

**SAN BERNARDINO COUNTY
PROBATION DEPARTMENT PROCEDURE**

Correspondence of Youth

Title 15, Section 1375

Authority:

Michelle Scray Brown, Chief Probation Officer

Purpose:

To establish protocols regarding the distribution and review of incoming and outgoing mail/correspondence of youth in Juvenile Detention and Assessment Centers (JDACs) and Treatment Facilities (TF). Youth shall be allowed communication through written correspondence with members of the family and other persons or organizations, subject to limitations necessary to maintain facility safety, order, security, public safety, and rehabilitation of youth within the facility.

Definitions:

Immediate Family: For purposes of this procedure, immediate family is defined as parents, siblings, step-parents, grandparents, foster parents, and legal guardians.

Mail/Correspondence: Conventional letters, postcards, and photographs no larger than 4x6 inches are permitted.

Confidential Mail: Mail sent to or received from State and Federal Courts, any member of the State Bar or holder of public office, and the Board of State and Community Corrections.

Personal Mail: All mail other than confidential mail.

Contraband: Any object, writing or substance, the possession of which would constitute a crime under the laws of the State of California, pose a danger within a juvenile facility, or would interfere with the orderly day-to-day operation of a juvenile facility. Contraband also includes any item defined as such by JDAC administration.

Dead Mail: Mail that cannot be delivered or returned.

Perusal: To examine in detail, to read carefully or thoroughly, study, to read.

Responsibilities:

- I. Probation Corrections Officer (PCO):
 - A. Ensure each youth has time set aside every week to write letters and provide youth with supplies such as pencils, paper, and envelopes.
 - B. Incoming mail: At least once per shift, check the unit mailbox for incoming mail and distribute within 24 hours of arrival.
 1. Personal mail:
 - a. Screen mail for restricted persons prohibited by the Probation Officer or Facility Director.
 - b. Ensure incoming personal mail is opened, inspected for contraband, and stamp/stickers removed before distribution.
 - c. Upon inspection for contraband, a perusal review may be conducted of the youth's personal mail with reasonable cause to believe facility safety, order, security,

Correspondence
Title 15, Section 1375

public safety, and rehabilitation of youth is jeopardized which includes but is not limited to:

1. Contraband
 2. Escape plans
 3. Criminal activity or conspiracy
 4. Threatening statements
 5. Obscene or sexually explicit material
 6. Coded messages
 7. Attempts to arrange assaults or incite disorder
 8. Communication which may further contribute to the delinquency/victimization of the youth (e.g., gang activity, prostitution, etc.).
 9. Communication between perpetrators/victims
- C. Outgoing mail: Mail should be properly addressed with destination and return address written in proper English containing no gang signs, slogans, or symbols. Mail should be unsealed and delivered to the facility outgoing mailbox at the end of the shift.
- D. All confidential mail that is incoming and outgoing, shall NOT be perused by staff. Confidential mail shall only be opened, stamp/staples/paperclips removed, and inspected for contraband in the presence of the youth and sealed upon delivery.
- E. Staff shall complete an Incident Report (IR) should any of the following circumstances exist upon inspection of the mail:
1. Escape plans
 2. Conspiracy to smuggle drugs, weapons or other contraband into the facility
 3. Attempts to arrange assaults or other violations
 4. Plans which would jeopardize the safety and security of the facility
 5. Criminal activity or conspiracy
- F. All correspondence between probationers or other detention facilities is a particular cause for concern, is prohibited, and will be returned to the sender.
1. Staff shall complete the Request for Correspondence Form (Attachment B), at the youth's request, and submit the form to the assigned Unit PCSI.
 2. Requests may be authorized for the immediate family by the Director.
- G. A Correspondence Authorization Form (Attachment A) shall be completed for all mail which is not delivered to the youth. Staff shall immediately contact and submit the form to the on-duty PCSI.
- H. Intake PCOs:
Present and explain the Notice of Correspondence Form (Attachment C) to the youth upon intake and ensure the youth signs that he/she understands the definition of Confidential Mail.
- I. Enter a "Family Contact" note in the youth's Caseload Explorer (CE) file for all incoming and outgoing correspondence distributed by the end of shift.

II. Probation Corrections Supervisor (PCSI):

- A. On-duty PCSI:
1. Ensure compliance with procedure and mail is delivered accordingly.
 2. Shall notify the on-duty Watch Commander (WC)/Treatment Supervisor (TS) when contraband is found in correspondence and review Incident Reports (IRs).
 3. Ensure a Correspondence Authorization Form is completed for all mail not delivered to a youth. Document reason for denial in CE-New Even-Institution-Institution Note. Shall approve the photocopy of correspondence as deemed necessary and with reasonable cause.

Correspondence
Title 15, Section 1375

B. Unit PCSI:

All requests for correspondence with other facilities and/or prohibited persons shall be processed on a Request for Correspondence Form and submitted to the Superintendent for authorization.

III. Watch Commander (WC)/Treatment Supervisor (TS):

- A. Ensure compliance with procedure and mail is delivered accordingly.
- B. Review IRs as necessary and when contraband and/or information is revealed that jeopardizes the safety and security of the facility.
 - 1. Create an action plan addressing concerns as discovered in the youth's mail.
 - 2. Shall notify the Division Director or On-Call Director of the situation regarding the concerns.

IV. Superintendent/Designee:

- A. Shall process and maintain a copy of each Request for Correspondence Form in a binder labeled, "Request for Correspondence Forms" for the duration of one year.
- B. Follow up with receiving facilities if a response has not been received after thirty days.
- C. Upon receiving an approval or denial from the receiving facility, notify the youth in writing on a Correspondence Authorization Form.
- D. Ensure the original and completed copy of the Correspondence Authorization Form is given to the youth and a copy scanned and imported to CE-Documents in the youth's file.
- E. Monitor adherence to this procedure by periodic review of logs, incident reports, safety reviews, and other safeguards conducted in the normal course of business on a weekly, monthly, and yearly basis.

Guidelines:

- A. There is no charge or limitation on the volume of correspondence youth send or receive.
- B. The following mail items are prohibited: Envelopes larger than 8.5 x11 inches, packages, books, periodicals, and any multilayer photographs such as Polaroids.
- C. All mail shall enter and exit the facility via the United States Postal Service. Mail cannot be hand delivered by visitors or staff.
- D. Personal mail is subject to limits and regulations for safety and security, public safety, rehabilitation, and other legitimate governmental interests.
- E. Youth do not have an expectation of privacy with personal mail.
 - 1. Youth's mail may be photocopied when necessary to further safety, security, order, rehabilitation, and other legitimate governmental interests.
 - 2. Mail may be admitted as evidence in criminal proceedings and should be handled as such.
- F. During room searches, open non-confidential mail may be reviewed/inspected.
- G. Mail containing personal items of value such as money, ATM/Debit Cards, Calling Cards for example shall be placed in the youth's Intake Property. The property form shall be updated and signed by the youth.
- H. Mail received for youth no longer in custody will be considered dead mail and returned to the sender. If no return address is available, dead mail will be forwarded to Postal Service Address: Mail Recovery Center, Atlanta, GA., 30378-2400.
- I. Mail shall not be sent to or received from other adult or juvenile custodial facilities, camps, or placements under private, local, state, or federal control.
 - 1. The only exception to this shall be immediate family members who are incarcerated, as long as the communication does not promote the criminal activity of the youth or compromise the safety and security of either facility, the youth, or the public.
 - 2. Immediate family members who are co-parts/co-defendants and have not been adjudicated shall not be allowed to correspond until their matters reach disposition.

Correspondence
Title 15, Section 1375

3. Correspondence will only be allowed after written approval has been received from the administrators of both facilities on the Request for Correspondence Form.
 - a. All intra or inter JDAC correspondence between immediate family members must still be approved by a facility administrator and documented in CE. A Request for Correspondence Form is not required.

Inspections:

External

Refer to the Policy and Procedure Inspection Matrix.

Foundation:

Minimum Standards for Juvenile Facilities-Title 15, Section 1375

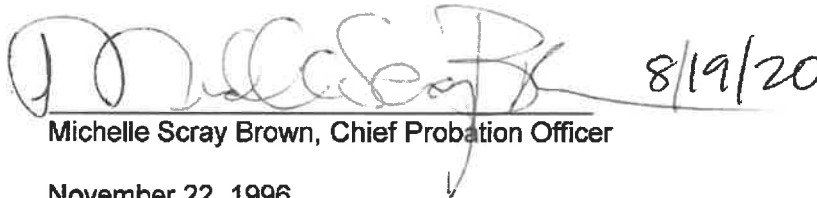
References:

Turner vs. Safley

Johnson vs. Wichersham

DeLand: Prisoner Communication Training

Issued by:

 8/19/20
Michelle Scray Brown, Chief Probation Officer

Date:

November 22, 1996

Revised:

October 21, 1997
February 27, 2008
May 10, 2012
December 7, 2015
June 27, 2016
August 19, 2020

Attachments:

A – Correspondence Authorization Form

B – Request for Correspondence Form

C – Notice of Correspondence



TRACY REECE
Chief Probation Officer

JULIE FRANCIS
Assistant Chief Probation Officer

Correspondence Authorization Form

CVJDAC **Unit** _____
 HDJDAC **Unit** _____
 Treatment Facility

Youth's Name _____

Date _____

Correspondent's Name _____

Correspondent's Address _____

Reason(s) for Denial (if applicable)

- Inappropriate photographs (drugs, alcohol, weapons, pornographic)
- Institution (County Jail, Juvenile Hall, Prison, DJJ, Gateway)
- Promotes Gang activities (gang writing on envelope, letters, photographs)
- Co-parts
- Contraband (type) _____
- Other/Comment _____

Note: Skip to Director's signature below in response to Requests for Correspondence Approval

Has the Youth's Probation Officer been notified of the correspondence and/or request?

Yes P.O.'s Name _____ N/A

Was mail forwarded to the Probation Officer? Yes No N/A

Youth's Signature

Date

Staff's Signature

Date

PCSI Signature

Date

Signatures above are not required for Request for Correspondence Approval

(Director use only): **Approved** **Denied**

Division Director

_____ (requests only)
Date

**Denied mail that is not criminal in content will be placed in Youth's personal locker in Booking.*

Distribution: Original-Youth's File, Copy-Unit PCSII



TRACY REECE
Chief Probation Officer

JULIE FRANCIS
Assistant Chief Probation Officer

Date:

FROM: Name/Title
Institution
Address

TO: Name/Title
Institution
Address

RE: REQUEST FOR CORRESPONDENCE FORM (Attachment B)
Please review the following information and reply at your earliest convenience.

Requester Information

Youth's Name/PIN:	Known Gang Affiliation:
Miscellaneous Information/Additional Comments:	
Supervisor Recommendation: <input type="checkbox"/> Approved <input type="checkbox"/> Denied for the following reason(s):	Supervisor Name/Title
	Supervisor Signature Date
Superintendent Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Denied for the following reason(s):	Superintendent Name/Title
	Superintendent Signature Date

Requestee Information

Inmate/Youth under your jurisdiction:	CDC/Booking or Identification Number: Known Gang Affiliation:
Miscellaneous Information/Additional Comments:	
Counselor Recommendation: <input type="checkbox"/> Approved <input type="checkbox"/> Denied for the following reason(s):	Counselor Name/Title
	Counselor Signature Date
Supervising Authority Decision: <input type="checkbox"/> Approved <input type="checkbox"/> Denied for the following reason(s):	Supervising Authority Name/Title
	Supervising Authority Signature Date

Distribution: Original-Receiving Facility, Copy-Youth's Facility File, Copy-Superintendent



TRACY REECE
Chief Probation Officer

JULIE FRANCIS
Assistant Chief Probation Officer

**County of San Bernardino
PROBATION DEPARTMENT
DETENTION AND TREATMENT FACILITIES
NOTICE OF CORRESPONDENCE**

Youth's Name: _____

DOB: _____

PIN: _____

DOE: _____

This notice is to inform you:

The staff of San Bernardino County Juvenile Detention and Assessment Center and Treatment Facilities have the authority to open all mail addressed to you before it is delivered to you.

"Confidential Mail" (mail from the President and Vice President of the U.S., attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts) may be opened only in your presence to be checked for contraband. This procedure occurs only if the sender is adequately identified on the envelope and the front of the envelope is marked "Special/Confidential Mail — Open only in the presence of the youth."

Other mail may be opened and read by the staff.

I have read and acknowledge:

Youth's Name (Print)

Youth's Signature/ Date

Staff's Name (Print)

Staff's Signature/ Date

Distribution: Original-Youth's File