamp for privileged mail addressed to an inmate who has been transferred to another facility within the Department or transferred outside the jurisdiction of the Department.
- B. Exhibit B - Standardized stamp for privileged mail for an inmate who has been discharged and there is no forwarding address, or in cases where the mail cannot be delivered to the inmate because of "insufficient information", addressee unknown" or "no forwarding address."
- C. Form #420A (English) and Form #420B (Spanish), REMOVAL OF NON-PERMISSIBLE ITEM(S) - INCOMING CORRESPONDENCE/PACKAGE.
 1. When it is necessary to use Form #420B (Spanish); the information entered shall also be in Spanish. The corresponding Form #420A (English) shall be prepared and the information entered shall be in English.
 2. Prepare the form(s) in quadruplicate for the following distribution:
 - a. Original copy to inmate's folder;
 - b. One (1) copy to inmate;
 - c. One (1) copy to Board of Correction;
 - d. One (1) copy to the General Counsel of this Department.

	EFFECTIVE DATE 03/16/09	SUBJECT		
	CLASSIFICATION # 4001R-B	INMATE CORRESPONDENCE		
	DISTRIBUTION A	APPROVED FOR WEB POSTING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	PAGE 17 OF 17 PAGES	

VII. ATTACHMENTS (cont.)

3. Clearance for administrative purposes and distribution shall be made by the office of the facility Commanding Officer.
- D. Form #4001A, WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE.
 - E. Form #4001B, WARDEN'S WRITTEN ORDER TO READ INCOMING INMATE CORRESPONDENCE.
 - F. Form #4001C, LIST OF ITEMS PERMITTED TO BE RECEIVED THROUGH THE MAIL.

VIII. SUPERSEDES

Directive #4001R-A, entitled "INMATE CORRESPONDENCE", dated 06/16/08.

EXHIBIT A

ATTACHMENT A

THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

FORWARD TO: _____

FOR OFFICIAL USE

DATE RECEIVED: _____
DATE FORWARDED: _____
FORWARDING FACILITY: _____
FORWARDED BY: _____

(BOLD PRINT)

EXHIBIT B

ATTACHMENT B

THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

RETURN TO SENDER

CHECK THE APPROPRIATE BOX

NO FORWARDING ADDRESS

ADDRESSEE UNKNOWN

UNDELIVERABLE - INSUFFICIENT INFORMATION

FOR OFFICIAL USE

DATE RECEIVED: _____



DATE RETURNED: _____

RETURNING FACILITY: _____



RETURNED BY: _____

(BOLD PRINT)

ATTACHMENT C

	CITY OF NEW YORK DEPARTMENT OF CORRECTION	Form : #420B	
	REMOVIMIENTO DE ARTICULOS NO PERMITIDOS CORESPONDENCIA/PAQUETE RECIVIDOS	Rev. : 06/21/05	
		Ref. : 4002R-A	
FACILIDAD:	FECHA:	Subrayar la palabra apropiada: <input type="checkbox"/> Correspondencia <input type="checkbox"/> Paquete	
Nombre del Recluso:	Numero:	Celda:	
El (Los) siguiente artículo(s) fue(ron) encontrado en su <input type="checkbox"/> correspondencia <input type="checkbox"/> paquete y está prohibido por las reglas Institucionales y por El Departamento de Correccion:			
_____ _____ _____ _____ _____ _____ _____ _____ _____ _____			
El (Los) artículo(s) fue(ron) mandado por:			
Nombre:	Dirección:		
El (Los) artículo(s) puede(n) ser devuelto(s) a la persona quien lo mandó por el gasto suyo, donad a una organizacion de caridad o destruidos. Marque la palabra apropiada:			
Devuelto <input type="checkbox"/>	Donarlo <input type="checkbox"/>	Destruirlo <input type="checkbox"/>	
Firma del Recluso:	Fecha:		
Firma del Oficial:	Fecha:		
Apelacion: <ol style="list-style-type: none"> 1. Usted puede darle aviso por escrito al Departamento de Corrección (al Comandante de la Institución) y a la Junta de Corrección (51 Chambers Street, New York, N.Y. 10007), de su intencion de apelar la mudanza del artículo(s). 2. Usted y el Departamento de Corrección pueden someter a la Junta de Corrección cualquier material pertinente además de esta determinacion escrita. 3. La Junta de Corrección o su designado dará una repuesta escrita sobre su apelación dentro de catorce (14) dias del recibido del aviso para revisar. 			
DISTRIBUCION: Original al record del recluso. Una (1) copia al recluso. Una (1) copia para Board of Correction. Una (1) copia para General Counsel.		INSTRUCCIONES: La Oficina del Comandante de la Institucion se hara cargo de la autorizacion y distribucion de la forma.	

(prepare cuatro copias)

	CORRECTION DEPARTMENT CITY OF NEW YORK	PREPARE THIS FORM IN QUADRUPLICATE Form # 4001A Rev.: XX/XX/08 Ref.: Dir. #4001R-B	
WARDEN'S WRITTEN ORDER TO READ OUTGOING INMATE CORRESPONDENCE			

SECTION 1 - AUTHORIZATION



NAME OF FACILITY:		DATE:	
INMATE SENDING CORRESPONDENCE	NAME:	B & C #:	NYSID #:
INTENDED MAIL RECIPIENT	NAME:		
	ADDRESS: _____ _____		
Warden's justification for reading, (to include specific facts and reasons supporting the determination):			
WARDEN'S NAME:	SIGNATURE:	DATE OF DETERMINATION:	

SECTION 2 - INMATE NOTIFICATION

I CERTIFY THAT I HAVE RECEIVED A COPY OF THIS ORDER	SIGNATURE OF INMATE:	B & C #	DATE:	TIME:
Served by (Print Name, Rank and Shield #):		Signature of Server:		
Refused to Sign for Notice: <input type="checkbox"/> Yes <input type="checkbox"/> No		Witnessed by:		

SECTION 3 - READER OF CORRESPONDENCE

MEMBER READING CORRESPONDENCE	NAME:	RANK:	SHIELD:
	SIGNATURE:		DATE READ:
DISTRIBUTION	ORIGINAL - FACILITY FILES COPY - INMATE	COPY - INMATE FOLDER COPY - FACILITY OPERATIONS	

	CORRECTION DEPARTMENT CITY OF NEW YORK	PREPARE THIS FORM IN QUINTUPLICATE Form # 4001B Rev.: XX/XX/08 Ref.: Dir. #4001R-B	
	WARDEN'S WRITTEN ORDER TO READ INCOMING INMATE CORRESPONDENCE		

SECTION 1 - AUTHORIZATION

NAME OF FACILITY:		DATE CORRESPONDENCE RECEIVED:	
INTENDED INMATE RECIPIENT	NAME:	B & C #:	NYSID #:
SENDER OF CORRESPONDENCE	NAME:		
	ADDRESS:		
Warden's justification for reading, (to include specific facts and reasons supporting the determination):			
WARDEN'S NAME:	SIGNATURE:	DATE OF DETERMINATION:	

SECTION 2 - INMATE NOTIFICATION

I CERTIFY THAT I HAVE RECEIVED A COPY OF THIS ORDER	SIGNATURE OF INMATE:	B & C #	DATE:	TIME:
Served by (Print Name, Rank and Shield #):		Signature of Server:		
Refused to Sign for Notice: <input type="checkbox"/> Yes <input type="checkbox"/> No		Witnessed by:		

SECTION 3 - SENDER NOTIFICATION

NOTIFICATION TO SENDER	<input type="checkbox"/> COPY OF THIS NOTICE WAS SENT TO RETURN ADDRESS		
	<input type="checkbox"/> CORRESPONDENCE DID NOT HAVE RETURN ADDRESS		
	STAFF'S NAME:		DATE SENT:
SIGNATURE	RANK:	SHIELD:	

SECTION 4 - READER OF CORRESPONDENCE

MEMBER READING CORRESPONDENCE	NAME:	RANK:	SHIELD:
	SIGNATURE:		DATE READ:

DISTRIBUTION	ORIGINAL - FACILITY FILES COPY - INMATE FOLDER COPY - INMATE COPY - SENDER COPY - FACILITY OPERATIONS
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THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

Form: #4001C



**LIST OF ITEMS PERMITTED TO BE
RECEIVED THROUGH THE MAIL**

Eff.: 06/16/08

Ref.: Dir. #4001R-A

**THE FOLLOWING ITEMS ARE PERMITTED TO BE RECEIVED
THROUGH THE MAIL AS OUTLINED IN DIRECTIVE # 4001R-A,
INMATE CORRESPONDENCE:**

ITEMS
LETTERS
PRINTED MATERIAL
PHOTOGRAPHS (INSTANT PHOTOGRAPHS ARE PROHIBITED)
PICTURES
MONEY ORDERS
CASHIER'S/TELLER'S CHECKS

****CASH WILL NOT BE ACCEPTED**



THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION

LISTA DE ARTÍCULOS PERMITIDOS A SER
RECIBIDOS A TRAVÉS DEL CORREO

Form: #4001C

Eff.: 06/16/08

Ref.: Dir. #4001R-A



LOS SIGUIENTES ARTÍCULOS SON PERMITIDOS A SER
RECIBIDOS A TRAVÉS DEL CORREO COMO LO DELINEA LA
DIRECTIVA #4001R-A, CORRESPONDENCIA DEL RECLUSO:

ARTÍCULOS

CARTAS

MATERIAL IMPRESO

FOTOGRAFÍAS (FOTOGRAFÍAS INSTANTÁNEAS ESTÁN
PROHIBIDAS)

RETRATOS

GIROS DE DINERO

CHEQUES BANCARIOS

****EL DINERO EN EFECTIVO NO SERÁ ACEPTADO**