



**DEPARTMENT OF CORRECTIONS
MONTANA STATE PRISON
OPERATIONAL PROCEDURE**

Procedure:	MSP 3.3.6 Inmate Mail
Effective Date:	November 14, 1997 Page 1 of 12 and 3 Attachments
Revision Date(s):	September 4, 2001; April 1, 2005; November 7, 2005; September 1, 2007; December 12, 2011; June 6, 2012; November 6, 2013; May 29, 2014; January 14, 2015; October 6, 2015; December 8, 2016; August 7, 2017; September 1, 2019
Reference(s):	DOC Policy 3.3.6
Signature:	/s/ Lynn Guyer, Warden

I. PURPOSE

To encourage inmate correspondence with limitations necessary to maintain facility order, security, health and rehabilitation, and allow inmates to correspond with outside persons or organizations, receive publications, and send packages.

II. DEFINITIONS

Contraband – Any item possessed by an inmate or found within the facility that is illegal by law, prohibited by policy or procedure, or unauthorized by those legally charged with the administration and operation of the facility.

Designee – The person designated to act on behalf of the person responsible for specific decisions or actions.

General correspondence – All correspondence not otherwise considered legal or privileged correspondence.

Immediate Family Member – An offender’s legal spouse, natural or adoptive parents and children, siblings, grandchildren, grandparents, corresponding in-law, person verified as being primarily responsible for raising the offender in the absence of a parent and any other member of the offender’s household..

Internal Revenue Service (IRS) Blue Bag Program – Inmate federal tax filing program that directs how inmate tax returns must be mailed, processed and reviewed by secure facilities.

Legal or Privileged Correspondence – Any correspondence to or from the office of a licensed attorney, court, court official, Montana Human Rights Bureau, consular official, or any individual or entity designated to receive Prison Rape Elimination Act communications, and any correspondence or documents (e.g., a summons and complaint) sent to a sheriff’s office for service of process. Privileged correspondence includes correspondence to and from attorneys associated with recognized legal advocacy groups, such as the ACLU, the Montana Innocence Project, and Disability Rights Montana.

Mail – All mail, including correspondence, publications, and packages.

Prohibited image – An image that includes any of the following:

1. sexually explicit material;
2. promotion of tattooing or body piercing;

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3. by its nature or content depicts or facilitates criminal, violent, or gang activity; and/or
4. is detrimental to or poses a threat to discipline, rehabilitation, security, or order of the institution.

Prohibited items – Items disallowed by MSP Procedure that includes any of the following:

1. greeting cards
2. postcards featuring any type of printed design, picture or depiction
3. unusually thick paper or stationery
4. is detrimental to or poses a threat to discipline, rehabilitation, security, or order of the institution.

Prohibited writing – A writing that includes any of the following:

1. sexually explicit material;
2. by its nature or content facilitates criminal, violent, or gang activity; and/or
3. is detrimental to or poses a threat to discipline, rehabilitation, security, or order of the institution.

Publication Review Committee – A committee comprised of representatives from the facility security, Contract Placement Bureau, and MSP Grievance Office with the responsibility to review publications to determine whether the publications conform to prison procedure.

Sexually Explicit Material – Material that portrays, depicts, or describes:

1. Nudity, which includes exposed, partially exposed, or transparently exposed male or female genitalia, pubic area, or anus, or female areola. Photographs or pictures images that contain blackened dots, stars, or other similar such covering of the areola of the female breast or of human genitalia will also be considered as nudity.
2. Sex act(s), including but not limited to genital to genital, oral to genital, anal to genital, or oral to anal contact or penetration, genital or anal contact or penetration with an inanimate object, masturbation, sadistic or masochistic abuse, bondage, bestiality, and/or bodily excretory behavior which appears to be sexual in nature.
3. Participant(s) who appear to be nonconsenting, dominated, degraded, humiliated, or in a submissive role, and/or acting in a forceful, threatening, dominating, or violent manner that appears to be sexual in nature; and/or
4. Minor(s), or models depicting minors, in a sexually suggestive setting, pose, or attire.

III. PROCEDURES

A. Inmate Mail Requirements

1. Authorized personnel of Montana State Prison (MSP) may open, examine, and censor mail sent from or addressed to an inmate in accordance with United States Postal Administrative Support Manual, Section 274.96. “Authorized personnel of prisons under the procedures promulgated by the facility may open, examine, and censor mail sent from or addressed to an inmate.” Correspondence from inmates does not become U.S. mail, per the U.S. Postal service either when given to a postal employee or when deposited into a receptacle authorized by the Postmaster General for the receipt of mail. Therefore, unless items are considered actual mail, the federal laws pertaining to the protection of mail matter does not apply.
2. Only the Warden, or designee, may authorize exceptions to this procedure.
3. Inmates can send or receive an unlimited amount of correspondence without restriction to source,

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destination, or content if the inmate can afford postage and complies with this procedure, unless reasonable belief exists that limitation is required to protect public safety or the secure and orderly operation of the facility.

4. All incoming correspondence from the public cannot have any address labels, stickers, purchased postage stamps on any part of the mail. All mail must be sent with a self-stamped envelope or USPS meter stamp indicating it was mailed directly from the USPS. Any mail in violation of this policy will be returned to the sending party without notice to the inmate. Mail enclosed in anything larger than #10 envelopes will be removed and forwarded in transparent packaging. Vendors will be the only exception to this standard such as magazines, newspapers, etc.
5. Technical Correctional Services Program Manager, with oversight from MSP Prison Administration, is responsible for implementing the correspondence program outlining the convenient deposit and distribution of inmate correspondence every business day.
6. Outgoing correspondence, including legal, privileged, and general, must display a complete return address of the appropriate facility, e.g., "Montana State Prison, 700 Conley Lake Road, Deer Lodge, MT 59722" and the inmate's last name and DOC identification number. Correspondence will be disposed of if the inmate sending the general correspondence cannot be identified.
7. Incoming mail that does not include the receiving inmate's last name and DOC identification number or that contains markings, drawings, or acronyms on the envelope, packaging, or contents may be returned to the sending party without notice to the inmate. Mail without a complete return address or that contains markings, drawings, etc., shall be opened and read to inspect the contents to make a reasonable attempt to ascertain the identity of the sender or the intention of the material. If the sender can be identified and the mail does not present any security concerns and complies with this procedure, the mail will be delivered to the inmate.
8. Incoming correspondence that contains sensitive information or documents inappropriate for an inmate to possess, e.g., social security number, or vehicle title, may be held in the inmate's main file, or other designated location for delivery to the inmate upon release. Documents requiring a signature, notary, or other action will be processed with assistance from the unit management team (UMT).
9. All correspondence, including legal, privileged, and general, is usually processed within 24 hours and not held more than 72 hours excluding weekends, holidays, or emergencies. This standard does not include correspondence for inmates temporarily absent from the facility, e.g., hospital, fire crew, or court or cases where a legitimate penological interest of safety and security exists.
 - a. Inmates shall be responsible for informing their correspondents, including publishers, of any change of address. Mail received for an inmate who has been transferred to another facility, released, discharged, or has escaped shall be returned to the sender.
 - b. Legal mail will be returned to sender.

B. Comprehensive Prohibitions

1. Correspondence is prohibited between MSP inmates and the following:
 - a. victim(s) of an inmate's crime(s) of any conviction except as authorized in writing by the warden, or designee;
 - b. mail ordered pen pals;

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- c. any individual under Department supervision, except with prior written approval of the administrator, or designee, from both facilities and/or programs. The inmate must submit an *Offender Request to Correspond form* (attachment A) to the warden's office or designee for approval;
 - d. current or former Department or contract facility employees or volunteers, except with prior written approval of the warden, or designee, or when correspondence from inmates to staff is related to re-entry programs, current job status, etc. Inmate must submit an *Inmate to Past or Current Employee Request to Correspond form* (attachment B) to the Warden's office for approval;
 - e. individuals or organizations who advise the Warden or designee in writing, that receipt of correspondence is unwanted; if an individual does not wish to receive correspondence, the following will occur:
 - 1) the warden or designee will send a written directive to the inmate to cease contact; and
 - 2) correspondence addressed to the recipient following directive to cease contact will be returned to the inmate, who may be subject to disciplinary action.
2. Directing or conducting business operations through correspondence is prohibited, except as necessary to protect real property, closeout a business, or as allowed by [MSP Procedure 5.5.4, Hobby Crafts Program](#).
 3. Delivery of correspondence through Department staff members, volunteers, or any person not authorized to perform functions related to the established mail-handling system is prohibited.
 4. Inmates may not send or receive taped or other electronic correspondence without prior written approval from the Technical Correctional Services Manager.
 5. Currency, unauthorized enclosures, and contraband found will be confiscated, returned to sender, or handled as undeliverable.

C. Outgoing Legal Correspondence

1. In order to be accepted and processed as outgoing legal or privileged correspondence, the mail must comply with the following requirements:
 - a. The mail must be addressed to one of the entities identified under this procedure's definition of legal or privileged correspondence. If the addressee does not meet the definition of one of the entities noted in the definition of legal or privileged correspondence, the mail will be handled as general correspondence.
 - b. The inmate's full name, DOC identification number, and the address of the facility shall be included in the return address on the outside of the envelope.
 - c. The front of the envelope must be clearly marked "Legal Mail" or "Privileged Mail". Outgoing legal or privileged correspondence shall be presented unsealed to designated staff by the inmate. In the presence of the inmate, staff shall inspect the enclosed correspondence by shaking the pages to ensure no contraband is hidden. Staff shall not read the enclosed correspondence.
2. If the contents, based on a staff inspection, do not contain contraband, the envelope will be sealed by the inmate and the unit staff will mark the envelope as inspected by printing the staff member's name and initials and then forward it to the Mailroom for mailing.

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3. Offender to offender correspondence will not be handled as legal mail.
4. Inmates who are on the current indigent list or have insufficient funds to send legal correspondence may be eligible for eight paid mailings per month; inmates seeking postage assistance for legal correspondence must submit a completed special mailing request with the correspondence indicating the need for paid postage. Postage does not include return card, priority, or certified options.

D. Incoming Legal Correspondence

1. In order to be accepted and processed as incoming legal or privileged correspondence, the mail must comply with the following requirements:
 - a. The envelope must have a mailing address or return address which clearly indicates that the mail is to or from a source listed in the definition of “legal or privileged correspondence” above.;
 - b. The address on the envelope must include the inmate’s last name and DOC identification number; and
 - c. The envelope must be clearly marked “Legal Mail” or “Privileged Mail.”
2. Incoming mail readily identifiable as being from a court will be handled as legal correspondence, regardless of whether its envelope has been marked as legal mail or legal correspondence.
3. Incoming legal or privileged correspondence will:
 - a. not be read by staff;
 - b. be routed to the appropriate inmate’s housing unit or other designated location;
 - c. be opened by unit or facility staff in the presence of the inmate;
 - d. be inspected by staff for contraband including the envelope and enclosed paperwork. Staff will scan the enclosed paperwork to determine it is of a legal nature;
 - e. if the content of the enclosed paperwork is of a legal nature, it will be stamped as legal and the inmate will initial the stamp indicating it was opened in his presence. The staff member will also print their name and initial in the stamp area. Both inmate and staff will sign the legal mail form provided to the unit to verify delivery; and
 - f. if the content of the enclosed paperwork is not of a legal nature, the staff member will review the item with a member of the UMT; if the paperwork is not of a legal nature an incident report will be written and the paperwork will be sent to the Technical Correctional Services Manager or designee for follow-up.
4. If there is reasonable suspicion a piece of mail contains contraband, the Technical Correctional Services Manager or designee may authorize legal correspondence to be opened in a secure area outside the housing unit with the inmate present.
5. No person who is on the inmate’s approved visiting list will be allowed to send or receive mail designated as legal correspondence; rather it will be handled as general correspondence.

E. General Correspondence Requirements

1. Designated staff may open, read, photocopy, or examine incoming and outgoing general correspondence for contraband.

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2. Inmates may not send or receive mail that contains sexually explicit material including publications that feature on a regular basis or promote sexually explicit material.
3. Correspondence is not allowed between an inmate and any individual committed to a Department-owned or contracted secure care facility unless the facility administrator(s) approve an exception to the policy on a case-by-case basis.
4. If general correspondence (incoming and outgoing) contains the following, the correspondence will be held, and may be considered undeliverable and investigated:
 - a. threats of physical harm against any person or threats of, or participation in, criminal activity;
 - b. blackmail or extortion;
 - c. plans for activities in violation of DOC policy or MSP procedure, such as riots or plans to escape or assist another to escape;
 - d. contraband including drugs or drug paraphernalia;
 - e. other material which, if communicated, would create a serious danger to facility security;
 - f. contents that violate U.S. Postal regulations; or
 - g. taped correspondence unless the offender obtained prior approval from the facility administrator.
5. General correspondence that is in a language other than English, either completely or in part may be delayed for translation in accordance with the following:
 - a. translation and review of contents for compliance with this procedure may require up to 10 working days;
 - b. if translation will delay the normal mailing of the correspondence, the inmate will be notified; and
 - c. if attempts to translate are unsuccessful within 10 days, the inmate will be provided a written notice of the undeliverable mail, including a description of why the document was rejected and the effort's made to translate the document.
6. All outgoing general correspondence must be left unsealed.

F. Incoming General Correspondence Requirements

1. Only a metered postage stamp and return address stamp, when applicable, is allowed as an attachment and must be affixed to the front of the envelope or package.
2. Incoming correspondence will be held, may be considered undeliverable, and may be investigated if it contains any of the following:
 - a. mail with metal bindings other than staples including paper clips, binder clips, and other metal fasteners. Items may be returned to sender or staff will remove and forward the mail to the inmate;
 - b. bodily fluids;
 - c. an attempt to correspond to facilitate inmate to inmate communication including, but not limited to:
 - 1) sending mail to an addressee to be given to another;
 - 2) mail to or from an inmate may contain only mail for the inmate whose name is on the envelope or package; and

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- 3) authorized correspondence may not include letters or messages to be passed on or mailed by the recipient to another person or inmate.
 - d. Envelopes, blank stationary, and blank writing paper will be disposed of by the Mailroom and the remaining mail will be routed to the inmate. If the mailing is from an authorized state agency or other legal entity, the self-addressed envelope will be forwarded with the remaining mail only if it contains no postage stamp or the postage stamp is of an electronic or pre-paid nature. Blank cards or postcards will be stamped received by Mailroom staff and sent to inmate;
 - e. attachment(s), e.g., decorative ink stamps, stickers, ink markings, lip impressions, perfumes, or powders glued, taped or otherwise affixed to envelopes or their contents; and
 - f. material which, if communicated could result in any of the following:
 - 1) threat or be detrimental to the security, safety, health, good order, or discipline of the facility;
 - 2) threat or be detrimental to the inmate rehabilitation process;
 - 3) facilitate criminal activity;
 - 4) create tension within the facility because it advocates separation of, violence between, or is derogatory towards any group or individual within the facility; and
 - 5) create a clear and present danger of violence or physical harm to a human being.
3. Printed material enclosures are subject to the review process. Allowable enclosures include:
- a. written correspondence which must be on a standard size (8.5' x 11" white copy, printer, or loose-leaf or notebook paper.
 - b. pen, typed written or pencil in black or blue ink only- no maker, crayon or colored pencils, chalk, glitter or lipstick.
 - c. photocopies no larger than 8.5" x 11" (may include photocopies of newspaper and magazine articles);
 - d. copies of forms, informational, or reading material from the Internet. Photocopies or items printed from the internet under the "fair use of copyrighted work" are not an infringement of copyright laws if the items are used for the purposes of criticism, comment, news reporting, teaching, scholarship, or research;
 - e. small pamphlets;
 - f. plain post cards that do not feature any printed design, picture or depiction.
 - g. business cards;
 - h. photographs (excluding Polaroid or other layered photographs) that will fit into the authorized photo album or photographs no larger than 8.5" x 11". Multiple photographs on a single page will be counted as one photo as long as the page of the photo is not larger than 8.5" x 11". Multiple photographs on a single page must be photocopied or printed on a single, continuous flat sheet of paper. Photographs that are cut and attached will not count as one photo because the paper is not a singular continuous sheet;
 - i. Newspaper clippings of obituaries or community events.
4. Incoming correspondence may contain photocopies of drawings in pencil or crayon, paintings, or greeting cards, provided the photocopies do not violate any other provision(s) of this procedure or DOC policy.

G. Financial Transactions

1. Inmates are only allowed to send money to those persons on their approved visiting list.

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2. Inmates may receive funds through the mail from the following approved parties:
 - a. an inmate's attorney;
 - b. immediate family members listed on the inmate's approved visiting list; and
 - c. one approved non-family member authorized by the warden or designee. Inmates may request the one non-family member to be changed to another approved non-family member, but this can only occur once every six months.
3. Approved parties may send funds to an inmate when funds are in the form of a U.S. Postal money order or Cashier's check. They must meet the following requirements:
 - a. funds must be in a separate envelope addressed to Mailroom inmate funds
 - b. funds must be received within 20 days of the date of purchase;
 - c. must include the inmate's last name and Department identification number;
 - d. must include the completed, printed, legible name and address of the sender (for comparison with the approved visiting list);
 - e. the money order must be postmarked from the immediate area where the approved sender's listed residence is located;
 - f. if the sender cancels a money order after it has been received at MSP, the U.S. Postal authorities will be notified; and
 - g. inmates may request a one-time money allocation in the amount of \$50.00 or less These requests may be approved by the Warden, an Associate Warden, a Bureau Chief, the Technical Corrections Program Manager, a Unit Manager or designee.
4. In addition to correspondence, the Department maintains an electronic funds and transfer process through which authorized senders may deposit funds into an inmate's account.
5. The administrative support supervisor or designee will forward funds such as U.S. Treasury Department checks, refunds, inmate personal savings withdrawals, approved business transactions, or tribal checks to accounting staff to be credited to the inmate's account.
6. Unapproved funds or delivery that does not comply with this procedure will be returned to sender.

H. Publications

1. Inmates may possess a limited number of publications as listed on the current authorized property list (see attachment A of [MSP 4.1.3, Inmate Personal Property](#)).
2. Inmate may receive publications in any language or code to include books, magazines, and newspapers sent directly from the publisher and prepaid publications sent directly from a publisher, book club, or book store, following staff determination that content does not violate the provisions of this or any other existing DOC policy or MSP procedure or contain, advocate for, or encourage the following:
 - a. instructions for manufacturing of explosives, weapons, drugs, or drug paraphernalia;
 - b. violence or disruption of the safety and security of the facility;
 - c. racial, religious, or national supremacy or hatred;
 - d. behavior that is detrimental to rehabilitation such as gambling, illegal sexual activity, or the commission of a crime; or

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- e. sexually explicit material.
3. Publications (books, magazines, and material) are subject to screening and review and may not contain any of the following:
 - a. sexually explicit material, prohibited images, or prohibited writings;
 - b. content focusing on weapons or explosives;
 - c. instructions for the manufacturing of drugs or drug paraphernalia;
 - d. metal bindings or metal fasteners, bindings must be glued;
 - e. materials in used or refurbished condition;
 - f. code(s);
 - g. material which violates any Department policy or facility-specific operational procedure;
 - h. material which, taken a whole, depicts sexual conduct and lacks serious literary, artistic, political, scientific, or educational value; and
 - i. material larger than 9” wide, by 12” tall, and 2” thick. Those with hard covers/bindings (books must be soft cover) will not be allowed, except as follows:
 - 1) legal, religious, or educational books that exceed these parameters will be reviewed for authorization on a case-by-case basis;
 - 2) existing inmate purchased personal property that has been authorized and stamped by the property office will be allowed for the purchaser’s retention after implementation of this operational procedure. This includes completed journals that are from canteen or authorized vendors may be retained by inmates and will be counted toward their book limit;
 - 3) state-owned library books (not marked for library use only) are allowed in housing units based on the inmate following the appropriate library book check out process. On a limited, case by case basis, some library books may be marked as library use only;
 - 4) new books that are not available in soft cover may be allowed in hard cover provided the inmate is not in a locked housing unit; and
 - 5) other publications on a case by case basis with consideration of the inmate’s custody level.
 - j. language or material that advocates for, or encourages the following:
 - 1) violence or activities that may disrupt the safety or security of the facility;
 - 2) racial, religious, or national supremacy or hatred;
 - 3) behavior that is detrimental to security or rehabilitation; such as gambling, illegal sexual activities, or the commission of a crime; and
 - 4) publications that present history, historical perspective, critique or information related to race, religion, or other items may be allowed based on content review.
 4. Publications in a language other than English may be allowed and are subject to a review and approval process that includes up to 20 days for magazines and newspapers and up to 30 days for books.
 5. Pictures or other items that are removed from, or torn out of, books or magazines will be considered contraband.
 6. An inmate or a person on the inmate’s approved visiting list may order new publications provided such an item is sent directly by the publisher or any licensed retail outlet, and complies with the following:
 - a. invoice or enclosed paperwork indicates the name of the sender. The inmate will be

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- issued a *Notice of Undeliverable Mail form* (attachment C) for publications received without this information;
- b. paperwork indicates the inmate's last name, his identification number, and the name and address of MSP when it arrives. Anything received without this information will be returned to sender or disposed of;
 - c. does not contain items prohibited under this or any other section of this procedure;
 - d. is not the result of a contract purchase, such as music or book clubs; and
 - e. does not contain a credit card or credit card application. All book orders and books that come in from vendors will be forwarded to the Property Officer who will screen them for proper authorization and content.
7. If the item meets procedural guidelines the Property Officer will process it in accordance with [MSP 4.1.3, Inmate Personal Property](#), including inventory and documentation and approval stamp.
 8. If the Property Officer feels an ordered item received for an inmate is not permitted due to its content, the item will be forwarded to the publication review committee designated by the Warden or designee, for a final decision.
 9. Publications that have scholarly, literary, religious, or artistic value may be allowed. If an item is not permitted due to its content, the inmate and the publisher will be sent a written notice outlining the specific reason(s) the item is being rejected by the publication review committee or property office. Appropriate documentation concerning the contents of the item will be retained until final resolution of any grievance the inmate may file.
 10. The property office will maintain a list of disapproved books which will include the book name, date of disapproval, and reason. The property office will any forward any additions/deletions to the list to the publication review committee, to the Education Department for placement on the Inmate TV, and to the Contract Placement Bureau for distribution to the Regional and private facilities. This information will be made available to the inmate population and all of the prison facilities.
 11. The publication committee will review any publications that are at first deemed a violation of procedure or policy when received at the facility.
 - a. a publication review committee comprised of representatives from facility security, the Contract Placement Bureau, and the MSP Grievance Office will review magazines that may be considered undeliverable on a monthly basis;
 - b. the committee is not required to meet formally to approve or disapprove a magazine, but each member will be consulted before a final decision is reached;
 - c. the committee's decision to disallow a single month issue of a magazine will be based upon all criteria listed in this section;
 - d. the monthly undeliverable list will be maintained at MSP and distributed to the wardens of the adult secure care contract facilities;
 - e. mailroom staff will process disapproved magazines as undeliverable and will provide information regarding the exclusion of the magazine, in writing, to the inmate and publisher; and
 - f. the inmate may appeal the decision on the undeliverable appeal form.

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12. Newspaper subscriptions will be allowed when content adheres to the requirements of this procedure and subscriptions are properly addressed to the inmate and sent directly from the newspaper publisher.
13. Publications, books, magazines, or newspapers will be reviewed on a case-by-case basis.
14. Inmates enrolled in secondary education classes may order used or new text books. The books will be searched by the mailroom for any security risks. Secondary school text books may fall outside the scope of book restrictions, all restrictions concerning text books will be done on a case by case basis. The Education Department will track secondary educational books and will review the content.

I. Packages

1. Packages for inmates will be forwarded to the property officer for screening, authorization, and processing in accordance with the inmate property procedures. The property officer will inventory and document approved package contents and dispose of packaging outside the facility.
2. An inmate may only ship packages to persons on the inmate's approved visiting list and must pay for all shipping expenses. If the inmate does not have anyone on his approved visiting list, he may write to the Technical Correctional Services Manager for permission to ship a package(s) to another person.
3. Visitors may pick up outgoing packages with prior written approval of the Technical Correctional Services Manager, or designee.

J. Undeliverable Mail

1. Incoming mail or packages that are a clear violation of the procedure will be returned to the sender without notification to the inmate. Mailroom staff will stamp the envelope indicating the reason for return, notifying the sender. This includes items such as greeting cards, post cards that violate the process and envelopes containing address labels or stamps.
2. Bulk mailings not addressed as prescribed by this procedure or DOC policy may not be delivered and the facility is not required to provide an undeliverable notice to the inmate. The Technical Correctional Services Program Manager may consult the U.S. Postal Regulations and local post office regarding the proper handling of undelivered bulk mailings, i.e., whether the postal service destroys them or delegates to the facility the permission to destroy them.
3. Incoming mail and packages listed within this procedure, found to be in violation of this operational procedure will be considered undeliverable and processed according to the following:
 - a. Mailroom staff will provide written notice to the inmate of rejected mail by completing and sending a *Notice of Undeliverable Mail form* (attachment C) to the inmate. The notice will:
 - 1) include the name of the sender and the reason(s) for the rejection; and
 - 2) inform the inmate that rejection of the incoming mail can be appealed by completing the

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appeal section of the notice form and submitting it to the mailroom within 10 calendar days of the date of the notice.

- b. If rejection of incoming mail is appealed, a staff member uninvolved in the initial decision to exclude the mail will review the initial decision and either uphold the rejection or allow delivery of the mail;
 - c. if the rejection is overturned, the mail will be delivered to the inmate;
 - d. if the rejection is upheld, the inmate will be offered the option of having the mail disposed of by prison staff or having the mail returned to the original sender at the inmate's expense; and
 - e. if the inmate does not timely appeal the initial rejection decision, the mail will be returned to the original sender at the inmate's expense.
4. When an individual or vendor sends contraband to MSP, the warden or designee, may place restrictions on mail that arrives at MSP from the violating individual(s) or vendor(s). During restrictions, incoming items and mail from the restricted individual(s) or vendor(s) will be processed as undeliverable. Restrictions will be placed according to the following:
- a. the warden or designee, will send a written notice to the restricted individual or vendor concerning the restriction;
 - b. the warden or designee, may rescind a restriction upon written application for lifting of the restriction from the restricted party; and
 - c. if contraband is sent by a person on any inmate's current approved visitor list, the violating person's visiting privileges will be restricted as outlined in [MSP 3.3.8, Inmate Visiting](#).

K. Internal Revenue Service (IRS) Blue Bag Program

1. All Outgoing inmate federal tax returns must go in one mailing from MSP to the IRS.
 - a. MSP will complete the form with the inmate's full name, AO#, date of incarceration, release date and SSN.
 - b. Inmates must clearly label the envelope as IRS Federal Return.
 - c. Do not seal the envelope.
 - d. Inmates will not have to place postage on the envelope.
2. All incoming IRS federal tax returns will be held by MSP accounting until the verification process with the IRS is complete.
 - a. This will delay posting of the funds to the inmate's account.
 - b. If the IRS determines the check is questionable, it will be returned to the IRS immediately for a full review.

IV. CLOSING

Questions concerning this operational procedure will be directed to the Mailroom Supervisor or the Technical Corrections Services Bureau Chief.

V. ATTACHMENTS

Offender Request to Correspond Form	attachment A
Inmate to Past or Current Employee Request to Correspond Form	attachment B
Notice of Undeliverable Mail Form	attachment C

MONTANA STATE PRISON OFFENDER REQUEST TO CORRESPOND

Date: ___ / ___ / ___

I, _____ ID/AO# _____ an inmate at Montana State Prison, am requesting approval to correspond with _____

Offender Name

ID Number

He/she is under the supervision of Department of Corrections:

Name of Facility/Program

Street Address

City

State

Zip Code

Relationship: _____

_____ Approved

_____ Denied

Montana State Prison Warden

Date

_____ Approved

_____ Denied

Facility/Program Administrator

Date

If correspondence is denied, please provide a reason: _____

Please return to:

Montana State Prison
Warden's Office
400 Conley Lake Rd
Deer Lodge, MT 59722
406-846-1320(PHONE)/406-846-2950(FAX)

MONTANA STATE PRISON INMATE TO PAST OR CURRENT EMPLOYEE REQUEST TO CORRESPOND

Date: ___ / ___ / ___

I, _____ ID/AO# _____ an inmate at Montana State Prison, am
requesting

approval to correspond with _____
EMPLOYEE NAME

He/she is/was an employee the following institution:

Institution Name

Street Address

City

State

Zip Code

Relationship: _____

Approved

Denied

Montana State Prison Warden

Date

If correspondence is denied, please provide a reason: _____

Please return to:

Montana State Prison
Warden's Office
400 Conley Lake Rd
Deer Lodge, MT 59722
406-846-1320(Phone)/406-846-2950(Fax)

**MONTANA STATE PRISON MEMORANDUM
NOTICE OF UNDELIVERABLE MAIL**

Inmate Name

Date:

AO#:

Received From:

Location:

Location

An item addressed to you has arrived at this facility; you are unable to have part of or the entire item per policy 3.3.6. Any allowed portion of the item(s) have been enclosed with this notice. The remaining item(s) have been disallowed for the following reason(s):

Homemade items, musical cards, cards with glitter, more than one-fold, embellishments and/or finished hobby

Description/Comments:

This was contained within: Magazine Committee has reviewed this item: [Choose an item.](#)

The disallowed items will be returned to the original sender at your expense after **10 days** from the above notice date if you do not respond by completing and submitting an appeal to the mailroom. If the item is returned, a notice to the sender will be enclosed with the disallowed item(s) to assist in understanding why the item is disallowed per procedure 3.3.6. If the sender continues to send you items disallowed per policy or procedure, they may be placed on a disallowed sender list; prohibiting them from sending you further correspondence.

If you wish to appeal the mailroom decision, please complete the appeal on the back of this form and return it to the mailroom within 10 days from the date of this notice. A designated staff member uninvolved in the initial decision to reject the mail will respond to the appeal within 20 working days from the date the appeal form is received.

Mailroom Staff: _____ Date: _____

STAFF USE ONLY: _____

Disposition: _____

Staff Signature: _____ Date: _____

**MONTANA STATE PRISON MEMORANDUM
NOTICE OF UNDELIVERABLE MAIL**

INMATE/OFFENDER UNDELIVERABLE APPEAL

Inmate Name: _____ Number: _____ Housing: _____

State the reason you are appealing:

Inmate Signature: _____ Date: _____

APEAL RESPONSE:

Appeal has been granted _____ / granted in part _____ / denied _____ Date: _____

Comments:

Respondent's Signature

I hereby request that my rejected mail be (check one in the event your appeal has been denied or granted in part):

Returned to the sender at my expense (attach a stamped, self-addressed envelope or completed SMR)_

Disposed of by prison staff

I understand that if I do not elect an option above, the rejected mail will be returned to the sender at my expense. You are advised that this concludes administrative remedies available through the Department of Corrections. I acknowledge that I have received this response.

INMATE SIGNATURE

DATE