

processed in the same manner as set forth for mail in this policy; however, the written content may be read in its entirety to determine if it violates this policy. All electronic messages that have been determined by the vendor to include suspicious content shall be read in its entirety. An electronic message that is determined to pose a threat to the security, good order, or discipline of the facility, which may facilitate or encourage criminal activity, or which may interfere with the rehabilitation of the prisoner shall be rejected, using the same criteria as set forth in Paragraphs D and MM for mail.

- X. Whenever an electronic message is rejected pursuant to Paragraph W, the prisoner to whom the electronic message was intended is not entitled to notice of its rejection or a hearing on the rejection. Designated staff shall notify the sender through the vendor, however, that the electronic message was rejected and therefore will not be delivered, and provide the reason for the rejection. The sender may appeal the rejection in the same manner as set forth for rejected mail in this policy. The printed copy of the rejected message shall be retained for at least fifteen business days after the sender is notified of the rejection; the printed copy shall then be destroyed unless an appeal by the sender is pending or the rejection determination has otherwise been reversed. Although the printed copy is destroyed, the vendor will retain an archived copy.
- Y. The Department may block a sender from transmitting electronic messages if the sender has repeatedly sent such messages in violation of this policy or for other reasons as approved by the CFA Deputy Director. The Department may similarly block a prisoner from receipt of electronic messages if such messages have repeatedly been sent to the prisoner in violation of Department policy or for other reasons as approved by the CFA Deputy Director. Notice of the block shall be sent to the sender or prisoner, as appropriate, within a reasonable time after the block is initiated. If blocked, the sender and prisoner may continue to send/receive mail in accordance with this policy. The sender may appeal the block to the Warden.

PRISONER INCOMING MAIL

- Z. Staff shall only accept mail that has been delivered from a legitimate commercial carrier (e.g., U. S. Postal Service, United Parcel Service) or through DMB interdepartment mail runs as provided for in this policy. Staff shall not accept mail for prisoners left at the facility by members of the public, including prisoner family members and visitors, except that attorneys may be permitted to deliver legal mail to prisoners pursuant to standards issued by the CFA Deputy Director.
- AA. Prisoners shall not be permitted to receive mail identified as being sent "bulk rate" or "pre-sorted standard", as indicated by the U. S. Postal Service marking, unless it was sent from a federal or state agency or a court, is a catalog allowed pursuant to Paragraph DD, is a publication received from the publisher or an authorized vendor pursuant to Paragraph CC, or is correspondence course material approved pursuant to PD 05.02.119 "Correspondence Courses". All other mail identified by the U. S. Postal Service marking as being sent "bulk rate" or "pre-sorted standard" may be discarded upon receipt by the facility without notice to the prisoner.
- BB. If mail is received in an envelope that is padded, corrugated, or otherwise cannot be effectively searched, the envelope may be discarded after a copy of the envelope is made showing the name and address of the sender and postmark. The copy shall be delivered to the prisoner instead of the original envelope, along with an explanation of why the copy was provided.
- CC. Prisoners shall be permitted to receive books, magazines, and other publications only if ordered by a member of the public from an internet vendor identified in Attachment A or from the publisher and sent directly to the prisoner by the vendor or publisher, ordered by the prisoner from a vendor identified in Attachment B or from the publisher and sent directly to the prisoner from the vendor or the publisher, or, if the prisoner is approved to take a correspondence course pursuant to PD 05.02.119 "Correspondence Courses", sent directly from the approved correspondence school. All prisoner orders must be through established facility ordering procedures. Under no circumstances shall prisoners in a correctional facility be permitted to order a publication from an internet vendor.
- DD. Prisoners in a CFA facility shall not be permitted to receive retail or wholesale catalogs through the mail, except that a prisoner in a CFA facility who is permitted to possess a catalog pursuant to PD 04.07.112 "Prisoner Personal Property" may receive a catalog sent directly from a vendor approved at that facility

as a source of allowable prisoner personal property. Unauthorized catalogs may be discarded upon receipt by the facility without notice to the prisoner. Prisoners in a Residential Reentry Program facility are permitted to receive catalogs unless prohibited by the supervisor of the facility.

- EE. Unless transmitted by or on behalf of the Department, mail received by staff for a prisoner via facsimile machine or e-mail may be destroyed upon receipt instead of being delivered to the prisoner, unless it is clear from the mail that it conveys emergency information (e.g., imminent death of family member) and the facility head authorizes delivery. If the mail is not delivered and the sender's address is sufficiently identified in the transmittal, the sender shall be notified by mail that the mail received via facsimile was not delivered due to the method of transmission. Subsequent transmittals by the same sender may be destroyed without notification to the sender.
- FF. All incoming mail for prisoners must be clearly identified with the recipient's name and prisoner identification number to ensure proper delivery. Incoming mail which does not clearly identify the recipient may receive delayed processing or, if the recipient cannot be adequately identified, may be returned to the sender.
- GG. All incoming mail that is not receiving special handling pursuant to Paragraphs HH and II, or Paragraph LL, shall be opened in one location at each facility and inspected at that location to determine if it contains money, controlled substances, or other physical contraband. All physical contraband shall be confiscated prior to delivery of the mail to the prisoner. The mail's written content also shall be skimmed and, if it appears from skimming the content that the mail may violate this policy, the item shall be read to determine if it is allowed. All incoming mail from one prisoner to another shall be read.

SPECIAL HANDLING OF LEGAL MAIL

- HH. A prisoner may have his/her incoming legal mail receive special handling as set forth in Paragraph II by submitting a written request to the institution's mailroom Supervisor, or Residential Reentry Program facility Supervisor or designee, as appropriate. Only mail from an attorney or law firm, a legitimate legal service organization, a non-prisoner paralegal working on behalf of an attorney, law firm, or legal service organization, the Department of Attorney General, a prosecuting attorney's office, a court, a clerk of the court, or a Friend of the Court office shall receive this special handling, and only if the mail is clearly identified on the face of the envelope as being from one of the above. It is not sufficient for the envelope to be simply marked "legal mail".
- II. Incoming legal mail for a prisoner who has requested special handling of legal mail pursuant to Paragraph HH shall be opened and inspected for money, controlled substances, and other physical contraband in the prisoner's presence. The content of the mail shall not be read or skimmed. All physical contraband shall be confiscated prior to delivery to the prisoner. In CFA, written documentation shall be maintained regarding the delivery of legal mail to prisoners who have requested special handling of the mail. The documentation shall include the date the mail was received in the mailroom, the sender's name, the prisoner's name and number, the date the mail was given to the prisoner, and the prisoner's signature acknowledging receipt of the mail. If the prisoner chooses not to sign or accept the mail, that shall be documented and the mail delivered to the prisoner.
- JJ. Each prisoner received at a reception facility shall be asked if s/he wants his/her legal mail to receive special handling as outlined in Paragraphs HH and II. If the prisoner does not request special handling at that time, s/he shall be told that s/he may submit a request to the institutional mailroom supervisor or Residential Reentry Program facility Supervisor or designee, as appropriate, at any time during his/her incarceration.
- KK. A request for special handling of legal mail shall be entered on the Department's computerized database (e.g., CMIS, OMNI) within two business days after receipt. A prisoner shall not be required to renew his/her request upon transfer within CFA; appropriate staff at the receiving facility shall be responsible for determining if there is a request for special handling of legal mail.
- LL. The Warden may require that all incoming legal mail for prisoners at his/her facility receive special handling rather than limiting it to those prisoners who request it. In such cases, the incoming legal mail shall be opened, inspected, and logged as set forth in Paragraph II.

PROHIBITED INCOMING MAIL

- MM. Prisoners are prohibited from receiving mail that may pose a threat to the security, good order, or discipline of the facility, may facilitate or encourage criminal activity, or may interfere with the rehabilitation of the prisoner. The following pose such risks under all circumstances and therefore shall be rejected:
1. Mail containing specific information regarding the manufacture or operation of electronic security systems, weapons, explosives, ammunition, or incendiary devices.
 2. Mail depicting or describing procedures for manufacturing poisons, alcoholic beverages, or controlled substances.
 3. Mail advocating or promoting the violation of state or federal laws. This includes mail advocating or promoting the filing of a false or fraudulent UCC financing statement in violation of MCL 440.9501.
 4. Mail advocating or promoting violence, group disruption, or insurrection.
 5. Mail describing or depicting acts of sadism, masochism, bondage, or bestiality, or describing, depicting, or appearing to promote sexual acts involving children. This does not include small advertisements in a publication sent directly from the publisher or an authorized vendor except if the advertisement depicts or appears to promote sexual acts involving children.
 6. Mail advocating racial supremacy or ethnic purity or attacking a racial or ethnic group, which is reasonably likely to promote or cause violence or group disruption in the facility.
 7. Mail providing detailed instruction in the martial arts such as judo, karate, aikido, kendu, kung fu, and similar techniques.
 8. Subject to Paragraph CC, a book, magazine, newspaper, or other publication that is not received directly from the publisher, an Internet vendor identified on Attachment A, a vendor identified on Attachment B, or, if the prisoner is approved to take a correspondence course pursuant to PD 05.02.119 "Correspondence Courses", directly from the approved correspondence school. This does not apply to an article or a few pages, or copies of a few pages, from a publication that may be included with a letter or other mail, unless it is reasonably believed to be an attempt to circumvent this restriction. Retail and wholesale catalogs are specifically addressed in Paragraph DD.
 9. A used publication.
 10. A publication received on a credit basis (e.g., from a book club). This does not apply if the publication is completely pre-paid and receipt does not obligate the prisoner to make future credit purchases.
 11. Mail encouraging or providing instruction in the commission of criminal activity. This includes mail encouraging or providing instruction in the filing of a false or fraudulent UCC lien.
 12. Mail containing a provocative or scurrilous attack on any religion or religious group. This does not include a thoughtful and rational discussion of religious beliefs or differences between religions.
 13. Nude photographs, except if included in a publication sent directly from the publisher or an authorized vendor. Nude photographs are defined as any photograph exposing the buttocks, pubic area or genitalia, or, except if a baby or infant, the female breast below the top of the areola. This includes exposure through "see through" materials.
 14. Photographs depicting actual or simulated sexual acts by one or more persons. This includes

DOCUMENT TYPE POLICY DIRECTIVE	EFFECTIVE DATE 09/14/2009	NUMBER 05.03.118	PAGE 8 OF 11
-----------------------------------	------------------------------	---------------------	--------------

photographs in a publication sent directly from the publisher or a vendor authorized by the facility.

15. Official photographs of a victim at a crime scene or depicting injuries to a victim sustained as a result of a crime that were taken for purposes of criminal investigation or prosecution. This includes photographs of the autopsy of a victim.
 16. Mail depicting, encouraging, or describing methods of escape from a correctional facility. This includes blueprints, drawings, or similar detailed descriptions of correctional facilities, courthouses, and medical care facilities, and detailed roadmaps of Michigan, any state contiguous to Michigan, or the Province of Ontario, Canada.
 17. Mail written in code, or in a foreign language that cannot be interpreted by institutional staff to the extent necessary to conduct an effective search. If facility staff are not available, the facility head may authorize the use of another reliable interpreter. Prisoners shall not be used as interpreters.
 18. Mail that is known to contain personal information about an employee or an employee's family, unless it is sent by the employee and the employee is related to the prisoner by blood or marriage, or is provided with the approval of the Administrator of the Office of Legal Affairs or designee for pending litigation. This includes personal information published in newspapers.
 19. Mail that is taped, pasted, or otherwise joined to another item in a manner which prevents an effective search. This does not apply to a visiting room photograph that is being returned directly from a copying service to the prisoner who sent the photograph to the service to be copied, provided it was sent in accordance with institutional procedures.
 20. Mail containing a foreign substance which prevents an effective search or which contains an unknown substance. If the substance is suspected of being a controlled substance, the mail shall be turned over to law enforcement officials as set forth in Paragraph F.
 21. Mail depicting a sign or symbol of a security threat group designated pursuant to PD 04.04.113 "Security Threat Groups".
 22. Mail for the purpose of operating a business enterprise while within the facility. This does not apply to mail regarding the operation of a business enterprise after release.
- NN. If any written material, picture, or photograph contained within a publication is believed to be in violation of this policy, the entire publication shall be rejected. However, if the written material, picture or photograph is in a section of a newspaper that is not stapled or otherwise affixed to the rest of the newspaper, only that section of the newspaper shall be rejected. The rest of the newspaper shall be delivered to the prisoner.
- OO. Whenever mail addressed to a prisoner is believed to be in violation of this policy, a Notice of Package/Mail Rejection (CSJ-316) shall be completed and promptly sent to the prisoner. The Notice shall identify the specific item believed to be in violation of this policy and why the item is believed to be in violation. A copy of the Notice shall be sent to the person or entity who sent the mail, if a return address is identified.
- PP. Unless the prisoner waives his/her right to a hearing in writing, and the prisoner and staff agree on the appropriate disposition of the mail, a prompt hearing shall be conducted pursuant to Administrative Rule 791.3310 to determine if the mail violates this policy for the reason(s) identified in the Notice of Package/Mail Rejection and, if so, the appropriate disposition of the mail. The hearing officer shall not be the person who issued the Notice. Mail may be disposed of only as set forth below.
- QQ. If a hearing is conducted, an Administrative Hearing Report (CSJ-144) shall be completed by the hearing officer. The prisoner shall be provided the opportunity to review the mail or a copy of the mail at the hearing unless the review itself would threaten the order and security of the facility, encourage or provide instruction in criminal activity, or interfere with the rehabilitation of the prisoner. If the prisoner is not