
	<p><b>ORANGE COUNTY CORRECTIONS DEPARTMENT ADMINISTRATIVE ORDER</b></p> <p><b>O.C.C.D. NO. IP.300</b></p>	
<p><b>SUBJECT:</b></p>	<p><b>INMATE CORRESPONDENCE</b></p>	<p><b>Page 1 of 21</b></p>

**I. AUTHORITY:**



Turner v. Safley, 107 S.Ct. 2254  
Maura v. Arpario, 188 F.3d 1054  
Wagner v. Thomas, 608 F.Supp. 1095  
Amatel v. Reno, 156 F.3d 192  
Florida State Statutes 847.001 (18)  
Florida Model Jail Standard 9.03  
OCCD Inmate Handbook

**II. REFERENCE:**

American Correctional Association Standards [4-ALDF-5B-05](#), [4-ALDF-5B-06](#), [4-ALDF-5B-07](#), [4-ALDF-5B-08](#), [4-ALDF-5B-09](#), and [4-ALDF-5B-10](#)  
Florida Corrections Accreditation Commission Standards [12.03](#), [12.04](#), [12.05](#), [12.06](#), [12.07](#), and [12.08](#)  
OCCD Administrative Order [IO. 200](#), "[Inmate Discipline](#)", [IO. 010](#), "[Searches and Control of Contraband](#)", [IS. 002](#), "[Inmate Property](#)", and [AM. 400](#), "[Department Records Management](#)"  
OCCD Forms "[Incident Report Packet](#)", "Privileged Mail Receipt" (PR-3), and "Property and Evidence Chain of Custody Form" ([OP-82](#))

**III. POLICY:**

Correspondence will be encouraged between an inmate and family/friends (outside the confines of the facility). There will not be limitations on the volume of mail received, sent (when the inmate bears the mailing cost) or on the length, language, content, or source of mail or publications. The only exceptions on limitations will occur when there is reasonable belief that limitation is necessary when there is clear and convincing evidence the safety and security of the facility is endangered or to protect public safety.

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All inmate mail (incoming or outgoing) may be opened for inspection and interception of contraband. Mail will be read, censored, or rejected when based on legitimate facility concerns of order and security. Inmates are notified in writing when incoming or outgoing letters are withheld in part or in full.

Inmates are permitted to send sealed letters to a specific class of persons as defined in this policy. Staff, in the presence of the inmate, may be allowed to inspect outgoing privileged mail for contraband before it is sealed. Mail to inmates from this specified class of persons and organizations may be opened only to inspect for contraband and only in the presence of the inmate, unless waived in writing, or in circumstances, which may indicate contamination.

Incoming and outgoing letters are held for no more than twenty-four (24) hours and packages are held for no more than forty-eight (48) hours, excluding weekends, holidays, or emergency situations.

Indigent inmates will receive postage for regular and privileged mail. Inmates will have access to publications.

#### **IV. DEFINITIONS:**

- A. Censor: To disallow materials, which might be considered harmful to facility order and security.
- B. Contraband: Any item or article, which is altered from its original condition in such a way that it presents a threat to the security or order of the detention facility; any item or article passed to or in the possession of an inmate without authorization; or any item or article inside a housing unit, inmate facility, or on the property of the institution that was not:
  - 1. Issued,



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2. Approved for purchase at the commissary,
  3. Purchased through an approved source with official approval, and/or
  4. Authorized to be brought into the facility.
- C. Correspondence/Mail: **Incoming/Outgoing** communication through letters, postcards, greeting cards, or parcels received **or sent** via the United States Postal Service (**USPS**).
- D. Correspondence Review Board: Professional Service Division Manager or designee who will review material that may compromise the security and order of the facility.
- E. Indigent Inmate: An inmate who maintains an account balance of \$2.00 or less for a seven (7) day period.
- F. Mail Services Section (MSS): Administrative Services staff assigned to collect and process mail for distribution.
- G. Money: Money orders, drafts, cashier's checks, certified checks, and government checks (For the purpose of this policy, cash or U.S. currency is not accepted).
- H. Pictorial Representation of Nudity: Any books, magazines, newspapers, periodicals, or photographs depicting nudity.
- I. Privileged Correspondence: Communication between inmates and their attorneys, the courts, public officials, or their authorized representatives acting in their official capacities.
- J. Publications: Books, magazines, newspapers, periodicals, and other printed material.
- K. NIK Test: Narcotics Identification Kit.

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L. Sexually Oriented Materials: Any book, article, magazine, publication, written matter of any kind, drawing, etching, painting, photograph, picture, motion picture film, or sound recording that depicts sexual activity, actual or simulated, involving human beings or human beings and animals, that exhibits uncovered human genitals or the pubic region in a lewd or lascivious manner, or that exhibits human male genitals in a discernibly turgid state, even if completely and opaquely covered.

M. United States Postal Service (USPS): Governmental entity responsible for the delivery of mail.

N. Specified Class: Persons and organizations, including but not limited to the following: courts, counsel, officials of the confining authority, state and local chief executive officers, administrators of grievance systems, and members of the paroling authority with whom the inmate may have privileged correspondence.

## V. PROCEDURES:

### A. Outgoing General Correspondence:

1. Staff will allow inmates to send **unlimited** correspondence to whomever they wish, except as outlined below or when there is evidence of a threat to the safety and security of the facility.
2. Inmates may not send mail to:
  - a. Another **Orange County Corrections Department (OCCD)** inmate.
  - b. Any person who has advised the Division Major/Manager or MSS Supervisor, in writing, that he/she does not wish to receive mail from the inmate.
  - c. A person under the age of eighteen **(18)** whose parents or legal guardians has advised the Division



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Major/Manager or MSS Supervisor, in writing, that he/she does not wish his/her child to receive mail from the inmate.

1. When the Division Major/Manager or MSS Supervisor receives such a notification, an acknowledgement will be prepared specifying that the inmate will not be permitted to send mail to the person requesting the correspondence restriction.
  2. The acknowledgement will also include that the person should return any further mail received from the inmate, and notify the Division Major/Manager of the attempt to correspond.
  3. After the Division Major/Manager or designee notifies the inmate of the correspondence restriction, any further attempt to correspond will be considered a violation of this policy as cited in the "Inmate Handbook Rules and Regulations" (Inmate Discipline Category 3.26) and Administrative Order [IO. 200, "Inmate Discipline"](#).
  4. Any violations will be subject to disciplinary action.
3. Staff will not interfere with or open outgoing mail. The **Duty Lieutenant** will be notified and appropriate action taken if there is reason to believe the letter:
- a. Contains threats of physical harm against persons or threats of criminal activity.
  - b. Threatens blackmail or extortion.
  - c. Contains plans to escape.



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- d. Contains plans for violating facility rules.
  - e. Is in code.
  - f. Contains security threat group/gang information.
  - g. Contains information that would create a clear and present danger of violence and physical harm to a human being.
  - h. Contains contraband.
4. If outgoing correspondence is opened or **withheld** for any of the above reasons, the Division Major/Manager or designee will forward **to** the inmate a written explanation for the action, unless the correspondence is being held pending possible criminal action.
5. Facility Mail Collection Process:
- a. Each facility will establish a procedure and timetable by which outgoing mail is collected daily and documented appropriately in the logbook.
  - b. The inmate will seal outgoing general correspondence, which must bear the following information:
    1. Inmate's full booked name,
    2. Jail number,
    3. Complete cell location, and
    4. Facility mailing address (P. O. Box 4970 Orlando, Florida 32802).



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- c. If incomplete, the mail will not be accepted.
- d. The Housing Officer (HO) will not accept mail with:
  1. Drawings, signs, symbols, codes, etc. on the envelope.
  2. No postage, previously used postage, or insufficient postage.
  3. Defaced stamped notation indicating the letter "Originated from a Correctional Institution".
  4. Addressed to another inmate incarcerated within the confines of the Orange County Corrections Department.
  5. Incomplete return address information as indicated in the above Section V. A. 5.b.

**B. Incoming General Correspondence:**

1. All incoming general correspondence:
  - a. Must be received from the USPS,
  - b. Will be opened,
  - c. Examined by MSS staff for money or contraband, and
  - d. Must bear the following:
    1. Booked name of the inmate,
    2. His/Her jail number,
    3. Complete housing location,



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4. Complete mailing address, and
  5. Complete return address including first and last name of sender.
2. MSS staff will return any mail not containing the above information to the sender (if information is available) or the USPS without further processing as indicated in Section V. I.
  3. Inmates will be permitted to receive unlimited amounts of mail.
    - a. Each inmate may store a maximum of twenty (20) pieces of mail in each housing unit, excluding legal papers.
    - b. Excess mail will be placed in the inmate's property and a receipt given in accordance with Administrative Order, [IS. 002, "Inmate Property"](#).
    - c. Inmates may receive pictures and newspaper clippings, unless they meet the criteria of Section V.B.10.
  4. MSS staff will accept:
    - a. Money orders,
    - b. Drafts,
    - c. Cashier's checks,
    - d. Certified checks, or
    - e. Government checks.
      1. Two (2) copies will be made of the envelope and the item(s) listed above, prior to being





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delivered to the Inmate Fiscal Operations Section (IFOS), in accordance with the MSS SOP.

2. The IFOS staff will initial, date, and note the item(s) received on one (1) copy, which will be retained by MSS for a period of one (1) calendar year.
3. The second copy will accompany the item(s) to IFOS where the funds will be deposited into the appropriate inmate account.
5. Unacceptable Mail:
  - a. MSS staff will:
    1. NOT accept:
      - a. Cash,
      - b. Personal checks, or
      - c. Payroll checks.
    2. Notify the sender that they cannot accept the above items and the envelope will be returned along with all contents.
  - b. Mail containing any drawings, signs, symbols, codes, etc. will be forwarded to the Office of Security Intelligence (OSI) for review and then returned to the sender without further processing.
  - c. Inmates will not be allowed to receive any "sexually oriented materials" or "pictorial representations of nudity".



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6. The Orange County Corrections Department is not responsible for item(s) sent or returned through the mail.
7. Denied Incoming Correspondence:
  - a. If incoming correspondence is denied for any reason, the MSS staff will forward the inmate a written notification on the "Returned Mail Correspondence Form" (10-1531) indicating the reason for the action, unless the correspondence is being held pending possible criminal action.
  - b. The original will be forwarded to the inmate.
  - c. The copy will be maintained in the MSS for a period of not less than one (1) year, in accordance with Administrative Order [AM. 400, "Department Records Management"](#).
8. Contraband:
  - a. When contraband, as defined in Section IV. B. is found, MSS staff will return it and the entire contents to the sender. They will make a record to include:
    1. The inmate's name and jail number,
    2. A description of the mail in question including identity of the sender,
    3. A description of the action taken and the reason for such action,
    4. The disposition of the item involved, and
    5. The initials of the MSS staff.



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- b. MSS staff will turn over illegal contraband (items that are unlawful to possess, i.e., cocaine) to Law Enforcement Agencies in accordance with Administrative Order [IO. 010, "Searches and Control of Contraband"](#) and the letter in question may be held as evidence.
9. MSS staff, who detect or suspect that drugs are enclosed in incoming mail, will immediately notify the MSS Supervisor.
10. The MSS Supervisor will ensure that:
  - a. The item(s) are inspected and a NIK test conducted, if necessary.
  - b. If the NIK test comes back positive:
    1. Notify the Internal Affairs Unit (IAU) Lieutenant or designee.
    2. Initiate a "Property and Evidence Chain of Custody Form" ([OP-82](#)) and ["Incident Report Packet"](#).
    3. Notify Imagery Services to take digital photos of all items.
    4. Notify the Orange County Sheriff's Office Complaint Desk at (407) 737-2400 and a Law Enforcement Officer (LEO) will be dispatched to file a report.
      - a. The LEO will take possession of the drugs and complete the applicable form(s).
      - b. A copy of the forms and photograph along with the LEO's business card will

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be attached to the [“Incident Report Packet”](#).

5. File the [“Incident Report Packet”](#) with all pertinent information in the computer and forward a copy to the IAU Lieutenant or designee. The IAU Lieutenant will enter a contact note in the receiving inmate’s Department Inmate Management System (IMS) file.
11. STG Related Correspondence:

MSS staff that detect or suspect security threat group/gang information within incoming mail will immediately notify the MSS Supervisor, who will notify the OSI.
  12. Conditions Under Which Mail May Be Monitored/Censored:
    - a. MSS staff may monitor the contents of incoming mail to detect any attempts at escape, security violations, security threat group/gang information, or conspiracy to introduce contraband.
    - b. If the MSS staff feels the contents of the correspondence meets the criteria of Section V. A. 3., staff may read the correspondence upon approval of the MSS Supervisor.
    - c. The MSS Supervisor will make a written record that will include:
      1. Inmate’s name and jail number,
      2. Name of the sender, if known,
      3. Date they received and read the letter,



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4. Reason for reading the letter, and
  5. Signature of the employee(s) who read the mail.
- d. MSS staff will not censor letters, unless there is evidence that the correspondence contains:
1. Plans for sending contraband in or out of the facility.
  2. Plans for future criminal activity.
  3. Instructions for the manufacture of weapons, drugs, drug paraphernalia, or alcoholic beverages.
  4. Extortion threats.
  5. Plans for escape or unauthorized entry.
  6. Plans for activities violating facility rules.
  7. Information that would create a serious danger of violence and physical harm to a human being.
  8. Other material that would create a serious danger to the security of the facility.
  9. Possible security threat group/gang information or codes.
- e. MSS staff will similarly examine and receipt privileged, certified, or insured mail on the Privileged Mail Receipt (PR-3).



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1. The Inmate Affairs Section (IAS) will maintain original receipts in the inmate's files and
  2. A copy will be maintained in the MSS for a period of one (1) year in accordance with Administrative Order [AM. 400, "Department Records Management"](#)
13. Mail received for an inmate no longer housed in an Orange County Correctional Facility will be processed in accordance with Section V.I.1.

**C. Outgoing Privileged Correspondence:**

1. Staff will treat correspondence **to a specified class** as privileged only if the name and official status of the recipient appears on the envelope.
2. Staff may check outgoing privileged correspondence for contraband, in the presence of the inmate, before it is sealed.
3. Privileged correspondence will not be opened, inspected, or censored in any manner except as stated above.
4. Privileged correspondence will not be held longer than seventy-two (72) hours, pending verification of proper addressing.

**D. Incoming Privileged Correspondence:**

1. MSS staff will treat correspondence **from a specified class** as privileged only if the name and official status of the sender appears on the envelope.
2. MSS staff will initiate and complete a "Privileged Mail Receipt" (PR-3) for privileged correspondence received through the USPS or intra-agency from the Public

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Defender's Office. Records will be maintained in accordance with Administrative Order [AM. 400, "Department Records Management"](#).

3. Privileged correspondence will be opened in the presence of the inmate to whom it is addressed and examined for cash, checks, money orders, or contraband, unless waived in writing, or in circumstances, which may indicate contamination.
  - a. If contraband is found, Section V.B.6-10 will be followed.
  - b. This provision will apply to mail received through the USPS or intra-agency from the Public Defender's Office.
  - c. If privileged correspondence appears to be suspicious, the MSS Supervisor will attempt to contact the attorney or other authorized representative for verification.
    1. If an authorized representative verifies he/she sent the privileged correspondence, a notation will be made on the envelope and in the MSS Privileged Mail Logbook by the MSS Supervisor.
      - a. The notation will include the name of the person who verified that the mail came from his/her office.
      - b. The privileged correspondence will then be opened in the presence of the inmate to whom it is addressed and the inmate will sign the Privileged Mail Receipt (PR-3).



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- c. The IAS will maintain signed Privileged Mail Receipt(s) (PR-3) in the inmate's file.
  2. If the attorney, staff member of the attorney's office, or other authorized representative does not confirm the privileged correspondence was sent from his/her office, the MSS staff will discard the correspondence, unless there is contraband enclosed. Contraband will be handled in accordance with Section V. B. 6-10.
  - d. MSS staff will similarly examine and receipt privileged, certified, and insured Mail on the Privileged Mail Receipt (PR-3). The IAS will maintain original receipts in the inmate's file.
- E. Parcels:
  1. Inmates should instruct family/friends not to send property until the inmate has received written approval.
    - a. MSS staff will return all unapproved parcels to the sender.
    - b. Staff will forward the request to the MSS Supervisor.
    - c. The MSS Supervisor will:
      1. Consider the approval of each request.
      2. Provide the inmate a written response to his/her request.
      3. Notify the IFOS Supervisor of all approved requests.





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2. Incoming parcels must bear the booked name of the inmate, jail number, and the complete housing location.
3. Inmates may receive the following items through the mail:
  - a. One set of clothing suitable for court appearance that will be held in IFOS,
  - b. Prescription lenses,
  - c. Prosthetics, upon clearance by Health Services Division (HSD),
  - d. Dentures, and
  - e. Shoes, if approved by HSD.
4. MSS staff will inspect incoming parcels for contraband in the same manner as above in Section V.B.
5. Incoming parcels containing illegal contraband will follow the same procedures as above in Section V.B. 6-10.
6. The Orange County Corrections Department will not authorize inmates to order merchandise that will be billed later. MSS staff will return all such unauthorized items to the sender.

**F. Publications:**

**Inmates are allowed access to publications under the following guidelines:**

1. The MSS Supervisor will approve publications for inmates only if the publications are sent directly from the publisher or approved vendor such as a retail bookseller.



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2. Inmates will not be allowed to receive any “sexually oriented material” or “pictorial representations of nudity”.
3. If the MSS Supervisor believes a publication is unacceptable he/she will return the publication to the sender.
4. The Correspondence Review Board or designee will disapprove a publication if it is deemed an immediate and tangible threat to the security or order of the facility.
5. The publication will be disapproved if the material:
  - a. Is typical of security threat group/gang (i.e., drawings, signs, symbols, codes, literature, documents, etc.),
  - b. Contains instructions for the manufacturing of explosives, weapons, drugs, drug paraphernalia, alcoholic beverages, escape paraphernalia, or to effect and/or facilitate an escape,
  - c. Advocates violence within the facility,
  - d. Is of a type that has demonstrably caused violence or other serious disruption of facility security or order within the facility or similar facilities,
  - e. Advocates racial, or national hatred in such a way to create a serious danger of violence in the facility, or
  - f. By its nature or content, poses a threat to the security, good order, or discipline of the institution, and/or facilitates criminal activity.
6. The Orange County Corrections Department will not authorize inmates to order publications that the publisher will bill the inmate for later, or receive publications on a trial basis. Inmates must prepay all publications.

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G. Indigent Inmates:

1. Indigent inmates may request and receive postage and writing materials sufficient to send at least two (2) letters of general correspondence every two (2) weeks.
2. The Contracted Vendor will supply indigent inmates with writing materials and first-class postage **to maintain community ties by corresponding** with family/friends.
3. The Contracted Vendor will not furnish funds for certified or insured mail.
4. Inmates mailing privileged or legal correspondence will forward the correspondence to MSS Supervisor who will affix the appropriate postage.
5. Staff will distribute these materials according to the schedule established by each facility.

H. Collection and Distribution:

1. Each facility will collect mail daily according to a regular schedule established by the facility and the MSS Supervisor.
2. Staff will not collect mail on weekends or official Orange County holidays.
3. Only MSS staff will process mail.
4. MSS staff will hold incoming mail only as long as it is necessary for inspection verification or for authorized reading.
5. MSS staff will not hold **incoming or outgoing** mail longer than twenty-four (24) hours and packages longer than forty-eight (48) hours, excluding weekends, holidays, emergency situations, or other days on which the facility receives no



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scheduled delivery, unless the mail is connected with criminal activity.

6. The designated HO will distribute all incoming mail directly to the receiving inmate and make the appropriate notations in the logbook.
7. Inmates will not be involved in the collection, handling, or distribution of mail.

I. Undelivered Mail or Dead Letter Mail:

Mail processed for delivery to an inmate that is returned as undeliverable due to the inmate no longer being incarcerated will be disposed of in the following manner:

1. Returned to the sender or
2. Returned to the USPS if the complete return address is not present.



J. Violation of Correspondence or Postal Regulations or Law:

Any individual who violates these rules or USPS law or regulation will be subject to disciplinary action and/or criminal prosecution.

**APPROVED:**

\_\_\_\_\_  
Chief of Corrections  
Orange County Corrections Department

Issued Date: 04/06/87

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