

## 8-03/080.00 Third-Party (Referred) Grievances

A third-party grievance, or a referred inmate grievance, is a grievance received from a non-involved or non-aggrieved party, such as an inmate's friend or relative, on behalf of an inmate. These types of grievances may be received in person, telephonically, or via correspondence.

Such grievances shall be handled in accordance with section 8-03/005.00, "Inmate Grievances." When received, the following shall apply:

- The watch commander, or in exceptional circumstances, a designee, shall complete a Third-Party (Referred) Inmate Grievance Form (SH-J-438) and shall fill in the information provided by the reporting party. The watch commander shall ensure a reference number is assigned to the referred inmate grievance and write a brief synopsis of the aggrieved inmate's concerns in the "Nature of Grievance" section. The watch commander shall advise the reporting party the grievance is being taken, and will be addressed. The watch commander shall assign the handling of the grievance to a supervisor in the facility.
- If a grievance is received involving an inmate not housed at the contacted facility or unit, the watch commander shall also ensure an electronic copy of the completed Third-Party (Referred) Inmate Grievance Form is sent to the watch commander of the inmate's housing facility. The watch commander at the concerned inmate's housing facility shall assign the handling of the grievance to a supervisor and shall ensure it is processed pursuant to this policy.
- If the grievance was received telephonically, the handling supervisor shall call the reporting party, advise him or her of the status of the grievance, and provide the reference number.
- In all cases, a written acknowledgement of the grievance shall be issued to the reporting party and documented in the Custody Automated Reporting and Tracking System (CARTS).
- The information disclosed to the reporting party shall be limited to the following information:
  - An acknowledgment that the grievance was received;
  - The grievance's reference number;
  - A statement indicating the status of the grievance, and that the final outcome will be provided to the concerned inmate.
  - A notation shall be made in the "Findings" section of the CARTS Inmate Grievance Form indicating the date, time, and name of the supervisor making the notification.
- The watch commander at the inmate's housing facility shall ensure the information provided on the Third-Party (Referred) Inmate Grievance Form is delivered to the Inmate Grievance Team for processing in CARTS.
- Inmate Grievance Team supervisors shall ensure the concerned inmates receive a response within 15 days of the Department's receipt of the grievance, and, when the grievance is against staff, are notified of the results of the investigation within 10 days of the Department's adjudication of the grievance, as specified in sections 8-04/010.00, "Dispositions, Interim Status Responses, and Inmate Notifications" and 8-03/040.00, "Grievances Against Staff."

An inmate shall not submit a grievance on behalf of another inmate, but may assist another inmate in the preparation of his or her grievance. However, third parties, including fellow inmates, shall be permitted to assist inmates in filing grievances relating to allegations of sexual abuse, and shall also be permitted to file such grievances on behalf of inmates. For further information refer to CDM sections 3-04/025.00, "Prison

Rape Elimination Act of 2003" and 8-03/060.00, "PREA-Related Grievances."

Grievances filed on behalf of the inmate through a third party are subject to the same submission limits as delineated in CDM section 8-04/050.00, "Duplicate or Excessive Filings of Grievances and Appeals, and Restriction of Filing Privileges."

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