

The Handling and Security of Inmate Correspondence at the Sacramento County Main Jail

Issue

Is inmate correspondence being handled in a secured manner in accordance with the policies established by the staff of the Sacramento County Main Jail?

Reason for the Investigation

The Sacramento County Grand Jury received a complaint alleging mailboxes located in the housing units or “jail pods” were unsecured, thus allowing others to have access to mail deposited in the mail receptacles. It was further alleged that on repeated occasions, mail was delayed, lost or not delivered. The Grand Jury believed it important to determine if inmates’ mail was being adequately handled and secured.

Method of Investigation

The following reports and documents were reviewed:

- Main Jail Inmate Handbook
- Sheriff’s Department Operations Order for Inmate Correspondence (Revised 09/02)
- Sheriff’s Department Operations Order for Grievances (Revised 09/01)
- Sacramento County Main Jail – Inmate Information
- Random sample of approximately 200 inmate grievances

The following individuals were interviewed:

- Assistant Commander, Main Jail Division
- Administrative Sergeant – Training Manager – Main Jail Division
- Project Manager in charge of maintenance and Main Jail facilities
- Officer in charge of mail inspection and distribution
- An inmate trustee

In addition, the Sacramento County Main Jail was visited on three separate occasions.

Background and Facts

The Grand Jury opened an investigation to determine whether a systemic problem existed regarding the processing and security of inmate mail at the Main Jail. Was outgoing inmate correspondence, in fact, accessible to other inmates to be read, rifled, and perhaps destroyed by other inmates before being processed by the Jail staff?

The Sheriff's Department Operations Order for Inmate Correspondence has clear guidelines for the handling of incoming and outgoing mail. It states, "...each housing pod...shall be equipped with a mail drop box. All inmates shall deliver their outgoing correspondence into the provided mailbox in their respective housing location." Jail representatives stated having no prior knowledge of inmate complaints or grievances regarding mail security, after inmate mail was placed in the mail receptacles.

In the Main Jail, a secured mail drop is a receptacle that has a cover with a slot to deposit mail. The cover has a lock, the key to which is the responsibility of the floor officer. Outgoing mail collection takes place in the late evening and the delivery of inmate mail occurs in the early morning directly to the inmate's cell.

On a visit to the Main Jail, the Grand Jury observed an inmate trustee placing a paper bag (to collect inmates' mail) in the receptacle of an unsecured mail drop—a condition which the inmate indicated had existed for at least six months. Other similar circumstances were also observed--some pods had secure mail drops, covered and locked; others did not.

In another visit, members of the Grand Jury went to the Jail at 11 p.m. to view the mail inspection/sorting/delivery process. Envelopes were inspected to determine the contents. Letters with no return address were returned to the U.S. Post Office. Letters containing gang information, pornography or other inappropriate content were returned to the sender. It appeared that every effort was made to find an inmate, even when the address was not completely correct. The Grand Jury found the handling of the mail by the distribution officer to be efficient and professional.

In an effort to investigate other allegations of delayed, missing or lost mail, the Grand Jury reviewed 200 inmate grievances. Six of those grievances related to mail handling, including issues involving the misaddressing of both outgoing and incoming mail, non-receipt of magazines, mishandling of legal mail, and delays in receiving mail. Officers who responded to the grievances often instructed the inmates to reread the inmate handbook for the rules relating to correspondence.

It should be reported that the Jail staff who worked with the Grand Jury in this investigation was helpful, courteous and receptive to Grand Jury comments.

Findings and Recommendations

Finding 1. The staff of the Main Jail was negligent in allowing inmate mail drops to remain unsecured and at risk of being accessed by other inmates. The Grand Jury was advised that a total of 16 mail drops needed to be made secure.

Recommendation 1. Unsecured mail drops should be repaired promptly as promised by the Main Jail authorities.

Finding 2. Jail floor officers did not notify maintenance personnel of defective slots so repairs could be made in a timely manner.

Recommendation 2. Main Jail staff should develop a procedure to ensure that mail-related deficiencies as noted in this report are promptly reported and repaired.

Finding 3. Jail staff, in responding to inmate complaints of mail not received or delayed mail delivery, instructed inmates to review the rules regarding correspondence in the Inmate Handbook.

Recommendation 3. Main Jail staff should post next to the mailbox in each pod a sample envelope addressed per the rules in the Inmate Handbook.

Response Requirements

Penal Code sections 933 and 933.05 require that specific responses to both the findings and recommendations contained in this report be submitted to the Presiding Judge of the Sacramento Superior Court by September 30, 2005, from:

- **Sheriff, Sacramento County, Findings 1 – 3, Recommendations 1 - 3.**