



## TRANSMITTAL MEMO

**TO:** TJJJ Staff  
**FROM:** Office of the General Counsel, Policy and Standards Section  
**SUBJECT:** GAP Transmittal  
**DATE:** June 27, 2019

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Please be advised that changes have been made to the General Administrative Policy (GAP) Manual. These changes will go into effect on **July 1, 2019**.

### SUMMARY OF CHANGES

#### [GAP.380.9315 Youth Mail](#)

##### **READING YOUTH MAIL**

- Added that incoming and outgoing general correspondence may be read outside the youth's presence.
- Clarified that legal and special correspondence is not read *unless it contains contraband and will be used as evidence*.
- Clarified that only general and special correspondence (but not legal correspondence) may be read if it is abandoned following a youth's unauthorized departure.

##### **INSPECTION FOR CONTRABAND**

- Added that incoming general correspondence is inspected for contraband outside the youth's presence (rather than in the youth's presence).
- Added that all outgoing mail (rather than just general correspondence) is inspected (rather than may be inspected) for contraband prior to sealing.
- Added that outgoing legal and special correspondence is inspected for contraband *in the youth's presence*.

##### **WITHHOLDING OR CENSORING MAIL**

- Added that mail may be withheld or otherwise censored if it:
  - contains contraband;
  - refers to past criminal acts that have not been adjudicated or dismissed;
  - refers to ongoing or future criminal acts;
  - presents a direct threat to the safety or security of the facility or the youth;
  - is sent to or received from a person who is listed in the policy as being prohibited from corresponding with youth; or
  - is received from a person who has been issued a notice of stopped mail for reasons described in the policy.
- Added that mail containing contraband or references to criminal acts will be seized. If the mail will be used as evidence, chain-of-custody procedures are started. If the mail will not be used as evidence, the contraband is removed and the mail is delivered, unless another provision of this policy limits or prohibits delivering the mail.
- Added that, for mail presenting a direct threat to the safety or security of the facility or youth, censorship of the mail may include, but is not limited to, withholding delivery.

##### **PROHIBITED CORRESPONDENCE**

- Made the following changes to the list of individuals a youth is prohibited from corresponding with:
  - added anyone the youth is prohibited from contacting due to a court order; and

- deleted a family member who is also under TJJD jurisdiction who sent or received correspondence that involved facilitating, planning, or engaging in a law or rule violation.
- Clarified that incoming mail sent by anyone on the prohibited correspondence list will be returned to the sender or the post office *unless another provision of this policy limits or prohibits returning the mail*.
- Added that outgoing mail sent to anyone on the prohibited correspondence list will be returned to the youth unless another provision of this policy limits or prohibits returning the mail.

#### **STOPPED MAIL NOTICES**

- Added that a notice of stopped mail may be issued if a person sends mail to a TJJD youth that presents a direct threat to the safety or security of the facility or the youth.
- Added that, when TJJD issues a notice of stopped mail, the youth must be provided a copy of the notice.
- Added that, when the time period specified in a notice of stopped mail expires, the sender may resume corresponding with the youth (rather than first having to submit a request to resume correspondence).

#### **DEFINITIONS**

- Removed members of advocacy and support groups from the definition of special correspondence.
- Added staff at embassies or consulates to the definition of special correspondence.
- Created a definition for legal correspondence and clarified that it includes mail to/from legal organizations (in addition to attorneys and courts).
- Specified that the executive director or designee (rather than the chief local administrator) may determine that an individual not listed in the definition should be considered a family member for mail purposes.

#### **GENERAL**

- Clarified that the return address on outgoing mail must contain the youth's name and TJJD number, the agency's name, and the name and address of the youth's current facility.
- Added that written notice will be provided to the youth and to the sender when mail is *withheld* (in addition to when mail is returned), and a grievance may be filed concerning the withheld mail.
- Removed the deadlines for delivering mail. Added a statement that prohibits delaying the delivery of mail any longer than is necessary to accomplish the purposes of this policy.