

 <p>DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS</p> <p>POLICY AND PROCEDURE</p>	EFFECTIVE DATE:	October 4, 2014	Page 1 of 24
	SUPERSEDES:	4030.1H January 6, 2012	
	OPI:	OPERATIONS	
	REVIEW DATE:	October 4, 2015	
	Approving Authority:	Thomas Faust Director	
	SUBJECT:	INMATE GRIEVANCE PROCEDURE (IGP)	
NUMBER:	4030.1I		
Attachments:	Attachments A- Inmate Grievance Process and Time Frames Attachment B – Inmate Informal Resolution/Grievance Form Attachment C – Crystal Report IGP Receipt Attachment D – IGP Form 1 (Appeal to Deputy Director) Attachment E – IGP Form 2 (Appeal to Director) Attachment F – Inmate Grievance Return Form		

SUMMARY OF CHANGES:

Section	Change
Entire Policy	<i>Major Changes throughout entire policy.</i>
	Attachment A, "Inmate Grievance Time Frame/Process Flow" form has been added.
	Attachment B, "Inmate Informal Resolution" form has been added.
	Attachment C, "Crystal Report IGP Receipt" has been added.
	Attachment F, "Return of Grievance" form has been added.
	Case Management responsibilities have been added to the policy
§22	Section 22, "Procedures to Request for an Administrative Remedy from the Warden" was added to the policy.
§24	Section 24, "Emergency Grievance for PREA Allegations" was added to the policy.

APPROVED:

Signature on File



Thomas Faust, Director

October 4, 2014

Date Signed

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1. **PURPOSE AND SCOPE.** To ensure administrative procedures through which inmates of the District of Columbia Department of Corrections (DOC) may seek resolution of complaints.

2. **POLICY**
 - a. It is DOC policy to provide administrative means for expression and resolution of inmate issues and complaints through informal resolution. Many matters can and should be resolved directly and promptly between the inmate and authorized institutional staff and resolution shall be the primary goal.

 - b. If informal resolution does not provide a successful solution for the complaint or in the event of an emergency grievance, inmates may use the formal grievance process.

 - c. The grievance process has at least one level for appeal.

 - d. All complaints and grievances shall be considered and resolved in a fair and impartial manner.

 - e. Grievances are considered legal correspondence. Staff shall not open or inspect a sealed envelope that is labeled “Grievance” and addressed to the Grievance Coordinator or the Director.

 - f. DOC employees, contractors, interns and volunteers shall not retaliate or allow one inmate to retaliate against another inmate for the good faith use of, or participation in, the inmate grievance process.

3. **APPLICABILITY**
 - a. This directive applies to any DOC facility and to contractors who house or provide services to inmates under the care and custody of the DOC.

 - b. Inmates housed in contract facilities shall adhere to the procedures for the inmate grievance process as outlined in this directive.

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4. NOTICE OF NON-DISCRIMINATION

- a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code §2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

5. PROGRAM OBJECTIVES. The expected results of this program are:

- a. Open lines of communication will identify, prevent and resolve matters and reduce the need for complaints and grievances.
- b. Inmate grievances will be resolved through formal procedures when informal means have failed.
- c. Written responses based upon full investigation and resolution when appropriate, including the reasons for the decision, shall be given to all inmate complaints and grievances within the prescribed time limits.
- d. Inmates will use this procedure and pursue claims in court only if dissatisfied with resolutions obtained from the IGP.

6. DIRECTIVES AFFECTED

a. Directive Rescinded

PS 4030.1H Inmate Grievance Procedures (IGP) (01/06/12)

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b. Directives Referenced

- PS 1300.1 Freedom of Information Act (FOIA)
- PS 2000.2 Retention and Disposal of Department Records
- PP 3350.2 Elimination of Sexual Abuse, Assault, and Misconduct
- PP 3800.3 ADA: Communications for Deaf and Hard of Hearing
- PP 4020.1 Inmate Orientation Program
- PP 4070.1 Inmate Telephone Access
- PS 5300.1 Inmate Disciplinary and Administrative Housing Hearing Procedures
- PP 5300.2 Juvenile Disciplinary and Administrative Housing Hearing Procedures

7. AUTHORITY

- a. DC Code § 24-211.02 Powers; Promulgation of Rules
- b. Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e.
- c. D.C. Code § 2-531, et seq., D.C. Freedom of Information Act

8. STANDARDS REFERENCED. American Correctional Association (ACA) 4th Edition Standards for Adult Local Detention Facilities 4-ALDF-2A-05, 4-ALDF-2A-27, 4-ALDF-6B-01, 4-ALDF-4C-01, 4-ALDF-4D-22-07 and 4-ALDF-6A-07.

9. RESPONSIBILITIES

- a. Wardens shall ensure that an appropriate investigation is conducted and an adequate response is prepared for each grievance in accordance with the procedures set forth in this directive.

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- b. The Deputy Director(s) shall ensure that an appropriate investigation is conducted and an adequate response is prepared for each appeal to a grievance in accordance with the procedures set forth in this directive.
- c. Each facility shall maintain a sufficient supply of Informal Resolution/Grievance Forms.
- d. Each facility shall maintain a sufficient supply of IGP Appeal forms.
- e. Each Housing Unit and Community Correctional Center (CCC) supervisor shall ensure that sufficient forms are available and accessible during his or her tour of duty.
- f. The inmate grievance procedures shall be available to inmates regardless of any disciplinary, classification, or other administrative or legal conditions affecting them.
- g. The inmate should make an attempt to resolve any issue by communicating with a staff person before initiating an informal complaint.

10. GRIEVABLE ISSUES

- a. *Grievance Issues.* Inmates may request informal resolution and/or grieve the following matters through the grievance process.
 - 1) Matters relating to the conditions of safety, care and supervision;
 - 2) Matters relating to inmate programs, activities and services;
 - 3) Matters relating to inmate property;
 - 4) Matters relating to individual staff treatment and inmate actions;
 - 5) Matters relating to sentence computations, good time and jail credits, detainers, and late release;

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- 6) Denial of access to the informal resolution or IGP processes;
 - 7) Reprisals against inmates for utilizing the IGP process;
 - 8) Matters pertaining to inmate treatment and legal rights established by federal and local law and regulations; and
 - 9) The application of DOC rules, policies and/or procedures except those listed in § b ¶1 below (those matters have established appeal procedures).
 - 10) All Prison Rape Elimination Act (PREA) complaints regarding sexual abuse and sexual violence shall be made immediately to any DOC staff person.
- b. *Non-Grievable Issues.* In accordance with this directive the following issues cannot be grieved under this process.
- 1) Institutional or Court Ordered Work Release decisions, decisions of the Adjustment or Housing Boards, Classification Committee decisions and requests under the Freedom of Information Act and HIPAA *cannot be grieved under this procedures but can be appealed through the Warden in accordance with related policy;*
 - 2) Inmate class action grievances or petitions;
 - 3) Final decisions on grievances;
 - 4) Inmate Accident Claims, Tort Claims;
 - 5) Complaints filed on behalf of other inmates;
 - 6) Federal and local court decisions, laws and regulations;
 - 7) Policies, procedures, decisions or matters to include but not be limited to transfers, sentence computations, and parole/probation/release treatment decisions issued by the Bureau of Prisons, Immigration and Customs Enforcement (ICE) or other agencies, states and jurisdictions; and

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- 8) Disciplinary Board rulings cannot be grieved under this policy, but can be appealed to the Warden in accordance with PM 5300.1, Inmate Disciplinary and Administrative Housing Hearing Procedures, and PM 5300.2, Juvenile Disciplinary and Administrative Housing Hearing Procedures.

11. INMATE NOTIFICATION

- a. The Warden, CCC Administrator or other contract facilities shall ensure that this directive and any other written directives pertaining to the Inmate Grievance Procedure (IGP) are readily available to all inmates/offenders.
- b. The inmate grievance procedure is outlined in PP 4020.1, *Inmate Orientation*, and further notification of the procedures shall also be given to each inmate during intake orientation.
- c. This directive shall be readily available in the law library, case manager offices, posted on inmate bulletin boards, and shall be described in inmate handbooks.
- d. The Warden shall ensure that non-English speaking inmates, inmates who cannot read or are otherwise disabled (physically or mentally), receive assistance in order to understand and access the inmate grievance procedures.

12. STAFF NOTIFICATION/TRAINING

- a. The Deputy Director(s) shall ensure that this directive and any other written directives pertaining to the IGP are made available to all staff assigned to DOC and DOC contract facilities.
- b. The Department's Training Academy shall include a discussion of this directive as part of its Pre-Service, Basic Correctional Training (BCT) and In-Service training curriculum for employees.
- c. Staff members shall have an opportunity to ask questions regarding the IGP and will be given an opportunity to have these questions answered orally.

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- d. The Training Administrator shall maintain the signed acknowledgements indicating that staff members have reviewed a copy of the IGP policy.

13. SUPERVISION AND MANAGEMENT

- a. The Warden or designee, Deputy Warden and designated program managers shall visit housing units and inmate activity areas at least weekly to encourage informal contact with staff and inmates and to informally observe living and working conditions.
- b. The Chief Case Managers, Case Managers, Correctional Supervisors and Housing Unit Officers shall make every attempt to keep the channels of communication open between staff and inmates and shall informally resolve issues expeditiously whenever possible.
- c. When managers determine that the results of an inmate grievance point to systemic deficiencies, appropriate action shall be taken. This action may include recommendations for procedural changes to correct systemic problems, refresher training, counseling or discipline when an investigation finds this to be the appropriate action.

14. **INVESTIGATING GRIEVANCES.** Managers shall investigate and respond to grievances. Persons implicated or involved in a grievance are prohibited from investigating that grievance.

15. **CONFIDENTIALITY.** Records concerning an individual's participation in the IGP are considered confidential. These records shall be made available in accordance with the established procedures for confidential records and information, as contained in the D. C. Freedom of Information Act and agency PS 1300.1, *Freedom of Information Act (FOIA)*.

16. **INMATE GRIEVANCE ADVISORY COMMITTEE (IGAC).** The CDF and CTF shall establish and maintain an IGAC, composed of three (3) to five (5) inmates. The committee shall consist of IGP Coordinator, one program manager and one uniformed supervisor. CCC shall maintain an IGAC composed of three (3)

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inmates, IGP Coordinator, and a Case Manager. The IGAC shall meet monthly and has the following responsibilities:

- a. Discussing general inmate concerns and grievance matters as defined in this directive;
- b. Providing recommendations and comments to the Warden/Office of Community Corrections (OCC) Administrator regarding the operation, effectiveness, and credibility of the IGP process;
- c. Providing recommendations to the Deputy Director(s) and the OCC Administrator for improved activities and conditions;
- d. Reviewing the IGP Policy and Procedure during annual reviews, and
- e. Preparing and forwarding minutes of IGAC meetings to the Warden for review and other appropriate action.

17. INMATE GRIEVANCE PROCEDURE (IGP) COORDINATOR

- a. The Warden shall appoint an IGP Coordinator who shall:
 - 1) Coordinate activities and operations associated with informal complaint resolution and IGP retrieval, distribution, tracking, database entry, monitoring and establishment of resolution suspense dates (the dates given by the IGP Coordinator to the Office Chiefs for response).
 - 2) Collect Inmate Informal Resolution/Grievance Forms from each housing unit IGP mailbox on a daily basis (excluding Saturdays, Sundays and legal holidays).
 - 3) Ensure informal resolution has been attempted (excluding emergency grievances).

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- 4) Contact the appropriate manager for additional response/resolution.
 - 5) Maintain the JACCS electronic data input and tracking.
 - 6) Apprise the affected Warden when suspense dates are not met.
 - 7) Ensure the inmate receives a copy of the completed grievance.
 - 8) If the inmate is transferred to contract facility or other jurisdictions, the IGP Coordinator shall forward the CDF response to the IGP Coordinator where the inmate is located.
 - 9) The IGP Coordinator where the inmate is located shall ensure that the response to the grievance is forwarded to the inmate and a copy is placed in the inmate's official institutional record.
 - 10) Not less than quarterly, conduct a random sample of grievance decisions and document whether the assigned manager took appropriate action by the imposed deadline.
 - 11) Bring matters of concern or potential problems to the Warden's and/or other appropriate manager's attention.
- b. The Director and Deputy Director(s) shall assign staff to perform the above stated duties at the respective appeal levels.

18. TIME REQUIREMENT FOR INITIAL INMATE COMPLIANT

- a. The inmate is to attempt to advise a staff member of his /her complaint as soon as possible after the issues arises, but in no case should the time period be more than five (5) business days from the date of the incident causing the issue (see Attachment A), unless the inmate can provide a reasonable explanation for a delay. Normally, the inmate should discuss the issue with a staff person with all available information to assist in the resolution of a complaint.

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- b. Failure of the inmate to properly attempt to resolve the complaint may result in the inmate informal resolution form being rejected.

19. INFORMAL COMPLAINT PROCESS

- a. With the exception of emergency grievances, inmates/residents are required to utilize the informal resolution process concerning disputes, or complaints that were not reasonably addressed after submission of a request slip or verbal requests.
- b. Inmate Informal Resolution/Grievance Forms.
 - 1) Inmates shall be able to request informal resolution within five (5) days after a request for services by a staff person has not been satisfied.
 - 2) Inmates may request the inmate informal resolution/grievance form (Attachment B) from any staff member who is assigned to his or her housing unit and the staff member shall give the inmate the form during his or her shift or tour of duty.
 - 3) The inmate shall give the informal resolution form to the unit Case Manager, or Program Manager.
 - 4) The Case Manager shall research necessary information to determine if a remedy is possible.
 - 5) The Case Manager shall develop a response to present to the inmate in an attempt to resolve the issue informally.
 - 6) Case Managers shall ensure that the inmate receives a copy of the completed informal resolution/grievance form.
 - 7) Case Managers must sign the inmate informal/grievance form.
 - 8) Case Managers shall respond to the inmate complaint within five (5) business days by submitting the signed official response on the original form to the inmate.

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- 9) If the issue could not be resolved by the Case Manager, the inmate may submit the original complaint to the IGP Coordinator by placing the form in the housing unit IGP box. This action will initiate a formal grievance.
- 10) The IGP Coordinator or designee shall collect inmate informal grievance/grievance forms from each CDF housing unit locked grievance box daily, Monday through Friday.
- 11) The IGP Coordinator shall generate an inmate receipt using the Crystal Reports *Informal Resolution Request Receipt* (Attachment C).
- 12) The IGP Coordinator shall forward the inmate receipt to the inmate via institutional mail.
- 13) The IGP Coordinator shall contact the appropriate program manager or staff member and establish a response due date.
- 14) The IGP Coordinator shall log the complaint and make appropriate entries into an informal complaint tracking system.
- 15) Unless an extension is granted due to extenuating circumstances, the inmate shall receive a response within fifteen (15) business days of receipt by the IGP Coordinator.

20. FORMAL GRIEVANCE PROCESS

- a. An inmate may file a formal grievance when:
 - 1) The inmate is not satisfied with the results of the informal resolution process, in which case the inmate shall file the formal grievance within five (5) business days of receipt of the informal resolution response, or
 - 2) The inmate has not received a response within fifteen (15) business days of filing the complaint.
- b. Each grievance must pertain to one specific incident, charge or complaint.

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- c. Inmates/offenders shall not submit duplicate copies of the same grievance.

21. PROCEDURES FOR FILING A FORMAL GRIEVANCE

- a. The inmate shall place the original Inmate Informal Resolution/Grievance form in the locked grievance box marked "GRIEVANCES." IGP collection boxes are located in each housing unit.
- b. Inmates housed in segregation units shall deposit the grievance form in the locked box marked "GRIEVANCES" during their individual recreation time or may also submit the grievance to their assigned case manager or a supervisor, having first placed the grievance form in a sealed envelope. The case manager or supervisor shall then place the grievance form in the locked box marked "GRIEVANCES".
- c. The Grievance Coordinator shall log all grievances into the JACCS system and contact the appropriate manager for a response.
- d. The manager responsible for responding to the grievance shall ensure that the Grievance Coordinator receives the original grievance with the response and any corresponding documentation to ensure that the grievance is appropriately logged.
- e. The response to the grievance shall afford the inmate the opportunity for a meaningful remedy which shall cover a broad range of effective but reasonable solutions.
- f. Unless an extension is granted due to extenuating circumstances, the inmate shall receive a response within fifteen (15) calendar days of submission.

22. PROCEDURES TO WARDEN'S REQUEST FOR ADMINISTRATIVE REMEDY

- a. Within five (5) business days of receiving the Formal Grievance response from the IGP Coordinator, the inmate may elect to appeal the decision by submitting the original inmate informal resolution/grievance form to the Warden.

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- b. Inmates must submit the original form to the IGP Coordinator for a request for the Warden’s administrative remedy.
- c. If the original form cannot be obtained, an inmate may submit his or her grievance on standard, letter-sized paper. This grievance should contain the following information:
 - 1) The name and DCDC number of the inmate filing the grievance;
 - 2) The name of the housing unit/number and cell number and/or community correctional center where the inmate is housed;
 - 3) The nature of the complaint or grievance, date of occurrence, and the remedy sought;
 - 4) The inmate’s signature; and
 - 5) The date.
- d. The Warden shall review the Formal Grievance form and issue a response within fifteen (15) business days of receipt of the form.
- e. The Warden’s office shall ensure appropriate remedies for valid grievances are provided.

23. PROCEDURES FOR FILING AN EMERGENCY GRIEVANCE

- a. Emergency grievances shall be defined as matters in which an inmate would be subjected to substantial risk of personal injury or serious and irreparable harm if the inmate filed the grievance in the routine manner with the normally allowed response time.
- b. The inmate must prominently label and identify the grievance as an “Emergency Grievance” at the top of the Inmate Informal Resolution Grievance Form (Attachment B) and state the nature of the emergency.

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- c. The inmate shall file the emergency grievance in a sealed envelope and shall mark the envelope as an emergency grievance. The inmate shall address his or her emergency grievance to the lowest administrative level at which an appropriate remedy can be achieved (i.e., OCC Administrator, Warden, or Director).
- d. If it is necessary for an inmate to file an emergency grievance on the weekend or a holiday the sealed envelope shall be given to the Shift Supervisor. The Shift Supervisor will ensure that the Duty Administrative Officer is notified upon receipt of the emergency grievance.
- e. If an inmate's/offender's grievance is of a sensitive nature and he/she has reason to believe that he/she would be adversely affected if it was to become known at the institutional level, he/she may file the grievance directly with the Director. All such emergency grievances may be placed in the locked grievance box or forwarded via regular institutional mail.
- f. The IGP Coordinator shall immediately review and consult with the Warden, or Administration/OCC Administrator to determine if the complaint is of an emergency nature as defined in this directive.
- g. The inmate shall be informed if the grievance is not accepted as an emergency grievance and informed that the grievance shall be treated as a regular grievance.
- h. The following special provisions shall apply to emergency grievances:
 - 1) An emergency grievance shall be responded to within seventy-two (72) hours of its receipt.
 - 2) Within forty-eight (48) hours of receiving a response to the emergency grievance, an inmate may appeal to the next level of the IGP appeal process, unless the emergency went directly to the director.

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24. EMERGENCY GRIEVANCE FOR PREA ALLEGATIONS

- a. Inmates may, but are not required to, file a complaint of sexual assault, sexual abuse, or sexual misconduct directly with the Director as an emergency grievance.
- b. The Director shall immediately forward the complaint to the PREA Coordinator, who will initiate the investigation with the Office of Investigative Services.
- c. OIS shall issue a final agency decision on the merits of the grievance within ninety (90) days of the initial filing of the grievance. OIS may request an extension of time to respond, of up to seventy (70) days if ninety (90) days is insufficient to make an appropriate decision.
- d. OIS shall notify the inmate in writing of any such extension and provide a date by which a decision will be made.
- e. After receiving an emergency grievance alleging that an inmate is subject to a substantial risk of imminent sexual abuse, DOC shall provide an initial response within forty-eight (48) hours and shall issue a final decision within five (5) days.
- f. The initial response and final agency decision shall document DOC's determination whether the inmate is at substantial risk of imminent sexual abuse and the action taken in response to the emergency grievance.

25. FILING AN APPEAL

- a. Central Detention Facility
 - 1) If an inmate is not satisfied with the CDF Warden's response to a grievance, he or she may file an appeal to the Deputy Director.
 - 2) This appeal shall be filed within five (5) days of receipt of the grievance response from the Warden, using IGP Form 1 Appeal Level 1 – Deputy Director (Attachment D). The appeal shall be accompanied by a copy of the original Inmate Informal Resolution form with supporting documentation. If an IGP Form 1 *Appeal Level 1 – Deputy Director*

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cannot be obtained; an inmate may submit the grievance on standard letter-size paper.

- 3) The Deputy Director shall respond to an appeal within twenty-one (21) days following its receipt.

26. FILING PROCEDURES FOR CONTRACT INSTITUTIONS (FORMAL AND APPEAL)

a. *Corrections Corporation of America Correctional Treatment Facility (CTF)*

- 1) Inmates housed in the CTF shall exhaust all provided remedies in the affected facility to include formal and informal resolution efforts.
- 2) The CTF Warden shall ensure that sufficient grievance and appeal forms are available on the housing units at the CTF.
- 3) *CTF Inmate Appeal Process.* If the inmate is not satisfied with his or her response from the CTF Warden he or she may file an appeal to the Deputy Director or designee through the IGP Coordinator within five (5) days, using IGP Form 1 *Appeal Level 1 – Deputy Director* (Attachment D) or plain letter-size paper. The inmate must attach copies of the informal complaint/resolution and response, and any supportive documentation from the CCA/CTF Warden.
- 4) The Deputy Director or designee shall investigate and respond to the appeal within twenty-one (21) days following its receipt.
- 5) The Deputy Director or designee shall input required data into the JACCS *Appeal Log*.

b. *Contract Community Correctional Center (CCC)*

- 1) *CCC Inmate Appeal Process.* If an inmate/offender housed in a contract community correctional center is not satisfied with his or her response from the contract CCC Administrator he or she may file an appeal to the

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Deputy Director within five (5) days, using IGP Form 1 *Appeal Level 1 – Deputy Director* (Attachment D). If an IGP Form 1 *Appeal Level 1 – Deputy Director* cannot be obtained; an inmate may submit the grievance on standard letter-size paper. This appeal must be accompanied by copies of the original grievance and responses, and appropriate supporting documentation from the OCC Administrator.

- 2) The Deputy Director or designee shall respond to the appeal within twenty-one (21) days of receipt.
 - 3) The IGP Coordinator shall input required data into the JACCS *Appeal Log*.
- c. Final Appeal to the DOC Director
- 1) As a final appeal an inmate/offender housed at the CDF, CTF or a contracted facility who is dissatisfied with an appeal decision rendered by the Deputy Director may submit his or her grievance to the Director within five (5) days following the receipt of a grievance appeal response.
 - 2) The IGP Form 2 *Appeal Level 2 – Director* (Attachment E) shall be used for filing an appeal to the Director.
 - 3) Appeals to the Director must be accompanied by the original grievance and appeal along with the corresponding responses. If an IGP Form 2 *Appeal Level 2 – Director* cannot be obtained; an inmate may submit the grievance on standard letter-size paper.
 - 4) The Director shall respond to an inmate's/offender's appeal within thirty (30) days of receipt of the appeal.
 - 5) The Director shall be the final level of appeal for each inmate/offender who files a grievance consistent with the DOC Inmate Grievance Procedure.

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- 6) The Director's designee shall input required data into the JACCS Appeal Log.

27. INMATE ASSISTANCE IN SUBMITTING A GRIEVANCE

An inmate may assist another inmate at the same facility in preparing a grievance or an appeal. Assistance in preparing the grievance or appeal may include an inmate writing the document for another inmate who cannot write, has limited understanding of English, whose handwriting is not legible, or who is unable to type. The complaining inmate must sign the grievance or appeal and submit it to staff.

28. DOC PROCEDURES FOR PROCESSING A GRIEVANCE

- a. IGP Coordinator
 - 1) The IGP Coordinator or designee shall collect inmate grievances from each CDF housing unit grievance box daily, Monday through Friday.
 - 2) The IGP Coordinator shall inform the inmate in writing:
 - a) When a non-emergency grievance will receive informal resolution because the inmate failed to follow this step of the process;
 - b) When the matter cannot be grieved under the IGP and/or should be otherwise appropriately addressed.
 - 3) The IGP Coordinator shall generate an inmate receipt using the Crystal Reports Informal Resolution Request Receipt or *IGP Grievance Receipt*.
 - 4) The IGP Coordinator shall forward the inmate receipt via institutional mail.
 - 5) The IGP Coordinator shall input required complaint data into the respective JACCS *Informal Resolution Request* or *Grievance Data Entry Screens* to include:

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- a) Grievance Entry Information - The IGP Coordinator shall enter the *JACCS Grievance Type Code* to indicate the subject of each complaint in order to permit efficient reporting, tracking and monitoring of informal resolution requests and grievances.
 - b) Review of Information.
 - c) Whether the complaint was referred for Investigation.
 - d) Whether an extension of time to respond was requested and the new date that a response is due if the inmate consents.
 - e) Final Appeal Ruling (when applicable).
- 6) The IGP Coordinator shall scan the original complaint/grievance into PaperClip.
 - 7) The IGP Coordinator shall then forward the complaint/grievance to the appropriate manager for investigation and resolution.
 - 8) The IGP Coordinator will monitor response due dates for grievances filed at the CDF using the Crystal Reports *IGP Grievances Due Next 7 Days* and *IGP Overdue Grievances* features.
 - 9) The IGP Coordinator shall communicate with the CTF IGP Coordinator to ensure that CDF Informal Complaint Forms are available to inmates housed at the CTF and to ensure the appropriate staff member has responded to each inmate grievance.
 - 10) The IGP Coordinator will make notification to the appropriate managers identified in step 9.
- b. Investigation. The manager shall impartially investigate each grievance and make every effort to reach a reasonable resolution.
 - c. Response to Grievances

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- 1) The manager shall provide a written memorandum of response to the IGP Coordinator within ten (10) days following receipt of the grievance.
- 2) The IGP Coordinator shall forward written notice of the findings and the decision to the inmate. If the grievance is returned for failure to comply with administrative procedure, the *Return of Grievance* form (Attachment F) will be sent to the inmate.
- 3) In any instance when the IGP Coordinator, in consultation with the investigating manager, determines that a sufficient response to a grievance cannot be rendered within the prescribed time limitation, the following shall occur:
 - a) The affected inmate must be notified in writing of the need for the extension and of the specific length of the extension.
 - b) The inmate must agree in writing to the extension.
 - c) Otherwise, when a grievance does not receive a response within the prescribed response time, as established in this policy, the inmate may proceed to the next step in the grievance procedure.

29. **EXCESSIVE FILING OF GRIEVANCES.** If it is documented by the Warden/Administrator that an inmate is deliberately abusing the grievance system through excessive filing of grievances and/or repeated refusal to follow procedures, the Warden/Administrator will notify the inmate, in writing, that additional grievances will not be considered until all pending grievances have been resolved. If an inmate's excessive grievance filing is determined to be a result of the inmate's inherent intent of deception, i.e., **lying**, a disciplinary report shall be written by the IGP Coordinator, in accordance with PM 5300.1, *Inmate Disciplinary and Administrative Housing Hearing Procedures* or PM 5300.2, *Juvenile Disciplinary and Administrative Housing Hearing Procedures*.

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30. TRANSFERS/RELEASES

- a. If a grievance is submitted for response and the inmate is transferred or released from DOC custody, resolution of the grievance will continue. It will be the responsibility of the inmate to inform the IGP Coordinator of the pending release or transfer and to provide a forwarding address for the response to be sent to. The IGP Coordinator will make every effort to forward the IGP response to a transferred or released inmate.
- b. If an inmate wishes to file a grievance against CTF after transfer to CDF, he/she can do so by following the CDF grievance process posted in all housing units. The inmate can request, from the CDF IGP Coordinator, a copy of the CTF Informal Complaint Form and submit the completed form to the CDF IGP Coordinator to be processed into JACCS and sent to the CTF IGP Coordinator utilizing the timeline of fifteen (15) days.
- c. CDF inmate Informal Resolution/Grievance Forms will be made available to inmates housed in CTF. The inmate can request from the CTF IGP Coordinator a copy of the CDF Informal Resolution Form and submit the completed form to the CTF IGP Coordinator to be processed into JACCS and sent to the CDF IGP Coordinator utilizing the timeline of fifteen (15) days.

31. REPORTING

- a. The IGP Coordinator shall print the *Crystal Report IGP Complaint Log* that records all formal grievances entered in JACCS under the IGP. Not later than the 10th day of each month, a copy of this log, reflecting grievances filed during the previous month, shall be forwarded through the Deputy Director to the Director.
- b. Each DOC official who renders a decision on an Inmate Grievance Appeal shall enter required data in the JACCS IGP screen.
- c. The IGP Coordinator shall print the *Crystal Report Unresolved Grievance Log* that tracks and monitors the progress of grievances remaining unresolved more than twenty-two (22) days after receipt. No later than the tenth (10th) day of each month, the Warden shall forward a copy of this log along with a Plan of Action for completion through the Deputy Director to the Director.

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- d. All records, logs, and reports that pertain to inmate informal resolution and grievances shall be maintained in accordance with PS 2000.2, *Retention and Disposal of Department Records*.
- e. The Director shall provide to the Council on a quarterly basis internal reports relating to living conditions in the Central Detention Facility, including inmate informal and formal grievances and a copy of the *Unresolved Grievance Logs*.

32. IGP EVALUATION

- a. The IGP Coordinator shall submit monthly reports to the Warden that shall include, but not be limited to, IGP processing or procedural issues, emergent and systemic deficiencies, and general complaints and concerns that warrant attention.
- b. The Risk Manager shall review IGP reports and conduct quarterly audits, and, in conjunction with the Warden, determine plans of action where warranted to improve safety and program performance.
- c. At a minimum, the reviews described above, shall include assessments of the following operational factors:
 - 1) Compliance with Response Time – An assessment to determine if inmate grievances are responded to within the prescribed time periods.
 - 2) Availability of Forms – A determination of the accessibility and availability of the forms used to submit grievances.
 - 3) Response to Grievances – An analysis to determine if appropriate responses and remedies are being provided in response to grievances.
 - 4) Credibility of the System – An assessment of inmate knowledge of, satisfaction with, and confidence in the IGP.

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- 5) **Conclusions and Recommendations** – An evaluation of the data generated through the IGP process (i.e., number of grievances, types of grievances filed, number and types of grievances by institutions). This data shall be used to develop specific conclusions and recommendations regarding Department operations and the DOC IGP.
- d. **Annual Statistical Summary Report.** The Office of Information Technology Division shall maintain the database and provide an annual statistical summary of the DOC IGP and submit it to the Director. This summary shall be provided by the 21st day of October for the preceding fiscal year.

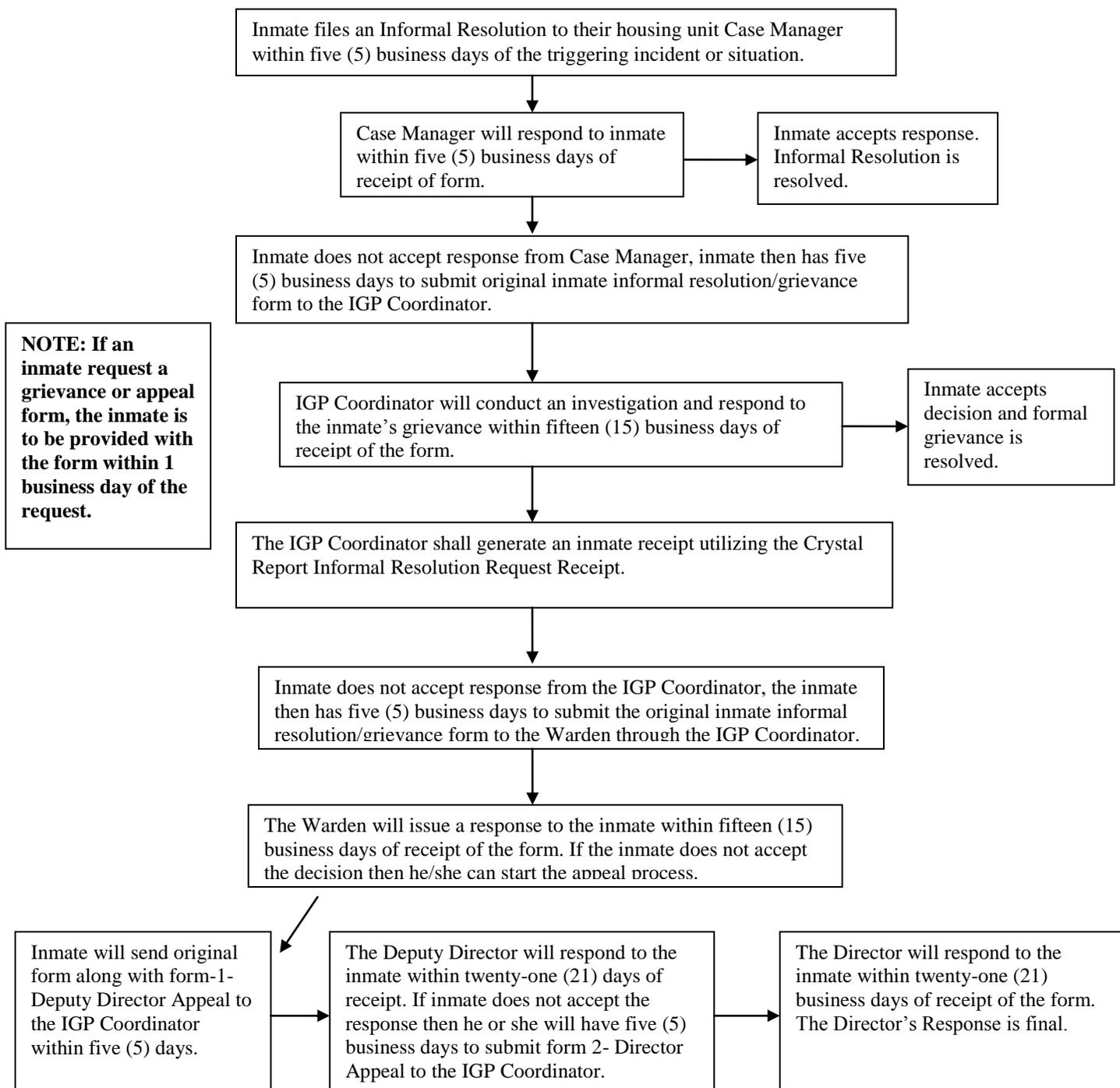
ATTACHMENTS

Attachment A – Inmate Grievance Process and Time Frames
 Attachment B – Inmate Informal Resolution/Grievance Form
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DOC/PP4030.1I/10/04/14



INMATE INFORMAL RESOLUTION/GRIEVANCE PROCESS AND TIME FRAMES





DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS
**INMATE INFORMAL
RESOLUTION/GRIEVANCE FORM**

TO BE COMPLETED BY INMATE
GRIEVANCE COORDINATOR
GRIEVANCE NUMBER:

STEP 1: INFORMAL RESOLUTION (To be completed by Inmate)

- Inmate has five (5) days after triggering incident to submit request.
- Submit this form to your housing unit Case Manager. Case Managers will respond to request within five (5) business days.

INMATE NAME:	DCDC#:	UNIT:	CELL:	DATE:
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SELECT OFFICE/SERVICES NEEDED:

- | | | |
|---|--|--|
| <ul style="list-style-type: none"> ○ Facility Transfer ○ Fire Safety and Sanitation ○ Program and Activities ○ Personal Hygiene ○ Case Management Services ○ Health Care ○ Communications (mail, visits, telephone, legal) | <ul style="list-style-type: none"> ○ Property ○ Sentence computation, jail credit, over detention ○ Finance ○ Rules and Regulations ○ Staff Treatment ○ Food Service | <ul style="list-style-type: none"> ○ Facilities Management ○ Discrimination ○ Transportation ○ Safety and Security ○ Contract Facility
 ○ Other |
|---|--|--|

PLEASE EXPLAIN NATURE OF COMPLAINT: _____

Inmate Signature: _____

***** FOR DOC COMPLETION BELOW THIS LINE*****

ACTION TAKEN: _____

CASE MANAGER SIGNATURE _____ **DATE** _____

- Inmate has five (5) business days to submit grievance to IGP Coordinator after response from Case Manager.

STEP 2: FORMAL INMATE GRIEVANCE (IGP COORDINATOR RESPONSE)

DATE RECEIVED: _____

- Inmate Grievance Coordinator will respond to grievance within fifteen (15) business days of receipt.

ACTION TAKEN: _____

INMATE GRIEVANCE COORDINATOR SIGNATURE _____ **DATE** _____

- Inmate has five (5) business days to submit a request for Administrative Remedy to the Warden.

STEP 3: WARDEN'S REQUEST FOR ADMINISTRATIVE REMEDY

- The Warden will issue a response to the grievance within fifteen (15) business days of receipt.

ACTION TAKEN: _____

WARDEN SIGNATURE _____ **DATE** _____

- An Appeal - Level 1 - Deputy Director form can be filed five (5) business days of receipt of response from the Warden. This grievance must be attached to the appeal.



Inmate Grievance/Informal Resolution Complaint Receipt

Grievant's Last Name, First Name, Middle Name

DCDC#

Booking#

Institution

Housing Unit

(type not specified)

IGP/IRC Date

IGP/IRC Number

IGP/IRC Code

Subject of Complaint

Staff Recipient Name

Staff Recipient Signature

*The above-listed IGP or IRC has been received by the DC Department of Corrections
and will be processed in accordance with IGP/IRC policies and procedures.*

APPEAL Level 1 – DEPUTY DIRECTOR

Type or use ballpoint pen. If additional space is needed, attach an original and three copies.

From: _____
LAST NAME, FIRST NAME, MIDDLE INITIAL DCDC No. CELL/BLOCK No. FACILITY

PART A – REASON FOR APPEAL

DATE

SIGNATURE OF INMATE/OFFENDER

PART B – RESPONSE

If dissatisfied with this response, you may appeal to the Director. Your appeal must be forwarded to the Director within 5 work days. To file an appeal to the Director, obtain an IGP Form 2 from your case manager and state your objections to this decision and forward a copy of this decision and any supporting documents you may have along with your appeal.

DATE

IGP No.

COMPLIANT TYPE CODE

SIGNATURE DEPUTY DIRECTOR

APPEAL Level 2 - DIRECTOR

Type or use ballpoint pen. If additional space is needed, attach an original and three copies.

From: _____
LAST NAME, FIRST NAME, MIDDLE INITIAL DCDC No. CELL/BLOCK No. FACILITY

PART A – REASON FOR APPEAL

DATE

SIGNATURE OF INMATE/OFFENDER

PART B – RESPONSE

This is the final level of review in the DC Department of Corrections.

DATE

IGP No.

COMPLIANT TYPE CODE

SIGNATURE OF WARDEN/ADMINISTRATOR



DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS
INMATE GRIEVANCE PROCEDURE
RETURN OF GRIEVANCE FORM

TO BE COMPLETED BY INMATE
GRIEVANCE COORDINATOR
GRIEVANCE NUMBER:

TO: INMATE NAME AND DOC NUMBER	FACILITY:	DATE OF GRIEVANCE:
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HOUSING ASSIGNMENT:	
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DATE GRIEVANCE RECEIVED:	DATE GRIEVANCE RETURNED:
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THE ATTACHED GRIEVANCE IS BEING RETURNED TO YOU BECAUSE YOU HAVE FAILED TO COMPLY WITH THE ADMINISTRATIVE PROCEDURES FOR POLICY PP 4030.1, "INMATE GRIEVANCE PROCEDURES." THIS GRIEVANCE IS BEING RETURNED FOR THE FOLLOWING REASON(S):

_____ No indication you have attempted to resolve this grievance informally. If you have attempted to resolve this grievance informally, please include the required information regarding the action taken and the response received. If you did not attempt to resolve this grievance informally, you have five (5) working days from the date below to attempt to do so; otherwise this grievance will not be considered.

_____ This grievance concerns a Classification or Disciplinary Hearing action. These types of actions are to be appealed through their own appeal process and not through the grievance process.

_____ There is no indication that you were personally affected by a Department or facility action or policy/procedure.

_____ This grievance appears to be on behalf of a group and group grievances are not permitted.

_____ This grievance is not signed and/or dated and/or does not include your commitment name and DOC number.

_____ This grievance contains multiple issues. Grievances are to address only one (1) issue unless there is a direct relationship between multiple issues. You may submit separate grievances for the separate issues.

_____ This grievance is not legible, understandable, presented in a courteous manner or contains excessive legal jargon.

_____ This grievance concerns an issue that cannot be resolved by the Department of Correction because the issue is beyond the authority of the Department. This issue may be addressed to: _____

_____ This grievance/appeal was not submitted within the five (5) day time frame. Unless you can show just reason(s) for this delay, this grievance/appeal will not be reviewed.

_____ The issue in this grievance was reviewed and addressed previously in Grievance # _____.

_____ This grievance exceeds the number of active grievances that you are allowed to have in the system (five (5)). To proceed with this grievance, you must withdraw at least one (1) currently pending grievance.

_____ Other: _____

PRINTED NAME OF INMATE GRIEVANCE COORDINATOR:	SIGNATURE OF INMATE GRIEVANCE COORDINATOR:	DATE OF RESPONSE:
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If you wish to proceed with this grievance, you have five (5) working days from the date of response to initiate an informal grievance, if not already done, or to return the corrected grievance to the Inmate Grievance Coordinator.