

**COUNTY OF MONROE
OFFICE OF THE SHERIFF
ROCHESTER, NEW YORK**

GENERAL ORDER JAIL BUREAU	DATE OF ISSUE September 29, 2025	EFFECTIVE DATE September 29, 2025	NO. 010-25
SUBJECT: GENERAL ORDER Printed Materials, Publications and Correspondence		DISTRIBUTION Jail Bureau Personnel	AMENDS
REFERENCE: 9 NYCRR 7004			RESCINDS 010-23

Purpose: To institute and maintain procedures within the Monroe County Jail (MCJ) and Andrew P. Meloni Star Academy (MSA) that enable incarcerated individuals (II's) to receive printed material and publications generally available to the public and that guarantee and protect the right of incarcerated individuals to correspond through the United States mail, without compromising the safety, security or good order of MCJ or MSA.

Policy: The Monroe County Sheriff's Office (MCSO) will maintain procedures for incarcerated individual receipt and release of printed material and publications which will comply with State and Federal law while accommodating the security needs of both MCJ and MSA. In addition, the MCSO will implement a system of incarcerated individual mail delivery and retrieval. Printed materials and publications shall conform to **Part 7026** and mail delivery and retrieval shall conform to **Part 7004** of **Title 9** of the **Official Compilation of Codes, Rules and Regulations of the State of New York (9NYCRR Part 7026 and 7004)**.

Definitions: **Legal Privileged Correspondence:** Shall mean correspondence to or from attorneys and/or individuals under the direct supervision of attorneys, legal assistance agencies, and individuals under the direct supervision of legal assistance agencies and courts.

General Privileged Correspondence: Shall mean correspondence to and from the New York State Commission of Correction (NYSCOC) and other correctional officials, local, state, and federal law enforcement agencies, and the media.

Censor: Shall mean the exclusion of any printed material and/or publication or a portion thereof.

Contraband: Contraband is defined as any item or article that is not authorized by the Sheriff's Office or prohibited by law including, but not limited to, weapons or illegal drugs, or items that have been altered from their original condition.

I. Acceptable/Unacceptable Printed Material, Newspapers, Publications, and Photographs

A. Incarcerated individuals may receive printed material, newspapers, publications, and photographs which are generally available to the public, and which do not constitute a threat to the safety, security or good order of the MCJ or MSA in accordance with **9NYCRR Part 7026**.

* B. Incarcerated Individuals are entitled to correspond with any person and there shall be no restriction upon incoming or outgoing prisoner correspondence based upon:

1. The amount of correspondence sent or received.

2. The language in which the correspondence is written.
- * C. If an incarcerated individual is unable to read or write, he may receive assistance with their correspondence from other persons designated by the Chief Administrative Officer (CAO), including but not limited to facility employees and other incarcerated individuals at times not unduly disruptive of the facility routine.
- D. All incoming printed material, newspapers, publications, and photographs will be received only through the mail. Printed material, newspapers, and publications will only be mailed from an authorized publisher or bookstore (local retailers, third party vendors and used books are prohibited). Printed material, newspapers and publications must be soft cover and brand new, cannot be sent anonymously, and must be addressed to and include the incarcerated individual's ID#. The contents of all packages will be inspected for contraband, and will be forwarded to the incarcerated individual after being inventoried and logged by MCJ and MSA 1st platoon staff or Incarcerated Individual Property.

II. Review and Censorship

- A. Printed material and/or publications intended for incarcerated individuals may be read and reviewed for suitability in the correctional setting. Such material may be censored only when it is determined that the item constitutes a threat to the safety, security or good order of MCJ or MSA.
- * B. Should the CAO, upon reading any incoming prisoner correspondence determine that such correspondence or any portion thereof constitutes a threat to the safety, security or good order of the facility or other correctional facilities, he shall return the correspondence to the sender together with a written statement setting forth the specific facts and reasons underlying the determination within five (5) business days. A copy of this written statement shall be forwarded to the intended prisoner recipient.
- * C. Publications, correspondence or other printed material may not be censored solely based on the following in accordance with **9NYCRR Part 7026.2**:
 1. It criticizes a correctional facility, its staff or the correctional system.
 2. It espouses unpopular ideas, including ideas that facility staff deem not conducive to rehabilitation or correctional treatment.
 3. It contains ideas supporting ethnic or racial militancy.
- D. Printed material and/or publication(s) received through the mail at MCJ or MSA which based on their content, require the Superintendent's review for suitability in a correctional setting will require receiving staff to adhere to the following procedure
 1. A **JB-068 Printed Material or Publication Review or Censorship Record** along with the material; will be forwarded to the Superintendent for review and disposition.
 - * 2. The Superintendent will review the material and make a determination regarding its suitability within the correctional setting. Determinations relative to this directive must be completed within seven days (7) of receipt of the material at the facility. Periodicals must be reviewed and approved or censored within 48 hours after the receipt of the printed material or publication at the facility.

3. Should the Superintendent determine to censor a printed material or publication or part thereof, a written statement containing the specific facts and reasons underlying such determination will be forwarded to both the sender (if a return address is available) and the designated incarcerated individual.
4. Incarcerated individuals consenting to a deletion of censored portion(s) of printed material or publication(s) will receive the remaining material upon deletion of the censored material. IIs who do not consent to such censorship will cause the entire printed material or publication to be returned to sender (if a return address is available), or be placed into the incarcerated individual's property. The incarcerated individual will then receive the item(s) upon release from custody.
5. Incarcerated individuals affected by the Superintendent's determination to censor printed materials or publication(s) may appeal their decision to the New York State Commission of Correction in accordance with **JBGO-046 Incarcerated Individual Grievance Program**.

III. Contraband

A. Contraband Constituting a Criminal Offense

- * When contraband is received at MCJ or MSA through printed material, newspapers, publications, or correspondence, which constitutes a criminal offense the duty sergeant/shift supervisor will be notified immediately. The Superintendent shall be notified through the chain of command and receive the printed material, newspapers, publications, or correspondence in accordance with **9NYCCR, Part 7004**. The Superintendent will make a determination and forward the correspondence to the intended prisoner recipient or request that the Criminal Investigation Section (CIS) review the material and the circumstances surrounding its receipt for possible criminal prosecution. When such correspondence may interfere with a pending criminal investigation the contraband will be preserved as evidence through the Property Management Office (PMO) accompanied by all appropriate documentation.

B. Contraband Not Constituting a Criminal Offense

- * 1. When contraband is found in incoming printed material, newspapers, publications, or correspondence not constituting a criminal offense, it shall be returned to the sender or retained with the II's secured property for return upon the II's release.
- * 2. A variety of postage paid envelopes are available through the Commissary. Incarcerated individuals will be permitted to release excessive publications through the Incarcerated Individual Property Storage Area.

- * C. Contraband that presents a threat to facility sanitation or health may, upon order of the Superintendent, be destroyed.

- * D. The Superintendent shall give written notice to the intended II of any determination made pursuant to this section. This written notice shall include:

1. The name and address of the sender;
2. The nature of the contraband;
3. A statement of the specific facts and reasons underlying the determination.

IV. Intake, Return and Delivery Procedures

- A. Jail Administration will coordinate the pick-up and delivery of MCJ correspondence and printed materials from criminal records. All incoming correspondence will be delivered to the MCJ Central Control room for processing. MCJ 1st and MSA 1st platoon mail staff will search the incoming printed material, newspapers, publications, photographs, and correspondence for contraband and acceptability, both physically and visually at each respective facility. Upon completing the search and logging contents into the JMS mail log, staff shall forward all acceptable material directly to the incarcerated individuals housing area unless any of the following provisions prohibit the delivery directly to the incarcerated individuals housing area:

Printed materials, newspapers or publications that are not from a bookstore, publisher, or book club and are received through the mail with a return address, or not shipped by a publisher will be returned to sender, stamped "RETURN TO SENDER", with a note stating, "**The Monroe County Sheriff's Office does not accept printed material, newspapers, or publications not sent from a bookstore, publisher, or book club.**" If there is no return address then the printed material, newspapers, or publications will be sent to the Incarcerated Individual Property Storage Area at MCJ or at MSA, and placed in the incarcerated individual's property. Staff will list and describe the material on an Incarcerated Individual Property Clothing Accountability Invoice in accordance with **JBGO-018 Incarcerated Individual Property Storage Area.**

- B. Any item returned to sender or forwarded to the Incarcerated Individual Property Storage Area will be stamped with "RETURN TO SENDER", and a **JB-129 Notification of Item Returned to Sender Form** will be forwarded to the incarcerated individual.
- C. If at the time of receipt, staff at MCJ or MSA, determine the printed material, newspapers, or publications to be a threat to the safety, security or good order of the facility all items will be forwarded to the Superintendent for review and disposition utilizing form **JB-068 Printed Material or Publications Review or Censorship Record.**

V. Outgoing Incarcerated Individual Correspondence

- A. Stationary and postage shall be available for purchase by incarcerated individuals through the jail/correctional facility commissary.
- B. The jail/correctional facility will make available to indigent incarcerated individuals, at facility's expense, stationary and postage for at least two one-ounce pieces of correspondence each week.
- C. Outgoing incarcerated individual correspondence will be collected from incarcerated individual on a daily basis at approximately 2300hrs. The first platoon duty sergeant will ensure that all incarcerated individual correspondence is sorted and forwarded to a designated outside mail area for further processing.
- D. Outgoing prisoner correspondence shall bear at least the sender's name and institutional street address in the upper left hand corner of the envelope. In addition, staff will ensure that envelopes are not defaced in any way and bear only a sending and return address.
- * E. Outgoing non-privileged correspondence shall not be opened or read except when the Superintendent determines there is a reasonable suspicion to believe that the contents of the correspondence endanger or threaten the safety or security of the facility, or the safety and security or health of another person (refer to section VIII.)

VI. Incoming Incarcerated Individual Correspondence

- A. Incoming incarcerated individual correspondence is delivered to MCJ and MSA, Monday through Saturday, excluding Federal holidays, by the United States Postal Service.
- B. Incoming incarcerated individual correspondence shall be date-stamped on the business day it is received and a notation placed in IJ5 under the incarcerated individual's history, event type "mail log" indicating the amount and type of correspondence received. The types of correspondence will include; "Legal Privileged Correspondence", "General Correspondence", "General Privileged Correspondence", "Magazines" or "Newspapers".
- * C. Incoming correspondence other than privileged correspondence will be opened and inspected for contraband outside the presence of the intended recipient. Such correspondence may be opened and inspected solely to ensure the absence of contraband. Incoming II correspondence that is found to contain contraband shall be forwarded to the Superintendent for disposition. Photocopies of all general correspondences, to include the envelope, are made and delivered to the incarcerated individual. Correspondence that are photos, colorings, greeting/birthday/holiday cards etc. need to be photocopied and scanned in color. All original correspondences are placed in the incarcerated individual's property with the Incarcerated Individual Property Storage Area.
- D. Correspondence received for persons out of custody must never be opened. Out of custody correspondence will be processed in accordance with established procedures of the USPS. Staff will use a black marker to cross off the incoming address and code lines at the bottom of the envelope or package. The correspondence must then be stamped "RETURN TO SENDER". Correspondence that cannot be "returned to sender" will be returned to the USPS.
- * E. Incoming non-legal incarcerated individual correspondence will not be read except pursuant to a written order from the Superintendent (refer to section VIII).
- F. After verifying and recording incarcerated individual correspondence and inspecting non-privileged correspondence for contraband, the designated staff member at MCJ and MSA will deliver all incarcerated individual mail directly to the designated housing area.
- * G. Housing area staff will distribute correspondence directly to the intended incarcerated individual recipient. This will be done at MCJ and MSA by 1st Platoon staff prior to conducting the 0700hr headcount. All legal mail will be distributed by 2nd Platoon staff prior to 0930 hours unless exigent circumstances exist. This is to ensure the mail will be opened in the presence of the receiving incarcerated individual. A log note will be placed in IJ5 under "Mail Passed Out", specifying which incarcerated individuals received mail, the amount, legal, magazine, newspapers etc. Correspondence delivered to the II may be retained by the II in their housing unit.
- H. All Law Library materials will be distributed and logged by 1st Platoon staff.

VII. Incoming and Outgoing Privileged Correspondence

- * A. Incoming "general" privileged and "legal" privileged correspondence shall not be opened and inspected for contraband except in the presence of the incarcerated individual recipient. Security staff will deliver the original privileged correspondence to the intended incarcerated individual. Staff will open and inspect the privileged correspondence in front of the recipient. Security staff will photocopy the privileged correspondence to include the envelope in the presence of the recipient and provide the copies to the incarcerated individual, which may be retained by the II in their housing unit. Security staff will secure the original privileged

correspondences in a clear property bag and seal the bag in the incarcerated individual's presence. The original privileged correspondence will be placed in the incarcerated individual Property Storage Area.

- * B. Outgoing "general" and "legal" privileged correspondence shall not be opened and inspected for contraband except when the Superintendent determines there is reasonable suspicion to believe that the contents of such privileged correspondence threaten the safety or security of the facility, or the safety of another person, and an administrative order has been issued by the Superintendent directing that all outgoing ~~and incoming~~ correspondence for a specified II be opened and read (refer to section VIII).
- C. Incoming "general" correspondence, which contains identification cards, social security cards, or any other documents needed by an II for purposes of work release, educational classes etc., will be forwarded to the Incarcerated Individual Property Storage Area. The property staff will verify through the rehabilitation staff that the II needs to possess the documents.

* **VIII. Mail Monitoring and Administrative Orders**

- * A. Nothing contained in 9NYCRR 7004 shall be deemed to prevent the Superintendent from establishing a list of correspondents whom prisoners shall be prohibited from corresponding with.
- * B. Incoming non-privileged Correspondence
 - * 1. Incoming incarcerated individual correspondence will not be read except pursuant to a written order from the Superintendent. Such order shall state the specific facts and reasons why such action is necessary to maintain the safety, security, or good order of the facility, or health of another person. Copies of any written orders will be forwarded by the Superintendent to:
 - a. The intended incarcerated individual recipient.
 - b. The sender of the correspondence.
 - * 2. A written record of any read incarcerated individual correspondence shall be maintained in the incarcerated individual's file in Jail Administration and include:
 - a. The name of the sender.
 - b. The name of the intended incarcerated individual recipient.
 - c. The date the correspondence was read.
 - d. The name of the reader.
 - * 3. All incoming non-privileged correspondence subject to an administrative order will be forwarded unopened to Jail Administration. A designee of Jail Administration will process the non-privileged correspondence and notify the sender in accordance with the Minimum Standard. Written records of non-privileged correspondence read will be maintained in the II's file in Jail Administration and include:
 - a. Name of the intended incarcerated individual recipient.

- b. Name of the sender.
- c. Date the mail was read.
- d. Name of the reader.
- e. After processing incoming non-privileged correspondence and inspecting for contraband the designated Jail Administrative member will ensure the delivery of correspondence to the intended incarcerated individual within five business days after the receipt of the correspondence.
- f. If the contents of the incoming correspondence raise security concerns a report will be generated to the Superintendent with a copy of the correspondence and the original secured in the Property Management Office.

* C. Outgoing non-privileged Correspondence

- 1. Outgoing non-privileged correspondence shall not be opened or read except when the Superintendent determines there is a reasonable suspicion to believe that the contents of the correspondence endanger or threaten the safety or security of the facility, or the safety and security or health of another person. When such determination is made, the Superintendent shall issue a written order which will state the specific facts and reasons why such action is necessary to maintain the safety and security of the facility or the safety and security of another person. An incarcerated individual will be notified in writing and be present when their outgoing non-privileged correspondence is opened or read in accordance with **9NYCRR Part 7004.2**.

Note: The Superintendent may delay notifying the II regarding the specific facts and reasons when such notification would endanger the safety, security, and good order of the facility. As soon as the danger no longer exists, the Superintendent shall immediately notify the II.

- 2. All outgoing non privileged correspondence subject to an administrative order will be processed by a designated 3rd platoon supervisor. Daily, the designated supervisor will ask the incarcerated individual if they have any outgoing non-privileged correspondence. The supervisor will read the correspondence in the presence of the incarcerated individual. If the contents of the outgoing correspondence raise security concerns, a report will be generated to the Superintendent with a copy of the correspondence, with the original secured in the Property Management Office. Floor activity log notes shall be entered documenting compliance with the written order and the results of each interview.

* D. Incoming and Outgoing General and Legal Correspondence

- 1. Outgoing "general" and "legal" privileged correspondence shall not be opened and inspected for contraband except in the presence of the incarcerated individual.
- 2. When the Superintendent determines there is reasonable suspicion to believe that the contents of such privileged correspondence threaten the safety or security of the facility, or the safety of another person, and an administrative order has been issued by the Superintendent directing that all outgoing and incoming correspondence for a specified II be opened and read.

The following procedures will be followed:

- a. The incarcerated individual will be served with the written order by security staff unless otherwise directed by the Superintendent.
 - b. The incarcerated individual will be ordered to have all outgoing correspondence unsealed prior to staff inspection.
 - c. Appropriate log notes will be entered in both the Floor Activity Log and the Facility Floor Notes documenting service and execution of the administrative order and instructions to the II.
 - d. Staff will use the "Mail Restriction Order" note type for all log entries associated with this procedure.
3. Incoming or outgoing prisoner "legal" privileged correspondence shall not be read except pursuant to lawful search warrant. Such warrant shall be obtained within 24 hours of the facilities receipt of such correspondence and will be enforced immediately upon its issuance. An incarcerated individual will be present when their privileged correspondence is read.
 4. Incoming and outgoing "general" privileged correspondence will not be read except where the Superintendent determines there is a reasonable suspicion to believe that the contents of such "general" privileged correspondence endanger or threaten the safety or security of the facility or the safety and security of another person. Should the Superintendent make such a determination, the Superintendent shall issue a written order, which shall state the specific facts and reasons why such action is necessary to maintain the safety and security of the facility or the safety and security of another person. The incarcerated individual recipient will be present when the II's incoming and outgoing "general" privileged correspondence is read.

IX. Packages

- A. Consistent with **9NYCRR Part 7025** incarcerated individuals shall be permitted to receive and send packages. Any items which an incarcerated individual sends from the facility shall be packaged in the presence of the incarcerated individual and under the supervision of facility staff. The costs incurred in sending any outgoing incarcerated individual packages shall be borne by the incarcerated individual. Incarcerated Individuals wishing to send a package out may submit a request on an Internal Communication Form to the Incarcerated Individual Property Room. Packages received through the mail at MCJ will be line scanned for contraband and secured in the Incarcerated Individual Property Storage Area until they can be processed by Incarcerated Individual Property staff as follows:
 1. If the addressee is in custody at MCJ, Incarcerated Individual Property Storage Area staff will open and inspect the contents of each package for contraband and complete a **JBGO-118 Property/Clothing Accountability Invoice**, listing all items in the package. The Property Staff will forward all allowable property to the incarcerated individual, with the completed invoice in accordance with current procedures.
 2. If the addressee is in custody at MSA, mail staff will initiate a Property/Clothing Accountability Invoice, forward and secure the unopened package, with the invoice attached to the MSA Incarcerated Individual Property Storage Area.

- B. Packages received at MSA will be line scanned for contraband and secured in Jail Administration until they can be processed by 1st platoon staff in accordance with Section VIII. A. 1.
- C. The Incarcerated Individual Property Storage Area staff will maintain on file, form **JB-118 Incarcerated Individual Property Receiving List**, and record delivery of property to incarcerated individual housing areas. Property not permitted within security will be listed on the **Property/Clothing Accountability Invoice** and placed in the incarcerated individual's property.
- D. Religious articles received through the mail are subject to approval and will be handled in accordance with **JBGO-051 Religious Services and Activities**.
- E. Packages received by Fed Ex, USPS or UPS will follow the same procedures as above. If the incarcerated individual is not in custody a **JB-128 Incarcerated Individual Package Return Form** will be completed and will accompany the package that is to be returned to the sender. Incarcerated Individual Property Staff will be responsible for tracking all Fed Ex, USPS and UPS tracking numbers. A copy of the Incarcerated Individual Package Form will be kept in Incarcerated Individual Property for their records.

X. Legal Tender Received in the Mail

The following forms of legal tender received in the mail are acceptable and shall be processed in accordance with **JBGO-039 Commissary Accounts Maintenance**: US currency, U.S Postal Money orders, Western Union Money Drafts, and checks from other county/state correctional Institutions or government agencies.

Unacceptable money orders, foreign currency, paychecks, and personal checks that are received in the mail shall be forwarded to the Superintendent for disposition.

XI. Photographs Received through the Mail

The following procedures will be observed for processing and distributing photographs received through the mail for incarcerated individuals in custody at the MCJ and MSA. The designated mail staff will record the letter/photographs received next to each incarcerated individual's name in IJ5 utilized for processing correspondence. The staff member will then forward all acceptable photographs to the incarcerated individual's housing area. If a photograph is not acceptable the procedure outlined in Section I. Acceptable and Unacceptable printed material, newspaper, publications and photographs will be adhered to. Any questions regarding admissibility of photographs will be referred to the duty sergeant/shift supervisor for clarification.

By Order of the Sheriff,



Todd K. Baxter

* Indicates a change from the original or any previously updated versions of this General Order.