

WAC 137-48-050 Procedures for restrictions of incoming and/or outgoing mail.

(1) If an individual's outgoing mail is restricted, written notification will be provided to the individual by the mailroom staff. This notification shall contain the specific reason for this action. The notice shall contain notification to the individual that the restriction becomes final within ten days of the initial notice. The superintendent or his/her designee shall review the restriction within the ten-day period of time and shall either uphold the restriction, or allow for the delivery of the mail. If upheld, the staff designated by the secretary shall then review the restriction and make a final determination.

(2) If an individual's incoming mail is restricted, written notification will be provided to the individual and sender by the mailroom staff. This notification shall contain the specific reason for this action. The individual and sender shall be advised in writing of his/her right to seek review of the decision to restrict his/her mail. The review shall be sought by writing directly to the superintendent/designee within ten calendar days of the initial restriction decision for the individual, and within twenty calendar days for the sender.

(3) Upon receipt of an individual's and/or sender's appeal, the superintendent or his/her designee shall affirm or reverse the action taken at the institution and shall send a notice of the decision in writing within ten working days from the receipt of the individual's or sender's written request.

(4) The individual and the sender may seek a review of the superintendent's/designee's decision by writing to the superintendent/designee with their intent to appeal to the staff designated by the secretary within ten calendar days of the decision for individuals, and within twenty calendar days for the sender.

(5) Upon receipt of the individual's or sender's appeal, the staff designated by the secretary will affirm or reverse the action taken at the facility and will advise the individual or sender in writing of this action within ten calendar days from the receipt of the individual's or sender's written request.

(6) Incarcerated individuals are financially responsible for disposing of their own unauthorized personal property by shipping it to a nonincarcerated person designated by the individual at the individual's expense. The sender should not send stamps or money to the facility or headquarters for this purpose.

(7) When a decision is rendered regarding a particular issue of a publication, that decision shall be binding for all prison facilities. A statewide notification shall be promptly issued from the final reviewer when the decision is rendered.

(8) If a package contains contraband and is subject to criminal prosecution, the entire package will be turned over to the appropriate law enforcement agency. Items of contraband not subject to criminal prosecution will be disposed of in accordance with procedures set forth in departmental and facility regulations as authorized by chapter 137-36 WAC.

[WSR 20-15-159, § 137-48-050, filed 7/22/20, effective 8/22/20. WSR 05-13-004, § 137-48-050, filed 6/2/05, effective 7/2/05. WSR 91-23-103, § 137-48-050, filed 11/20/91, effective 1/1/92. Statutory Authority: RCW 72.08.380, 72.09.050 and 72.12.140. WSR 83-20-036 (Order 83-09), § 137-48-050, filed 9/27/83. Formerly WAC 275-96-070.]

Reviser's note: Under RCW 34.05.030 (1)(c), as amended by section 103, chapter 288, Laws of 1988, the above section was not adopted under the Administrative Procedure Act, chapter 34.05 RCW, but was pub-

lished in the Washington State Register and codified into the Washington Administrative Code exactly as shown by the agency filing with history notes added by the code reviser's office.