5-12-010 Inmate Grievances, Requests, and Appeals- CSS Approved on 5/7/2024

Los Angeles County Sheriff's Department

CUSTODY SERVICES DIVISION	**Unit Order:** 5-12-010
SPECIALIZED PROGRAMS	**Effective Date:** 04/16/2024
CENTURY REGIONAL DETENTION FACILITY	
Subject: Inmate Grievances, Requests, and Appeals	
Reference: CDM Volume 8	
Unit Commander Signature: On File: Captain Rodriguez Date: 5/9/2024	

PURPOSE OF ORDER:

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

SCOPE OF ORDER:

This order shall apply to all personnel assigned to and/or working in any capacity at the CRDF.

ORDER:

In conformance with the Custody Division Manual (CDM), section 8-01/005.00, Filing of Requests, Grievances, and Appeals, any inmate shall be permitted to initiate and file a grievance or appeal relating to any condition of their confinement.

Module Personnel Responsibilities

At the beginning of each shift, module personnel shall ensure and document in the electronic Uniform Daily Activity Log (e-UDAL), on each shift, an adequate supply of inmate request forms, inmate grievance forms, and medical request forms and confidential medical envelopes are available and reasonably accessible to inmates in the housing location. In addition, module personnel shall ensure Acknowledgement of Grievance notices are distributed to the concerned inmate(s).

Inmate Requests/Grievance forms can be requested and obtained from Inmate Services personnel at

[REDACTED TEXT]. Module personnel may request confidential medical envelopes from the CRDF Logistics/Warehouse.

NOTE: Refer to CDM section 8-01/020.00, "Responsibilities," for further information on policy and procedures.

Sergeants Responsibilities

Title 15 sergeants on each shift shall be responsible for checking each housing location to ensure all inmate requests, grievances, medical requests, and medical envelopes are reasonably available to the inmates. The Title 15 sergeants are responsible for collecting inmate requests, grievances, and appeals from all secured inmate grievance boxes at least once per shift. If the Title 15 sergeant is not able to perform the collection as noted, they shall notify the on-duty watch commander who shall reassign this task to another line sergeant. Once the forms are collected, the Title 15 sergeant shall place them in the collection box located in the watch sergeant's office.

The CRDF Custody Inmate Grievance Application (CIGA) Team is responsible for collecting the forms from the watch sergeant's office, daily, on A.M. shift. The number of grievances retrieved shall be documented in the designated section of the e-UDAL.

Priority inmate requests and/or grievance forms shall **immediately** be reviewed by the Title 15 sergeant and time stamped. The Title 15 sergeant collecting the forms shall identify any of that concern healthcare, including grievances against medical and mental health staff, and promptly deliver these to an on-duty supervising staff nurse. All other priority requests and/or grievances shall be brought to the attention of the watch commander.

Examples of priority issues include, but are not limited to:

- Emergency grievances-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. This includes allegations of over-detentions.
- Healthcare grievances
- Americans with Disabilities Act (ADA) related grievances
- Grievances of retaliation
- Prison Rape Elimination Action (PREA) related grievances
- Grievances against staff (allegations of use of force)

Watch Commander's Responsibilities

The watch commander shall ensure all Inmate Grievances, Requests, and Appeal Forms are collected from the locked containers at least once per shift, by a supervisor at the rank of sergeant or higher. The watch commander shall be responsible for ensuring priority complaints are investigated and handled in an expeditious manner in accordance with department policy and in the best interest of the inmate. The watch commander shall further ensure that 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.

If an emergency grievance is received via computer tablet, the watch commander shall ensure the disposition is documented in CIGA. The watch commander shall also ensure the aggrieved inmate is given a CIGA generated notification of disposition along with the instructions regarding how to submit an appeal.

The watch commander shall regularly review the e-UDAL to ensure the supervisors collecting the forms are signing the e-UDAL as required.

NOTE: Refer to CDM section 8-01/020.00, "Responsibilities," for further information on policy and procedures.

CIGA Team

The CRDF unit commander has established an Inmate Grievance Team referred to as the CIGA Team. The CRDF CIGA Team is responsible for collecting all inmate requests/grievance forms from the watch sergeant's office each day, on A.M. shift.

The CIGA Team is also responsible for reviewing the electronic queue daily and assigning the requests/grievances to a supervising line deputy, sergeant, or lieutenant depending on the type of grievance/request submitted by the inmate.

NOTE: All emergent or priority grievances shall be handled in compliance with CDM section 8-03/005.00, "Inmate Grievances."

The CIGA Team is responsible for forwarding all special requests, such as participation in the Education Based Incarceration (EBI) Program/Gender Responsive Services, working dormitory, etc., to the appropriate unit for processing and handling of the request.

The CIGA Team is responsible for scanning all inmate grievances into the CIGA system.

Inmates Housed in Disciplinary Segregation Units

Inmates housed in disciplinary segregation during any portion of the first fifteen (15) calendar day period following the incident, shall have fifteen (15) additional calendar days from the date they are released from segregation to file a grievance, or an additional 30 days for grievances involving retaliation or use of force.

Administrative Segregation Housing

Inmates in administrative segregation housing who submit requests to be declassified will be forwarded to the Jail Liaison and Reclassification Housing Commander Panel for processing and handling. All other requests will be handled in accordance with CDM section 8-01/005.00, "Filing of Requests, Grievances, and Appeals."

ADA Related Grievances

The collecting sergeant shall examine all grievances alleging violations of ADA and ADA related requests, and determine whether the grievance or request shall:

- Be referred to the facility ADA Coordinator
- Be referred to the Custody Services Division ADA Coordinator
- Necessitate assignment to CHS for handling

The collecting sergeant may consult with the on-duty supervising staff nurse should they have any questions about the appropriate handling unit.

When it is determined that the grievance and/or request should be handled by the facility ADA Coordinator or the Custody Services Division ADA Coordinator, the line supervisor shall note on the reverse side of the form that it was determined by the on-duty supervising staff nurse that no immediate involvement of medical staff was required and shall ensure that the forms is placed in a secured collection bin for retrieval by the CRDF CIGA Team.

Grievances Against Staff

Grievances against staff shall be reviewed promptly by the watch commander or a designee, who shall evaluate the nature and seriousness of the grievance, and assess the type of response (i.e., immediate or routine). The watch commander shall assign the grievance to a supervisor at the permanent rank of sergeant or above, who is not the employee against whom the grievance is directed, nor the employee's direct supervisor. The grievance shall be entered into CIGA.

A comprehensive inquiry must be completed by a supervisor for all grievances against staff. The filing inmate must be notified of the disposition within fifteen (15) calendar days from the date of receipt. The response shall consist of either the result of the grievance, or a notification that the grievance has been referred for further investigation.

Any grievances against staff not completed within this time frame, such as those which result in the initiation of an alleged force investigation or administrative investigation, shall be tracked in the electronic Line Operations Tracking System (e-LOTS) under Project Type, "Alleged Use of Force" or "Admin Investigation."

Grievances against staff, including allegations of retaliation or use of force, received more than thirty (30) calendar days after the event upon which the grievance is based shall be considered late and denied, absent exigent circumstances.

NOTE: Refer to CDM section 8-03/040.00, "Grievances Against Staff," for more information regarding policy and procedures as it relates to grievances against staff.

Grievances of Retaliation

Upon receipt of an inmate grievance alleging retaliation, the watch commander shall conduct a preliminary assessment as to the nature of the allegation and document the allegation on a memorandum addressed to the division chief. The memorandum shall be submitted to the unit commander.

NOTE: Refer to CDM section 8-03/050.00, "Grievances of Retaliation," for more information regarding policy and procedures as it relates to grievances of retaliation.

PREA related Grievances

There shall be no deadline for filing PREA grievances by inmates. These grievances shall be thoroughly investigated.

Group Grievances

Individual grievances submitted by three (3) or more inmates from the same housing location referencing the same issue or concern, or the submission of one (1) Inmate Grievance form by multiple inmates, shall be considered group grievances. A single reference number shall be assigned for each group grievance and applied to each individual Inmate Grievance form.

NOTE: Refer to CDM section 8-03/070.00, “Group Grievances,” for more information regarding policy and procedures as it relates to Group Grievances.

Third-Party (Referred) Grievances

A third-party grievance, or a referred inmate grievance, is a grievance received from a non-involved-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.

NOTE: Refer to CDM section 8-03/080.00, “Third-Party Grievances,” for more information regarding policy and procedures as it relates to Group Grievances.

Grievances Received by the Office of Inspector General (OIG) and the American Civil Liberties Union (ACLU)

OIG and ACLU are provided fair access to jail facilities and direct communication with designated Sheriff’s Department personnel to convey inmate grievances and inmate requests for service. Sheriff’s Department personnel shall be responsive to the OIG and ACLU by documenting inmate grievances, requests, and recommendations to CRDF’s unit commander.

NOTE: Refer to CDM section 8-03/085.00, “Grievances Received Through Independent Oversight Organizations,” for more information regarding policy and procedures.

Grievances from Released Inmates

Inmate grievances received from persons who have been released from custody shall be processed on an Inmate Grievance form (not a Watch Commander Service Comment Report form) pursuant to Manual of Policy and Procedures (MPP) section 3-04/010.05, “Procedures for Department Service Review.” Grievances submitted from former inmates shall be subject to the same guidelines, requirements, and procedures as a grievance submitted by an inmate in custody.

Dispositions, Interim Status Responses, and Inmate Notifications

Please refer to CDM section 8-04/010.00, “Dispositions, Interim Status Responses, and Inmate Notifications,”

for appropriate dispositions at it relates to requests, general grievances, grievances against staff, relief, etc.

Conflict Resolution

The purpose of a conflict resolution meeting is to further the Department's ongoing efforts to encourage respect-based interaction with inmates. Sergeants are encouraged to offer an aggrieved inmate a conflict resolution meeting with the employee(s) against whom they are complaining. Inmates who submit grievances against staff shall be advised that a conflict resolution meeting is voluntary for both the inmate and the involved personnel to address a grievance. This may be done in lieu of the Department conducting a personnel investigation to resolve the grievance.

NOTE: Refer to CDM section 8-04/020.00, "Conflict Resolution," for more information regarding policy and procedures as it relates to this matter.

Appeals

Refer to CDM sections 8-04/030.00, "Appeals Process and Structure," 8-04/030.05, "Appeals of Grievance-Not against Staff," 8-04/030.10, "Appeals of Grievances Against Staff," 8-04/030.15, "Appeals of Emergency Grievances," and 8-04/030.20, "Appeals of Emergency Grievances against Staff" for more information on policy and procedures regarding the appeal process.

Time Frames

Refer to CDM section 8-04/040.00, "Time Frames," for more information regarding requests, grievances, appeals, emergency grievances and emergency appeals, and emergency appeals of grievances against staff.

Extensions

Under exceptional circumstances wherein the investigation of a request or a grievance cannot be completed within the established time frames, a supervisor of the minimum rank of sergeant may extend the requisite response time by fifteen (15) calendar days.

NOTE: Refer to CDM section 8-04/040.05, "Extensions," for further policy and procedures as it relates to extensions for requests, grievances, or appeals.

Late Submissions of Grievances

A grievance submitted fifteen (15) calendar days after the event upon which it is based shall be considered late and denied, absent exceptional circumstances.

NOTE: Refer to CDM section 8-04/040.10, "Late Submissions of Grievances," for policy and procedures as it relates to late submissions of inmate grievances.

NOTE: Refer to CDM section 8-04/050.00, "Duplicate Filings of Grievances and Appeals, and Restriction of Filing Privileges," for more information on policy and procedures.

NOTE: Refer to CDM section 8-04/060.00, “Jurisdiction of Requests, Grievances, and Appeals,” for more information on policy and procedures.

Retention of Inmate Complaints

Pursuant to CDM section 4-13/000.00, “Retention of Records,” inmates requests, grievances, and appeals shall be retained for a period of five years (electronic and paper).

Internal Review

Refer to CDM section 8-04/080.00, “Internal Review,” for further policy and procedures as it relates to internal reviews.