	ADMINISTRATIVE RULE STATE OF ARKANSAS BOARD OF CORRECTIONS	Section Number: AR 7.22	Page Number: 1
		Board Approval Date: 5/30/02	
		Supersedes: AR 7.22	Dated: 4/29/94
		Reference:	Effective Date: 9/15/02
SUBJECT: RESIDENT CORRESPONDENCE			

I. AUTHORITY. The Board of Corrections is vested with the authority to promulgate this rule by Ark. Code Ann. §§12-27-105, 16-93-1203, and 16-93-1205.

II. APPLICABILITY. To residents, people who correspond with residents, and center staff.

III. POLICY. It shall be the policy of the Department of Community Correction (DCC) to encourage and promote wholesome communications between residents and other persons and organizations. Correspondence with family members, close friends, associates and organizations is essential to the morale of all confined persons. It may form a positive basis for both present and future adjustment in the center and in the community.

IV. DEFINITIONS.


A. Contraband. Any item that is not permitted under the usual rules of the center.

B. Rejection. Material reviewed and denied because officials have a reasonable belief that it presents a danger to center security.

V. GUIDELINES.


A. There are generally three classes of correspondence: privileged, general, and inter-center. When there are legitimate facility interests of order and security, any mail item may be read or rejected.

1. Privileged Correspondence. Incoming and outgoing correspondence with the persons or organizations specified below shall be considered privileged correspondence as long as the designated individuals are acting in their official capacities and correspondence is properly marked as such. Privileged mail will be opened for inspection only in the presence of the resident concerned to inspect for contraband and will not be read or censored, but may be rejected in its entirety if it is found to contain contraband. However, outgoing mail claimed to be privileged may be read following a verified complaint from the person(s) receiving the mail. Also, outgoing and incoming mail claimed to be privileged may be read if there is reason to believe that the designation is being used by the resident to circumvent the correspondence rules of the center. Procedures will provide for notification of a resident when his/her incoming mail has been returned or withheld. There will be no records kept of incoming or outgoing privileged correspondence. Outgoing privileged correspondence shall have the words "Privileged Correspondence" or "Legal Mail" marked on the envelope or it

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will be considered general correspondence. All incoming mail should be in official letterhead envelopes and clearly identified as "Privileged Correspondence." Media mail should be clearly marked "Media Mail."

- a. Offices of Federal, State, and local courts
 - b. Any Federal or State Official
 - c. Any administrator of the Department of Community Correction
 - d. Any member of the Post Prison Transfer Board
 - e. Any member of the Board of Corrections
 - f. Resident's Attorney
 - g. Any member of the media, including print, radio, and television.
 - h. Compliance Attorney
2. General Correspondence. Correspondence, other than privileged or inter-center correspondence, shall be considered general correspondence. Residents are not required to submit a list of the people with whom they wish to correspond, nor is approval required from the DCC prior to corresponding. There will be no limitation placed on the number of letters mailed or received. All general correspondence, both incoming and outgoing, may be opened, and inspected, for contraband. Records may be kept of all incoming and outgoing general correspondence to see that family contact is maintained. Such contact is essential for rehabilitation. Arrangements may be made, in the absence of family contact, for correspondence with a volunteer. The full name under which the resident was committed and the offender number of the resident shall be shown in the upper left-hand corner of the envelope on the outgoing mail. Any violation of the rules and regulations which also constitutes a violation of Federal Postal Laws shall be reported to the Federal Postal authorities or appropriate personnel responsible for the processing and inspection of such mail. Residents in isolation (segregation) for any reasons may send and receive mail as other residents in the general population.
3. Inter-Center Correspondence. Inter-center correspondence is that mail between DCC residents. Inter-center correspondence will be restricted to members of the resident's immediate family. It will be subjected to the usual rules under general correspondence. Inter-center correspondence must have the approval of both the sending and receiving Center Supervisor.

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B. Packages. Residents who are authorized hobby craft cards may order and receive items previously approved by the Center Supervisor or his/her designee. No other packages will be allowed except with the approval of the Center Supervisor and the Deputy Director of Residential Services. Employees responsible for screening mail will be appropriately trained to recognize mail bombs.

C. The DCC reserves the right to inspect, read, open, or stop any mail or hobby craft packages where there is reason to believe a danger to the security of the center exists.

D. The DCC will not accept postage due on mail or hobby craft packages.

E. All letters will be written in the English language unless there is approval by the Center Supervisor to do otherwise.

F. After a resident's release, only his/her first class letters and packages will be forwarded to the address he/she specified. If no forwarding address was provided, it will be returned to the sender.

VI. STANDARDS. American Correctional Association, Performance-Based Standards for Adult Community Residential Services (ACRS), 4-ACRS-6A-06 and 4-ACRS-6A-07.