

8-03/050.00 Grievances of Retaliation

Any allegation of retaliation by an inmate will be objectively and thoroughly investigated by the Department. Refer to CDM section 5-12/005.05, "Anti-Retaliation Policy."

Upon receipt of an inmate grievance alleging retaliation, the watch commander shall conduct a preliminary assessment as to the nature of the allegation, ensure it is entered into the Custody Automated Reporting and Tracking System (CARTS), and document the allegation on a memorandum to the respective division chief, which shall be submitted to the unit commander of the involved facility for review.

The unit commander shall promptly forward the chief's memorandum and copies of the retaliation grievance to Custody Operations Headquarters, and to the Division Inmate Grievance Coordinator. The grievance shall be reviewed by the area commander, as directed by the division chief, and forwarded to the appropriate unit for handling within the fifteen (15) calendar day time frame as outlined in the inmate grievance policy.

In cases where the area commander determines the grievance is to be investigated by the receiving unit, the grievance shall be handled in accordance with CDM section 8-03/040.00, "Grievances Against Staff."

Grievances against staff alleging retaliation received more than thirty (30) calendar days after the event upon which the grievance is based will be considered late and denied, absent exceptional circumstances. These types of late grievances shall be updated in CARTS as "Denied – Late Submission (Investigation Ongoing)" within the Interim Status Response field, and shall be thoroughly investigated. The Interim Status Response shall serve to notify the inmate the grievance was submitted late and denied, but the Department will nonetheless conduct an investigation and take appropriate action in response to the grievance. No further notification to the aggrieved inmate shall be provided. Refer to CDM section 8-04/040.10, "Late Submissions of Grievances."

Upon their approval of the disposition, reviewing unit commanders shall ensure any grievance against staff alleging force was used to retaliate against the aggrieved inmate is scheduled for review by the Custody Force Review Committee (CFRC). CFRC shall review the grievance at its next meeting, or the meeting thereafter, following the unit commander's approval of the disposition. Refer to CDM section 7-07/020.00, "Custody Force Review Committee."
