

22 AAC 05 is amended by adding a new section to read:

22 AAC 05.515. Packages. (a) Except for a publication received directly from the publisher or distributor, a prisoner must obtain prior authorization from the property department before the prisoner may receive a package. A prisoner may receive a package only from an approved vendor.

(b) Before a package is delivered to a prisoner, department staff will inspect the package for contraband. Correspondence, including privileged mail under 22 AAC 05.520(c), will be processed under that section.

(c) On inspection of a package, the facility will inventory the contents of the package, and either

(1) issue a receipt and deliver authorized items to the prisoner,

(2) place items into the prisoner's stored personal property, consistent with space limitations and safety requirements; or

(3) withhold the package or any part of the package under (d) of this section.

(d) Correctional facility staff will withhold a package or part of a package that

(1) is received from a non-approved vendor; or

(2) contains contraband as defined in 22 AAC 05.660.

(e) If staff withhold a package or part of a package under (c) of this section, the staff will

(1) deliver to the prisoner any part of the package that is not prohibited under this section; and

(2) provide the prisoner with written notice that identifies the items withheld and the reason for withholding and informs the prisoner of available grievance procedures.

(f) On receipt of a notice under (e) of this section, a prisoner may

(1) file a grievance within the time specified in the notice; while a grievance is pending, the facility will retain the withheld package or part of the package;

(2) for a package from a non-approved vendor that is not otherwise contraband, request that the facility

(A) mail the package to a party specified by the prisoner; the prisoner shall pay the postage for mailing the package to the specified party;

(B) if the package contains a return address, return the package to the vendor; the prisoner shall pay the postage for returning the package to the vendor; or

(C) discard the package; or

(3) take no action; if the prisoner takes no action under this subsection, or if the package lacks a return address and the prisoner does not timely request mailing under (2)(A) of this subsection, the facility will discard any non-contraband contents of the package.

(g) On completion of any grievance period in (f) of this section, the department will seize a package or part of a package that contains contraband and may initiate disciplinary proceedings under 22 AAC 05.400 - 22 AAC 05.480.

(h) If a facility receives a package for a prisoner who is no longer incarcerated at the facility,

(1) for a prisoner who has been transferred within the department, the facility will forward the package to the new facility within three business days after receipt of the package, at the prisoner's expense, and record the date forwarded and the receiving facility;

(2) for a prisoner who has been released, the facility will

(A) return the package to the return address; or

(B) if no return address exists, request in writing that the former prisoner provide a forwarding address and pay the cost of forwarding; if the former prisoner does not respond within 30 days after the request is sent, the facility will dispose of the package. (Eff. ____/____/_____, Register _____)

Authority: AS 33.30.011 AS 33.30.021 AS 44.28.030

22 AAC 05.660(a)(21) is amended to read:

(21) "mail" means **direct written, typed, or printed** correspondence **sent or received by a prisoner, including letters, postcards, cards, photographs, legal correspondence, and official court documents** [, PRINTED MATERIALS, OR PACKAGES SENT TO OR FROM PRISONERS THROUGH THE U.S. POSTAL SERVICE]; "mail" does not include **a package or publication** [MATERIAL ENCLOSED WITHIN MAIL WHICH DID NOT ORIGINATE WITH THE SENDING INDIVIDUAL OR ORGANIZATION];

22 AAC 05.660(a) is amended by adding a new paragraph to read:

(45) "package" means a parcel, box, envelope, or container holding personal property, clothing, commercial goods, or tangible items other than mail or a publication sent to or shipped by a prisoner.

(Eff. 9/10/77, Register 63; am 8/30/80, Register 75; am 11/3/84, Register 92; am 1/9/87, Register 101; am 11/13/99, Register 152; am 1/13/2012, Register 201; am 12/07/2025, Register 256; am ____/____/_____, Register _____; am ____/____/_____, Register _____)

Authority: AS 01.10.080 AS 11.56.390 AS 33.20.050
AS 33.30.011 AS 33.30.021 AS 33.30.901
AS 44.28.030