

I. PURPOSE

To provide guidelines for all inmate correspondence.

II. POLICY

It is the policy of the Fairfax County Sheriff's Office that all inmates, regardless of their confinement status, shall be afforded the same correspondence rights. No correspondence shall be withdrawn for disciplinary reasons. Correspondence may be restricted if (i) an offense is committed that relates directly to the abuse of these rights, (ii) a threat to the security of the institution, or health or well-being of an individual is involved, or (iii) a disruption of the orderly administration of the institution is involved.

III. PROCEDURE

- A. There shall be no limits on the number of letters inmates may receive or send at their own expense.
- B. Mail may include content that is untrue. It may include criticism of staff or ADC procedures. It may be critical of the court or law enforcement. However, as long as such mail contains no items of contraband its delivery shall not be interrupted. The Sheriff's Office assumes no responsibility for the verbal content of inmate mail or any financial arrangements made by the inmate through the mail. There shall be no limit on the length or language of the letters.
- C. Indigent inmates will be provided with a postage allowance not to exceed five (5) letters per week.
- D. No letter shall be delayed without good cause. Any delay in mail or unusual circumstances involving the processing of the mail must be promptly reported to the Commander, Confinement Division along with written documentation. Incoming mail will be distributed within twenty-four (24) hours of receipt. Outgoing mail will not be held for more than twenty-four (24) hours except for weekends and holidays.
- E. One of the two (2) Confinement Branch Chiefs will be responsible for the guidance and direction of staff in providing correspondence rights and procedures within agency guidelines.
 - 1. All inmates are required to put their full name, inmate number and ADC or AIB address as the return address on each piece of outgoing correspondence. The respective Division will stamp all outgoing mail.
 - 2. All incoming correspondence of a general nature will be inspected for contraband, but not normally read or censored. However, the Commander, Confinement Division, Chief, Confinement Branch, and the Chief, of Classification & Records Branch specifically reserve the right to read mail for content in cases where there is reasonable suspicion to believe that an individual inmate is using the mail for the furtherance of illegal activities, or for purposes which directly threaten the safety or security of the institution, public officials, or the general public. Outgoing mail will not be accepted unless it is sealed (except in cases when payments for an inmate's purchase must be inserted by the Commissary/Finance Unit).

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STANDARD OPERATING PROCEDURE**

**SOP NUMBER: 506
SUBJECT: INMATE MAIL**

3. Segregated inmates are subject to the same mail regulations and rights as those assigned to the general population.
 4. Inmates, regardless of status, may retain a reasonable accumulation of mail in their cells. Should the accumulation of mail become a fire hazard or pose a serious threat to hygiene, it will be removed and stored in the inmate's property bin.
 5. Incoming mail will be opened, the contents removed, and the envelope or wrapping as well as the contents inspected for contraband. If any contraband is seized from the mail, the sender will be given the opportunity to appeal and challenge the seizure before the Commander, Confinement Division or designee empowered to reverse the seizure. Unless it is needed for a criminal investigation or prosecution, property, which can legally be possessed outside the facility, shall be handled in accordance with [SOP 528 - Inmate Property](#).
 6. Whenever money or other items classified as contraband are discovered in mail addressed to an inmate, the money or item will be withheld and a receipt issued.
 7. Special cases for exemption from the above requirements will be considered on an individual basis.
 8. Mail for released inmates will be "Returned to Sender." If no return address is listed, the correspondence will be forwarded to the postal service for disposition.
 9. All inmate mail returned to the ADC marked "return to sender", will be placed in the inmate's property. The inmate will be given written notification that any letter(s) has been secured in his/her property bin until his/her release.
 10. Items returned to sender: A notification of mail return will be sent to both the sender and the inmate if an item is not allowed into the ADC.
- F. Correspondence between Incarcerated Persons
1. Unregulated correspondence between inmates may be considered to pose a threat to institutional security. Inmates incarcerated in the Adult Detention Center and the Alternative Incarceration Branch may not correspond with other inmates incarcerated by the Fairfax County Sheriff's Office without prior approval. Approval must be obtained from one of the two (2) Confinement Branch Chiefs or the Chief, Alternative Incarceration Branch, or their respective designees. Generally, permission is only granted for correspondence between incarcerated family members or for good cause.
 2. Approval must be reestablished when an inmate is transferred from one facility to another.
- G. Professional Correspondence
1. Inmates are permitted to send sealed letters to a specified class of 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 system and members of the paroling authority.

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2. Staff in the presence of the inmate, may be allowed to inspect outgoing privileged mail for contraband before it is sealed.
3. 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.
4. Illegal items discovered in inmate mail will be seized. The inmate will be notified of any item that has been seized. The inmate, recipient, or senders are subject to criminal charges for any illegal items(s) discovered in incoming mail.



**STACEY A. KINCAID
SHERIFF**

08/30/01
DATE APPROVED

08/29/18
EFFECTIVE DATE

Revised: March 2004, December 2005, July 2006, February 2009, August 2018