



## Office of Legislative Corrections Ombudsman

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### **JPay - Electronic Messaging**

The following information is based on the Director's Office Memorandum (DOM) 2014-3, effective December 30, 2013. DOM 2014-3 allows prisoners to receive electronic messages from members of the public sent through the MDOC's approved vendor, JPay.

Electronic messaging through JPay is considered a privilege. All electronic messages are scanned for suspicious content, recorded, and archived by JPay, and monitored by the MDOC.

Electronic messages will not receive any special handling, regardless of sender, even if it would qualify for special handling if received through the mail.

Service terminations by JPay must be addressed with JPay; terminations are not appealable to the Warden.

#### **Incoming Electronic Messaging to Prisoners:**

1. Electronic messages sent to a prisoner will be printed by designated facility staff (unless prisoners are allowed access to a kiosk to read electronic messages) and processed the same as mail. (see Policy Directive 05.03.118 "Prisoner Mail")
2. The electronic message may be read in its entirety to determine if it violates PD 05.03.118. Any message determined by JPay to include suspicious content will be read in its entirety.

#### **Rejected Incoming Electronic Messages:**

1. An electronic message that violates PD 05.03.118 will be rejected and the prisoner is not entitled to notice of the rejection or a hearing.
2. MDOC staff will notify the sender when an electronic message will not be delivered and will provide the reason for the rejection through JPay.
3. The sender may appeal the rejection in the same way as rejected mail in PD 05.03.118.
4. The printed copy of the rejected message will be retained for at least 15 business days after the sender is notified of the rejection; the printed copy will then be destroyed, unless an appeal is pending or the rejection has been reversed.
5. JPay will retain a copy of the archived electronic message.

#### **Blocks on Incoming Electronic Messages:**

1. MDOC staff can block a sender from sending electronic messages to prisoners if the sender has repeatedly sent messages that violate MDOC policy.

2. MDOC staff can block a prisoner from receiving electronic messages from a specific sender if the messages have repeatedly been sent in violation of MDOC policy.
3. Notice of the block will be sent to the sender or prisoner, as appropriate, within a reasonable time after the block has been placed.
4. After a block, the sender and prisoner can still correspond via mail.
5. The sender may appeal the block to the Warden.

**Staff use of Electronic Messages:**

1. Staffers who are registered users may send work-related electronic messages to prisoners.
2. All electronic messages sent from staff to prisoners shall be printed and delivered to the prisoner, even if the prisoner has access to a kiosk.

**Outgoing Electronic Messages from Prisoners:**

1. Prisoners are not able to initiate contact with the public; prisoners can only send electronic messages to persons who first send an electronic message to that prisoner.
2. A person can choose to block the receipt of electronic messages from a prisoner.
3. All outgoing electronic messages are scanned for suspicious content, recorded, and archived by JPay, and are subject to monitoring by the MDOC.
4. Any electronic message containing suspicious content will be read in its entirety.

**Prisoner use of Electronic Messaging System:**

1. Prisoners use kiosks installed in the housing units or other designated areas in the facility to send electronic messages and to retrieve electronic messages sent from members of the public. Prisoners can also use the kiosks to check their trust account balance and view recent transactions where this service is available.
2. Prisoners on toplock or "loss of privileges" (LOP) will not have access to the kiosk during the sanction period, but they can retrieve incoming electronic messages once the sanction period has been served.
3. If printing services are available through the kiosk, the prisoner will be charged the fee established by the CFA Deputy Director for use of this service.
4. Prisoners in any form of segregation, the Special Alternative Incarceration Facility, in-patient mental health units, the Duane L. Waters Health Center, Residential Treatment Programs, or the Secure Status Outpatient Treatment Program will not be able to send electronic messages, unless approved by the CFA Deputy Director or designee.

**Rejected Outgoing Electronic Messages:**

1. An outgoing electronic message that violates PD 05.03.118 will not be sent to the recipient.
2. MDOC staff will notify the prisoner that the message will not be sent and the reason for the decision. The prisoner is not entitled to a hearing to contest this decision.
3. Blocks on Out-going Electronic Messages:

4. MDOC staff can block a prisoner from sending electronic messages if the prisoner sends electronic messages that violate MDOC policy.
5. Notice of a block will be sent to the prisoner within a reasonable time after the block is placed.
6. After a block, the prisoner can still correspond via mail, in accordance with MDOC policy.