

## Section 5 - Inmate Grievances

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### • 5-05-010 Inmate Request-Grievance Procedure

#### **PURPOSE OF ORDER:**

The purpose of this order is to establish procedures for the inmate complaint and inmate request procedures in accordance with Custody Division Manual (CDM) Volume 8 and to ensure that inmate requests and grievances are properly handled, investigated, and completed in a timely manner. Additionally, the purpose of this policy is to establish and maintain a fair, objective, and effective grievance process. Through this process, resolutions of inmate grievances are achieved at the lowest possible administrative level, affording reasonable opportunities for the inmate to appeal to the next level of review.

#### **SCOPE OF ORDER:**

This order applies to all personnel assigned to, and working at Pitchess Detention Center (PDC) South Facility.

#### **ORDER:**

The policy of custody operations is to provide inmates the means for expressing and resolving grievances. It is an administrative mechanism for review of Departmental policies, decisions, actions, conditions, or omissions that have a material adverse effect on their health, safety, welfare, participation and/or access to programs.

The purpose of this policy is to establish and maintain a fair, objective, and effective grievance process. Through this process, resolutions of inmate grievances are achieved at the lowest possible administrative level responses to the aggrieved, and affording reasonable opportunities to appeal to the next level of review.

#### INMATE GRIEVANCE FORMS

Inmates shall have reasonable access to inmate request/grievance forms (SH-J-420), and shall be unimpeded in their ability to file a grievance. All written grievances shall be accepted even if they are not written on the specified form. If an inmate submits a written grievance/request/appeal on some other form, personnel who retrieved it shall return it to the inmate along with the correct blank form, and provide the inmate with assistance to complete it as needed. The completed form will then be processed in compliance with established policy.

Inmates who are unable to complete a written or electronic form because of a disability, language barrier, or illiteracy may raise grievances/requests/appeals verbally, and Department personnel shall assist these inmates with completing the form. Any question regarding the level of assistance to be provided to an inmate with a disability shall be resolved by summoning the assistance of Correctional Health Services (CHS) personnel.

A supply of blank inmate request/grievance forms and medical envelopes will be kept in open supply boxes that are mounted on the front of all barracks except for Barrack 40. Compound officers shall check the supply of the forms and envelopes on each shift and log each check in the Uniform Daily Activity Log (UDAL).

### SUPERVISOR COLLECTION OF INMATE GRIEVANCES

Located inside each compound, affixed to the front of each middle barrack, are locked wooden boxes (inmate collection boxes), which are utilized for the collection of inmate requests, mail, and grievances. The contents of the inmate collection boxes shall be collected by the designated South Facility line sergeant on every shift. The watch sergeant shall check the boxes if the line sergeants are not available. The collecting sergeant shall also ensure there is a supply of inmate request/grievance forms and medical envelopes available in the supply boxes.

Only a supervisor of the permanent rank of sergeant or above shall collect the inmate request/grievance forms. The supervisor collecting the forms shall sign the housing area's UDAL documenting the amount collected, or indicate there were none to collect.

The collecting supervisor shall immediately review each form in order to address any emergency medical, mental health, or force allegation issues without delay (refer to CDM Section 5-12/010.00). Emergency grievances as delineated in section 8-03/010.00, "Emergency Grievances," or those requiring priority handling shall be delivered promptly to the watch commander for further review and assignment.

The collecting supervisor shall place non-emergency grievances and grievances that do not require priority handling into the supervisor collection boxes for the inmate grievance team's retrieval and processing. Inmate requests that cannot be handled to conclusion at the compound level shall also be placed into the supervisor collection boxes.

When a grievance is sealed, it shall be directed to the watch commander unopened. The watch commander will determine if a sealed grievance requires immediate processing.

Inmate requests, including grievances which would be classified as requests, shall be assigned to an appropriate staff member for timely processing. Whenever possible, housing officers shall answer all informal requests for general information concerning the inmate and address any informal requests during the shift in which they are received. In instances where this is not possible, any requests for information which have not been addressed shall be relayed to respective personnel of the following shift for appropriate handling. Refer to section 8-02/005.00, "Informal Requests."

### INMATE GRIEVANCE TEAM

The team shall be comprised of a supervising line deputy, a custody assistant and/or other appropriate professional staff, and shall be supervised by at least one sworn supervisor of the minimum rank of a sergeant who will serve as the unit inmate grievance coordinator and report to the division inmate grievance coordinator.

Due to the unique composition of PDC North and PDC South facilities, one (1) inmate grievance team will assume the described responsibilities at both of these facilities and will coordinate with the concerned compliance lieutenant to ensure adherence with this policy.

PDC South Facility has two centrally located locked boxes (supervisor collection boxes). One is located in the watch sergeant's office. The other is located in the Eddie compound trailer, senior/sergeant office. Requests and grievances not handled by line sergeants shall be placed in these boxes.

Members of the inmate grievance team shall be responsible for collecting from the inmate collection boxes and the supervisor collection boxes during AM shift, Monday through Friday. The inmate grievance team shall also ensure there is a supply of inmate request/grievance forms and medical envelopes available in the supply boxes.

The inmate grievance team shall also be responsible for reviewing, categorizing, tracking, and forwarding grievances/requests/appeals to appropriate person or unit for investigation and handling, and shall assist with responding to inmates as appropriate. In addition, they shall scan and enter all non-electronic grievances, general requests, and appeals forms they collect into Custody Automated Reports Tracking System (CARTS) and assign them reference numbers.

### MEDICAL GRIEVANCES

Medical grievance forms not submitted in a medical envelope shall be enclosed in a medical envelope and given to the medical supervisor on duty. For information regarding health care inmate grievances/requests/appeals, refer to section 8-03/020.00, "Health Care Inmate Grievances."

Grievances against medical staff shall be placed in a medical envelope and forwarded to a medical supervisor.

### GRIEVANCES COLLECTED FOR OTHER UNITS

The inmate grievance team shall be responsible for reviewing, categorizing, tracking, and forwarding requests, grievances, and appeals to the appropriate person or unit for investigation and handling, and shall assist with responding to inmates as appropriate. In addition, they shall scan and enter all non-electronic grievances, general requests, and appeals forms they collect into CARTS, including the collection times, and assign them reference numbers.

**Revision Date 03/04/19**

**06/03/97 SOUF**

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