

officials or organizations including, but not limited to courts, counsel, officials of the confining authority, government officials, administrators of grievance systems, Department of Corrections, Jail and Prison Inspection Division, Department of Juvenile Justice, and members of the Parole Board.

- c) ~~The facility shall not limit mail to or from an inmate except when there is clear and convincing evidence to justify such limitation.~~

Inmates shall be permitted to send sealed letters to a specified class of persons and organizations as defined in (b), above.

- d) ~~If an inmate is indigent, he/she shall be provided sufficient postage, envelopes, and writing materials to write two (2) personal letters per week if he/she wishes to do so. Like provisions apply should an indigent inmate wish to communicate with his/her lawyer(s) and court officials.~~

The facility shall not limit mail to or from an inmate except when there is clear and convincing evidence to justify such limitation.

- e) ~~Outgoing mail shall be collected and incoming mail shall be delivered without unnecessary delay.~~

If an inmate is indigent, he/she shall be provided sufficient postage and writing materials to write two (2) personal post cards per week if he/she wishes to do so.

- f) If an inmate is indigent, he/she shall be provided sufficient postage, envelopes, and writing materials to write two (2) official letters per week if he/she wishes to do so.

- g) Outgoing mail shall be collected and incoming mail shall be delivered without unnecessary delay. (Revised January 2026)

2033

TELEPHONE

Each facility shall develop and implement a written plan for the use of the telephone. Inmates may be required to pay for telephone calls. If telephone calls are to be monitored and/or recorded, notice shall be provided.

Restrictions on making telephone calls should not be imposed unless such privileges have been suspended and/or restricted based on legitimate government interests related to the safe and secure operation of the facility; to prevent continued criminal activities; or other similar concerns. (Revised August 2005)

Telephone terminal devices for the deaf, interpreters, and other reasonable accommodations shall be provided to inmates with hearing or other special needs. (Revised August 2005)

Any reimbursements as a result of the operation of the inmate phone system shall be part of the inmate welfare fund with the commissary funds and all provisions of Standard 2037. (Added January 2026)

2034

ACCESS TO LEGAL COUNSEL, COURTS, AND LEGAL MATERIALS

Each facility shall establish policies and procedures to ensure the right of inmates to have access to legal counsel, courts, and legal materials. Such policies and procedures shall include at least the following:

- (a) The right of an inmate to communicate with legal counsel without censorship or monitoring.
- (b) The right of an inmate to prepare and file legal papers in any court without any reprisal by the facility.
- (c) The right of an inmate for adequate access to legal materials if desired.

Discussion:

While it should not be considered the responsibility of the facility to pay for an inmate's legal counsel, the facility must provide the assistance necessary for the inmate to have effective access to counsel. The assistance provided may range from providing a listing of local attorneys, with their office phone numbers and mailing addresses, to obtaining requested legal materials from the county law library.

2035

EXERCISE

Each facility shall develop and implement an exercise program which includes the following provisions:

- (a) For those inmates held more than seventy-two (72) hours, each inmate in the general population shall be given the opportunity to participate in at least one (1) hour of physical exercise each day outside the cell. When weather allows, a minimum of three (3) hours per week of such exercise should take place outdoors.
- (b) Whenever possible, three (3) hours per week of physical exercise away from the cell or room should be provided for any inmate confined to segregation. When weather allows, such exercise should take place outdoors.

2036

GRIEVANCE PROCEDURE

There shall be a written inmate grievance procedure made available to all inmates.

Discussion:

A grievance procedure is an administrative means of expressing and resolving inmates' problems. The facility's grievance mechanism should include provisions