District of Oregon CJA Tip Sheet

BOP Sheridan: Legal Mail

The Bureau of Prisons has very specific requirements for legal mail to receive privileged handling. It is not the policy of BOP and/or FCI Sheridan to open and copy attorney mail that is properly labeled as special/legal mail. If it does not conform with these requirements, however, it is at risk of being opened, copied, and given to the client as a copy.

1. White envelopes only

2. The return address must clearly include the name of the attorney, and, title "Attorney" or "Attorney at Law" (not Esquire or any other title)

3. The envelope must be clearly labeled "Special Mail – Open Only in the Presence of the Inmate."

4. Envelopes are limited to 3 inches in depth. Attorneys can divide the mail into several envelopes and identify what envelope number it is, e.g., 1 of 3, 2 of 3. It is helpful to include a copy of the original letter in each envelope.

If counsel learns that properly labeled mail is not being treated as privileged mail, please alert the Federal Public Defender.

For more information, see the BOP Mail management Policy, available at: https://www.bop.gov/policy/progstat/5800_016.pdf