

## **8-03/010.00 Emergency Grievances**

An emergency grievance is defined as an urgent matter wherein a disposition according to the regular time limits could subject the inmate to immediate risk of death, personal injury, or irreparable harm. Emergency grievances should not, however, be used by inmates as a substitute for verbally or otherwise informing staff of an emergency situation requiring immediate response.

When an inmate requests a grievance form for an emergency grievance, the inmate shall be given the form without delay.

Additionally, in order to mitigate the possibility of an inmate being over-detained, any claim by an inmate wherein he or she alleges to have been held in custody beyond his or her release date shall be handled as an emergency grievance. For additional information regarding alleged over-detentions, refer to CDM section 5-14/050.00, "Alleged Over-Detentions."

Personnel receiving any Inmate Grievance Form marked as an emergency shall determine if the situation requires prompt action to protect the life or safety of the inmate or others, and, if so, shall take any appropriate action. Personnel shall give the emergency grievance to a sergeant and notify him or her of the situation without delay. The sergeant shall promptly review the emergency grievance, verify that appropriate action has been taken to address the emergency, and initiate any additional actions to protect the life or safety of the inmate or others. The handling sergeant shall also be responsible for ensuring the Inmate Grievance Form is time stamped and a reference number is assigned in the Custody Automated Reporting and Tracking System (CARTS).

The sergeant shall promptly notify the watch commander of the emergency grievance, who shall confirm the emergency exists and, if so, shall ensure appropriate action has been taken to protect the inmate and to resolve the issues which gave rise to the emergency. The watch commander shall further ensure a written response is provided to the inmate within five (5) calendar days documenting what action was undertaken to address the situation which gave rise to the emergency.

After collecting a grievance in which the inmate is claiming his or her life is in danger, the sergeant shall expedite the process for determining if the grievance is an emergency by checking on the inmate's welfare and promptly notifying the inmate of the determination.

If it is determined an emergency does not exist, the watch commander or designated sergeant shall notify the inmate as soon as practical, but not later than five (5) calendar days, that the grievance will be handled as a non-emergency grievance and document why it was determined not to be an emergency. In addition, any aspects of an emergency grievance deemed to not be an emergency shall be subject to the general inmate grievance process and deadlines set forth in the Inmate Grievance Policy.

When an emergency grievance is received in written form, the watch commander shall ensure the bottom portion of the Inmate Grievance Form is completed by a supervisor of the minimum rank of sergeant, and shall ensure that the aggrieved inmate is given the yellow copy of the completed Inmate Grievance Form, along with instructions regarding how to submit an appeal.

If an emergency grievance is received via computer tablet, the watch commander shall ensure the disposition is documented in CARTS. The watch commander shall also ensure the aggrieved inmate is given a CARTS-

generated notification of disposition along with the instructions regarding how to submit an appeal.

Whether received in written or electronic form, emergency grievances shall be recorded and processed in CARTS.

Upon completion, all emergency grievances shall be forwarded to the Unit Inmate Grievance Coordinator noting the status and/or the disposition and an indication of when the inmate was notified. The Unit Inmate Grievance Coordinator shall review the emergency grievance to determine if it was handled in accordance with this policy and shall notify the unit commander if it was not handled properly.

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