

YOUTH CORRESPONDENCE POLICY

DIVISION OF CHILD AND FAMILY SERVICES Juvenile Justice Services STATEWIDE INSTITUTIONAL POLICY	
SUBJECT:	Youth Correspondence Policy
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APPROVED BY:	Ross Armstrong, Deputy Administrator – Juvenile Justice Services
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DATE:	
REFERENCES:	ACA Standards: 4-JCFS (07-13)
ATTACHMENTS:	Attachment A-Undeliverable Mail Form Attachment B- Correspondence Authorization

I. SUMMARY

Youth have the right to correspond with family members, persons or organizations. The facilities recognize the youth's need for and right to maintain contact with persons outside the facility and asserts that he or she may do so with a reasonable degree of privacy.

II. DEFINITIONS

As used in this document, the following definitions shall apply:

- A. **Confidential Correspondence:** Mail to a specified class of persons that a youth may send and receive that is only inspected for contraband in the presence of the youth.
- B. **Contraband:** Any items possessed by the committed youth found within the facility that is illegal by law and any items that are not authorized by the facility to possess while in the program.

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- C. Correspondence: Communication to or from youth through letters, postcards, greeting cards, or parcels.
- D. Indigent Youth: A youth that is without a means of financial support or whose primary means of support is through government subsidy.
- E. Money: Cash, checks, stamps, money orders, or drafts.
- F. Prison Rape Elimination ACT (PREA): A federal law passed in 2003 that supports the elimination, reduction, and prevention of sexual assault, sexual harassment, and sexual misconduct within correctional facilities. This law applies to all federal, state, county, local, and private facilities.
- G. Sensitive Correspondence: Mail or written communication that includes medical, mental health or substance abuse information.

III. DEVELOPMENT OF YOUTH CORRESPONDENCE LIST

- A. The facility will send the parent the Correspondence Authorization (Attachment B) form to the parent or guardian within 24 hours of the youth's arrival.
- B. Upon return of the Correspondence Authorization, the facility shall consult with the assigned Youth Parole Counselor to ensure the list does not include:
 - 1. Any current or former victim of the youth
 - 2. The family of any current or former victim of the youth unless the victim was a member of the youth's family
 - 3. Any individual known by DCFS to be a gang member
 - 4. Any current or former co-defendant of the youth
 - 5. Any current youth in the custody of a juvenile probation department or DCFS – Juvenile Services
 - 6. Any non-family individual incarcerated in any prison or jail
- C. In the event a correspondence authorization is not returned by a parent or guardian, the youth may work with facility staff to submit a suggested correspondence list using the Correspondence Authorization form. Youth Parole will be consulted in the same manner had the parent or guardian returned the Correspondence Authorization form.
- D. If Parole determines that someone on the Correspondence Authorization form is a prohibited person pursuant to this policy, notice shall be sent to parent or guardian explaining why an individual was removed.
- E. The youth's attorney shall always be approved on the Correspondence Authorization.

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- F. A youth may request someone be placed on or removed from their Correspondence Authorization form at any time following review by the parent or guardian and Youth Parole.
- G. The facility shall adopt procedures to ensure the accuracy of the contact information provided to prevent correspondence being delivered to or received from an unauthorized individual.
- H. The facility shall maintain the Correspondence Authorization form for the duration of the youth's stay at the facility.

IV. INCOMING MAIL

- A. Each facility will deliver correspondence to the youth within 24 hours of receipt excluding weekends and holidays. Parcels shall be delivered within 48 hours.
- B. The amount of correspondence a youth may receive is unlimited from those indicated on the youth's correspondence list
- C. Regular (non-Sensitive and non-confidential correspondence) will be opened and inspected for contraband and to ensure the content does not put facility order or security at risk before delivery to the youth.
- D. Sensitive correspondence shall be opened and inspected for contraband and reviewed by clinical staff for content prior to delivery to the youth. In the event the content of the sensitive content needs medical or mental health explanation, medical or mental health staff shall deliver the correspondence to the youth in a confidential setting and provide the appropriate explanation within 24 hours or receipt by the facility.
- E. Contraband item or unauthorized items (such as staples and paperclips) will be withheld and processed as outlined in the facilities SOP.
- F. The youth will be informed when incoming mail is correspondence held in part or in full detail. The reason will be documented on the Undeliverable Mail Form (See Attachment A).
- G. Money received in the mail will be deposited in the appropriate bank account. The youth will be provided a copy of the deposit slip.
- H. Mail received after the youths release shall be forwarded to the youth's last known unopened. If no forwarding address is available, the correspondence will be returned to the sender unopened.
- I. Staff shall ensure that youth with disabilities shall have access to and assistance with handling incoming correspondence.

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V. OUTGOING MAIL

- A. Mail will be collected and sent out once a day Monday through Friday, excluding state and national holidays.**
- B. There is no limit on the amount of correspondence a youth may send to those on the youth's correspondence list except that in the event of an indigent youth, the facility may set limits through a procedure given its budgetary restrictions.**
- C. Outgoing mail shall be inspected for contraband and for any risks to the order or security of the facility or the general public.**
- D. Any contraband items or any unauthorized items will be withheld and processed as outlined in the facility SOP.**
- E. The youth will be informed when outgoing mail is withheld in part or in full detail. The details will be documented in the facilities Undeliverable Mail Form (See Attachment A).**
- F. Youth may not send any type of mail to their victims or family members of the victim. Any such mail will be reported to the Superintendent or designee.**
- G. Youth are permitted to send sensitive correspondence in a sealed envelope when approved by the Superintendent or designee.**
- H. Staff shall ensure that youth with disabilities shall have access to and assistance with handling outgoing correspondence.**

VI. CONFIDENTIAL CORRESPONDENCE

- A. Youth are permitted to send and receive unlimited confidential letters in a sealed envelope to or from the courts, legal representative, youth parole office, State PREA Coordinator, member of the clergy, any local or state crisis center, or any other persons and organizations specified by statute. In the event the facility is paying for the postage for an indigent youth, the facility may set postage restrictions based on its budget.**
- B. All incoming and outgoing confidential correspondence will be inspected only for contraband in the presence of the youth. The correspondence will not be read by any staff. Refer to DCFS/JJ Policy 300.05.**
- C. All incoming confidential correspondence shall be delivered to the youth within 24 hours of arrival at the facility and all outgoing confidential correspondence shall be mailed within 24 hours of receipt from the youth.**

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VII. CONTRABAND AND PROHIBITIONS

- A. A list of contraband will be provided to each youth within 72 hours upon arrival to the facility. Each youth will be made aware that correspondence will be inspected for contraband.
- B. Staff handling mail will inspect all mail for contraband on flaps of envelopes, stamps, address labels, stickers and seams of envelope. This includes postcards.
- C. If contraband is found, the letter and its contents will be given to the supervisor on duty and completely documented as directed in the facilities SOP.
- D. Staples, paperclips, or other metallic attachments must be removed from correspondence prior to delivery to the youth. In the event of confidential correspondence, any such items shall be removed in front of the youth prior to delivery.
- E. The withholding of mail without reason is grievable within 7 days from the date of receipt of the mail received.
- F. Any sexual harassment through incoming or outgoing correspondence is considered contraband and must be reported to the Superintendent or designee.
- G. Notice of the Division's policy and the facility's procedure shall be provided to the youth's parent or guardian within 24 hours of the youth's arrival at the facility.
- H. Delivery of publications shall be prohibited if they pose a clear direct or immediate danger to security or any sexually explicit material.
- I. Access to correspondence consistent with this policy may not be denied as a discipline and shall not be used as an incentive.

VIII. STANDARD OPERATING PROCEDURES

- A. Each facility shall adopt procedures consistent with this policy.
- B. The Youth Parole Bureau shall adopt procedures consistent with this policy.
- C. The Juvenile Justice Programs Office shall develop procedures consistent with this policy specifically as it relates to PREA.