

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.04.02	<b>Page</b> 1 of 8
	<b>Original Effective Date:</b> 09/10/24	<b>New Effective Date:</b> 09/10/24
	<b>Supersedes:</b> N/A	<b>Dated:</b> 09/10/24
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator – 09/10/24	
	<b>Required Posting or Restricted:</b>	
<input checked="" type="checkbox"/> <b>PIOC</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Introduction of External PIOC Paperwork into the Facility		

**POLICY**

The Division of Adult Institutions shall ensure all external PIOC paperwork introduced into the facility is appropriately processed in accordance with Wisconsin Administrative Code Ch. DOC 309.04.

**REFERENCES**

Wisconsin Administrative Code s. DOC 309.04(3)a-j – Inmate Mail

DAI Policy 306.00.16 - Contraband

DAI Policy 306.16.01 – Use of Body Cameras

DAI Policy 309.04.01 – PIOC Mail

**DEFINITIONS, ACRONYMS, AND FORMS**

BWC – Body Worn Camera

DOC – Department of Corrections

DOC-243 – Notice of Non-Delivery of Mail Publication

DOC-2466 – Incident Report

DOC-2919 – Legal Mail Receipt Tracking

ICE – Institution Complaint Examiner

ICRS – Inmate Complaint Review System

Legal Mail - Correspondence identifiably addressed to or from any of the following verified persons or entities with their official business address: attorney, law office, clerk or judge of any state or federal court, court staff, Tribal Court. This shall also include correspondence to from state and federal elected/appointed officials to include the Governor of Wisconsin, members of the Wisconsin legislature, members of the United States Congress, Attorney General, Secretary of the DOC, DAI Division Administrator, investigative agency of the federal government, Foreign Consular Office and the President of the United States- Send to facility address, use facility for return address.

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PIOC – Persons in Our Care

RH – Restrictive Housing

Vital Documents – Certified copy PIOC birth certificate, signed social security card, driver's license, State ID card.

## **PROCEDURE**

### **I. General Guidelines**

#### **A. Legal mailings**

1. Staff may utilize resources available to them (i.e. internet search of address) to verify the legitimacy of the sender when a legal mailing is received at the facility.
2. Legal mailings shall be opened in the presence of PIOC and shall be treated as confidential.
3. Staff may inspect legal documents for discrepancies, but only to the extent necessary to determine if the documents contain contraband or if the purpose is misrepresented.
4. Staff may read the legal documents if they have reason to believe it is something other than a legal document and the safety and security of the institution is implicated.
5. PIOC may bring an empty file folder or envelope (new or used) to transport their copied legal documents back to their housing unit.
  - a. A manila folder may be given to PIOC if they do not have a file folder or envelope.
  - b. Staff shall label the manila folder with PIOC name and DOC #.
  - c. Facilities may develop a procedure for tracking the issuance of manila folders.
6. Each facility shall develop a procedure for handling the following paperwork received:
  - a. An original document that requires a signature on the original document.
  - b. A document that needs notarization.
  - c. An authentic copy from the court.
  - d. Documents sent from one state agency to DAI staff (i.e. diplomas, school transcripts).
  - e. Vital documents.

#### **B. Non-legal mailings with the exception of books, newspapers and magazines**

1. The front of the envelope and its contents shall be copied; this does not need to occur in the presence of PIOC.
2. Shall be processed in accordance with DAI Policy 309.04.01.
3. Original mailing contents and the envelope shall be retained for 30 days.

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- a. The ICE shall inform the mailroom if there is a complaint/appeal filed regarding the copied mail.
  - b. Contents and envelope shall be shredded unless a complaint/appeal is filed by PIOC through the ICRS.
- C. Staff shall not use any other copy device for this procedure other than the Canon iR ADV DX C259iF. These devices have enhanced security settings and have been configured in a manner disabling the ability to store, print and scan jobs with the internal hard drive or an external storage device.
- D. Disposal of shredded contents
1. Staff shall empty and dispose of the contents of the shredder used in this process.
  2. Shredded legal materials shall be removed from the facility daily to an area inaccessible by PIOC. These materials shall not remain in the facility overnight.
  3. PIOC shall not have access to the shredder, its contents or the copier used in this process.

## **II. Mail Received from Senders Identified in Wis. Administrative Code 309.04(3)a-j.**

- A. Opening and distribution of legal mailings shall be conducted in a designated area within clear camera view utilizing the institution camera system.
1. The camera shall capture the following:
    - a. The presence of staff and PIOC.
    - b. Showing the outside of the envelope to PIOC.
    - c. Opening and photocopying of the mailing.
    - d. Act of providing the copy to PIOC.
    - e. Shredding of the contents and envelope or the resealing of the envelope.
  2. Cameras shall not capture the legible detail of the document content.
  3. BWC shall not be permitted unless this process is conducted cell front in RH if required by DAI Policy 306.16.01. If required, BWC shall be positioned in a manner preventing legible visualization of the document content.
- B. Staff shall:
1. Complete the DOC-2919 electronically prior to opening and distributing the mailings to ensure accuracy and legibility.
  2. Print the DOC-2919.
  3. Verify PIOC identity using PIOC identification card and confirm the mailing is addressed to that specific PIOC.
  4. Explain to PIOC the photocopy and shredding process to ensure they understand the original mailing will be shredded. Example: *If you wish to*

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*receive this mailing (show envelope), we will open it, photocopy the envelope, contents and shred the original documents all in your presence. Do you wish to proceed?*

- a. If no, set unopened mailing aside and complete a DOC-2466.
  - i. The next business day, staff shall make a second attempt at delivering the mailing.
  - ii. If PIOC refuses to accept the mailing after the second attempt, it shall be marked refused and returned to sender. Staff shall:
    - a) Notify a supervisor immediately.
    - b) Complete a DOC-243.
    - c) Submit a DOC-2466 to document the second refusal before the end of shift.
- b. If yes, complete the following:
  - i. Open the legal mailings in the presence of PIOC.
  - ii. Test all self-addressed prepaid envelopes from the courts or attorney using drug detection equipment, if it is readily available.
    - a) If the envelope comes back negative for substances, it shall be given to the PIOC.
    - b) If drug detection equipment is not readily available, a free DOC envelope shall be provided and filled out by the staff member with the original address information.
  - iii. Count the pieces of paper in the mailing out loud to PIOC, verify it against the copier counter and record the number on the DOC-2919.
  - iv. Photocopy the legal mailing ensuring the original documents are complete and legibly copied.
    - a) Ensure double sided original documents are photocopied as such. Double sided documents are counted as one page.
    - b) Colored originals shall be copied in color.
  - v. Present the copies to PIOC in the following manner:
    - a) Allow PIOC to review the copies.
      - i. PIOC shall ensure copies are complete and legible.
      - ii. Ensure the copies contain the correct number of pieces of paper in the original document and as noted on the DOC-2919.
    - b) PIOC may request up to two rescans of the original document if the quality of the copies are a concern or pages are missing.
      - i. Copies missing pages or of poor quality shall be shredded prior to rescanning.
      - ii. If after the second rescan, PIOC are not satisfied with the copy:
        - a) Staff shall notify a security supervisor.
        - b) The original contents shall be placed into the original envelope.

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- c) The original envelope shall be placed inside a new envelope.
      - d) The new envelope shall be sealed in the presence of PIOC.
      - e) Staff shall address the new envelope with the original sender's information and place in outgoing mail.
      - f) Staff shall select the box marked "copies refused" and the originals are resealed for return on the DOC-2919.
      - g) Staff shall submit a DOC-2466 and complete a DOC-243.
    - vi. PIOC may:
      - a) Request to have staff shred the original envelope and contents of the mailing in their presence.
      - b) Provide an envelope to send out the mailing at their expense. If PIOC do not have funds, the original envelope and contents of the mailing shall be shredded in their presence.
      - c) Complete a DOC-184 Disbursement Request for additional postage to mail the contents back to the original sender only. Staff shall seal the envelope in the presence of PIOC at that time.
  - 5. Submit the completed DOC-2919 to the Security Director/designee for filing at the end of each day.
- C. If legal mailings are not processed or PIOC does not receive a copy of the legal mailing, staff shall complete a DOC-243 in accordance with DAI Policy 309.04.01.
- III. Paperwork Received During Intake, While Off-Grounds or During an In-Person Professional Visit**
- A. Copying and distribution shall be conducted in a designated area within clear camera view utilizing the institution camera system.
    - 1. The camera shall capture the following:
      - a. The presence of staff and PIOC.
      - b. The original documents being copied.
      - c. The act of providing the copy to PIOC.
      - d. The shredding the original documents.
    - 2. Cameras shall not capture the legible detail of document content.
    - 3. BWC shall not be permitted unless this process is conducted cell front in RH if required by DAI Policy 306.16.01. If required, BWC shall be positioned in a manner preventing legible visualization of the document content.

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B. Staff shall:

1. Inspect the paperwork in accordance with Section I.A. of this policy.
2. Escort PIOC with the documents to the location where the photocopying shall occur.
3. Verify PIOC identity using the information on the paperwork and the PIOC identification card.
4. Explain to PIOC the photocopy and shredding process to ensure they understand the original mailing will be shredded.
5. If PIOC does not want to proceed with the paperwork being photocopied:
  - a. Staff shall notify a security supervisor.
  - b. Paperwork shall be handled as contraband in accordance with DAI Policy 306.00.16.
  - c. Staff shall submit a DOC-2466.
6. Count the pieces of paper in the mailing out loud to PIOC and verify it against the copier counter.
7. Photocopy the original documents and ensure they are complete and legibly copied.
  - a. Ensure double sided original documents are photocopied as such. Double sided documents are counted as one page
  - b. Colored originals shall be copied in color.
8. Present the copies to PIOC in the following manner:
  - a. Allow PIOC to review the copies to ensure they are complete and legible and contain the same number of pieces of paper as the original document.
  - b. PIOC may request up to two rescans of the original document if the quality of the copies are a concern or pages are missing.
    - i. Copies missing pages or are of poor quality shall be shredded prior to rescanning.
    - ii. If after the second rescan, PIOC are not satisfied with the copy:
      - a) Staff shall notify a Security Supervisor.
      - b) The paperwork shall be handled as contraband in accordance with DAI Policy 306.00.16.
      - c) Staff shall submit a DOC-2466.
9. Shred the original contents in the presence of PIOC.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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<b>Subject:</b>		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS, AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
      - c.
    - 3.
  - C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. PIOC

III. Other

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

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