**Section 702.180 Mail Procedures**

a) Introduction

1) Frequent communication with family, relatives, friends, and others concerned with the youth is to be encouraged. It is essential to morale, maintenance of family ties, legal rights, and an eventual healthy reentry into the community.

2) Procedures for receiving and sending mail must protect the youth's personal rights and provide for reasonable security practices consistent with the function of a detention facility.

b) Minimum Standards

1) Scope

A youth shall be allowed to correspond with anyone as long as the correspondence does not violate any state or federal law, except a youth shall not be allowed to correspond with the victims of his current or any previous offense unless they have given their consent in writing.

2) Incoming Mail

Youth shall be permitted to receive an unlimited number of letters.

A) Incoming mail shall not be read, censored or reproduced but shall be opened and examined for contraband or funds.

B) Cashier's checks, money orders, certified checks or cash shall be recorded in the youth's personal property record or trust fund account indicating the sender, amount, and date.

C) Incoming letters containing contraband shall be held for further inspection and disposition by the superintendent.

i) Contraband received shall be handled with care and labeled with the date of receipt, the name and address of the sender, the name of the youth to whom it is addressed, and the date and names of persons handling same.

ii) The appropriate law enforcement agencies shall be notified and the items safeguarded in the event they are to be used as evidence in criminal proceedings or disciplinary action. In the event of a criminal violation, chain-of-custody of evidence shall be maintained.

D) All mail shall be distributed to the youth on the day it is received. A discharged or transferred youth's mail shall be forwarded unopened. If no forwarding address is available, mail shall be returned, unopened, to the sender.

E) A youth shall not be allowed to open, read or deliver another youth's mail.

F) Youth may receive books and periodicals subject to inspection by detention staff members. Packages may be received only if approved by administrative policy and shall be subject to inspection before being delivered to the youth. Youth shall be present when package is opened.

G) The superintendent or his designee shall retain the right to spot check incoming mail when there is reason to believe that security may be impaired or mail procedures are being abused.

3) Outgoing Mail

Each youth shall be permitted to send, at personal expense, an unlimited number of letters.

A) Postage shall be provided to indigent youth for at least three letters per week.

B) Postage supplied to youth shall not be transferable.

C) Appropriate stationery, envelopes, and a writing implement shall be supplied, but youth may use such items as they themselves provide.

D) Youth may not send packages by mail unless granted permission to do so by the superintendent. Youth shall provide the postage cost for mailing a package.

E) A program permitting youth to send special messages or greeting cards for anniversaries, birthdays or special holidays such as Christmas, Easter, and Mother's Day shall be designed and implemented, providing the youth has personal funds to pay the total cost of such communications.

F) Outgoing mail shall be collected Monday through Friday. Every effort shall be made to ensure that outgoing mail is delivered to the U.S. Postal Service on the same day.

G) While outgoing mail shall not normally be read, censored or reproduced, the superintendent or his designee shall retain the right to spot check nonprivileged outgoing mail when it is believed that security may be impaired. Except for privileged mail, youth shall submit outgoing mail in unsealed envelopes.

4) Certified or Registered Mail

Each detention facility shall establish procedures for processing certified or registered mail.

5) Outgoing Privileged Mail

Outgoing letters from youth to persons or organizations listed below are privileged communications and may be sealed by the youth prior to submission for mailing. Such letters shall not be opened by the detention staff before mailing and shall be dispatched promptly.

A) Elected or appointed federal or state officials including any U.S. Senator or Representative; any federal judge or the clerk of any federal court; the Attorney General of the United States; the Director of the Federal Bureau of Prisons; the Governor of the State of Illinois; any Illinois Circuit, Appellate or Supreme Court judge; the Illinois Attorney General; and any member of the Illinois General Assembly.

B) The Director of the Illinois Department of Corrections; the Deputy Director of the Bureau of Inspections and Audits of the Illinois Department of Corrections; and the Chief of the Detention Standards and Services Unit of the Illinois Department of Corrections.

C) Any attorney currently licensed to practice law.

D) All correspondence addressed to legal aid organizations and any other organization whose official declared purpose is to provide legal services for youth. These letters may be addressed either to paraprofessional personnel at the organization or to the organization office.

6) Incoming Privileged Mail

Incoming mail from persons or organizations identified in the preceding standard may be opened only for the purpose of verifying the addressee and the addressor, and to ascertain that nothing other than legal and/or official matter is enclosed. Mail opening must be in the presence of the youth.

7) Disciplinary Denial

Youth shall not be denied mail rights for disciplinary purposes; however, a serious violation of mail regulations may result in close scrutiny of mail.

8) Release, Transfer or Discharge

A released, transferred or discharged youth shall be permitted to take all personal mail.

c) Recommendation

A written record of addressee names on privileged outgoing mail is suggested as a protection against allegations that dispatch rights are being violated.

(Source: Amended at 12 Ill. Reg. 12340, effective October 1, 1988)