



January 9, 2023

To all OSH staff,

This Superintendent Directive replaces Superintendent Directive dated July 5, 2022. This Directive modifies and adds to Oregon State Hospital (OSH) policy number 7.001, "Mail and Packages for Patients."

On July 5, 2022, OSH announced that:

- Effective June 29, 2022, OSH will stop approving patient ordering or any items from an external source.
- Effective July 6, 2022, OSH will stop accepting patient packages from external sources except those ordered through the OSH ordering system.
- Effective July 6, 2022, visitors may not drop off nor provide to a patient any item other than mail.
- The definition of "mail" is any paper documents sent by or received by a patient in a standard sized, legal sized, or special handling envelope with a weight of 16 ounces or less, and thickness of no more than ½ inch. Mail does not include any item other than paper. Legal mail and journalist mail are not subject to the envelope and weight restrictions.

It is my directive that, effective today, January 9, 2023, consistent with Oregon Administrative Rule (OAR) 309-102-0100:

- "Package" means any item sent or received by a patient that does not meet the definition of mail, journalist mail, or legal mail.
- Patients have the right to communicate freely by sending and receiving sealed mail, packages not included.
- Patients may not receive unauthorized packages. Unauthorized packages are handled per OAR 309-102-0100.
- For safety and security reasons, patients, family members or friends who are visitors as defined in OAR chapter 309, division 106 may only



purchase items through the OSH Market, except the patient may purchase printer paper at cost from OSH. OSH will not profit from the sales from the OSH Market. If the OSH Market does not have the desired item, the patient may request authorization from OSH to purchase an item through OSH's ordering system. OSH shall only grant authorization for requests to purchase items if:

- It is not contraband, including but not limited to prohibited items (see OSH policy 8.037, "Patient Property," and OSH policy 8.044, "Contraband");
 - It is patient clothing, personal bedding, reading material, cultural food/items, or religious items; and
 - It can be stored in the designated storage areas in patient's room or patient property room.
- When a patient receives an authorized package, in all areas of the facility, OSH may open and search it for contraband, including but not limited to prohibited items, even if there is no reasonable cause to believe that it may contain such an item. Authorized packages may be opened outside of the patient's presence.
 - Except as otherwise provided in this Directive and OAR 309-102-0100, no OSH staff shall:
 - Open, read, censor, inspect or otherwise examine any patient's incoming or outgoing journalist mail, legal mail, or mail without express permission of the patient who is the sender or receiver of the mail;
 - Prevent, obstruct or delay a patient's outgoing journalist mail, legal mail, or mail from being promptly mailed; or
 - Prevent, obstruct or delay a patient's incoming journalist mail, legal mail, or mail from being promptly delivered to the patient.
 - All patients are required to open received mail and packages in the presence of staff.
 - Harbor's patients are no longer required to shake out received mail in the presence of staff.
 - OSH may open and search mail and journalist mail in all areas of the facility with reasonable cause to believe that it may contain contraband, including but not limited to prohibited items. A patient's presence is not required.
 - OSH may open and search legal mail in all areas of the facility with reasonable cause to believe that it may contain contraband, including but not limited to prohibited items. A patient's presence is required.

- OSH may scan any incoming and outgoing sealed mail, journalist mail, legal mail or packages with non-invasive technology (e.g., metal detector, x-ray).
- Except as required for treatment reasons, safety or security reasons, or when mail is addressed to OSH, OSH staff having read or examined a patient's journalist mail, legal mail, or mail shall protect the patient's confidentiality by refraining from discussions regarding it.
- OSH may place a limit on the patient's rights to send or receive journalist mail, mail, or authorized packages if the limitation and the reasons for the limitation are stated in the patient's written treatment care plan.
 - OSH shall inform the patient of that limitation verbally and in writing.
 - The interdisciplinary treatment team (IDT) must review any ongoing limitation at minimum every 30 days.
- At any patient's request, OSH staff may assist the patient in reading their incoming or sending their outgoing journalist mail, legal mail, or mail. The patient's need for this assistance shall first be documented in the patient's treatment care plan.
- The exchange of electronic mail is an earned privilege and is related to the patient's recent behaviors, current level of care and other privileges.
- OSH shall inform the patient of any incoming or outgoing mail, journalist mail, legal mail, or package found to contain contraband (including prohibited items) was opened because OSH had reasonable cause to believe that it contained contraband, unless OSH has good faith belief that the notification may:
 - Increase the risk to the safety or security of OSH; or
 - Impact an ongoing criminal investigation or proceeding.
- If mail, legal mail, or journalist mail is opened for reasonable cause to believe it contains contraband, OSH staff shall not read or further inspect unrestricted items.
- All journalist mail, legal mail, or mail may be sent or delivered by hand or via any parcel delivery service.
- To aid OSH in identifying the type of patient mail, incoming and outgoing legal or journalist mail should be labeled as such on the outside envelope, box or covering.
- "Unrestricted Items" means any item that is not contraband that has been authorized by OSH for the patient's use or possession.
- Items may be retained from a patient's mail, journalist mail, legal mail, or package per parameters described in OAR 309-102-0140. Patients shall receive documentation in writing of any held item, unless OSH has good cause to believe that providing a copy of the documentation would:
 - Increase the risk to the safety or security of OSH; or

- Impact ongoing criminal investigation or proceeding.
- Contraband must be handled per OSH policy 8.044, “Contraband.”
- “Legal Mail” means any mail received from or address to an attorney, court, tribal official, government official, disability rights organizations or the protection and advocacy system identified in Oregon Revised Statute §192.517.
- “Reasonable Cause” means an OSH staff member has knowledge or notice of facts or circumstances and the rational inferences drawn therefrom that would lead a reasonable and experienced OSH staff member to come to a conclusion.

The definition of “staff” includes all employees, volunteers, trainees, interns, contractors, vendors, and other state employees assigned to work at OSH.

This directive will remain in effect until OSH Policies and Procedures are updated or the directive is otherwise rescinded.

Sincerely,

Dolores Matteucci

Dolly Matteucci (she, her, hers)

Oregon State Hospital

Superintendent – CEO

Desk: 503-945-2850

Cell: 503-309-7287

DOLORES.MATTEUCCI@dhsaha.state.or.us