**Section 703.170 Mail Procedures**

a) Introduction

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

b) Minimum Standards

1) Scope

A child shall be allowed to correspond with anyone.

2) Incoming Mail

Children 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 in the presence of the addressee. Packages shall also be examined for contraband in the presence of the addressee.

B) Cashier checks, money orders, certified checks or cash shall be recorded in the child's personal property record or trust fund account indicating the sender, the amount, and the date received. Such funds will be given to the child unless he/she wants the funds placed in safekeeping.

C) Incoming letters or packages containing prohibited items i.e., controlled substances, firearms or items easily converted for use as a weapon, shall be held for further inspection and disposition by the superintendent.

i) Prohibited items received shall be handled with care and labeled with the date of receipt, the name and address of the sender, the name of the addressee, 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.

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

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

3) Outgoing Mail

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

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

B) Postage supplied to children shall not be transferable.

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

D) A program permitting children to send special messages or greeting cards for anniversaries and birthdays or during special holidays such as Christmas, Easter, and Mother's Day shall be designed and implemented. Greeting cards and postage shall be provided indigent children on request.

E) Children shall submit outgoing mail in sealed envelopes.

F) Outgoing mail shall not be opened.

4) Certified or Registered Mail

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

5) Privileged Mail, Incoming

A) Incoming privileged mail may be opened only for the purpose of verifying the addressee and the addressor and to ascertain that prohibited items are not enclosed. Mail opening must be in the presence of the youth.

B) Privileged mail is mail received from any of the following:

i) 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.

ii) 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.

iii) Any attorney licensed to practice law.

iv) Legal aid organizations and any other organization whose official declared purpose is to provide legal services for youth.

v) Members of the news media.

6) Disciplinary Denial

Children shall not be denied mail rights for disciplinary purposes.

7) Release

On release, a child shall be permitted to take all personal mail.

(Source: Amended at 12 Ill. Reg. 12405, effective October 1, 1988)