

5-37/000.00 Inmate Grievances and Requests

PURPOSE OF ORDER

The purpose of this order is to address the inmate grievance process at the Inmate Reception Center (IRC).

SCOPE OF ORDER

This order shall apply to all personnel assigned to and/or working in any capacity at the Inmate Reception Center (IRC).

ORDER

California Code of Regulation (C.C.R.), Title 15, Section 1073 requires facilities to implement written procedures whereby any inmate may appeal and have grievances resolved relating to any conditions of confinement.

An adequate supply of inmate grievance forms (SH-J-420) and inmate request forms (SH-J-437) shall be made available throughout the IRC. All inmates shall be permitted to report a complaint, written or verbal. Completed written forms can be submitted by placing them in any of the secured inmate grievance boxes located throughout the facility, or by handing them to any custody staff member, or supervisor. Inmates shall only place a single grievance on each form.

Inmates who are unable to complete a written form because of a disability, language barrier, or illiteracy may raise grievances verbally, Department personnel shall assist these inmates with completing the form.

If an inmate submits a written grievance on any other form, personnel who retrieve it shall return it to the inmate along with the correct blank form and provide the inmate with assistance to complete it as needed.

Failing to provide an inmate with a grievance or request form when requested, failing to respond appropriately, destroying a form or concealing forms, attempting to intimidate an inmate from filing a form, and retaliating against an inmate who has filed a form, may each be cause for disciplinary action.

The IRC inmate grievance team members shall retrieve all inmate grievance and request forms and scan the collection box located in the IRC 2nd floor main control at least once a day, excluding weekends and holidays.

LINE SERGEANT RESPONSIBILITIES

Line sergeants shall be responsible for retrieving inmate grievance and request forms from the secured collection boxes located within their assigned work locations throughout the IRC, no less than once per shift. The line sergeants shall scan the corresponding boxes with their Title 15 iPod scanner upon collection of its contents. Inmate grievance and request forms shall be reviewed, signed and time stamped by line sergeants.

During review of the inmate grievance form, line sergeants shall identify any forms which concern healthcare, and promptly sign, time stamp and deliver these to the on-duty supervising staff nurse.

All grievances and requests shall be reviewed, signed, time stamped and placed in the secured collection box located in the IRC 2nd floor main control pending retrieval and tracking by the IRC Inmate Grievance Team members, once per shift.

In the event that a line sergeant is not available to perform the collection as noted, he or she shall notify the watch commander who shall reassign this task to another line sergeant.

WATCH COMMANDER RESPONSIBILITIES

It shall be the watch commander's responsibility to ensure inmate grievance and request forms are collected from secured grievance boxes, no less than once per shift. The watch commander shall regularly review the e-UDAL to ensure the supervisors collecting the forms are scanning the collection boxes as required.

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 (CDM Section 8-03/010.00).

In cases of an inmate grievance form being marked emergency by the inmate, line sergeants shall determine if the situation requires prompt action to protect the life or safety of the inmate, and, if so, shall take any appropriate action. Line sergeants shall promptly deliver the inmate grievance form to the watch commander for review and signature.

Watch commanders presented with any grievances requiring priority handling shall review them with priority and ensure they are addressed. Watch commanders shall sign, check the appropriate box, time stamp and write a brief summary of actions taken regarding the priority handling of the submitted grievance.

If it is determined an emergency does not exist, the watch commander or designated line sergeant shall notify the inmate of the modification within five (5) calendar days from the date the emergency grievance was filed. The watch commander or designated line sergeant shall sign and time stamp the appropriate area of the inmate grievance form when the notification is made.

GRIEVANCES OF RETALIATION

Upon acknowledgement of an inmate grievance alleging retaliation, custody personnel shall promptly notify a supervisor of sergeant or above. The immediate supervisor shall conduct a preliminary assessment as to the nature of the allegation and make the immediate proper notification to the IRC Inmate Grievance Team members.

INMATE REQUESTS

Informal inmate requests can be quickly resolved by a line staff member. When possible, the request shall be handled by line staff during the shift in which it is received. A written response and/or brief summary of actions

taken shall be completed on the form.

Examples of informal requests include, but are not limited to:

- Trust Account balance
- A hygiene kit
- Release date
- Court date
- Arrest charge
- Telephone PIN

For additional information, please refer to the Custody Division Manual (***CDM***), ***Volume Eight, Inmate Grievance Policy***.
