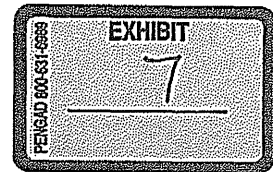


EXHIBIT 36

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF



**OREGON DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING**  
**DPSST COURSE ATTENDANCE ROSTER** F-6  
 (Please Refer to Instructions for Completion, Available at [www.dpsst.state.or.us](http://www.dpsst.state.or.us))

Only Course Title and Course Number from Standardized Course List Will Be Accepted— Refer to DPSST Website

1. Course Title: Mail Policy Training	2. Course Number: 12-0756
3. Start Date: 02/01/2012	4. Ending Date: 02/01/2012
5. Total Course Hours: 1	
6. Course Description/Topics: Mail policy update training for the staff	
7. Subject Area: (Check subject area as identified on Standardized Course List)	
<input type="checkbox"/> Firearms/ Use of Force <input type="checkbox"/> First Aid Expiration Date: _____ <input type="checkbox"/> Leadership <input type="checkbox"/> CPR Expiration Date: _____ <input checked="" type="checkbox"/> Other	
8. Sponsoring Agency or Entity and Address: Columbia County Sheriff's Office 901 Port Ave. St. Helens Or 97051	
9. Location of Training, City: St. Helens	10. Location of Training, County: Columbia
11. Instructor Name, Address, Phone Number and Email Address: Undersheriff Andy Moyer 901 Port Ave. St. Helens OR 97051 503.366.4630 andy.moyer@co.columbia.or.us	

12. Attendee Information (only those with DPSST numbers identified will receive DPSST training credit):

	DPSST #	Attendee Name** (Last, First)	Did you Instruct ? ✓ here	Agency/Department Hours	Attended
1	49829	Lautt, Arnold		Columbia County Sheriff's Office	1
2	30771	Cutright, Bryan	X	Columbia County Sheriff's Office	1
3	31831	Rigdon, R		Columbia County Sheriff's Office	1
4	26754	Westfall, Sheryl		Columbia County Sheriff's Office	1
5	40293	Miller, Raquel		Columbia County Sheriff's Office	1
6	38847	McMiller, John		Columbia County Sheriff's Office	1
7	50583	Weaver, Tony		Columbia County Sheriff's Office	1
8	26793	Hibbs, Derek		Columbia County Sheriff's Office	1
9	51226	Yon, Brandon		Columbia County Sheriff's Office	1
10	50584	Kernutt, Jonathan		Columbia County Sheriff's Office	1
11	38689	Watkins, Mitchell		Columbia County Sheriff's Office	1
12	35661	Moore, Sean		Columbia County Sheriff's Office	1
13	51619	Johnson, Ivan		Columbia County Sheriff's Office	1
14	40677	Scholl, Ryan		Columbia County Sheriff's Office	1

13. Lead Instructor/Agency Head/Training Officer or Designee: As an authorized instructor, agency head, training officer, or designee, I have reviewed this roster for completeness and accuracy. I understand that falsification of information on this document is subject to penalty under ORS 162.055, et al. and ORS 162.305 and is cause to deny or revoke public safety certification.

Signature: [Signature] Printed Name: Sgl. Bryan L. Cutright Sr. 30771  
 Address: (If same as Sponsoring Agency in 8 above, may indicate "same as above" or "see above")

Date: 02/04/2012 Day Phone: 503.366.4638

\*\*By submitting his/her name for inclusion on this roster, the identified participant(s) understand that falsification of information on this document is subject to penalty under ORS 162.055, et al. and ORS 162.305 and is cause to deny or revoke certification.

Failure to complete ALL fields WILL result in officers not receiving credit on their DPSST Training Records or roster being returned to agency.

Return to: DPSST, Attn: Training Records, 4190 Aumsville Hwy. SE, Salem OR 97317  
 Fax: 503-378-4600 Phone: 503-373-0389

Basic Class &

DPSST Use Only: Advanced/Regional Basic/Academy Other Date Entered/By:

Revised 01-14-09

EXHIBIT 5 Discard all previous versions

PAGE 1 OF 2

CC 000080

**OREGON DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING**  
**DPSST COURSE ATTENDANCE ROSTER -Continuation page-**

F-6

<b>14. Course Title:</b> Mail Policy Training	<b>15. Course Number:</b> 12-0756
<b>16. Sponsoring Agency or Entity:</b> Columbia County Sheriff's Office 501 Port Ave. St. Helens Or 97051	<b>17. Course Date(s):</b> 02/01/2012

**18. Attendee Information continued (only those with DPSST numbers identified will receive DPSST training credit):**

	DPSST #	Attendee Name (Last, First)**	Did you instruct ? ✓ here	Agency/Department	Hours Attended
15	34755	Ritchie, Michelle		Columbia County Sheriff's Office	1
16	31899	Moyer, Andrew	X	Columbia County Sheriff's Office	1
17	51621	Townsend, Carolyn		Columbia County Sheriff's Office	1
18	42769	Rush, Marcia		Columbia County Sheriff's Office	1
19	42436	McDowall, Brooke		Columbia County Sheriff's Office	1
20	46980	Frazier, Sophie		Columbia County Sheriff's Office	1
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					
32					
33					
34					
35					
36					
37					
38					
39					
40					

**19. Lead Instructor/Agency Head/Training Officer or Designee:** As an authorized instructor, agency head, training officer, or designee, I have reviewed this roster for completeness and accuracy. I understand that falsification of information on this document is subject to penalty under ORS 162.055, et al, and ORS 162.305 and is cause to deny or revoke public safety certification.

Signature: [Signature] Printed Name: Sgt. Bryan L. Cultright Sr 30771  
 Address: (If same as Sponsoring Agency in 8 above, may indicate "same as above" or "see above")

Date: 02/04/2012 Day Phone: 503.366.4638

**\*\*By submitting his/her name for inclusion on this roster, the identified participant(s) understand that falsification of information on this document is subject to penalty under ORS 162.055, et al, and ORS 162.305 and is cause to deny or revoke certification.**

**Failure to complete ALL fields WILL result in officers not receiving credit on their DPSST Training Records or roster being returned to agency.**

Return to: DPSST, Attn: Training Records, 4190 Aumsville Hwy. SE, Salem OR 97317  
 Fax: 503-378-4800 Phone: 503-373-0389

Basic Class &  
 #

DPSST Use Only:	Advanced/Regional	Basic/Academy	Other	Date Entered/By:
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EXHIBIT 6PAGE 2 OF 2

CC 000081

EXHIBIT 37

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF



EXHIBIT 38

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

---

From: "Sophie "  
Date: Saturday, January 07, 2012 3:50 PM  
To: "Corrections Staff"  
Subject: Pass Down Dayshift 010712  
USM: 82  
ICE: 0  
Total Population: 146

Butts given a shower and his smock was washed and given back. He wasn't listening on his way back to Safety cell and tried to go into H6. Deputy Yon stopped him.

Booking shower overflowed into the main booking area-work ordered put in

Inmate work schedule redone--took guys off floor since there was a special project. If you know something I dont and they need to work still on floors let me know. Ill change it tomorrow

Phone cards were sold and billed

Money Balanced

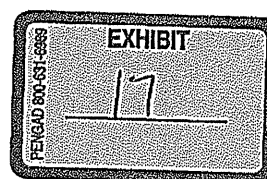
Thometz write up??? She has not been served.

Baier is worked up again---upset he got a mail violation due to receiving a letter in an envelope.

Cooper and Lavelle moved to AL6-toilet problems

Cooper and Simmons made phone calls for medications

B-Pod will need the chance to use the cleaning supplies that have not had time out yet.



CC\_001328

5/7/2012

**OREGON DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING**  
**DPSST COURSE ATTENDANCE ROSTER**  
 (Please Refer to Instructions for Completion, Available at [www.dpsst.state.or.us](http://www.dpsst.state.or.us))

F-6

Only Course Title and Course Number from Standardized Course List Will Be Accepted— Refer to DPSST Website

1. Course Title: Corrections Training-Other		2. Course Number: 11-0769	
3. Start Date: 07/03/2012		4. Ending Date: 07/03/2012	
		5. Total Course Hours: 2	
6. Course Description/Topics: Mail Policy, J603-R10			
7. Subject Area: (Check subject area as identified on Standardized Course List)			
<input type="checkbox"/> Firearms/ Use of Force		<input type="checkbox"/> First Aid Expiration Date: _____	
<input type="checkbox"/> Leadership		<input type="checkbox"/> CPR Expiration Date: _____	
<input checked="" type="checkbox"/> Other			
8. Sponsoring Agency or Entity and Address: Columbia County Sheriff's Office, 901 Port Avenue, St. Helens, Oregon 97051			
9. Location of Training, City: St. Helens		10. Location of Training, County: Columbia	
11. Instructor Name, DPSST #, Address, Phone Number and Email Address: McDowall, Brooke J., Weaver, Tony, 901 Port Avenue, St. Helens, Oregon 97051, brooke.mcdowall@co.columbia.or.us			

12. Attendee Information (only those with DPSST numbers identified will receive DPSST training credit):

	DPSST #	Attendee Name*** (Last, First)	Did you Instruct ? ✓ here	Agency	Hours Attended (% hr minimum)
1	42436	McDowall, brooke	X	CCSO	2
2	50583	Weaver, Tony	X	CCSO	2
3	49242	Feakin, Mike		CCSO	2
4	46980	Frazier, Sophie		CCSO	2
5	51621	Townsend, Carolyn		CCSO	2
6	51619	Johnson, Ivan		CCSO	2
7	50584	Kernutt, Jon		CCSO	2
8	37085	Kyles, Marti		CCSO	2
9	49829	Lautt, Arnie		CCSO	2
10	34755	Ritchie, Michelle		CCSO	2
11	42769	Rush, Marcia		CCSO	2
12	40677	Scholl, Ryan		CCSO	2
13	38689	Watkins, Mitch		CCSO	2
14	51226	Yon, Brandon		CCSO	2

13. Lead Instructor/Agency Head/Training Officer or Designee: As an authorized instructor, agency head, training officer, or designee, I have reviewed this roster for completeness and accuracy. I understand that falsification of this document makes my certification(s) subject to denial or revocation under ORS 181.662 and OAR 259-008-0070.

Signature: <u>[Signature]</u>	Printed Name: <u>McDowall, Brooke</u>
Address: (If same as Sponsoring Agency in 8 above, may indicate "same as above" or "see above")	
Date: <u>8/8/12</u>	Day Phone: <u>366-4645</u>

\*\*\* By submitting his/her name for inclusion on this roster, the identified participant(s) understand that falsification of this document makes their certification(s) subject to denial or revocation under ORS 181.662 and OAR 259-008-0070.\*\*\*

Failure to complete ALL fields WILL result in officers not receiving credit on their DPSST Training Records or roster being returned to agency.

Return to: DPSST, Attn: Training Records, 4190 Aumsville Hwy. SE, Salem OR 97317

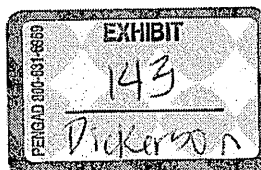
Fax: 503-378-4600 Phone: 503-373-0389

Basic Class &  
 Advanced Class &  
 Other Class &

DPSST Use Only: \_\_\_\_\_ Date Entered By: \_\_\_\_\_

Revised 9-9-11

Discard all previous versions



CC001928

**OREGON DEPARTMENT OF PUBLIC SAFETY STANDARDS AND TRAINING**  
**DPSST COURSE ATTENDANCE ROSTER**  
 (Please Refer to Instructions for Completion, Available at [www.dpsst.state.or.us](http://www.dpsst.state.or.us))

F-6

Only Course Title and Course Number from Standardized Course List Will Be Accepted— Refer to DPSST Website

1. Course Title: Corrections Training-Other		2. Course Number: 11-0769	
3. Start Date: 08/08/2012		4. Ending Date: 08/08/2012	
		5. Total Course Hours: 2	
6. Course Description/Topics: Mail Policy, J603-R10			
7. Subject Area: (Check subject area as identified on Standardized Course List)			
<input type="checkbox"/> Firearms/ Use of Force		<input type="checkbox"/> First Aid Expiration Date: _____	
<input type="checkbox"/> Leadership		<input type="checkbox"/> CPR Expiration Date: _____	
<input checked="" type="checkbox"/> Other			
8. Sponsoring Agency or Entity and Address: Columbia County Sheriff's Office, 901 Port Avenue, St. Helens, Oregon 97051			
9. Location of Training, City: St. Helens		10. Location of Training, County: Columbia	
11. Instructor Name, DPSST #, Address, Phone Number and Email Address: McDowall, Brooke J, 42436, 901 Port Avenue, St. Helens, Oregon 97051, brooke.mcdowall@co.columbia.or.us			

12. Attendee Information (only those with DPSST numbers identified will receive DPSST training credit):

	DPSST #	Attendee Name*** (Last, First)	Did you Instruct ? ✓ here	Agency	Hours Attended (¼ hr minimum)
1	35661	Moore, Sean		CCSO	2
2	31831	Rigdon, Ralph		CCSO	2
3	26754	Westfall, Sheryl		CCSO	2
4	42436	McDowall, Brooke	X	CCSO	2
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					

13. Lead Instructor/Agency Head/Training Officer or Designee: As an authorized instructor, agency head, training officer, or designee, I have reviewed this roster for completeness and accuracy. I understand that falsification of this document makes my certification(s) subject to denial or revocation under ORS 181.662 and OAR 259-008-0070.

Signature: <u>[Signature]</u>	Printed Name: <u>McDowall, Brooke</u>
Address: (If same as Sponsoring Agency in 8 above, may indicate "same as above" or "see above")	
Date: <u>8/8/12</u>	Day Phone: _____

\*\*\*By submitting his/her name for inclusion on this roster, the identified participant(s) understand that falsification of this document makes their certification(s) subject to denial or revocation under ORS 181.662 and OAR 259-008-0070.\*\*\*

Failure to complete ALL fields WILL result in officers not receiving credit on their DPSST Training Records or roster being returned to agency.

Return to: DPSST, Attn: Training Records, 4190 Aumsville Hwy. SE, Salem OR 97317  
 Fax: 503-378-4600 Phone: 503-373-0389



DPSST State Only / Advanced / Regional / Basic / Academy / Other Date Entered / By: \_\_\_\_\_

Revised 9-9-11

Discard all previous versions

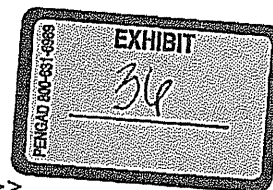
CC001929

EXHIBIT 39

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

From: "Bryan "  
 Date: Monday, January 23, 2012 4:40 PM  
 To: <cutrightb@vzw.blackberry.net>  
 Subject: Fwd: Mail policy issues



>>> Marie Tyler <Marie\_Tyler@CO.WASHINGTON.OR.US> 01/23/12 16:39 >>>

Hello everyone,

I learned today from Cptn Ron in Yamhill that Columbia Co was being sued by Prison Legal News. I asked Elmer Dickens to see if he could find out the issues, and with permission of Columbia County's attorney, via Elmer, I am sending this out to everyone. Based on Elmer's input, we are once again reviewing our policy as well to make sure we have our bases covered. His email message follows, emphases in bold are mine:

Yes, Columbia County has been contacted by Prison Legal News, and they have been sued in US District Court. They have not been formally served, but expect to soon. They have not paid any money out at this point.

PLN is suing because the jail was not allowing in magazines like Prison Legal News, and because of the postcard policy. It appears that Prison Legal News has been reviewing jail policies on the web, and they are targeting those that don't seem up to snuff.

Every jail should review their mail policy - if you are not allowing bulk or junk mail in (either solicited or unsolicited) - you might want to get it fixed. The 9th Circuit ruled that prohibition doesn't pass the Turner test in 2005 (Prison Legal News v. Lehman.) In short, if you are prohibiting Prison Legal News, or Crime Justice and America, you may get sued over it.

If you are prohibiting other publications - for example Hustler magazine - you should do so on an issue by issue basis - the courts have said that a blanket prohibition "we will not let any Hustler magazine in" is not ok. Each issue should be reviewed to determine whether it is objectionable.

Finally, if you refuse to allow a specific issue in - because it is inflammatory, contains sexually explicit content, or whatever, you need to notify the inmate and the sender, and provide an opportunity for an informal appeal.

elmer

Hope everyone is well. Marie

CC\_001334

5/7/2012

Page 2 of 2

K Marie Tyler  
Commander  
Washington County Jail  
(503) 846-6366  
[marie\\_tyler@co.washington.or.us](mailto:marie_tyler@co.washington.or.us)  
Graduate FBINA #219

CC\_001335

5/7/2012



---

**From:** "Marie Tyler" <Marie\_Tyler@CO.WASHINGTON.OR.US>  
**Date:** Monday, January 23, 2012 4:39 PM  
**To:** "Association, Oregon Jail Managers" <OJMA@LISTSERV.CO.MARION.OR.US>  
**Subject:** Mail policy issues  
Hello everyone,

I learned today from Cptn Ron in Yamhill that Columbia Co was being sued by Prison Legal News. I asked Elmer Dickens to see if he could find out the issues, and with permission of Columbia County's attorney, via Elmer, I am sending this out to everyone. Based on Elmer's input, we are once again reviewing our policy as well to make sure we have our bases covered. His email message follows, emphases in bold are mine:

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PLN is suing because the jail was not allowing in magazines like Prison Legal News, and because of the postcard policy. It appears that Prison Legal News has been reviewing jail policies on the web, and they are targeting those that don't seem up to snuff.

Every jail should review their mail policy - if you are not allowing bulk or junk mail in (either solicited or unsolicited) - you might want to get it fixed. The 9th Circuit ruled that prohibition doesn't pass the Turner test in 2005 (Prison Legal News v. Lehman.) In short, if you are prohibiting Prison Legal News, or Crime Justice and America, you may get sued over it.

If you are prohibiting other publications - for example Hustler magazine - you should do so on an issue by issue basis - the courts have said that a blanket prohibition "we will not let any Hustler magazine in" is not ok. Each issue should be reviewed to determine whether it is objectionable.

Finally, if you refuse to allow a specific issue in - because it is inflammatory, contains sexually explicit content, or whatever, you need to notify the inmate and the sender, and provide an opportunity for an informal appeal.

elmer

Hope everyone is well. Marie

K Marie Tyler  
Commander  
Washington County Jail

CC\_001332

5/7/2012

Page 2 of 2

(503) 846-6366  
[marie\\_tyler@co.washington.or.us](mailto:marie_tyler@co.washington.or.us)  
Graduate FBINA #219

CC\_001333

5/7/2012

EXHIBIT 40

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Page 1 of 1

From: "Bryan "  
Date: Monday, February 06, 2012 1:33 PM  
To: <cutrightb@vzw.blackberry.net>  
Subject: Fwd: Prison Legal News



>>> Tony Lewis <Tony.Lewis@CO.JEFFERSON.OR.US> 02/06/12 13:33 >>>

Good afternoon Everyone,

I saw the e-mail regarding Columbia County being sued over the Prison Legal News. I had not seen this publication previously. Four copies arrived today. It appears that they selected four inmates at random and sent them a copy of the publication along with subscription materials. Are any facilities allowing this publication into their facility? If not - what criteria are you using to deny it?

Any advice that can be offered would be appreciated. Thanks in advance.

Tony Lewis, Captain

Jefferson County Sheriff's Office

CC\_001341

5/7/2012

EXHIBIT 41

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Gregory Roberson

---

From: Marti Kyles [Marti.Kyles@co.columbia.or.us]  
Sent: Friday, February 17, 2012 11:18 PM  
Subject: Reminder of Mail Policy  
Attachments: McNutt 021712.doc

Good morning all,

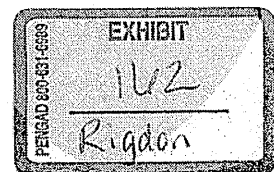
Please when processing incoming mail, remember to peel off postage stamps not cut them off. If any sticky labels are on the post card ie address labels and or recipient labels, peel them off, be sure to document the return address.

On the prohibited mail paperwork, there is an area on the upper left to write in the senders address, please make sure to fill that in. Be sure to give the Inmate and the sender a copy of the slip, and place an additional prohibited mail slip in the file.

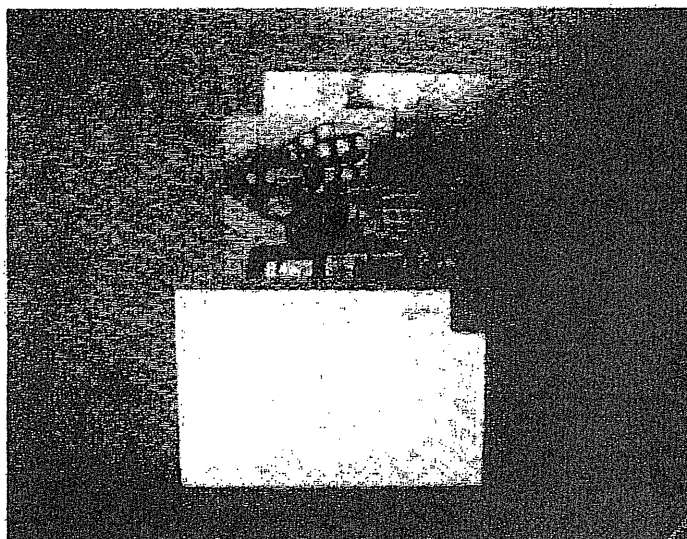
Examples of what not to do with the incoming mail, please see attached.

Thank you for your attention in this matter,  
Kylesm 37085

1



CC002115



CC002116



6/20/2012 5:11 PM

**Gregory Roberson**

---

**From:** Andy Moyer [Andy.Moyer@co.columbia.or.us]  
**Sent:** Tuesday, June 19, 2012 12:55 PM  
**To:** Gregory Roberson  
**Subject:** Fwd: Please critique Mail Policy reminder  
**Attachments:** McNutt 021712.doc

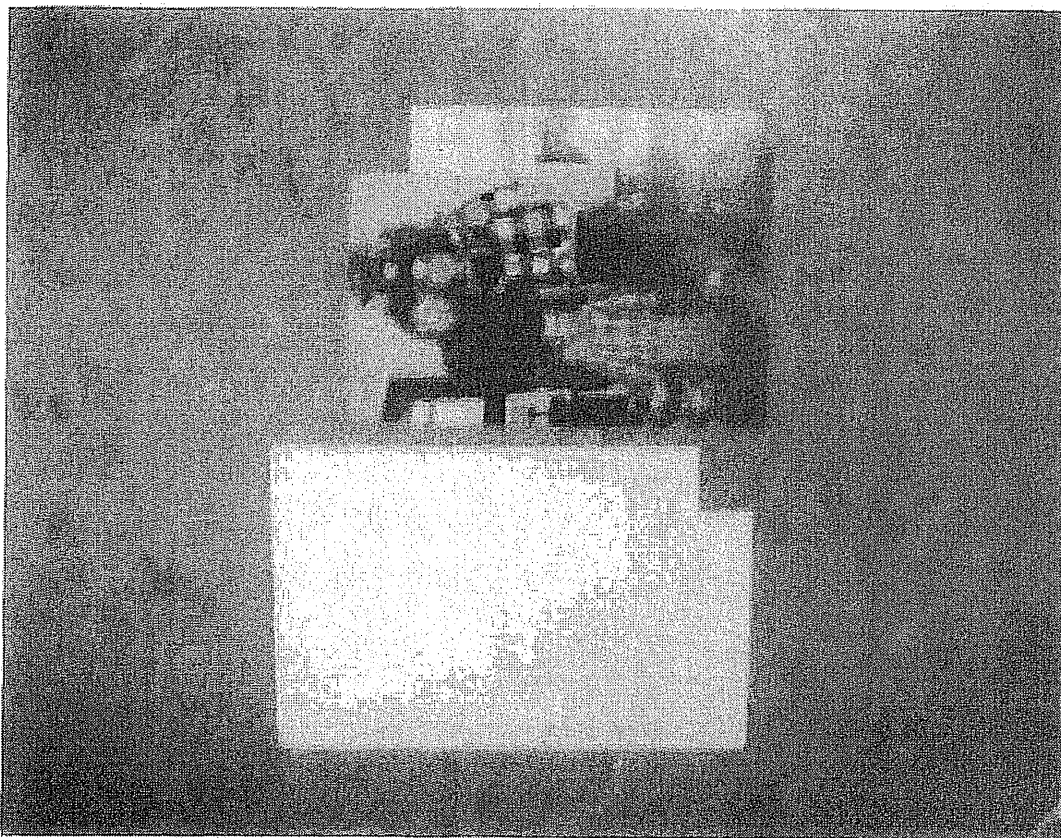
Andy Moyer, Undersheriff  
Columbia County Sheriff's Office  
901 Port Avenue  
St. Helens, OR 97051  
Office (503) 366-4600  
Fax (503) 366-4644  
Dispatch (503) 397-1521

>>> Marti Kyles 2/17/2012 3:35 PM >>>  
Good morning all,

Please when processing incoming mail, remember to peel off postage stamps not cut them off. If any sticky labels are on the post card ie address labels and or recipient labels, that is reason for prohibited mail. On the prohibited mail paperwork, there is an area on the upper left to write in the senders address, please make sure to fill that in. Be sure to give the Inmate and the sender a copy of the slip, and place one in the file.

Examples of mail, please see attached.

Thank you for your attention in this matter,  
Kylesm 37085



CC002261

EXHIBIT 42

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

FW: model jail mail policy

Page 1 of 1

**From:** Marie Tyler <Marie\_Tyler@CO.WASHINGTON.OR.US>  
**Sent:** Tuesday, March 13, 2012 1:04 PM  
**To:** Association, Oregon Jail Managers <OJMA@LISTSERV.CO.MARION.OR.US>  
**Subject:** FW: model jail mail policy  
**Attach:** model policy mail.doc

---

Good Tuesday to you all - Elmer asked I send out this policy and a heads up reference PLN seeking an injunction on postcards only policy.

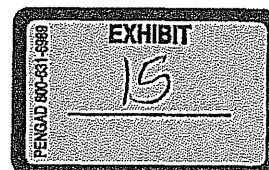
More news as it breaks - right now, I plan no changes.

---

**From:** Elmer Dickens  
**Sent:** Tuesday, March 13, 2012 12:59 PM  
**To:** Marie Tyler  
**Subject:** model jail mail policy

Marie,

Can you forward this to the jail list serve? You may also want to share that PLN is aggressively pursuing an injunction against the postcard only policy in the Columbia County case. If the court were to grant that injunction, jails would probably want to dump the postcard only policy until there is a decision from the 9th Circuit settling the issue. PLN obviously sees this as a statewide issue - if they prevail in getting an injunction - they can pretty much make the rest of us get in line as well. Keeping our fingers crossed. elmer



CC\_001360

## **Inmate Communication**

### **INMATE MAIL**

#### **POLICY**

Jail mail handling procedures must support the inmate's need to communicate in writing to carry out legal business and maintain family and community ties. The procedures must also meet the jail's need for efficient operations that preserve the good order, safety and security of the facility, inmates, and staff.

#### **DEFINITIONS**

**Contraband.** 1) Controlled substances as defined in ORS 475.005. 2) Drug paraphernalia as defined by ORS 475.525. 3) Any currency possessed by or under the control of an inmate confined in a correctional facility, except for an authorized amount for an inmate at the Community Corrections Center. 4) Any item that a person in a correctional facility is prohibited by statute, rule, or order from obtaining or possessing. 5) An unauthorized item in an inmate's possession or in a cell, bunk, or common area. 6) An authorized item altered in any way. 7) More than the authorized number of an item.

**Indigent.** A financial condition when an inmate has less than \$5 in his or her inmate account for a period of at least seven days.

**Inflammatory material.** Writings or other printed materials that pose a threat to the security, safety, or good order of the jail because it may incite or advocate physical violence against others. This includes material that advocates that any group is inferior based on national origin, race, ethnicity, color, religion, age, gender, marital status or status as a state registered domestic partner, sexual orientation, status as a Vietnam Era Veteran, Wartime Veteran, or Disabled Veteran, or the presence of a physical, mental, or sensory impairment and makes such group the object of ridicule and scorn, and may reasonably be thought to precipitate a violent confrontation between the recipient and a member(s) of the target group. (*Note: Criticism of jail operations, programs, or staff, on its own, is not inflammatory material. If the criticism involves an illegal act or violates a jail rule, staff will handle it in accordance with jail rules.*)

**Legal mail.** Correspondence to or from courts and court staff, attorneys, a public defender, prosecuting attorney, American Civil Liberties Union, and Disability Rights Oregon. Legal mail must be clearly marked as "Legal Mail."

**Mail handler.** A staff member who picks up, transports, sorts, delivers, inspects, reads, or performs other duties related to processing inmate mail.

**Negotiable instrument.** A written document that represents an unconditional promise to pay a specified amount of money upon the demand of its owner. Examples include checks and promissory notes. Negotiable instruments can be transferred from one person to another, as when a person writes "pay to the order of" on the back of a check in order to turn it over to someone else.

CC\_001361



**Official mail.** Incoming or outgoing mail addressed to or from the sheriff, jail command staff, county administrator, probation authorities, district attorney, state attorney general, Governor, court, a court official, and other confining authorities that is clearly marked "official mail" on the address side of the envelope.

**Personal business mail.** Transactions of personal concern that an inmate may be allowed to send or receive as mail to conduct personal business. Examples include renewing a driver's license, signing a power of attorney, adding a signatory to a bank account, using a return envelope to return signed documents, signing a check over to a third party in order to pay rent or a car payment.

**Personal mail.** Postcards mailed to or from family, acquaintances or friends. .

**Sexually explicit.** The term sexually explicit refers to any pictorial representation that is intended for sexual gratification and shows male or female genitalia, full frontal nudity, or depicts any of the following sexual behaviors:

- 1) One or more of the participants appears to be:
  - a. Non-consenting,
  - b. A minor depicted in a sexually suggestive way,
  - c. Acting in a forceful, threatening, or violent manner,
  - d. Dominating one or more of the other participants,
  - e. In a submissive role, or
  - f. Degraded or humiliated, or appears to willingly engage in behavior that is degrading or humiliating.
- 2) Bodily excretory behavior that appears to be sexual in nature;
- 3) Bestiality, sadomasochistic behavior, and/or bondage; or
- 4) Sexual acts including, but not limited to, intercourse/penetration, sodomy, fellatio, cunnilingus, analingus, or masturbation. (Note: Whether the material is commercially produced or is personally made or written has no bearing on this definition.)

**Two-party check.** A check that the payee endorses so that another person may cash it.

## PROCEDURES

### INMATE MAIL OVERVIEW

#### 1. Mail Limits and Restrictions

Staff will normally not limit, censor, or restrict the volume, language, content, or source of mail or publications, except as necessary to maintain safety, security, good order and discipline, or for other legitimate penological reasons. Mail may also be limited if the amounts of mail place an unreasonable burden on mail handlers, pursuant to a court order, or the inmate has a disciplinary sanction that restricts personal mail.

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**2. Sources of Incoming Mail**

Jail staff will only accept written correspondence, notes, parcels, or documents for inmates that have been delivered by the U.S. Postal Service.

**3. Postcards for Personal Mail (OPTIONAL FOR JAILS WITH POSTCARD-ONLY POLICY)**

Inmates may send postcards they receive in their lodging pack or through jail commissary. Inmates may receive postcards in any size delivered by the U.S. Postal Service up to a maximum size of 5-1/2" tall x 8-1/2" wide. The jail does not permit any other form of personal mail for inmates. Inmates are not limited to a specific number of postcards they may receive or send. Lodged inmates receive an initial supply of postcards in their lodging pack, and may purchase additional postcards through jail commissary. Policy J-7-6, Discipline, sets limits on the number of personal mail items allowed in an inmate's cell. Provisions for legal and official mail begin at paragraph 10, below.

**4. Exception to Postcards for Inmates (OPTIONAL FOR JAILS WITH POSTCARD-ONLY POLICY)**

The Programs Manager may allow an inmate who is continuously involved in rehabilitation programs permission to send letters to a specific person. The Program Manager must document that corresponding with the person is in the best interest of an inmate's rehabilitation. A suitable example might include a letter sent to reconnect with family prior to release. The jail commander must approve any exceptions.

**5. Photographs or Photocopies on Postcards (OPTIONAL FOR JAILS WITH POSTCARD-ONLY POLICY)**

Inmates may receive postcards with photographs on one side as allowed by the U.S. Postal Service and jail rules. No other photographs are allowed. Senders who wish to share articles, news clippings or other information may photocopy the information onto one or more postcards.

**6. Indigent Inmate Mail**

Indigent inmates may use their weekly indigent allowance to purchase an indigent writing pack through jail commissary. The pack will consist of two postage prepaid postcards, a pencil, and an eraser. Indigent inmates must submit an Inmate Request form to obtain legal or official mail supplies; the legal or official mail will not count as part of the inmate's weekly allowance.

**7. Postage-Due Mail**

The jail will not accept or pay for any inmate mail with postage due.

**8. Personal Business Mail**

A jail sergeant or the programs director may approve mail that needs special handling so an inmate can conduct personal business. For example, the use of a business reply envelope to send a document back to the originating firm or signing a mailed-in personal check to make a rent or car payment or renew a driver's license. Such a check must not have a blank payee line.



The inmate must act to add a cosigner to a checking account or make other arrangements to prevent reoccurrence of this need. Supporting documents, such as payment coupons or rent contracts, must accompany any personal business mail. Inmates may not request the post office to forward their personal mail to the jail, and they may not run a personal business, commercial business or non-profit organization from jail.

## LEGAL AND OFFICIAL MAIL

### 9. Legal and Official Mail

Jail staff must protect the rights of inmates to privileged, confidential communication with their attorneys, the courts, and confining authorities.

- a. The sender is responsible for legitimately, properly, and clearly marking and addressing legal and official mail so that jail staff recognize it and treat it as confidential.
  - (1) The return address on all incoming legal and official mail must have the sender's job, agency, or firm title and address either commercially preprinted on the envelope or a label, or as an ink stamp. The sender's name should be handwritten if not preprinted. Staff will treat all mail with return addresses that are completely handwritten as personal mail.
  - (2) The words "Legal Mail," "Official Mail," or similar designation must appear on the address side of the envelope. Jail staff will not assume the contents of any letter from an attorney, law firm, or government official is legal or official mail if it is not clearly marked as such.
  - (3) Jail staff will treat mail that is not marked as "Legal Mail" or "Official Mail" as personal mail.
- b. Staff must not open recognized legal or official mail outside the presence of the inmate. They may open it in the presence of the inmate to inspect it for contraband, but they must not read its contents.
- c. A staff member must write a Jail Incident Report if he or she inadvertently opens a piece of recognizable legal or official mail outside the presence of the inmate.
- d. Before the letter leaves the pod, pod deputies must verify that any letter marked as legal or official mail is addressed to a person that qualifies as legal or official mail. Pod deputies will contact a shift sergeant if they suspect fraud.
- e. Jail staff will pursue administrative, criminal, and disciplinary actions, as fitting, against all those involved in the fraudulent use of legal or official mail designations.

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**10. Contents of Envelopes and Parcels (Legal and Official Mail Only)**

An envelope may only contain written correspondence that meets the definition of legal or official mail. A parcel may only contain up to three books or three periodicals. Mail handlers will consider any other item in the envelope or parcel as contraband and treat it as prohibited mail.

**11. Pre-Stamped Envelopes**

Jail staff will make pre-stamped First Class business size or manila envelopes available for inmates to buy from the commissary for legal or official mail. Indigent inmates may obtain pre-stamped envelopes for legal or official mail per paragraph 6. Misrepresentation of legal or official mail is strictly prohibited and may result in disciplinary action against the inmate sender. An inmate may ask to mail an oversize or overweight envelope using special postal services procedures listed below.

**12. Requests for Certified Mail**

An inmate who needs to send a letter using certified mail must fill out a Request for Certified Mail form. Only a pod sergeant or a programs director can approve this request and only to send legal or official mail or materials related to an inmate's rehabilitation program that have been screened and approved by the programs director. The pod sergeant or programs director will ensure that the inmate's correspondence is ready to mail at the time of the request. If approved, the pod sergeant or programs director will forward the request to Jail Administration.

- a. Jail administrative staff will verify the inmate has sufficient funds in his or account before processing any request. Staff will send requests from indigent inmates to the jail administrative corporal. Jail administration staff will fill out the necessary U.S. Postal Service forms—Receipt for Certified Mail (PS Form 3800) and Domestic Return Receipt (PS Form 3811). They will give the letter and the forms to jail accounting staff; accounting staff will mail the letter and charge the inmate for the postal fees for these special services. The request form will be the source document authorizing the charge.
- b. Staff will pass the receipt on to the inmate when it returns in incoming mail. They will return the Domestic Return Receipt postcard to the post office if the inmate is no longer in jail or at the CCC.

**13. Other Special Postal Services**

An inmate will use an Inmate Request form to request permission to mail oversize or overweight items or for other special postal services. If a jail sergeant or command officer approves such a request, jail administration staff will coordinate with jail accounting staff to mail the item and charge the inmate the postal fees.

## PUBLICATIONS

### 14. Publications

An inmate must have someone outside the jail prepay for any publication he or she receives. An inmate may not engage in any delayed payment or credit ordering of publications while inside the jail. Publications may include subscription or non-subscription newspapers, magazines, newsletters, brochures, pamphlets or catalogs. Publications must be new and be delivered directly from the publisher. An inmate may receive up to **(insert number here)** publications per day.

### 15. Books

An inmate may receive up to three books on a single mail delivery day. Books must come directly from the publisher, a book club, or a bookstore. Books may be new or used. They may not be larger than 9 inches by 12 inches. They may not have plastic or metal bindings. Either hardback or paperback books are acceptable for general population inmates. Inmates in segregation, including medical segregation, may only receive paperback books from recognized sources. Mail handlers will consider any other item in the envelope or parcel as contraband and treat it as prohibited mail.

### 16. Prohibited Publications or Books

The jail must determine whether a specific publication or book violates jail rules. Jail staff must make this determination on an issue-by-issue basis; it is unacceptable to put a blanket prohibition on all issues of a certain publication. If a specific issue of a publication or a book is determined to violate jail rules, jail staff should confiscate it as prohibited item (see section 32).

## MONEY-BY-MAIL

### 17. Cashier's Check and Money Order Limits

Jail staff will only accept, with limits, cashier checks, money orders, and government checks, payable only to the inmate, for credit to an inmate's account. Staff will call the issuer to verify the amount if they suspect forgery or the inmate or sender has a history of forgery. All checks and money orders must be signed properly. Acceptable sources and amount limits are the following:

- a. For money orders from merchants: \$20 per sender per day.
- b. For cashier checks or money orders from banks or the USPS: \$100 per sender per day.
- c. For government checks: No limit, but the check is subject to verification that the inmate is eligible to receive it. (Jail accounting staff will do the verifying.)

### 18. Processing Money

The primary mail handler will open all incoming mail and remove any cash and negotiable instruments. The mail handler will return to sender any written correspondence of a personal nature that accompanies those items.

- a. For cash and acceptable negotiable instruments within limit—

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(1) The primary mail handler will—

- (a) Fill out a Money-by-Mail Receipt for the total received for deposit to each inmate's account.
- (b) Place all money orders and checks in one Cash Envelope. List the money order or check number and amount on the outside of the envelope. Total the amounts of all enclosed items.
- (c) Check to see if any bill of \$10 or more is counterfeit.
- (d) Place all currency in a separate Cash Envelope. Account for the denominations on the face of the envelope. Total the amounts of all enclosed items.
- (e) Take both Cash Envelopes to the intake area and drop them in the safe.
- (f) Distribute the Money-by-Mail Receipts: yellow copy to the property room, white copy to the booking file, and pink copy to the inmate.

(2) Property room staff will credit the inmate's account with the amount listed on the Money-by-Mail Receipt and send the inmate a copy of the credit receipt. (The inmate does not have to sign the credit receipt. The clerk should write "mailed in" on the signature line.)

b. The primary mail handler will return negotiable instruments to the sender that exceed limits, are from unacceptable sources, or are otherwise unauthorized, such as payroll, personal, or two-party checks. To return the instrument, the mail handler will—

(1) Send a Returned Mail form letter to the sender along with the instrument being returned. Note on the letter the amount, number, and issuing institution of the check. Note the payee's name if it was not the inmate.

(2) Include a copy of the Inmate Mail Guide in the letter returning the instrument.

Send the inmate a copy of the form letter and keep a copy of the letter and check in the mail file for reference.

## REGULATING INMATE MAIL

### 19. Restrictions on Outgoing Mail Recipients

Inmates who are prohibited from sending mail to a specific recipient pursuant to a valid court order will not be allowed to send mail to that recipient and may be disciplined for attempting to do so.

### 20. Correspondence with Victims

Inmates may not correspond with a victim of a crime for which they are currently in custody in either pretrial or sentenced status. A jail command officer may make exceptions.

**21. Regulating Inmate Mail Written in a Foreign Language**

Prior to delivery, a translator will read all *incoming* mail written in a language other than English; *outgoing* mail written in a foreign language will be read as time and resources permit, at the discretion of the jail commander. A full translation is not required.

Any jail staff member who receives bilingual incentive pay will normally review mail written in Spanish during shift briefing (no later than the end of shift). Staff will write their DPSST number, the date, and mark the words "approve" or "do not deliver" on each item. If the item is marked as "do not deliver", the staff member will also include a short explanation of why the mail is prohibited. The supervisor will return all reviewed items to the mail handlers in Jail Administration.

Any Sheriff's Office or police agency staff, or approved volunteer fluent in the language or a designated translation service approved by command staff may read mail in a language other than English or Spanish.

Mail handlers should deliver approved mail to the inmate within three business days of receipt from the post office; they will document any time that the delivery takes longer.

**22. Mail with Health Care Appointment Information (OPTIONAL)**

To ensure transport security, a mail handler will confiscate any mail with information about upcoming health care appointments. The mail handler should inform health care staff of the letter.

**23. Gang-Related and Security Threat Group Materials in Mail (OPTIONAL)**

A mail handler will photocopy incoming or outgoing mail with gang-related or security threat group material and send the copy to the Security Threat Group (STG) team. The mail handler will confiscate the mail as a prohibited item, and notify the sender per paragraph 32. A jail STG team member will act according to procedures.

**24. Mail Monitoring (OPTIONAL)**

Inmate mail may be monitored for any legitimate penological or public safety reason. This includes, but is not limited to, the welfare and safety of the inmates or staff, good order or security of the facility, to protect property, to prevent the commission of additional crimes or conspiracy to commit a crime, to thwart attempts to destroy or tamper with evidence of crimes or to harass or intimidate witnesses. The requester from outside the jail must complete a Request for Inmate Mail Monitoring, all requests will be reviewed by a jail command officer. Approved request will expire 30 days after its approval date. The requester must submit a new request to continue monitoring. Jail staff will read the inmate's mail, decide if any of it applies to the request, and will only forward copies of mail that does apply. The requester must pick up the copies in person if from an agency within the county. The senior administrative assistant in Jail Administration will coordinate the mail-monitoring program.

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## PROCESSING INCOMING MAIL

### 25. Addressing Incoming Inmate Mail

Incoming mail must have the inmate's booking name and should have the inmate's booking number as part of the addressee information. Incoming mail must have the name and address of the sender. The return address on legal and official mail must have the sender's job, agency, or firm title and address commercially preprinted or stamped.

### 26. Incoming Mail Without Return Address

- a. If the inmate is in custody, a mail handler will confiscate any mail without a return name and address. He or she will open it to both identify a sender's name and to see if it contains negotiable instruments or other items that need to be listed on the confiscation notice.
- b. If the inmate is no longer in custody, the mail handler will open the mail to check for negotiable instruments, stamps, official documents, or similar items of monetary or official value.
  - (1) If there are no valuables and the sender cannot be identified, the mail handler will throw the mail away. If the sender can be identified, the mail will be returned.
  - (2) If the mail contains valuables, the mail handler will take steps to identify the sender and return the mail to the sender. If a sender's name and address is not found, the mail handler will send the mail to the inmate's last known address. A mail handler will destroy any mail, along with its valuables, that is returned to the jail after sending it to the original sender or former inmate.

### 27. Confiscating and Returning Mail

Normally, mail handlers confiscate prohibited items. They may return prohibited mail to a sender if it is in the best interest of the jail not to store it, such as perishables.

- a. **Confiscation.** Mail handlers will confiscate postcards, letters, cards, and publications that violate jail rules in whole rather than removing or obliterating individual pages, passages, or words with prohibited content. Jail staff will place confiscated items or those exceeding limits in the inmate's property storage, unless it is seized as evidence in a jail disciplinary action or a crime. If the item is seized as evidence, a property / evidence receipt will be placed in the inmate's property.
- b. **Returning Mail.** To return unopened mail, a mail handler will use a sticker or stamp marked "return to sender," note the reason for refusal on the stamp, obliterate any mail-sorting bar code, and return it to the post office. To return mail that was opened, a mail handler must repackage it and send it at the expense of the jail to the sender.
- c. **Notifying the Inmate of Confiscation or Return.** Mail handlers will use a Returned or Confiscated Mail Notice to inform the inmate of the confiscation or return.

- d. **Notifying the Sender of Confiscation or Return.** Mail handlers must notify the sender in writing that mail they sent was returned or confiscated, if the sender's return address is available using a Returned or Confiscated Publication or Mail Notice. Any notice will clearly identify the mail or publication, give the specific reason(s) the mail was denied and explain how the sender can appeal the decision. If the inmate is no longer in custody, the mail or publication will be returned to the sender with notice that the inmate not in custody. For publications that are returned or confiscated when the inmate is still in custody, the mail handler will specifically identify the reason the mail was denied and note one or more page numbers which violated mail policies. Mail handlers will photocopy the pages of the publication that violate jail rules, and attach them to the jail copy of the Returned or Confiscated Mail Notice so that jail command staff can review them as part of the appeals process. The Returned or Confiscated Mail Notice will lay out the appeal procedure to challenge the decision to confiscate or return the item.

## OUTGOING MAIL

### 28. General Mail Rules for Inmates

Inmates—

- a. May only use graphite or colored pencils to write correspondence. (OPTIONAL)
- b. May only use postcards sold through the commissary or issued by the jail. (OPTIONAL)
- c. Must send legal, official or approved letters, notes, or other written materials using the USPS or other approved system.
- d. May not draw or write anything on the outside of an envelope other than name and address information and "legal" or "official" mail designations.
- e. May not send out jail forms for others to fill out on behalf of the inmate.
- f. May not send mail to another inmate at a correctional facility or one on electronic home detention.
- g. May not send prohibited mail. They are subject to disciplinary action for doing so.
- h. Should pass on prohibited mail rules to people and businesses with whom they correspond.

### 29. Inspection of Outgoing Envelopes

Before legal or official mail leaves the pod, pod deputies will verify the contents are legal or official mail before sealing the envelope, but should not read the contents of the legal or official mail. The inspecting deputy will initial and write their DPSST number on the flap to show this verification. *As appropriate*, the deputy will return it to the inmate, confiscate it as evidence in disciplinary proceedings, or contact a jail sergeant or jail command officer if—

- a. The return name, booking number, and address are incomplete or false.
- b. There is drawing or non-address-related writing on the envelope.
- c. There is prohibited material on the envelope.
- d. Addressee information is missing that could cause the letter to be undeliverable and returned to the jail.
- e. It is a manila envelope whose addressee does not meet the criteria for being legal or official mail or being a program-related certificate or diploma.

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- f. They believe the envelope should be opened for a legitimate reason.

### **30. Opening and Inspecting Contents of Outgoing Mail**

Staff will not read outgoing legal or official mail.

- a. A jail sergeant or jail command officer may have staff read outgoing personal mail at any time and for any reason. This authorization may be by housing area, class of inmate, individual inmate, or other basis. It may also be on an ongoing or a random basis and for any length of time.
- b. Mail handlers will notify a jail sergeant or jail command officer if—
  - (1) They suspect outgoing mail contains contraband.
  - (2) It may present a safety or security issue based on the addressee.
  - (3) They have reasonable suspicion the mail may contain other contents of legitimate jail interest.

### **31. Posting Outgoing Mail**

Outgoing mail should be posted as soon as reasonable, normally within (XXXX) hours.

### **32. Mail Delivery**

Staff should deliver mail to inmates within 24 hours of receipt at the jail. Reasonable exceptions are allowed when special processing is required, such as for mail delivered late in the day, needing translation, or items held as evidence in a criminal or disciplinary investigation, etc.

## **ADMINISTRATIVE ISSUES**

**33. Appealing a Returned or Confiscated Mail Notice - Sender.** An appeal of returned or confiscated mail must be made, in writing, within fifteen days from the date the notice is sent to the sender. Appeals will normally be decided by a jail command officer, and will not be heard by the same person who issued the Notice of Returned or Confiscated Mail. The appeal must state specifically why the sender believes that the mail or publication does not violate the jail rule as alleged. A decision on the appeal will normally be made within fifteen days from the date the appeal is delivered to the jail command officer. Specific information about the appeals process will be included in the Returned or Confiscated Mail Notice.

**34. Appealing a Returned or Confiscated Mail Notice – Inmate.** Inmates who wish to challenge a Notice of Confiscated or Returned Mail must use the normal inmate grievance process.

**35. Destroying Mailed Items that Pose a Risk.** A mail handler may destroy any item in mail that presents a health or safety risk if it were to be stored in the jail or returned to sender, and notify the sender by sending a Returned or Confiscated Mail Notice. The reasons for the

destruction must be documented by the mail handler. The inmate recipient must also be notified of the destruction

**36. Mail as Nuisance Contraband.** Inmates are responsible for getting rid of any mailed item that puts them over the property limits for nuisance contraband. An inmate may transfer items to their bin in the property room. Property room staff will follow procedures if the volume of mail an inmate transfers to his or her property bin exceeds the remaining storage capacity of the bin.

**37. Mail Rules.** Jail staff will ensure mail rules are a part of inmate orientation and the *Inmate Manual*. Civilian staff members who discover apparent misconduct as a result of reading inmate mail will report it via the chain of command.

**38. Mail Handler Supervision and Training**

Staff who initially handle or open incoming inmate mail should attend training on the safe handling of strange or suspicious packages or receive similar training from another source. Those who open mail should also receive training on recognizing gang and security threat group symbols and signs.

**39. Change of Address Responsibilities and Forwarding Mail**

Inmates are responsible for submitting change of address requests to the publishers of the periodicals they receive and to others that send them mail at the jail. Mail handlers will normally not forward mail for inmates who are no longer in jail custody. They will return correspondence, publications and packages unopened to the sender.

**40. Holding Mail**

Mail handlers will normally not hold mail for inmates released or temporarily transferred to another facility. A jail command officer may make exceptions.

**40. Mail Records**

Mail staff will be responsible for maintaining a continuous chronological written record of the following types of incoming and outgoing inmate mail:

1. Legal or official mail, and
2. Items of monetary value (e.g., money orders, cashier's checks, etc.).

Staff will document:

1. Sender and Recipient,
2. Date received/sent,
4. Brief Description (legal mail, official mail, check for rent)
5. Printed name and initials of staff person handling the mail.

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**Appendix 1: Prohibited Mail**

Jail staff will not allow an inmate to receive or send mail that—

1. Contains—
  - a. Threats of physical harm, blackmail, extortion, or other criminal activity
  - b. Plans for escape, criminal activity, or activity that violates jail rules

- c. Security threat related material
- d. Information that, if conveyed, could result in physical harm to someone
- e. Sexually explicit materials
- f. Inflammatory material
- g. Contraband materials (see definition on page 1 and paragraphs 31-34), including but not limited to such commonly mailed items as:
  - (1) Books larger than 9 by 12 inches or with plastic or metal bindings
  - (2) More than three books in a single piece of mail
  - (3) Foreign substances, such as:
    - (a) Bodily fluids
    - (b) Lipstick or perfume
    - (c) Glue or paint
    - (d) Anything with an unusual stain or odor that indicates a foreign substance may be present
- 2. Is written in code or suspected code
- 3. Was a form of written communication not sent through the USPS or other approved system
- 4. Is incoming mail and comes from an inmate lodged in another corrections facility.  
(OPTIONAL)
- 5. Is to or from an inmate on electronic home detention. (OPTIONAL)
- 6. Is to or from a victim of a crime that the inmate is in custody for in either pretrial or sentenced status.
- 7. Would violate a court order.
- 8. May produce a hostile work environment, such as sexual harassment.
- 9. Is not an approved commercial business or government service transaction.
- 10. Is a credit or deferred billing transaction, such as "bill me later" subscriptions or merchandise bought on credit or collect-on-delivery terms.
- 11. Violates negotiable instrument limits on sources and maximum dollar amount.
- 12. Is fraudulently marked as legal or official mail.

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EXHIBIT 43

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Jesse Wing

---

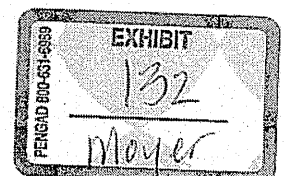
From: Sophie Frazier [Sophie.Frazier@co.columbia.or.us]  
 Sent: Monday, May 07, 2012 6:04 PM  
 To: Andy Moyer; Arnie Lauth; Brandon Yon; Brooke McDowell; Bryan Cutright; Carolyn Townsend; Derek Hibbs; Facilities Jim; Ivan Johnson; Jeff Dickerson; John Kernutt; Lee Rigdon; Marcia Rush; Marti Kyles; Medcon1; MedCon2; Michelle Ritchie; Mike Feakin; Millie Wagner; Mitch Watkins; Rocky Miller; Ryan Scholl; Sean Moore; Security; Sheryl Westfall; Sophie Frazier; Tony Weaver  
 Subject: Pass Down 050712

ICE: 1  
 USM: 72  
 TOTAL: 139

UA in the basket needs to be sent out for Campo. Undersheriff Moyer decided to not have him booked but he needs to get his paperwork here ASAP and come in on Wednesday. He has been warned.

5 Releases 2 Booked 1 Book and Release

1. Inmate Huck really does have a medical condition which causes his arms to swell. Medical is working with him. However if he says he needs to see the nurse he really does need to see the nurse.
2. Schneider has requested and will try to get housed with Inmate McCormick. Schneider had two adjudications today.
3. McCormick was adjudicated today
4. Hansen has been doing ok in the Safety Cell today--more like the old Hansen
5. Need to try and get a big enough DOC jumpsuit for Gardner--he will be taking a deal 3x or 4x
6. Undersheriff talked to D-Pod about water containers in outdoor rec. It will be thought about but nothing determined yet. Sgt Miller found a bottle in outdoor rec on her first round after D-Pod
7. Clement cleaned H3
8. Both outside workers Temple and Fisk were given UA--They passed HORRAY
9. Williams needs paperwork looked at.
10. 1 ICE Female brought in
11. Lytsell was informed today his victim passed and he now had the charge of murder added. Keep an eye on him. Chaplain Gott will be in tomorrow
12. Wilson needs a phone call to check on his brother
13. D-Pod needs a stand by for outdoor rec change. They are parading when females go back.
14. There is a new add on to the appt confirmation for medical you need to put in the return and depart time.
15. Grievance for food for Mosquera done and taken care of--He signed off
16. Grievance for rec with Barbosa and Martinez are signed off they are ok with the answer given
17. Gonzalez(E) is asking about his release from the USM's



18. Per Undersheriff Moyer the outdated mail memo need to be pulled if found

19. There are so far no USM transports or outbounds--Magnuson was called and a message left in regards to this but I did tell him we have 6 inbound for 2 different trips tomorrow.



EXHIBIT 44

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Origin: Exported on 2012/05/30 11:00:49 AM with GWAVA Reveal  
From: "Marcia " <>  
Subject: passdown  
To: "Miller, Rocky" <Rocky.Miller@co.columbia.or.us>  
Date: Sun, 6 May 2012 16:08:15 -0700  
X-Priority: 3  
X-Library: Indy 9.00.10

May 6, 2012 Days to nights:

Population: 141  
USM: 72  
ICE: 0  
LOCAL: 69

Re: Food matters: There were grievances filed that left over food would not be used by the kitchen the next day unless absolutely necessary: If anyone mentions that their special diet, or other otherwise has leftover food we can mention it to Aramark/Israel.

releases:  
LOHMAN, NICOLE @ 1730 G 22 \$-0- 146

MASTERS, JIMMY DALE will be @ 1849 K 08 \$-0- 003

Deputy Magnuson: Will NOT be coming in Monday unless someone calls him to come in: home is 543-3824.

Inmate Bahr tried really hard to come into booking to drop treats off for the sewing ladies..... Just FYI.

If someone tries to deliver underwear for DeAvalos it should be refused. She has a surplus of it in her property. Memo sent out front.

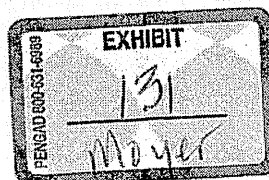
D Pod is trying to steal extra trays. Either by distraction or utilizing their coming out of their cells at the last minute. Be aware.

Click, Patty now has Fixodent. She will begin receiving a regular tray.

H-6/Powell was seen by Medical. Complains about extreme pain in his chest and has been seen several times by Medical. His vitals are stable. Echo does not feel he is in any danger and does not need to go to the hospital.

H-5 is Lystall. Detoxing from Meth. When he sobers up a bit he can go back. One of his victims may or may not live.

Rec yard "last call." After we give three calls to rec yard and we give a "last call" we are not obligated to send any other person to rec yard from that pod.



CC 001792

The mail memo in the pods has to be in the pods. It's the old memo, we just need it there.

EXHIBIT 45

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

6/20/2012 5:37 PM

Gregory Roberson

---

From: Andy Moyer [Andy.Moyer@co.columbia.or.us]  
Sent: Tuesday, June 19, 2012 1:00 PM  
To: Gregory Roberson  
Subject: Fwd: Dealing with stamps in the mail

Andy Moyer, Undersheriff  
Columbia County Sheriff's Office  
901 Port Avenue  
St. Helens, OR 97051  
Office (503) 366-4600  
Fax (503) 366-4644  
Dispatch (503) 397-1521

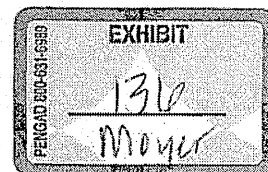
>>> Mitch Watkins 2/24/2012 3:14 AM >>>

Over the past week we have been doing the mail, there has been one change that seems to be rather counter-productive to the goals of instating this policy. Previously, we had been cutting off the stamps and address stickers. Now we are told that we have to peel the stamps and address stickers off.

I understand the point of not wanting any foreign substances placed in the adhesive of the stickers and stamps, etc., but I'm noticing that it is downright impossible to peel these stickers off as a whole. They generally do not peel off in one piece, leaving you with numerous tiny little pieces to pick at, or tear the envelope so badly we might as well cut them off in the first place. And no matter how hard you try, the adhesive always gets left behind on the envelope any ways. Besides having gross finger nails from picking at fifty some odd stamps at the point we are done with it, we're still not able to remove the part that is the issue. The adhesive is generally going to have the foreign substance in/on it. Plus the fact that all this is very time consuming, is the reason I wanted to bring this to your attention. I am looking for alternatives to remedy this. If I'm totally off base here, tell me, I know this has been a pain to every one involved. Just thought I'd throw it out there for something to look at down the road.

Thanks,

Deputy Watkins



CC002264

EXHIBIT 46

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

6/28/2012 9:52 AM

**Gregory Roberson**

From: Andy Moyer [Andy.Moyer@co.columbia.or.us]  
 Sent: Friday, June 22, 2012 10:34 AM  
 To: Gregory Roberson  
 Subject: Fwd: New Inmate Mail Policy  
 Attachments: J603-R09\_Inmate\_Mail.pdf

Andy Moyer, Undersheriff  
 Columbia County Sheriff's Office  
 901 Port Avenue  
 St. Helens, OR 97051  
 Office (503) 366-4600  
 Fax (503) 366-4644  
 Dispatch (503) 397-1521

>>> Jeff Dickerson 6/19/2012 11:17 AM >>>

To All Corrections Staff:

Effective yesterday, there is a new (another new) Inmate mail policy (see attached). The highlights of the policy are these:

**Policy**

The Jail's general Policy is that it will not limit, censor, or restrict the volume, language, content, format or source of inmate mail. However, some limitations are necessary for the security of inmates, jail staff, and the public, as well as for the efficient operation of the Jail.

**Inmate Mail.** ENVELOPES ARE NOW PERMITTED FOR BOTH INCOMING AND OUTGOING INMATE MAIL. Inmates may generally send and receive mail in any form delivered by the U.S. Postal Service. Personal property such as food, beverages, clothing and similar items are not allowed to be mailed to and from inmates and will be confiscated. Photographs are allowed provided they don't otherwise violate the Policy.

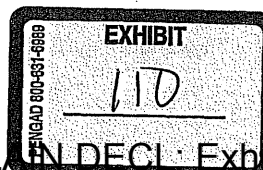
**Publications.** Inmates may receive publications, including but not limited to, books, magazines, newsletters and newspapers. However, the publication must be mailed directly from the publisher, book club or a bookstore. However, for example, if someone wishes to send an inmate a photocopied article (or even an entire publication photocopied page by page), that will be allowed in.

**Addressing Inmate Mail.** Inmate mail must have the inmate's booking name as part of the addressee information (booking number is desired, but not required). Incoming mail must have a return address including the name and address of the sender.

**Appeals.** Both the inmate and an outside person have the right to appeal a decision to confiscate inmate mail. With very limited exceptions, the Jail will provide a Notice of Prohibited Mail to both the sender and addressee when inmate mail is returned or confiscated. The Notice of Prohibited Mail will explain the reason why the inmate mail was returned or confiscated and will explain the appeals process. The appeal process for an inmate follows the Jail's normal grievance process. The appeal process for everyone else requires a letter explaining the reason for the appeal, and providing contact information. The letter must be received within 15 days from the date of the Prohibited Mail Notice. The Jail will respond within 15 days of receipt of the letter.

SIGNIFICANT CHANGES HAVE BEEN MADE TO THE POLICY AND INCORPORATED INTO THE ATTACHMENT BELOW. WE WILL BE TRAINING SHORTLY ON ALL ASPECTS OF THIS POLICY, BUT IT IS IMPORTANT FOR YOU TO REALIZE

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6/28/2012 9:52 AM

THAT ANY CONFISCATED MAIL (GOING OUT OR COMING IN) MUST BE CLEARED BY A SUPERVISOR **AND** HAVE A PROHIBITED MAIL NOTICE SENT TO BOTH THE INTENDED RECEIVER AND SENDER OF ANY CONFISCATED MAIL.

BEFORE CONFISCATING ANY MAIL, SUPERVISORS **WILL** VERIFY THAT THE CONTENT OF THE MAIL PIECE IS IN VIOLATION OF POLICY J603.

YOU MUST DESTROY ANY PRIOR PRINTED VERSIONS OF POLICY J603, AND REFER **ONLY** TO THE MOST CURRENT REVISED POLICE, WHICH IS J603-R09.

If you have any questions, ask.

One last thought:

We are about to enter into a temporary injunction from the federal court in regard to our mail policy. Failure to follow the policy as it is set forth in this attachment can leave individual employees liable for federal civil rights violations, so it behooves us all to get this right.

Sincerely,



Jeffrey M. Dickerson  
Columbia County Sheriff  
901 Port Avenue  
St. Helens, OR 97051  
Office Phone: (503) 366-4600

<b>COLUMBIA COUNTY SHERIFF'S OFFICE</b> <b>JAIL OPERATIONS</b> <b>JEFF DICKERSON, SHERIFF</b>	<b>EFFECTIVE: JUNE 18, 2012</b>  <b>SUPERSEDES INMATE MAIL POLICY</b> <b>REVISED MAY 25, 2012</b>
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**INMATE MAIL**  
**POLICY J603-R09 (06/18/12)**

**OJS: D-101 THRU D-117, D-105, D-212,**  
**D-302, F-101 THRU F-103**

**ACA: 3-ALDF-3D-16 THRU 5D-08**

Applies to all staff.

## **POLICY**

Jail mail handling procedures must support an inmate's need to communicate in writing to carry out legal business and maintain family and community ties. The procedures must also meet the Jail's need for efficient operations that preserve the good order, safety, and security of the facility, inmates, and staff.

## **DEFINITIONS**

**Book.** A printed composition bound in a volume.

**Contraband.** 1) Controlled substances as defined in ORS 475.005(6). 2) Drug paraphernalia as defined by ORS 475.525(2). 3) Any currency or negotiable instrument. 4) Any item that a person in a correctional facility is prohibited by statute, rule, or order from obtaining or possessing, *and* whose use would endanger the safety or security of the facility or person in the facility. 5) An unauthorized item in an inmate's possession or in a cell, bunk, or common area. 6) An authorized item altered in any way. 7) More than the authorized number of an item.

**Inmate Mail.** Written correspondence to or from an inmate in the Columbia County Jail.

**Indigent.** An inmate who has less than \$5 in his or her inmate account and has not had more than that amount for seven days.

**Inflammatory material.** Written or printed materials that pose a threat to the security, safety, or good order of the jail because it may incite or advocate physical violence against others. This includes material that advocates the supremacy or hatred of a racial, religious, national, or other group of people. (*Note: Criticism of jail operations, programs, or staff, on its own, is not inflammatory material. If the criticism involves an illegal act or violates a jail rule, staff will handle it as that type of prohibited mail.*)

**Jail Commander.** The Columbia County Jail Commander or his/her designee.

**Jail Supervisor.** Any Corrections Deputy designated at the rank of sergeant or higher.

**Junk mail/Bulk mail.** Printed materials, often sent as mass mailings, such as catalog advertisements, brochures, circulars, newsletters, and pamphlets whose primary purpose is to sell, promote or solicit for, a product or service. Junk mail/bulk mail may come using a variety of postage rates, including but not limited to bulk mail rates. Junk Mail/Bulk Mail

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may be solicited or unsolicited.

**Legal mail.** Incoming or outgoing mail addressed to or from an attorney.

**Negotiable instrument.** A written document that represents an unconditional promise to pay a specified amount of money upon the demand of its owner. Examples include checks and promissory notes. Negotiable instruments can be transferred from one person to another, as when a person writes "pay to the order of" on the back of a check in order to turn it over to someone else.

**Official Mail.** Incoming or outgoing mail addressed to or from the sheriff, jail command staff, probation authorities, district attorney, state attorney general, Governor, court, a court official, and other confining authorities, or addressed to or from the inmate's medical provider, or addressed to or from the inmate's religious leader, or addressed to or from the news media.

**Periodical.** A magazine, newspaper, newsletter, or other publication formed of printed sheets that is issued at regular, specified intervals by a publisher.

**Prohibited Mail Notice.** A written notice that is:

- A. mailed to the sender or intended receiver of inmate mail who is not incarcerated in the Columbia County Jail; and
  - B. is also provided (by jail staff) to the current inmate who is a sender or intended receiver of inmate mail,
- when said mail has been confiscated by the jail for any reason (See Prohibited Mail Notice at the end of this chapter). A Prohibited Mail Notice **MUST** be provided to the sender **AND** intended receiver of all incoming and outgoing mail that is confiscated by the jail.

**Publication.** Periodicals and books.

**Sexually explicit:** 1) A pictorial depiction of any of the following: actual or simulated sexual acts (including sexual intercourse, oral sex, anal sex, or masturbation); sexual penetration; bestiality; sexual violence; sadomasochistic behavior; excretory functions; and exposed genitalia (to include pubic hair), anus or female nipple or areola, unless the exposure is for legitimate medical, religious, or anthropological reasons. 2) Sex acts involving children. 3) Materials that violate state and local obscenity laws. (*Note:* Whether the material is commercially produced or is personally made or written has no bearing on this definition.)

## **PROCEDURES**

### **INMATE MAIL**

#### **1. Inmate Mail Limits and Restrictions/Overview**

The Columbia County Jail will normally not limit, censor, or restrict the volume, language, content, format or source of inmate mail. However, some limitations are necessary to assure the safety, and security of inmates, jail staff, and the public, as well as to assure the efficient operation of the Jail.

#### **2. Specific Limitations on Inmate Mail**

- A. **Publications.** Publications are permitted in the Jail, subject to the following

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## requirements:

- (1) An inmate must have someone outside the jail prepay for any publication he or she receives. An inmate may not engage in any delayed payment or credit ordering of publications while inside the jail.
- (2) Books. Books must come directly from the publisher, a book club, or a bookstore. Books may be new or used. Books may not be larger than 9 inches by 12 inches. Books may not have plastic or metal bindings. Either hardback or paperback books are acceptable.
- (3) Periodicals. Periodicals must be new and be mailed directly from the publisher or bookstore.
- (4) No blanket prohibition. Mail handlers will determine whether a specific publication violates jail rules. However, this determination must be made on a case by case basis. There shall be no blanket prohibition on any publication.

## B. Legal and Official Mail.

- (1) Jail staff must protect the rights of inmates to privileged, confidential communication with their attorneys, the courts, and confining authorities.
- (2) A sender of legal or official mail is responsible for legitimately, properly, and clearly marking and addressing legal and official mail so that jail staff recognize it and treat it as being confidential, as follows:
  - (a) The return address on all incoming legal and official mail must have the sender's job, agency, or firm title and address either commercially preprinted on the envelope or a label, or as an ink stamp. The sender's name should be handwritten if not preprinted.
  - (b) The words "Legal Mail," "Official Mail," or similar designation must appear on the address side of the envelope. Jail staff will not assume the contents of any letter from an attorney, law firm, or government official is legal or official mail without the designation of "Legal Mail" or "Official Mail" on the address side of the envelope.
- (3) Staff must not open recognizable legal or official mail outside the presence of the inmate. They may only open it in the presence of the inmate to inspect it for contraband, but they must not read its contents.
- (4) A staff member must write a Jail Incident Report if he or she inadvertently opens a piece of recognizable legal or official mail outside the presence of the inmate. If such inadvertent reading of legal or official mail occurs, the staff member responsible will also notify a supervisor as soon as practicable.
- (5) Before legal or official mail leaves the pod, staff must verify that any letter marked as legal or official mail is addressed to a person that qualifies for that privacy protection. Deputies will contact a Jail Supervisor if they suspect fraud.

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- (6) Jail staff will pursue administrative, criminal, and disciplinary actions, as fitting, against all those involved in the fraudulent use of legal or official mail designations.

**C. Other Prohibited Content/Contraband**

- (1) An inmate may not receive or send inmate mail that contains:
  - (a) Threats of physical harm, blackmail, extortion, or other criminal activity;
  - (b) Plans for escape, criminal activity, or activity that violates jail rules;
  - (c) Gang-related material;
  - (d) Information that, if conveyed, could result in physical harm to someone;
  - (e) Sexually explicit materials;
  - (f) Inflammatory material;
  - (g) Contraband including but not limited to such commonly mailed items as:
    - i. Books larger than 9 by 12 inches or with plastic or metal bindings;
    - ii. Controlled substances as defined by ORS 475.005(6);
    - iii. Foreign substances, such as bodily fluids, lipstick or perfume, glue or paint or anything with an unusual stain or odor that indicates a foreign substance may be present;
  - (h) Cash or negotiable instruments;
  - (i) Food or beverages, electronic devices, clothing or similar personal property.
- (2) An inmate may not send or receive inmate mail that:
  - (a) is written in code or suspected code;
  - (b) Was not sent through the United States Postal Service or other approved system;
  - (c) Is to or from a person with whom the inmate is prohibited from communicating;
  - (d) Would violate a court order;

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- (e) May produce a hostile work environment by sexual harassment or otherwise;
- (f) Is a credit or deferred billing transaction, such as "bill me later" subscriptions or merchandise bought on credit or collect-on-delivery terms;
- (g) Is fraudulently marked as legal or official mail;
- (h) Includes logistical information about an inmate's upcoming health care appointment(s).

D. **Sources of Incoming Mail.** Jail Staff will only accept incoming inmate mail that has been delivered by the U.S. Postal Service unless otherwise specifically authorized by the Jail Commander.

E. **Postage-Due Mail.** The jail will not accept or pay for incoming inmate mail with postage due.

### 3. General Limitations on Inmate Mail

In addition to the specific limitations on inmate mail set forth above, additional limitations may apply in the following circumstances:

- A. There is reason to believe that such correspondence would jeopardize personal safety, jail security or good order, inmate treatment, or would facilitate violation of the law.
- B. Inmates may receive a disciplinary sanction that restricts non-legal and/or non official mail. (See Policy J212, *Rules and Discipline*.)

### 4. General Provisions for Inmate Mail

- A. **Indigent Inmate Mail.** Indigent inmates may obtain an indigent hygiene kit through the commissary program once per week. No inmate will be denied a weekly indigent hygiene kit based on an inability to pay. The indigent hygiene kit consists of 2 sheets of paper and two postage prepaid envelopes, a pencil and hygiene items. Additional paper and envelopes are available for purchase in accordance with Policy J605(Commissary).
- B. **Addressing Inmate Mail.** Incoming mail must have the inmate's booking name as part of the addressee information.
- C. **Return Address.** Incoming mail must have the name and address of the sender. The return address on legal and official mail must have the sender's job, agency, or firm title and address commercially preprinted or stamped.
- D. **Certified Mail/Special mail services.**

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- (1) The inmate must have sufficient funds in his or her account to pay for all special mail services. A Jail Supervisor may approve credit to allow an indigent inmate to send certified mail.
- (2) An inmate who needs to send a letter using certified mail must fill out an Inmate Request Form. Any Corrections Deputy or Supervisor can process the request in the following manner:
  - (a) Jail staff will verify if the inmate has sufficient funds in his or her account before processing any request. They will forward requests from indigent inmates to a supervisor. The inmate will fill out the necessary U.S. Postal Service forms—Receipt for Certified Mail (PS Form 3800) and Domestic Return Receipt (PS Form 3811). The letter and the forms will be forwarded to front office staff who will mail the letter and charge the inmate for the postal fees for these special services. The inmate request form will be the source document authorizing the charge.
  - (b) Jail Staff will provide the Domestic Return Receipt to the inmate when it returns in incoming mail. They will return the Domestic Return Receipt postcard to the post office if the inmate is no longer in Jail when it returns in the mail.
- E. **Inmate Request Form.** An inmate shall use an Inmate Request Form to request to mail oversize or overweight items, or for other special postal services. Funds will be drawn from the inmate's account to cover the costs.
- F. **Junk/Bulk Mail.** Jail staff will accept solicited and unsolicited junk mail and solicited and unsolicited bulk mail for inmates, unless it violates other mail restrictions (such as containing sexually explicit content).
- G. **Pre-Stamped Envelopes.** Jail staff will make pre-stamped First Class business size or manila envelopes available for inmates to buy from the commissary. Indigent inmates may obtain envelopes per paragraph 4.A.
- H. **Inmate Mail Written in a Foreign Language.** *Incoming and outgoing* mail written in a language other than English may be interpreted prior to delivery to determine whether the mail violates these rules.

#### PROCESSING INMATE MAIL

##### INCOMING INMATE MAIL

- 1. **Mail Intake.**
  - A. Incoming Inmate Mail will be processed by night shift Corrections Deputies.
  - B. Night Shift Corrections Deputies will confiscate unopened mail when:

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- (1) The addressee cannot be identified because of missing or incomplete information;
  - (2) Prohibited items are affixed to the mail;
  - (3) Foreign substances or stains are on the mail;
  - (4) Odors, including perfume, are coming from the mail;
  - (5) The mail can otherwise be identified as being or containing prohibited mail before it is opened;
  - (6) The inmate is no longer in the jail.
- C. Night Shift Corrections Deputies will look up the inmate's name on the inmate list and write the inmate's pod number on the mail.
- D. Night Shift Corrections Deputies will review all inmate mail for prohibited content/contraband, and will remove *loose* postage stamps, *loose* flap-sealing tape, and *loose* gummed and adhesive address labels, leaving labels on legal and official mail. Deputies need not remove stamps, tape or labels that are firmly affixed to the mail.
- E. Night Shift Corrections Deputies will determine whether mail includes the name and return address of the sender. If the mail does not have the name and return address, the Corrections Deputy will confiscate the mail. The Deputy will open any envelopes without the sender's name and return address to attempt to identify the sender's name and address and to inspect the mail for prohibited content/contraband. If the sender's address can be identified, the mail will be returned to sender. If the sender's name and address still cannot be identified, the mail will be stored for the inmate, unless the inmate is no longer in jail in which case the mail will be returned to the post office and marked, "undeliverable." However, in the event an inmate is no longer in jail and the mail contains negotiable instruments or other valuables, and no sender can be identified, any written material inside the envelope will be returned to the post office and marked "undeliverable" but the valuables will be retained as abandoned property in the Sheriff's Office main property room to be disposed of according to law. The corrections staff member processing the abandoned property will fill out a property room property form and submit the property in the temporary evidence lockers. Before mail is returned, stored, forwarded, or destroyed under this section, the Corrections Deputy will get approval of a Jail Supervisor.
- F. Night Shift Corrections Deputies will open all inmate mail (except for legal and official mail) to inspect for prohibited content/contraband. Upon a determination that prohibited content/contraband is present, Night Shift Corrections Deputies will confiscate the mail.

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- G. If cash or negotiable instruments are found in inmate mail, the mail and funds will be confiscated and returned to sender. The Prohibited Mail Notice shall include the amount of funds, number, and issuing institution of any negotiable instrument as well as the payee's name if it was not the inmate's.
  - H. Night Shift Corrections Deputies will remove publications from their mailing parcels.
  - I. Night Shift Corrections Deputies will place inmate mail written in a foreign language in the "translation required" box and will take steps to locate a staff member who speaks that language. If such mail cannot be translated within a reasonable time by a staff member, the Corrections Deputy will forward the mail to a Jail Supervisor for direction.
  - J. Night Shift Corrections Deputies will sort inmate mail by pod and place it in the pod folders in booking before 0800 hours (8:00 a.m.).
  - K. Before mail is returned, stored, forwarded, or destroyed under this section, the Corrections Deputy will get approval of a Jail Supervisor. Night Shift Corrections Deputies will fill out a Prohibited Mail Notice for each item of confiscated mail and place it in the "Needs Review" box for a Jail Supervisor's review. A Jail Supervisor will review each Prohibited Mail Notice. If the Jail Supervisor does not agree with the Prohibited Mail Notice, the mail will be delivered. If the Jail Supervisor does agree with the Prohibited Mail Notice, the Jail Supervisor will sign the Prohibited Mail Notice. The Prohibited Mail Notice will then be sent to the sender of the mail (if known). A copy of the Prohibited Mail Notice will also be provided to the inmate (if known and still in jail). A copy of the Prohibited Mail Notice will be retained in the inmate's file.
  - L. Day Shift Corrections Deputies will pick up the mail for their pods when coming on duty. They, or other staff if appropriate, will process the inmate mail for their pods as follows:
    - (1) Open recognizable legal and official mail in front of the inmate and inspect it only for contraband – not content (staff shall not read the contents);
    - (2) Deliver the mail as soon as practical upon receipt. Passing inmate mail under an inmate's door and placing books by the door is acceptable, except for legal and official mail;
2. **Grievances/Appeals.** Corrections Deputies will forward any grievances and/or appeals related to inmate mail to the Jail Commander for a determination of compliance with the Inmate Mail Policy and applicable legal requirements.

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3. **Return to Sender.** Corrections Deputies will place mail to return to sender in the booking pickup box.
4. **Mail Delivery.** Staff should deliver mail to inmates within 24 hours of receipt at the Jail. Reasonable exceptions are allowed when special processing is required, such as for mail delivered late in the day, mail needing translation, or mail held as evidence in a criminal or disciplinary investigation, etc.

#### **OUTGOING INMATE MAIL**

##### **1. General Mail Rules for Inmates**

Inmates—

- A. May only use lead or colored pencils to write correspondence.
  - B. Must send inmate mail through the USPS or other approved system.
  - C. Must put their first and last name, booking number, and the jail address as the return address.
  - D. May not draw or write anything on the outside of an envelope other than name and address information and "legal" or "official" mail designations.
  - E. May not send out jail forms for others to fill out on behalf of the inmate.
  - F. May not send prohibited content or contraband. Inmates are subject to disciplinary action for doing so.
- 
2. **Posting Outgoing Mail.** Inmates will place outgoing inmate mail, unsealed, in the designated mailbox located inside of their pod (except for the case of legal or official mail).
  3. **Processing Outgoing Legal/Official Mail.** Outgoing legal or official mail shall be processed in this manner:
    - A. Inmates must obtain a correction deputy's verification that any legal or official mail complies with this Policy prior to the mail being sealed and placed in the designated mailbox in their pod.
    - B. The corrections deputy shall inspect the inmate's legal and/or official mail in the presence of the inmate for contraband only. The deputy shall not review or read the content of legal or official mail.

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- C. After inspecting the legal or official mail for compliance with this Policy, the corrections deputy will have the inmate seal the envelope and deliver it to the deputy. The deputy will then initial and write his or her DPSST number on the flap to show this verification.
- D. After verifying that the legal or official mail complies with this Policy and writing his or her initials and DPSST number on the flap, the deputy shall place this sealed envelope of legal or official mail in the outgoing mail box within the pod.

The Night Shift Corrections Deputies will pick up the mail out of the mailboxes in the pods and deliver it to the booking area to be processed.

**4. Processing, Opening and Inspecting Contents of Outgoing Mail**

- A. Corrections Deputies will not read outgoing legal or official mail unless they have the approval of the Jail Commander.
- B. Corrections deputies may read outgoing mail at any time and for any reason, except for legal or official mail. This may be by housing area, class of inmate, individual inmate, or other basis. It may also be on an ongoing or a random basis and for any length of time. However, the Jail Commander must approve any ongoing monitoring of a specific inmate.
- C. Corrections Deputies processing the outgoing mail will inspect the contents for contraband and/or other safety or security threats.
- D. Corrections Deputies will notify a Jail Supervisor if—
  - (1) They suspect outgoing mail contains contraband or otherwise violates this Policy.
  - (2) They suspect that the mail may present a safety or security issue based on the addressee.
  - (3) They have reasonable suspicion the mail may contain other contents of legitimate jail interest.
- E. A Jail Supervisor will determine whether inmate mail contains contraband or is otherwise prohibited by this Policy. If mail is deemed to be prohibited, a Jail Supervisor will notify the inmate and may give the inmate an opportunity to correct the problem(s). If the inmate refuses to correct the mail, the mail will be confiscated. If an inmate corrects the problem(s), the mail will be included in outgoing mail.
- F. Mail may be confiscated immediately if appropriate in the discretion of the Jail Supervisor.

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- G. Outgoing Inmate Mail will be sealed by the corrections deputy or deputies processing the outgoing mail and then placed in the outgoing mail basket and delivered to the front office for the regularly scheduled morning pickup on that same day as long as it is not a weekend or holiday. Outgoing mail should be processed within one business day after being received from the inmate.
- H. An inmate and addressee will be provided with a Prohibited Mail Notice whenever outgoing inmate mail is not mailed due to a violation of this Policy. However, if the inmate is allowed to correct a problem with the mail, the inmate will be notified, but a Prohibited Mail Notice is not required unless the inmate declines to correct the problem.

#### **CONFISCATED MAIL**

- 1. **Disposition.** Unless otherwise specified in this Policy, any inmate mail that is confiscated pursuant to this Policy may either be returned to the sender, or stored with the inmate's belongings in the Jail's sole discretion based on the best interest of the Jail. A Jail Supervisor may authorize the destruction of any item that presents a health or safety risk if stored in the jail, or return it to sender, or as otherwise authorized by this Policy.
- 2. **Prohibited Mail Notice Required.** If a Jail Supervisor signs a Prohibited Mail Notice, the sender and addressee of the confiscated inmate mail must be notified of the confiscation whether the disposition was to return the mail, store it, or destroy it. However, if the mail is evidence in a criminal investigation, no notification will be given. Notice will be given through delivery of a Prohibited Mail Notice in the form attached to this Policy. The Prohibited Mail Notice will give the reason for the confiscation and explain the appeal process.
- 3. **Confiscation in whole.** Corrections Deputies will confiscate inmate mail in whole rather than removing contraband or obliterating individual pages, passages, or words of prohibited content.
- 4. **Stored Inmate Mail.** Corrections Deputies will use a Prohibited Mail Notice to inform the inmate of the confiscation and use a copy as a tag for the items placed in storage.

#### **ADMINISTRATION**

- 1. **Mail as Nuisance Contraband.** Inmates are responsible for getting rid of any mailed item exceeding the number of items allowed in their cells as nuisance contraband under Policy J212, *Rules and Discipline*. An inmate may transfer items to their bin in the property room using procedures in Policy J208, *Secure Storage*

11

J603-R09

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*of Inmate Property.*

2. **Gang-Related and Security Threat Group Materials in Mail.** Corrections Deputies will photocopy incoming or outgoing inmate mail with gang-related material and send a copy to the Gang Deputy.
3. **Mail Monitoring.** This section does not apply to legal or official mail.
  - A. The Jail may monitor an inmate's mail for investigatory purposes as follows:
    - (1) Upon receipt of a warrant; or
    - (2) When there is a legitimate penological or public safety reason to do so. Examples of legitimate penological interest include but are not limited to, the welfare and safety of the inmates or staff, the good order or security of the facility, the protection of property, the prevention of the commission of a crime or conspiracy to commit a crime, the prevention of the destruction or tampering with evidence, and the prevention of harassment or intimidation of witnesses.
  - B. If a request to monitor inmate mail comes from another law enforcement agency, the agency must complete a Request for Inmate Mail Monitoring. An approved request will expire 30 days after its approval date. The requester must submit a new request to continue monitoring. Jail staff will read the inmate's mail and decide if any of it applies to the request and will only forward copies of mail that does apply. The requester must pick up the copies in person if from an agency within Columbia County. The Jail Commander will coordinate the mail-monitoring program. The Jail Commander must approve the request.
4. **Mail Rules.** The Jail Commander will ensure mail rules are a part of inmate orientation and the *Inmate Manual* and will make copies of the Inmate Mail Guide available to the public.
5. **Mail Complaints.** Staff members will direct mail complaints from the public to a Jail Supervisor. The Jail Supervisor should attempt to respond to the complainant within two business days. Appeals related to receipt of Prohibited Mail Notices shall be addressed pursuant to paragraph 10, below.
6. **Mail Handler Supervision and Training.** A Jail Supervisor will supervise the day-to-day handling of inmate mail. He or she will assign staff to perform primary inmate mail duties. Staff who initially handle or open incoming inmate mail should attend training on the safe handling of strange or suspicious packages or receive similar training from another source. Those who open mail should also receive training on recognizing gang and security threat group symbols and signs.



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7. **Change of Address Responsibilities and Forwarding Mail.** Inmates are responsible for submitting change of address requests to the publishers of publications they receive and to others that send them mail at the Jail. Corrections Deputies will normally not forward mail for inmates who are no longer in Jail custody. They will return correspondence and packages unopened to the sender and throw publications away.
8. **Holding Mail.** Corrections Deputies will normally not hold mail for inmates released or temporarily transferred to another facility. The Jail Commander may make exceptions.
9. **Returning Mail to Sender.** Before mail is returned to its sender, Corrections Deputies will obliterate any mail sorting bar code and will mark the mail "Return to Sender". A Prohibited Mail Notice will be mailed separately from mail that is returned unopened

To return mail that was opened, a Corrections Deputy must repackage it and send it at the expense of the Jail to the sender. The Corrections Deputy will include a copy of the Prohibited Mail Notice with repackaged mail.

10. **Appeals.**
  - A. **By Inmates.** Inmates wishing to appeal a decision to deny delivery of incoming inmate mail or the mailing of outgoing inmate mail must follow the normal grievance procedure set forth in the Inmate Manual and Policy J207, *Inmate Rights*.
  - B. **By Others.** If a person believes that any incoming or outgoing inmate mail was improperly confiscated by the Jail, they may appeal the action to the Jail Commander by sending a written letter stating the specific reason(s) why the action was improper. The letter must be received within 15 days from the date of the Prohibited Mail Notice. Or, if no Prohibited Mail Notice was received, the letter must be received within 15 days from the date the person knew or should have known of the appealed action. The letter shall include the sender's name and return address. The Jail Commander will consider the appeal and will issue a decision on the appeal within 15 days of receiving the letter. However, if the Jail Commander made the initial decision regarding the mail in question, the Sheriff will consider the appeal and issue the decision. The appeal process will be set forth in the Prohibited Mail Notice.



J603-R09

June 18, 2012



**COLUMBIA COUNTY  
SHERIFF'S OFFICE**  
Jeffrey M. Dickerson, Sheriff

Address: 901 Port Ave. St. Helens, OR 97051  
Phone: (503) 366-4611 Fax: (503) 366-4644  
Web Address: [www.co.columbia.or.us/sheriff](http://www.co.columbia.or.us/sheriff)

## PROHIBITED MAIL NOTICE

Date: \_\_\_\_\_

Because of rules contained in the Columbia County Jail Inmate Mail Policy,  
we are ☐ returning or ☐ storing or ☐ destroying the ☐ letter or ☐ publication or ☐ other  
described as: \_\_\_\_\_

sent ☐ to ☐ from inmate \_\_\_\_\_, Booking # \_\_\_\_\_

The mail was confiscated for the following reason(s):

- ☐ It contains sexually explicit material at page(s): \_\_\_\_\_
- ☐ It contains prohibited content or contraband: \_\_\_\_\_
- ☐ It did not come directly from a publisher, book club, or bookstore.
- ☐ Other \_\_\_\_\_

The reverse side of this letter is an Inmate Mail Guide which contains guidance on mail rules and appeal information. You may also go to the Jail's web page to find the information. The inmate has also received this notice and can appeal this decision through the Inmate Grievance Procedure set forth in the Inmate Manual.

**APPEALS:** Inmates can appeal decisions to confiscate mail through the Inmate Grievance Procedure set forth in the Inmate Manual. Others who believe that mail was improperly confiscated may appeal the decision by sending in a written letter stating the reasons it is believed that the decision was wrong within 15 days from the date of this Notice. The letter should identify specifically how our action was improper, and include the name and return address of the appealing party. Appealing parties are not required to provide a phone number, but it may be useful if we need further clarification. We will send the appealing party a decision on the appeal within 15 days of our receipt of the appeal. Please direct appeals to:

Jail Commander  
ATTN: Confiscated Mail Appeal  
Columbia County Sheriff's Office  
901 Port Ave.  
St. Helens, OR 97051

Mail Handler and DPSST # \_\_\_\_\_

Jail Supervisor and DPSST # \_\_\_\_\_

J603-R09

June 18, 2012

*This Guide is intended to be a summary of some of the provisions in the Inmate Mail Policy that may be of most interest to members of the public. The Guide IS NOT intended to be a complete description of all policies related to Inmate Mail. For detail please see the Inmate Mail Policy.*

#### INMATE MAIL GUIDE

##### Policy

Jail mail-handling procedures support both the inmates' and the public's need to communicate in writing, to carry out legal and official business, and maintain family and community ties. Procedures also meet the Jail's need for efficient operations that preserve the good order, safety, and security of the facility, inmates, and staff. To that end, the following guide has been prepared to assist the public in complying with the Inmate Mail Policy.

The Jail's general Policy is that it will not limit, censor, or restrict the volume, language, content, format or source of inmate mail. However, some limitations are necessary for the security of inmates, jail staff, and the public, as well as for the efficient operation of the Jail.

**Inmate Mail.** Inmates may generally send and receive mail in any form delivered by the U.S. Postal Service. Personal property such as food, beverages, clothing and similar items are not allowed to be mailed to and from inmates and will be confiscated. Photographs are allowed provided they don't otherwise violate the Policy.

**Publications.** Inmates may receive publications, including but not limited to, books, magazines, newsletters and newspapers. However, the publication must be mailed directly from the publisher, book club or a bookstore.

**Addressing Inmate Mail.** Inmate mail must have the inmate's booking name as part of the addressee information. Incoming mail must have a return address including the name and address of the sender.

**Prohibited Mail.** Jail staff will not allow an inmate to receive or send mail that—

1. Contains—
  - A. Threats of physical harm, blackmail, extortion, or other criminal activity;
  - B. Plans for escape, criminal activity, or activity that violates jail rules;
  - C. Gang-related material;
  - D. Information that, if conveyed, could result in physical harm to someone;
  - E. Sexually explicit materials;
  - F. Inflammatory material;
  - G. Contraband materials including but not limited to such commonly mailed items as:
    - (1) Books larger than 9 by 12 inches or with plastic or metal bindings;
    - (2) More than three books in a single piece of mail;
    - (3) Controlled substances as defined by ORS 475.005(6);
    - (4) Foreign substances, such as: a) bodily fluids; b) lipstick or perfume; c) glue or paint; d) anything with an unusual stain or odor that indicates a foreign substance may be present;
2. Is written in code or suspected code;
3. Was a form of written communication not sent through the USPS or other approved system;
4. Is to or from a victim of a crime that the inmate is in custody for in either pretrial or sentenced status;
5. Would violate a court order;
6. May produce a hostile work environment, such as sexual harassment;
7. Is a credit or deferred billing transaction, such as "bill me later" subscriptions or merchandise bought on credit or collect-on-delivery terms;
8. Is fraudulently marked as legal or official mail.

For more specific information about prohibited mail please review the full Inmate Jail Policy J603-.

**Appeals.** Both the inmate and an outside person have the right to appeal a decision to confiscate inmate mail. With very limited exceptions, the Jail will provide a Notice of Prohibited Mail to both the sender and addressee when inmate mail is returned or confiscated. The Notice of Prohibited Mail will explain the reason why the inmate mail was returned or confiscated and will explain the appeals process. The appeal process for an inmate follows the Jail's normal grievance process. The appeal process for everyone else requires a letter explaining the reason for the appeal, and providing contact information. The letter must be received within 15 days from the date of the Prohibited Mail Notice. The Jail will respond within 15 days of receipt of the letter.

EXHIBIT 47

TO

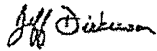
DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

**Gregory Roberson**

---

From: Jeff Dickerson [Jeff.Dickerson@co.columbia.or.us]  
Sent: Thursday, July 19, 2012 11:01 AM  
To: Gregory Roberson  
Subject: Fwd: Inmate Mail  
Attachments: McDowall, Brooke.vcf





Jeffrey M. Dickerson  
Columbia County Sheriff  
901 Port Avenue  
St. Helens, OR 97051  
Office Phone: (503) 366-4600

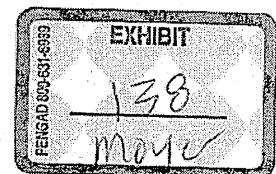
>>> Brooke McDowall 7/19/2012 11:00 AM >>>  
Howdy everyone

During Booking time we need to advise all inmates coming into the jail that the mail policy has changed and they should read the section in the inmate manual about mail.

Thanks for your time

B. McDowall, 42436  
Columbia County Jail  
[brooke.mcdowall@co.columbia.or.us](mailto:brooke.mcdowall@co.columbia.or.us)  
Phone 503.366.4699  
Fax 503.366.4631

1



CC002070

EXHIBIT 48

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Chrysty Johnston

From: Raquel Miller [raqmil1210@gmail.com]  
 Sent: Monday, August 13, 2012 11:22 AM  
 To: Gregory Roberson  
 Subject: Fwd: Standard Answer for Grievances on the Post Card Issue (mail forward)  
 Attachments: Postcard.wpd

----- Forwarded message -----

From: Rocky Miller <Rocky.Miller@co.columbia.or.us>  
 Date: Thu, May 5, 2011 at 8:23 AM  
 Subject: Fwd: Standard Answer for Grievances on the Post Card Issue (mail forward)  
 To: raqmil1210@gmail.com

----- Forwarded message -----

From: "Bryan Cutright" <Bryan.Cutright@co.columbia.or.us>  
 To: "Arnie Lautt" <Arnie.Lautt@co.columbia.or.us>, "Brandon Yon" <Brandon.Yon@co.columbia.or.us>, "Brooke McDowall" <Brooke.McDowall@co.columbia.or.us>, "Carolyn Townsend" <Carolyn.Townsend@co.columbia.or.us>, "Derek Hibbs" <Derek.Hibbs@co.columbia.or.us>, "Ivan Johnson" <Ivan.Johnson@co.columbia.or.us>, "John Kernutt" <John.Kernutt@co.columbia.or.us>, "John McMiller" <John.McMiller@co.columbia.or.us>, "Lee Rigdon" <Lee.Rigdon@co.columbia.or.us>, "Marcia Rush" <Marcia.Rush@co.columbia.or.us>, "Marti Kyles" <Marti.Kyles@co.columbia.or.us>, "Michelle Ritchie" <Michelle.Ritchie@co.columbia.or.us>, "Mike Feakin" <Mike.Feakin@co.columbia.or.us>, "Mitch Watkins" <Mitch.Watkins@co.columbia.or.us>, "Rocky Miller" <Rocky.Miller@co.columbia.or.us>, "Ryan Scholl" <Ryan.Scholl@co.columbia.or.us>, "Sean Moore" <Sean.Moore@co.columbia.or.us>, "Sheryl Westfall" <Sheryl.Westfall@co.columbia.or.us>, "Sophie Frazier" <Sophie.Frazier@co.columbia.or.us>, "Tony Weaver" <Tony.Weaver@co.columbia.or.us>

Cc:

Date: Thu, 05 May 2011 08:23:50 -0700

Subject: Standard Answer for Grievances on the Post Card Issue

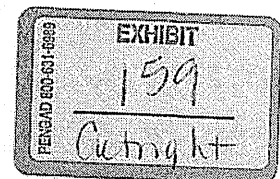
The attached letter will be the standard answer for the Columbia County Jail on all postcard grievances. So please make sure that when you are answering a grievance dealing with postcards that you change the letter to indicate the proper date, the inmate name, and your information. On the grievance for the response you will write see letter attached.

The postcard response will be saved in the S://CCSO/Corrections/Post Card Grievance/Postcard.

If you have any question please contact me.

Thank You

Lieutenant Cutright



CC002161

Date: May 2, 2011

To: James Bennett  
Columbia County Jail

From: Cutright, Bryan L. Sr. Lt. 30771  
Corrections Division

**Subject: Postcard Grievance Response Template**

Thank you for expressing your concern about the Columbia County Jail mail procedures. As you are aware, there are multiple ways for inmates to communicate with friends, family and others outside the jail. You may send and receive postcards, as well as have personal visits and use the telephone. You are also allowed to communicate with your attorney, and correspond with other officials, by writing letters using paper and envelopes to ensure your privacy. Our postcard policy was enacted after a good deal of review, and we believe that the policy decreases the opportunity for contraband to be introduced into the jail, which enhances jail safety and security. In addition, the use of postcards saves significant public resources as staff do not need to spend nearly as much time searching for contraband or for communications that threaten jail safety and security. In light of the clear benefits to jail safety and security, the reduced staff time required to process inmate mail, and the alternative methods available to inmates to communicate with the outside, we believe that our policy of requiring postcards for personal mail is appropriate and reasonable. Your grievance is denied.



EXHIBIT 49

TO

DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

Chrysty Johnston

From: Raquel Miller [raqmil1210@gmail.com]  
 Sent: Monday, August 13, 2012 11:29 AM  
 To: Gregory Roberson  
 Subject: Fwd: passdown on New Year's (mail forward)

----- Forwarded message -----

From: Rocky Miller <Rocky.Miller@co.columbia.or.us>  
 Date: Sun, Jan 1, 2012 at 7:58 AM  
 Subject: Fwd: passdown on New Year's (mail forward)  
 To: raqmil1210@gmail.com

----- Forwarded message -----

From: "Marcia Rush" <Marcia.Rush@co.columbia.or.us>  
 To: "Andy Moyer" <Andy.Moyer@co.columbia.or.us>, "Arnie Lautt" <Arnie.Lautt@co.columbia.or.us>, "Brandon Yon" <Brandon.Yon@co.columbia.or.us>, "Brooke McDowall" <Brooke.McDowall@co.columbia.or.us>, "Bryan Cutright" <Bryan.Cutright@co.columbia.or.us>, "Carolyn Townsend" <Carolyn.Townsend@co.columbia.or.us>, "Derek Hibbs" <Derek.Hibbs@co.columbia.or.us>, "Facilities Jim" <Facilities.Jim@co.columbia.or.us>, "Ivan Johnson" <Ivan.Johnson@co.columbia.or.us>, "Jeff Dickerson" <Jeff.Dickerson@co.columbia.or.us>, "John Kernutt" <John.Kernutt@co.columbia.or.us>, "John McMiller" <John.McMiller@co.columbia.or.us>, "Lee Rigdon" <Lee.Rigdon@co.columbia.or.us>, "Marcia Rush" <Marcia.Rush@co.columbia.or.us>, "Marti Kyles" <Marti.Kyles@co.columbia.or.us>, "Medcon1" <Medcon1@co.columbia.or.us>, "MedCon2" <MedCon2@co.columbia.or.us>, "Michelle Ritchie" <Michelle.Ritchie@co.columbia.or.us>, "Mike Feakin" <Mike.Feakin@co.columbia.or.us>, "Millie Wagner" <Millie.Wagner@co.columbia.or.us>, "Mitch Watkins" <Mitch.Watkins@co.columbia.or.us>, "Rocky Miller" <Rocky.Miller@co.columbia.or.us>, "Ryan Scholl" <Ryan.Scholl@co.columbia.or.us>, "Sean Moore" <Sean.Moore@co.columbia.or.us>, "Security" <Security@co.columbia.or.us>, "Sheryl Westfall" <Sheryl.Westfall@co.columbia.or.us>, "Sophie Frazier" <Sophie.Frazier@co.columbia.or.us>, "Tony Weaver" <Tony.Weaver@co.columbia.or.us>  
 Cc:  
 Date: Sun, 01 Jan 2012 07:58:35 -0800  
 Subject: passdown on New Year's  
 January 1, 2012 graveyard to days

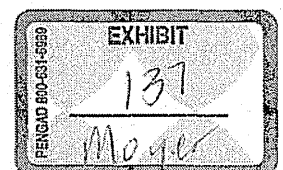
HAPPY NEW YEAR !!

Population: 158 USM: 85

Booked: 7 Released 3 book and release people. Released 1 EOS/EOWeekend.

There will be a couple of 48 hour releases this evening.

H-4, Sweesy is a book and release who blew .15 at 0700. There may be someone coming to pick her up. Fingerprints....



CC002148

H-6, Williams. Ready to be dressed in. Here on a PV. He feels he may have a lot of haters in "general population" because his mom and step-dad are in the juvenile department.

Turner, Tim: wrote a kite wanting contraband post cards delivered to him. The kite and several answers already given to him by deputies is "No." He doesn't need to keep asking. If you are the "other deputy" whom he says gives him contraband, please stop it so we can be consistent.

Clothing pulled and in the circle for F and G.

G pod is requesting a blanket exchange today. Please.

Attorney booth 2 has a faulty window. It needs caulking; appears that people have tried to damage the window casing enough to pass things through. Deputy Kernutt found a match on the attorney side of the window.

Deputy Kernutt got several classifications done. There are more on the list.

Don't worry about the population until Monday: as in, it's over our matrix cap.

EXHIBIT 50  
TO  
DECLARATION OF KATHERINE CHAMBERLAIN  
IN SUPPORT OF PLAINTIFF'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON CLAIMS FOR  
DECLARATORY AND INJUNCTIVE RELIEF

# INMATE MANUAL

## COLUMBIA COUNTY JAIL

All rules in this manual may be amended or suspended at any time by order of the Sheriff or designee.



The Columbia County Inmate Manual has been reviewed and approved on \_\_\_\_\_,  
2009 by Jeff Dickerson, Sheriff, Columbia County \_\_\_\_\_

CC 000082

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## YOUR RIGHTS AND PRIVILEGES

We want you to know exactly what is expected of you while you are in this jail. We will let you know what you can expect from us by explaining our rules, procedures and schedules to you. While at this jail, you will be provided with:

1. Three meals served at reasonable intervals
2. Clean bedding and clothing at least twice weekly
3. The opportunity to shower at least twice weekly
4. Regular exercise
5. Opportunities to exercise your religion
6. Basic hygiene items
7. Access to the law library
8. Access to counsel
9. Emergency medical and dental treatment
10. A safe and secure environment

If you follow jail rules and sanitation practices, you may receive these privileges:

1. Use of television
2. Use of library services
3. Use of outdoor recreation
4. Use of telephones
5. Having social visits
6. Making commissary purchases
7. Sending and receiving mail
8. Voluntary participation in jail programs

Remember that these are not rights. Jail staff can limit or suspend these privileges at any time in order to maintain the safety, security, good order or sanitation of the jail.

**This manual does not cover every situation that may arise, but it will serve as a basic guide for your conduct and facility procedures.**

**Chamberlain Declines Jail Rules and Smoking Policy**

## YOUR RESPONSIBILITIES AND EXPECTED BEHAVIOR

Read this manual to know what is expected of you. The excuse "I did not know that" is not acceptable. It is your responsibility to follow all laws, jail rules, schedules, and staff requests. You must respect jail property and the property of others. This would include staying out of other inmate's cells and off of their bunks. You are expected to keep your sleeping area the day room and outdoor recreation areas clean and orderly. Unacceptable behavior will be dealt with firmly, but fairly. Misbehavior may result in a change of your custody status which can directly affect your privileges in the jail.

This manual is an accountable item and is issued to you for your use while you are in this facility. It must be returned in good order. Do not tear apart, write on or damage this in any manner. If the manual is damaged, please report it to a staff member to have it replaced immediately.



The best control of your behavior is by you practicing self-discipline and respect for others. Inmates are not allowed to become personally familiar with corrections' staff. Be considerate and respectful toward all officials. We will expect you to address uniformed staff as "Deputy or Sergeant \_\_\_\_\_" and non-uniformed staff as "Mr. \_\_\_\_\_" or "Ms. \_\_\_\_\_".

Here are some basic rules for when you first enter the facility.

1. The ID card is to be put into the window facing out so that it can be seen and scanned during your stay.
2. When you are out of your room, the ID card is to be in your pocket.
3. When you are in the day room, you are to be completely dressed.
4. When you are in your room, you are to have the T shirt and boxers on at all times including while you are sleeping, no exceptions.
5. When you come out of the pod and into the circle, you are to stay on the colored squares. The squares form a line that you walk on. You stay on that line with the exception to go around an obstacle. You are to stay in a single file.
6. When you are in any other hallway, you are to walk on the right side of the hall and in a single file. You are not to touch anything. Do not speak, yell or signal at anyone. Keep your hands to yourself.

### INMATE REQUEST FORMS

The Inmate Request Forms (also known as kites) are available upon request. There are two of them. One will be for general questions, Law Library and visiting. The other form will be a Medical Request Form. This is **only** for the medical staff and doctor to answer and will be forwarded to them. There are separate forms to correspond with Columbia County Community Corrections or with DHS/Immigration.

### PERSONAL PROPERTY

All inmate personal property will be stored in the community storage area of the Columbia County Jail. No personal property will be allowed to be kept in an inmate's room. All property must be approved by the jail staff.

### PROPERTY TRANSFERS

You must follow these guidelines regarding your property:

1. You may release your personal property to any adult outside the facility on an "all or nothing" basis. The adult must present a state driver's license, state ID card, passport or military ID to jail staff, to ensure property is released to the proper individual. A signed inmate request form from you is required.
2. Release of property is available **Monday through Friday from 3:00 P.M. until 4:00 P.M. ONLY.**
3. The following exception applies when:  
An Inmate is committed to a state prison and must release all personal property including their clothing prior to being transported to a state facility.

**If the property is not picked up prior to the inmate's departure, it will be forwarded to ODOC with the inmate.**

4. We do not allow for personal property to be dropped off except for medical items which will be checked and approved by medical staff **first**. Clothes may be brought in if the situation calls

for it. This will be at the discretion of the jail staff.

### COUNTY ISSUED ITEMS

All inmates who are dressed into the Columbia County jail will be issued jail clothing after intake, and in the clothing change/shower room. You will be issued a plastic bin containing a hygiene kit, bed linen, towel, clothing, cup and spork. Other issued items include a mattress (1 each) and this manual. You will be responsible for the condition of all items issued to you. The gray property box or totes are to be used specifically for storage of your personal and issued belongings. They are not to be used for chairs or any other use other than what has been mentioned above. They are to remain under your bunk at all times.

- |                              |                   |
|------------------------------|-------------------|
| 1. One inmate uniform top.   | 7. Two sheets     |
| 2. One inmate uniform pants  | 8. Two Blankets   |
| 3. Two T-Shirts              | 9. One Towel      |
| 4. Two pair of gym shorts    | 10. One Cup       |
| 5. One pair of jail sandals. | 11. One Spork     |
| 6. One mattress              | 12. One Rule Book |

Female inmates may be allowed to retain the following:

1. Personal underwear, if needed for hygiene reasons.
2. Personal bras, with no metal stays or under wires. A sports style bra is preferred.

**During the winter months you will be issued a sweatshirt to be worn in your cell, day room area, the out door recreation yard or under the striped shirt going to court.**

### DRESS CODE

You are expected to remain fully dressed at all times except when you are on your bunk and covered. During that time you must wear the T-shirt and shorts issued by this facility. Any time you leave your sleeping area and room, you must wear a full set of clothing. During lights out, you may go to use the restroom in your t-shirt and shorts if you live in an open dorm.

Your T-shirt must be tucked in at all times and not hanging loosely. Rolling your pant legs up if they are too long, but not above the ankles, is allowed. Do not alter the appearance of your clothes.

You may not roll your sleeves, tuck your pants into your socks, or pull your pants down below the hips. It is not allowed to wear clothes that are too large or too small.

You will be allowed to take your outer striped shirt off while exercising in the recreation area.

### HOUSING UNIT OPERATIONS

The daily operation in the pods will be as follows.

You will be allowed to come out of your cell for a short period of time during the morning at breakfast. You will then be instructed to return to your cell until lunch time. After lunch, you will then have three hours out of your cell. At the end of that period, you will return to your cell. The next period out, will be after dinner for two hours.

Cleaning gear will be provided during the day. We require you to use it daily to clean your cell, bunk area and the pod as a whole on a daily basis.

No one is allowed to sit, stand or loiter on the stairs or catwalks (upper tier floors) at any time. This will include walking or pacing off laps upstairs. There is to be no sitting on the table tops.

Details for each pod are outlined below:

- A - POD is a Multi-Purpose area and may be used as current needs of the facility dictate.
- A - POD will also be the Male Intake and Classification Cell area for the Jail.
- B - POD. The upper tier is used as current needs of the facility dictate.
- B - POD Special, BL1 - BL4 will be Maximum Security/Close Custody and Disciplinary Lock-down.
- C, D and E Pods will be considered Male Medium Security.
- WRM and WRF will be considered Male Minimum Security.
- I - POD is a Minimum Security Pod and will be used as current needs dictate.
- F - POD will be considered Female Maximum/Classification & Intake and may be used as current needs of the facility dictate.
- G - POD will be considered Female Medium/General Population.

**Time out of the cells for each of the pods will be set as necessary to fulfill the needs of the facility.**

#### **INTERCOM SYSTEM**

The call buttons in the cells are to be used for **emergency purposes only**. They are not to be used for any other communication. If the call buttons are misused, the inmate violating this rule will be written up for failure to abide by the rules of the Columbia County Jail.

#### **CELL IN COMMAND**

The command "cell-in" or "bunk-up" means you need to stop what you are doing and go directly to your cell or bunk. You must follow this command without question or hesitation. If you do not, it will directly affect your classification and custody status and also will result in disciplinary actions against you.

#### **IDENTIFICATION CARDS**

You must keep your inmate ID card on your person any time you are out of your cell. Do not let anyone use your ID card. The best place to keep this card is in your shirt pocket. When you are in your cell, place your ID card, right side up, in the window of your door with the picture facing out so the Deputy can see your name and picture. You must surrender your ID card to any staff member upon request.

#### **SELF-ESCORT**

Most inmate movement within the jail, including visiting, medical, programs, work assignments Etc., will be unescorted unless you abuse the privilege. You are expected to conduct yourself in an orderly fashion at all times. **Inmates moving unescorted through the facility may not talk to other inmates, may not touch the walls or the glass, loiter or detour while en route to their destination.** When leaving an area, you need to state your name and where you are going to Central Control. Any inmate who abuses these rules will be subject to disciplinary action and may lose their opportunity for unescorted movement. The exception will be any inmate who is classified as maximum security and who needs to be escorted in the facility at all times.

#### **WAKE UP AND LOCK DOWN**

Day room and cell lights will be turned on at 6:00 A.M. daily. Make your bed and dress for breakfast. Breakfast service will begin at approximately 6:30 A.M. daily. Day room lights and television will be turned off at about 10:15 P.M. and the cell lights will be turned off at 10:30 P.M. All inmates must be on their bunks at "lights out" and are required to remain quiet.

Each inmate is expected to completely clean your room and area, make your bed, dump trash cans, etc. when the cleaning supplies are available to you. Be aware that there are usually some cleaning materials available at all times.

### INMATE COUNTS

There will be at least six "Formal Counts" per day. At the beginning of each "formal count" you will be instructed to "cell in or bunk up." At that time you must:

1. Go into your cell and close the door or get onto your bunk depending on the pod you are in.
2. Correctly place your I.D. card in the window of your door or on your bunk. If you are on a bunk or otherwise not in your room or pod, having the ID card in your hand and presenting it to the deputy doing the count is acceptable.

There will be numerous informal counts per day, therefore, whenever a Deputy enters your cell, remain where you are, do not move until the deputy leaves or instructs you to move.

### MEALS

Meals will be served three times daily at approximately 6:30 A.M., 12:00 P.M. and 5:00 P.M. Pre-classification and disciplinary inmates may be required to eat in their cells. All others will eat at the tables provided in the day rooms. Televisions will be off during the serving of meals. Once the meals have been served and the Deputy leaves the pod, the television may be turned back on.

### BEDS AND BEDDING

Bedding will consist of two sheets and two blankets. Blankets and sheets may **not** be removed from your cell or bunk, nor may they be placed on the floor for any reason. You are not to take the mattress off the bunk and place it on the floor of your cell or in the day room of the pod. Your mattress may only be used for sleeping purposes. The bunk area must be left in an orderly fashion throughout the day.

### SANITARY PRACTICES

It is your responsibility to keep your cell clean and uncluttered. It is also the responsibility of each member of the housing unit to keep the day room, shower and outside recreation area clean. You will be provided with cleaning supplies and are expected to use the cleaning supplies as much as necessary to ensure you live in a clean environment.

You are to follow these rules for a clean and healthy housing unit:

Clean your cells, including the sink, toilet, floors and door windows daily.

Pod Porters will clean day room areas daily.

Pod Porters will clean the following, but not limited to: Tables, floors, stairs, walls, showers, bathroom areas, railings, and windows.

**Keep the walls clean and free of graffiti or marks of any kind.**



Place all garbage in the trash cans in the housing units.

**Keep all pictures and papers off the walls, bunks, bottom of bunks. Do not hang, stick, or paste pictures or papers to the walls, bunks or any where else in the facility.**

Keep commissary food items in your property container. (Gray totes)

**Do not save food from meal service.**

Wash your hands frequently.

Participate in laundry exchange twice weekly.

Shower at least twice weekly, but we strongly encourage you to shower daily.

Keep the showers clean, and free of excess soap and shampoo bottles.

Keep your gray bin or tote clean

Any other duties that Corrections Staff may assign.

**Keep your room or bunk area uncluttered of excess items. This includes legal papers.**

Ask staff for assistance if you have a large amount of legal papers to store.

Vents for air circulation should be kept clean and obstruction free.

### SANITARY INSPECTIONS

Deputies will inspect each housing unit daily to ensure it is a safe and clean environment. You will need to follow basic sanitary practices, to ensure your cell area meets the sanitation requirements and to pass the sanitation inspections. If your cell does not meet sanitation requirements, you will lose privileges and be instructed to clean the area. If the day room, shower area and outside recreation areas do not meet sanitation requirements, the entire housing unit may lose privileges. These privileges are those listed at the beginning of this manual. If you or your housing unit lose privileges, they will be reinstated if you pass the next regularly scheduled inspection.

### HAIR CARE AND PERSONAL GROOMING

We encourage you to shower daily. We hand out razors three times a week. Once a week a list will be put into your respective pod and you must sign up on that list to receive a haircut. Hair cuts can be done when a person is available to be the barber. There is a \$5.00 charge for the haircut. Haircuts will be done on Saturdays and Sundays only. You will be allowed to have one haircut per month. **Haircuts other than a trim or a complete removal to a short stubble are not allowed. No other styles will be tolerated.**

### COMMISSARY

The Columbia County Jail has a well-appointed commissary list from which inmates with funds may purchase various items. Inmates without funds may order indigent hygiene kits once per week, as needed. Indigent items will be posted to the inmate's account creating a negative balance. **Commissary sheets will be handed out once a week. If you did not get funds in before the commissary sheets were made up to be passed out, you will have to wait until the following week to order.**

### MONEY ACCOUNTS

Each inmate in the Columbia County Jail will have a "money account" established during the booking procedure. Funds may be deposited 24 hours per day seven days per week, via Visa or Mastercard by a toll-free phone call to 1-866-232-1899, via internet at: [www.touchpaydirect.com](http://www.touchpaydirect.com) or by depositing cash into a kiosk in the Sheriff's Office lobby. The depositor needs the inmate's name, booking number, and Facility Locator No., which is 297001. All purchases will be deducted from the account. Funds deposited to an account showing a negative balance will be deducted from that balance. The positive balance, if any, is available for the inmate's use. The balance will be refunded to the inmate upon discharge.

## OUTDOOR RECREATION

An open air recreation area is provided in the jail for your use as scheduled throughout the day. Central Control will notify each of you of your recreation time. When you are called for outdoor recreation, you need to be ready to go. No one will be allowed to depart the Pod late for recreation.

The following rules apply while using the open air recreation area:

1. Do not yell or attempt to communicate in any way with the people outside the recreation area, except for Corrections Staff.
2. Do not engage in "horseplay." We do not want people to get injured.
3. You must wear a minimum of a T-shirt, pants and shoes. Movement to or from outdoor recreation will require the complete uniform, including your ID card.
4. You are not to take anything extra with you to outdoor recreation. This includes papers, candy, food items and anything that can be used to write or color with. If you are found with these items, disciplinary action may be taken.

## MEDICAL SERVICES

The Columbia County Jail will provide emergency medical, dental, and mental health care to all inmates regardless of their ability to pay for such services. No inmate will be denied care for serious health care needs based on the cost of medical services or the inmate's inability to pay for health care. All medical visits initiated by you will be assessed a fee which will be charged to your personal money account. You will be financially responsible for any elective surgery or other treatment you may request from your personal physician, dentist or other provider.

Medical screening or appraisals at intake, or for inmate workers will be provided at no cost to you. ~~All inmates will receive a medical evaluation within their first 14 days of incarceration.~~

Prescription medications: You will be charged for all prescription medication prescribed for you and purchased by the jail on your behalf.

Over the counter medications such as; Tylenol, Aspirin, antacid etc., will be available from our medical department for a small charge.

## SICK CALL

~~You will be able to see medical personnel through the appropriate Inmate Medical Request form. The Medical Request form will be passed to the appropriate medical personnel of the Correctional Institution.~~

## MEDICATION

Health care staff may fill prescriptions at their discretion. Health care staff may discontinue prescribed medication as directed by the jail health care supervisor or physicians. If you came from another correctional facility and had your medication transferred with you, the transporting Deputy will give your medication to the health care staff. If you are leaving our jail and going to another jail, the transporting Deputy will get your medication from the health care staff and transport it with you.

As a warning, any abuse of your medication may result in the discontinuation of your receiving the medicine.

## MENTAL HEALTH SERVICES

Columbia Community Mental Health is the provider of these services for the facility. If you feel the need to see a mental health professional, contact a Deputy or the health care staff.

### HEALTH APPRAISALS

This health appraisal must be done before an inmate can be considered for "worker" status.

### SPECIAL DIETS

You must direct all requests for medical diets to the health care staff for approval. If you need a special diet for medical reasons, please submit a request slip to the health care staff. If you need a special diet for religious reasons, please submit a request form. A Deputy will pick up the form from you and give it to a supervisor for approval. If approved, the religious diet will remain in effect for the length of your incarceration. **Be aware that there may be a charge assessed for the extra cost associated for the special meal.**

### MEDICAL GRIEVANCES

In case of any unresolved problem regarding medical, dental or infirmary care, you may follow the grievance procedures outlined in this manual on page 9.

### LIBRARY

All inmates of the Columbia County Jail will be afforded ample opportunity to have access to library books within the jail library. The books may be delivered by a cart. You may have up to three books at a time. All books must be returned to the library or the cart, prior to checking out more. If a search of your person or cell reveals that you have more than three books in your possession, you will be subjected to disciplinary action. Damaged books must be returned to a Deputy, immediately. Possession of damaged books may be grounds for disciplinary action.

### LAW LIBRARY

All inmates of the Columbia County Jail will be given access to one hour in the law library per request. Use of the law library will be limited only by time and the need to maintain the safety and security of the facility. To gain access, you must submit a request form at least twenty-four (24) hours in advance. You will be expected to take a note pad and pencil with you to the law library to assist you in your research. All law books, reference material and other articles must remain in the law library to ensure equal access for all inmates. There will be very limited copying capabilities available to you for which your account will be charged a fee per copy. No inmate will be denied this service based on an inability to pay.

When you finish, you are required to leave the law library orderly and neat. Please be aware that corrections staff **cannot provide you with legal advice or legal assistance.** If you have any questions, please consult your attorney.

### PROGRAM SERVICES

If and when available, you have the opportunity to participate in a variety of program activities. Recommended programs assist you in making constructive use of your time and to make positive changes in your life. We have grouped these into two main categories:

Voluntary activities

Inmate worker activities

You may participate in activities in one or all of these categories depending on your:

Sentencing status

Assessments results

Length of sentence

Classification



### **VOLUNTARY ACTIVITIES**

All general population inmates may have access to voluntary activities. These activities include but may not be limited to:

- Religious services
- Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) groups
- Religious based life skills classes
- Individual educational tutoring (21 and under)
- Recreational library
- Law library

A sign up sheet for the voluntary activities will be posted in your housing unit. You must sign up on the provided list to be able to participate. Remember that participation in these activities is a privilege. Participation is dependent on your continued cooperation and responsible behavior.

### **INMATE WORKER ACTIVITIES**

If you want to work in the jail, you will need to request and fill out an Inmate Worker Labor Agreement and submit it.

Staff will select various inmates to do kitchen, custodial or maintenance jobs in the facility. Health care staff must clear you before you can participate in the worker activities especially in the kitchen.

You may receive work time credit only if you are sentenced and your sentence order authorizes it. Any change of a job description or shift must be approved by a Supervisor.

### **TRANSFER TO WORK RELEASE CENTER**

The Courts and/or Supervisory Authority may consider you for transfer to the Work Release Center if authorized on your sentence order. These transfers are not automatic. Jail staff must approve all transfers.

Factors considered in transfer decisions will include:

- Judge's approval
- Length of sentence.
- Individual needs.
- Available space.
- Classification.

Demonstration of compliance with jail rules, expectations and responsible behavior.

If you are interested in participating in any programs, you must submit a request on an Inmate Request Form. Misbehavior or administrative concerns may prevent access to these programs. Disciplinary write-ups or actions will affect program eligibility.

### **INMATE GRIEVANCE PROCEDURE**

You may submit a grievance about a condition in the jail if you think it is a problem or is unfair. You cannot grieve: disciplinary actions (there is an appeal process for that), classification decisions, incidents or problems which you were not party to, a collection of unrelated complaints, and no group grievances.

To file a grievance, you must follow the steps below in the order shown. You cannot skip one.

1. An inmate may request a Grievance Form from any Corrections Deputy at any time to bring to attention any perceived problems and proposed solutions. The Deputy will address any

grievance within the scope of their authority and document any action taken regarding the request within five (5) working days.

2. The inmate may redirect the grievance to the Shift Supervisor for any complaint which cannot be reasonably resolved by the Deputy. The Supervisor will address any grievance within the scope of his/her authority and document any action taken on the form within five (5) working days.

3. If the complaint is not resolved to the inmates satisfaction by the Supervisor, the inmate may send the Grievance Form to the Facility Supervisor or his designee. The Facility Supervisor or designee will address the complaint and document any action taken on the form within five (5) working days.

4. If the complaint is not resolved to the inmate's satisfaction by the Facility Supervisor, the inmate may send a sealed Grievance Form to the Sheriff. The Sheriff will address the complaint and document his decision on the form within ten (10) working days. The Sheriff's decision will be final!

[REDACTED]

### COURT CONDUCT

Your arraignment will be your first court appearance in jail. During your arraignment, a judge will tell you what you are charged with and your rights with regard to those charges. The judge may appoint an attorney at this time if you qualify.

During any court appearance you will not have contact with any person other than your lawyer or the court officials. Contact includes talking, signaling, or passing notes to people.

Video arraignment is considered a court room setting and the above rules apply.

### SEARCHES

Jail staff may conduct random unannounced searches of your person or of items in your possession, and in any area of the jail at any time. Your personal property and/or living area may be searched without your permission and whether or not you are present.

### CLASSIFICATION

All newly arrested inmates who are not released prior to movement from the booking area will be assigned housing in a Pre-Classification unit. They will be maintained on lock-down status for up to the first seventy-Two (72) hours, for classification purposes.

[REDACTED]

### CLOTHING EXCHANGE

Clean clothing will be provided twice weekly. You must turn in all of your soiled clothing during clothing exchange. In return you will receive 1 T-shirt, 1 pair of shorts, 1 towel, 1 striped shirt and 1 pair striped pants. On every other exchange you will receive clean sheets. Blankets may be exchanged every 30 days. Each housing unit will have a different laundry schedule.

Jail staff will make every effort to ensure clothing is in good repair. You are responsible for all clothing and bedding issued to you. You should check the condition of the clothing you receive and immediately inform a staff member and exchange any clothing or bedding that has a tear or

graffiti written on it. If you are found to be in possession of damaged items, you will be subject to disciplinary action. This may include payment for the damaged clothing.

### **FIRE AND EMERGENCY SAFETY**

In case of any type of emergency or evacuation, you are to follow any direct order of a Deputy. There are emergency evacuation procedures in place and you will be evacuated in an orderly manner to a safe place.

If you are asked to evacuate an area by a Deputy, you are to form a straight line at your Pod door and wait for directions from a Deputy or the Control Room staff. A Deputy will direct you to a safe area.

### **MAIL**

The mail is delivered to the Sheriff's Office Monday through Saturday, excluding holidays.

**General Rules:** You may send and receive correspondence through the U.S. Mail. **Hand delivered mail, messages and notes will not be accepted or forwarded to you.**

Except for unusual circumstances, such as on holidays or weekends, incoming mail will be **forwarded to you within 24 hours of its receipt.** Outgoing mail will be placed in a pickup box within 24 hours of receiving it from you. If we receive mail for you after your departure, it will be returned to the sender. You must notify the post office of your forwarding address when you leave the jail.

Except for "Official or Legal and Confidential mail," staff may scan and inspect all incoming and outgoing mail. Do not seal any mail that is not legal mail.

"Official or Legal and Confidential mail" is all mail to or from your attorney, government officials, the jail administrator, the Sheriff, the courts or the media. We may open and inspect this mail in front of you to ensure it does not contain contraband.

#### **Outgoing Mail:**

**Inmates will place all outgoing mail in the mail drop located in the day room of each housing unit. You are not to seal your letters unless it is Official Mail as mentioned above.** You are expected to legibly address your envelope and use the proper postage. All outgoing letters must list the following return address:

Your name  
Columbia County Jail  
901 Port Avenue  
St. Helens Oregon 97051

#### **Incoming Mail:**

Incoming mail **should have a complete return address.** This is for the protection of you and your loved ones since mail marked "Return to Sender" does not have a proper return address, it is placed in the "Dead Letter" box by the postal service. **We reserve the right to return mail that is not properly addressed.**

#### **Publications:**

We do not accept magazines. **Books must be sent directly from the publisher or book store.** These books can only be religious or educational in nature.

#### **Prohibited Mail:**

**The following mail will not be received or sent from the facility.**

1. Mail from one inmate to another at this facility requires a supervisor's approval.
2. Mail that threatens blackmail or extortion.

3. Mail that concerns sending contraband into or out of our jail.
4. Mail that concerns escape plans.
5. Mail that concerns plans for activities in violation of the jail rules.
6. Mail that concerns plans for criminal activity.
7. Mail that contains information which, if communicated, would create a danger of violence or physical harm to a person.
8. Mail that is sensational. Sensationalism is writing or other printed material that poses a threat to the security, safety, or good order of the jail.
9. Mail that contains any contraband materials.
10. No personal packages will be accepted through the mail or by the Sheriff's Office Clerks.
11. Polaroid or other instant developing photographs.
12. Picture frames or picture folders.
13. Photographs larger than 4" x 6".
14. More than three photographs in one piece of mail. (A reminder that you are not allowed to display more than three photographs at anyone time.)
15. Postage stamps, blank writing paper, or blank envelopes.
16. Mail that contains gang-related writings, drawings, or symbols on the outside of the envelope or letter.
17. Mail that contains a foreign substance or bodily fluid.
18. Mail written in code or suspected code.
19. Sexually explicit materials.
20. Mail that encourages or instructs in a commission of a crime.
21. Mail falsely labeled "Official Mail."
22. Photographs that are not printed by a professional commercial source (photo labs or kiosks) will not be accepted. (Home printer produced pictures on regular paper are not allowed.)

#### **Mail confiscation:**

You will be provided a written notice of any of your mail not sent out or delivered to you and if it was sent back to the sender or placed into your property. You may submit a grievance if you want to ask for the return of the confiscated items.

#### **TELEPHONE PRIVILEGES**

Your use of jail telephones is a privilege. Jail staff may limit your telephone use for reasons of safety, security, good order, or sanitation of the jail. Inmates classified to housing units will be allowed to use telephones from 0800 hrs to approximately 2200 hrs, based on the operations of the housing unit you are in. **Conversations on any telephone in the jail may be monitored and/or recorded without further notice. You are consenting to this monitoring when you use the jail telephones.**

There are some local attorney's phone numbers that have been set up as non collect so you can call them directly from the telephones in the pods. **Confirmed attorney phone numbers are blocked from the monitoring system.**

All telephone calls from a housing unit are a collect call or by the phone cards that you purchase here. The phone cards are able to be used upon release from the Columbia County Jail. Telephone calls are limited to 15 minutes each. The telephone system will warn you before the 15 minute time period is up so you can end your conversation.

Inmates are not allowed to receive incoming telephone calls. Jail staff will deliver verifiable **emergency** messages to you.

**REMINDER: TELEPHONES ARE A PRIVILEGE. DO NOT ABUSE THE SYSTEM. ANY DAMAGE TO THE PHONE WILL RESULT IN A DISCIPLINARY HEARING AND A CRIMINAL CHARGE BEING**



**FILED AGAINST THE INMATE.**

**VISITING**

All public visits will be scheduled by the Inmate requesting the visit. The inmate must contact prospective visitors by phone or mail, and determine an acceptable visiting date. Time slots maybe used on a first come, first serve basis. Visitors are encouraged to arrive 10 to 15 minutes early to sign in. If all of the slots are taken for that time frame they can either wait till the next times start for that pod, if it is available, or return on another day. Visits will start on the hour and half hour.

Authorized visitors shall be members from the inmate's family, and friends age 18 and older. Visitors under the age of 18 must be accompanied by a parent or legal guardian. Attorneys and clergy are not considered public visitors.

Inmate visitation is a privilege and while the Columbia County Sheriff's Office encourages visitation, that privilege must be regulated to protect the needs of the entire jail operation. The amount of time allotted for visitation is based upon the classification and status of each inmate.

Classification is based upon the inmate's current charges, criminal history and current demeanor. All inmates will be allowed a maximum of two thirty (30) minute visits per seven (7) day period (Sunday through Saturday), as time and space allows.

Inmates assigned to Disciplinary Segregation will not be allowed visitation privileges.

Inmates not yet assigned to a housing unit or who are housed in the pre-classification unit, will not be allowed public visitation.

Inmates serving a sentence of seventy-two hours(72) or less will not be allowed public visitation.

Due to space limitations, acceptable visiting combinations are limited to:

1. One Adult
2. Two Adults
3. One Adult and One Child
4. One Adult and Two Children
5. Two Adults and One Child

Inmates have the right to refuse any visit, however that right should be exercised prior to visiting time.

All inmates wishing to receive public visits must establish a visiting list of not more than five (5) people. Persons not on the approved list will not be allowed to visit. You are able to change your visiting list once every 30 days from the time you establish your list. You need to fill out the visitation part of the request form to make the changes. The minimum information required for each person will be:

1. Visitor's full name
2. Date of birth
3. Relationship
4. The name of any child who may be in the company of his/her parent or guardian.

The schedule for visiting will be as follows:

Sunday: A-Pod 0930-1100  
 G-Pod 1400-1530  
 WRM 1830-1900  
 Monday: C-Pod 0900-1030  
 B-Pod 1430-1500  
 F-Pod 1830-1900  
 Tuesday: D-Pod 0900-1030  
 A-Pod 1430-1500  
 E-Pod 1800-2000  
 Wednesday: I-Pod 0900-1030  
 E-Pod 1300-1530  
 G-Pod 1830-2000  
 Thursday: D-Pod 0900-1030  
 C-Pod 1330-1530  
 WRM 1830-2000  
 Friday: No Visiting  
 Saturday: F-Pod 0900-1000  
 I-Pod 1400-1530  
 B-Pod 1530-1600

THIS SCHEDULE IS SUBJECT TO CHANGE; ANY CHANGES SHALL ALLOW TIME FOR INMATES TO RESCHEDULE AFFECTED VISITS.

#### SPECIAL VISITS

Special considerations may be given for emergency and/or special situations where normal visiting procedures may not be practical. Such situations as the death of a family member or close friend, serious injury of a family member or visitors traveling great distances, who have arrived unexpectedly may be considered on a case-by-case basis by the Supervisor or Corporal on duty. All special visits will be subject to the same rules and requirements as regular visitation. Special visits may be conducted in the Attorney Visiting Rooms if available and necessary due to other visitation which may be in progress.

#### ATTORNEY VISITS

Inmates shall be given the opportunity to visit their attorneys at reasonable times, consistent with the safety and security of the facility. All visits will be scheduled by the attorney.

#### CLERGY VISITS

Clergy Visits will be handled as a regular visit. The member of the Clergy you want to have a visit with will be added like a normal visitor just like it is described in the regular visiting rules. They will be allowed to visit you on the regular date and time for the pod you are assigned to. The Clergy member will not count against you for the five people you are allowed to have on your visiting list.

**CONFIDENTIAL**

Any information contained in this document is confidential and is not to be released to the public. Any release of this information is strictly prohibited.

#### PROCEDURES FOR MINOR RULE VIOLATIONS

1. The accused inmate shall be served with a minor rule citation by the citing Deputy as quickly as is practical, after the violation is discovered, but in no case shall it be longer than 24 hours after the investigation is complete.

2. The inmate will sign the misconduct report and acknowledge receipt of alleged violation(s) and the right to appeal. The inmate may enter a plea of "Guilty" or "Not Guilty".

A. Upon entry of a "Guilty" plea, a Deputy will schedule an informal hearing for possible sanctions to be imposed.

B. Upon entry of a "Not Guilty" plea on the misconduct report or upon request for a formal hearing the incident will be handled the same as a Major Violation.

#### **MINOR RULE VIOLATION SANCTIONS**

Sanctions resulting from a guilty plea on a Minor Misconduct Report may include:

- a. Verbal warning.
- b. Creative sanction appropriate to the offense (i.e. extra work detail, etc.).
- c. Housing Unit lock down not to exceed 24 hours.
- d. Disciplinary segregation not to exceed five (5) calendar days for a single violation. Inmates may receive separate lock down time for each marked violation. This should not exceed a total of fourteen (14) calendar days.
- e. Re-Classification
- f. Probation for up to 30 days.
- g. While in disciplinary segregation there is no access to programs.

Inmates get one hour out each 24 hours. Telephone (except legal) and television use may not be permitted. Commissary choices are restricted. Personal visits are suspended for the duration of the segregation. Book cart or library access is permitted; however, this privilege may be taken away as a sanction.

#### **MINOR RULE VIOLATIONS**

1. Possession of nuisance contraband.  
Nuisance Contraband: Any authorized item found in an inmates possession that has been altered or is in excess of the authorized amount.
2. Arguing: Any disagreement which becomes disruptive, loud or obnoxious.
3. Possession of another inmates property.
4. Unauthorized use of facility property or equipment (i.e. washers/dryers, barber equipment, etc.)
5. Acting as a lookout
6. Being in an unauthorized area without corrections staff present.



7. Purposefully obstructing the view of Corrections Staff.
8. Inappropriate remarks or misuse of the inmate request forms or any of the forms or paperwork handed out or used in the facility.
9. Unwarranted emergency calls.
10. Horse Playing: Any aggressive or faked aggressive actions, which may lead to or be mistaken for a physical altercation.
11. Disrespect to other inmates (i.e. name calling, profanity or accusations directed at another inmate).
12. Cursing, uncontrolled use of profanity or obscenities that may be considered offensive to others.
13. Excessive noise.
14. Failure to properly maintain living area.
15. Hanging paper, linen, clothing, etc. on light fixtures, walls, ceilings etc.
16. Failure to maintain personal hygiene.
17. Improper attire (i.e. not following the dress code stated in the manual).
18. Displaying or demonstrating gang affiliations (i.e. hand gestures, hand in pants, low riding trousers, etc.).
19. Graffiti: writing, drawing or marking on any of the surfaces of the facility.
20. Posting any type of picture, drawing or any other material on the walls, bunks or any the surfaces of the facility.
21. Misuse of the intercom system.
22. Disrespect towards any Staff Member or Sheriff's Office Employee
23. Disruptive Behavior
24. Unauthorized use of the typewriter. (Law Library)
25. Lying to Staff Members.
26. Other

#### **PROCEDURE FOR MAJOR RULE VIOLATION**

All Major Rule Violations will be handled through a formal disciplinary process, and require a formal hearing.

1. When an inmate commits, or is believed to have committed a Major Rule Violation, the inmate will be immediately placed on pre-hearing segregation status pending the outcome of the disciplinary hearing, regardless the nature of the alleged conduct. This can cause some restriction in your privileges.

2. The accused inmate shall be served with a Major Rule Citation and the Inmate Rights form by the citing Deputy as quickly as is practical, after the violation is discovered, but in no case shall it be longer than 24 hours after the investigation is complete.

3. The inmate will have a hearing before a hearings officer within five (5) days of the incident excluding Saturdays, Sundays and Holidays. The inmate will be notified at least 24 hours prior to the hearing.

4. After the hearing, the hearings officer can render a decision immediately or within 72 hours.

A. If the inmate is found "Not Guilty", the inmate will be restored to the same status and privileges as before charged.

B. If the inmate is found "Guilty", the Hearings Officer will impose an appropriate sanction from the Major Rule Violation Sanction list.

#### MAJOR RULE VIOLATION SANCTIONS

Sanctions resulting from a finding of "Guilty" in a hearing for a Major Violation may include the following:

1. Temporary or permanent change in programming to include:
  - A. Change in housing assignments. (i.e. re-classification)
  - B. Change in custody status.
  - C. Removal from work status with concurrent suspension of credit for work, as directed by O.R.S. 169.120
2. Reclassification to Disciplinary Segregation for no more than sixty (60) days for all (multiple) violations arising out of one incident (only 30 days maximum on a single violation) and giving credit for time served as appropriate.
3. Loss of Statutory Good time and modification of release date in accordance with O.R.S. 169.110.
4. Suspension of any part, (or all of the above if appropriate), along with information of expected conduct to avoid imposition.
5. Any combination of one (1) through four (4), listed above.
6. Unless medically or psychiatrically required, no segregated inmate shall be denied clothing or bedding that is allowed to general population inmates.
7. Segregated inmates shall be provided the same food as general population inmates.
8. Personal hygiene items and shower facilities will be provided regularly to segregated inmates, unless there are documented security reasons which would prohibit them.
9. While in disciplinary segregation there is no access to programs. Inmates get one hour out each 24 hours. Telephone ( except legal) and television use is not permitted.

Commissary choices are restricted to hygiene items only. Personal visits are suspended for the duration of the segregation. Book cart or library access is permitted; however this privilege may be taken away as a condition of the sanction.

### MAJOR RULE VIOLATIONS

1. Habitual Misconduct: 3 or more separate minor rule violations within 30 days.
2. Refusing to comply with a Deputy's/ Staff/ Kitchen Staff directives.
3. Tampering with or destruction of Identification Card
4. Refusing to lock down on command, or during a disturbance.
5. Refusing to go to court.
6. Tampering with security devices/ facility equipment.
7. Threatening or strong arming another inmate.
8. Giving false information to a Deputy.
9. Creating a disturbance while on lock down (i.e. banging doors, excessive noise, flooding the cell, etc).
10. Threatening staff members
11. Smoking, or possession of smoking paraphernalia.
12. Possession of unauthorized beverages (i.e. pruno).
13. Indecent exposure.
14. Theft.
15. Extortion.
16. Destruction of, or Defacing County property.
17. Possession of illegal drugs or prescription medications belonging to another or misuse of prescribed medications.
18. Participation in organizing or recruiting for gang related activities.
19. Sexual misconduct/ homosexual activities
20. Fighting.
21. Assault on another inmate.
22. Assisting a suicide
23. Possession of a weapon.



- 1) Work Release Inmates are charged a minimum of \$15.00 per day or two hrs of pay if the inmates hourly rate of pay is higher than \$7.50 per hour.
- 2) Hygiene Kits \$2.15 each
- 3) Hair Cuts \$5.00
- 4) Medical/Nurse visits \$5.00
- 5) Replacement ID Cards \$5.00
- 6) Razors \$0.15
- 7) Copies of legal materials \$0.25
- 8) Feminine Hygiene Products \$0.20

All fees are subject to change at any time

#### **TELEPHONE SERVICE NUMBER**

If you or your family have any questions about billing or connection problems concerning the inmate phones, please call the service provider at 1-866-230-7761. We have a brochure available to answer more questions if you need it, please ask and we will provide it.

#### **SEXUAL ASSAULT AWARENESS**

##### **DID YOU KNOW?**

Rape and sexual assault happens to females and males of all ages, from infancy to senior years.

98% of males who have raped boys reported they are heterosexual. Most males who assault men or women are married or report having girlfriends.

Sexual assault had nothing to do with the victim's present or future sexual orientation. Victims may be either heterosexual or homosexual.

A survivor is not at fault for the rape, even if she/he was in a secluded area, or had previous consensual sex with the attacker.

The fact a male victim of sexual assault ejaculated or became sexually aroused does not mean they were not raped or that they gave consent. These are normal, involuntary physiological reactions.

It is common for survivors of sexual assault to have feeling of anger embarrassment, panic, depression, guilt, and fear after the attack. Other common reactions include loss of appetite, nausea or stomachaches, headaches, loss of memory and/or trouble concentrating and changes in sleep patterns.

##### **FACTS FOR THE INMATE THAT SEXUALLY ASSAULT OTHER INMATES:**

All cases of sexual assault will be referred to the Enforcement Branch or Major Crimes Team (MCT) for criminal investigation. You may be prosecuted and if found guilty of a felony, you may be sentenced to prison time (up to 100 months for each Rape I or Sodomy I conviction). Any sex offense conviction will automatically add sex offender conditions when you release, which may require you to register as a sex offender per ORS 181.594. This registration requirement is for life. You also be deemed as a "Predatory Sex Offender", which would require community notification upon your release.

Regardless of how you choose to characterize it, any sexual activity will increase your risk of HIV infection, along with exposing you to other sexually transmitted diseases.

If you have trouble controlling your actions seek help from mental health staff and/or consider participating in programs designed to control anger or reduce stress. To reduce immediate feelings of anger or aggression, try talking to or writing a friend, meditate or do breathing exercises to relax, work on a hobby, or engage in some type of exercise.

### **SEXUAL ASSAULT**

Sexual assault as defined by Columbia County Jail policy is "Sexual conduct where force or threat of force is used, or when the person is unable to consent because of age or incapacitation (mental defect, mental incapacitation, or physical helplessness). Sexual conduct includes: vaginal penetration by a penis; contact between the genitals of a person and the mouth or anus of another person; penetration of the vagina, anus, or penis of another person with any object other than the penis or mouth; touching of the sexual or intimate parts of someone or causing someone to touch the sexual or intimate parts of another for the purpose of sexual gratification." Any behavior or act of a sexual nature directed toward an inmate by an inmate, employee, volunteer, visitor, contract employee or other agency representatives. This includes acts or any attempts to commit such acts including, but not limited to, sexual contact, inappropriate behavior of a sexual nature, unreasonable invasion of privacy, conversations or correspondence that suggests a romantic relationship between an inmate and any party referenced above.

Sexual assault affects everyone, either directly or through the experience of those we care about. It is not only a women's issue as it can affect persons of any gender, age, race, ethnic group, socioeconomic status, sexual orientation, or disability.

The statistics are proof of this problem: According to the National Crime Victimization Survey (NCVS), in 2002 there were 247,730 victims of rape (This number does not include victims 12 or younger), seven out of every eight rape victims were female, and one in every eight rape victims was male. A 1998 study indicates that about 2.78 million American men have experienced an attempted or completed rape and one out of six American women have experienced an attempted or completed rape.

### **SEXUAL ASSAULT AVOIDANCE**

The only rape that can be prevented is when a potential rapist chooses NOT to rape. However, you may avoid an attack by keeping the following safety guidelines in mind:

Be aware of situations that make you feel uncomfortable. Trust your instincts. If it feels wrong, LEAVE.

Don't let manners get in the way of keeping yourself safe. Don't be afraid to say "NO" or "STOP IT NOW".

Walk and stand with confidence. Many rapists choose victims who look like they won't fight back or are emotionally weak.

Avoid talking about sex, and casual nudity. These things may be considered a come on, or make another inmate believe that you have an interest in a sexual relationship.

Do not accept canteen items or other gifts from other inmates. Placing yourself in debt to another inmate can lead to sexual favors.



Avoid secluded areas; Position yourself in plain view of staff members. If you are being pressured for sex, report it to a supervisor immediately.

### **WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED**

**If the attack has just happened.....**

Get to a safe place.

**REPORT THE ATTACK TO A STAFF MEMBER IMMEDIATELY.**

The longer you wait to report the attack the more difficult it is to obtain the evidence necessary for criminal and/or administrative investigation.

Request immediate medical attention. You may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases.

Do not shower, brush your teeth, use the restroom, or change your clothes. You may destroy important evidence.

If you have been attacked or witness an attack, but you are unwilling to report it in person to a CCSO uniformed staff member, then you may speak with a counselor, chaplain, medical staff, write a sealed letter to any command staff member, or contact a CCSO Detective at 503-366-4650.

**Later on.....**

Seek the support of a trusted friend, family member or staff member, such as the Chaplain or the counseling staff. The days ahead can be traumatic and it helps to have people who care about you supporting you.

Seek professional help. Mental Health staff are available for crisis care 365 days a year, to listen and offer support.