



DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS

**POLICY AND
PROCEDURE**

**EFFECTIVE
DATE:**

January 18,
2018

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SUPERSEDES:

4030.1J
November 15, 2016

OPI:

OPERATIONS

REVIEW DATE:

January 18, 2019

**Approving
Authority:**

Quincy L. Booth
Director

SUBJECT:

INMATE GRIEVANCE PROCEDURE (IGP)

NUMBER:

4030.1K

Attachments:

Attachment A - Inmate Grievance Process and Time Frames
Attachment B – Inmate Request Slip
Attachment C - Inmate Informal Resolution/Grievance Form
Attachment D – Crystal Report IGP Receipt
Attachment E – Appeal Level 1- Deputy Director
Attachment F – Appeal Level 2 - Director
Attachment G – Inmate Grievance Return Form

SUMMARY OF CHANGES:

Section	Change
Entire Policy	<i>Minor Changes throughout entire policy.</i>

APPROVED:

Signature on File

Quincy L. Booth, Director

1/18/2018

Date Signed

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1. PURPOSE AND SCOPE. To provide 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. 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 thereby reducing 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 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**

PP 4030.1J Inmate Grievance Procedures (IGP) (11/15/16)

b. **Directives Referenced**

PM 1300.1H Freedom of Information Act (FOIA)

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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
PM 5300.1	Inmate Disciplinary and Administrative Housing Hearing Procedures
PM 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 investigation is conducted and an adequate response is prepared for each grievance in accordance with the procedures set forth in this directive.
- b. The Deputy Director(s) shall ensure that an 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.

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- c. Each facility and housing unit shall maintain a supply of Informal Resolution/Grievance Forms.
- d. Each facility and housing unit shall maintain a supply of IGP Appeal forms.
- e. Each Housing Unit and Community Correctional Center (CCC) supervisor shall ensure that forms are available and accessible to inmates 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 IGP Coordinator shall be responsible for coordinating the resolution of informal and formal grievances in accordance with this directive.
- h. The IGP Coordinator shall be responsible for coordinating activities and operations associated with informal complaint resolution and grievances.
- i. 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 such as
 - a. Safety,
 - b. Sanitation
 - c. Facility Management,
 - d. Improper staff action,
 - e. Inappropriate use of force by staff,
 - f. Housing,
 - g. Facility Transfer

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- h. Transportation
- i. Discrimination
- j. Protection from harm,
- k. Sexual harassment and sexual safety, ;

2) Matters relating to inmate programs, activities and services such as

- a. Access to Courts (e.g. law library, legal mail, notary, attorney calls),
- b. Access to and quality of health care,
- c. Access to personal hygiene,
- d. Canteen,
- e. Case Management Service,
- f. Food Service,
- g. Inmate Finance,
- h. Mail,
- i. Programs and Activities,
- j. Religious services and practices
- k. Communications (Mail, Visitation, Telephone, Legal)

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;

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).

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- 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,
 - 2) Classification Committee decisions
 - 3) Requests under the Freedom of Information Act and HIPAA
 - 4) Inmate class action grievances or petitions;
 - 5) Final decisions on grievances after appeals are exhausted;
 - 6) Inmate Accident Claims, Tort Claims;
 - 7) Complaints filed on behalf of other inmates;
 - 8) Federal and local court decisions, laws and regulations;
 - 9) Policies, procedures, decisions or matters to include but not be limited to transfers, sentence computations, warrants, detainers, writs, holds and parole/probation/release treatment decisions issued by the U.S. Parole Commission, the Federal Bureau of Prisons, Immigration and Customs Enforcement (ICE) or other Agencies, States and Jurisdictions;
 - 10) Disciplinary Board and Housing Hearing 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.

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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 The Inmate Handbook, 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, and posted on inmate bulletin boards..
- 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.
- d. The Training Administrator shall maintain the signed acknowledgements indicating that staff members have reviewed a copy of the IGP policy.

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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 Manager, 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 general deficiencies, appropriate action shall be taken. This action may include recommendations for procedural changes, refresher training, counseling, and corrective actions as appropriate.

14. INVESTIGATING GRIEVANCES. Managers shall investigate and respond to informal and formal 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 PP 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) inmates, IGP Coordinator, and a Case Manager. The IGAC shall meet monthly and has the following responsibilities:

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- 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 response 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).
 - 4) Contact the appropriate manager for additional response/resolution.
 - 5) Maintain the JACCS electronic data input and tracking.

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- 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 a contract facility, other jurisdictions, or between facilities (CDF & CTF), the IGP Coordinator shall forward the 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 COMPLAINT

- a. The inmate is to attempt to advise a staff member of his /her complaint as soon as possible after the issue 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.
- b. Failure of the inmate to properly attempt to resolve the complaint may result in the inmate informal resolution form being rejected.

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19. INFORMAL RESOLUTION PROCESS

- a. With the exception of emergency grievances, inmates are required to utilize the informal resolution process concerning disputes, or complaints that were not reasonably addressed after submission of a request slip (Attachment B) 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 C) 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 place the informal resolution form in the IGP box for the IGP coordinator to record and disseminate to various departments.
 - 4) The designated department shall research necessary information to determine if a remedy is possible. All informal resolutions relating to Contractors services shall be forwarded to the Contract Monitors
 - 5) The department designee shall develop a response to present to the inmate in an attempt to resolve the issue informally.
 - 6) Department designee shall respond to the inmate complaint within seven (7) business days by submitting the signed official response on the original form to the IGP coordinator who will forward the response to the inmate.
 - 7) The IGP Coordinator shall ensure that the inmate receives a copy of the completed informal resolution/grievance form.
 - 8) The IGP Coordinator shall scan the informal resolution into PaperClip

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- 9) If the issue could not be resolved by the Department designee, 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 formal grievance/grievance forms from each housing unit locked grievance box daily, Monday through Friday.
- 11) The IGP Coordinator shall generate an inmate receipt using the Crystal Reports (Attachment D) Informal Resolution/Grievance Form Request Receipt (Attachment C).
- 12) IGP Coordinator or designee shall enter data into JACCS and DOC's Data tracking system.
- 13) The inmate shall receive a response within fifteen (15) business days of receipt by the IGP Coordinator.
- 14) In accordance with this directive, the IGP Coordinator may request an extension of the fifteen (15) business days when the response requirement relates to extenuating circumstances. Examples include but are not limited to; when a staff member is not available due to leave or otherwise unavailable or when there is an unexpected emergency or the matter is pending a broader investigation.

20. CRITERIA FOR FILING A FORMAL GRIEVANCE

- 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

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- 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.
 - c. Inmates shall not submit redundant or duplicate copies of the same grievance.

21. FORMAL GRIEVANCE PROCESS

- 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 in restrictive housing units shall place the grievance form in the locked box marked "" "IGP" 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 " "IGP".
- c. The Grievance Coordinator shall log all grievances into the JACCS system.
- d. The IGP Coordinator shall generate an inmate receipt using the Crystal Reports (Attachment D) Informal Resolution Request Receipt (Attachment C).
- e. The IGP Coordinator shall forward the inmate receipt to the inmate via institutional mail.
- f. The IGP Coordinator shall contact the appropriate program manager or staff member and establish a response due date. Contract monitor shall be notified for all responses related to contracted services.
- g. The IGP Coordinator or designee shall log the complaint and make appropriate entries into an informal complaint tracking system.

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- h. Department designee shall respond to the inmate complaint within seven (7) business days by submitting the signed official response on the original form to the inmate.
- i. The manager or contract monitor is 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.
- j. Unless an extension is granted due to extenuating circumstances, the inmate shall receive a response within fifteen (15) calendar days of submission.

22. REQUEST FOR WARDEN'S 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.
- b. Inmates shall 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 shall 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

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- 5) The date submitted.
- 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 C) and state the nature of the emergency.
- 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 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.

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- f. The IGP Coordinator shall immediately review and consult with the Warden, to determine if the complaint is of an emergency nature as defined in this directive.
- g. The IGP Coordinator shall inform the inmate 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.

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.

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- 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 LEVEL 1

- a. Central Detention and Correctional Treatment Facilities
 - 1) If an inmate is not satisfied with the Warden's response to a grievance, he or she may file an Appeal Level 1 appeal to the Deputy Director for Operations.
 - 2) This appeal shall be filed within five (5) days of receipt of the grievance response from the Warden, using the Appeal Level 1 – Deputy Director form (Attachment E). The appeal shall be accompanied by a copy of the original Inmate Informal Resolution Grievance form with supporting documentation. If the *Appeal Level 1 – Deputy Director* form cannot be obtained; an inmate may submit the grievance on separate paper.
 - 3) The Deputy Director shall respond to an appeal within twenty-one (21) days following its receipt.
- b. Contract Community Correctional Center (CCC)
 - 1) *CCC Inmate Appeal Process*. If an inmate 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 Deputy Director for Operations within five (5) days, using IGP Form 1 *Appeal Level 1 – Deputy Director* (Attachment E). 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

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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*.

26. FILING AN APPEAL LEVEL 2

- a. Level 2 is a final appeal an inmate 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.
- b. The *Appeal Level 2 – Director (Attachment F)* shall be used for filing an appeal to the Director.
- c. 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 separate paper.
- d. The Director shall respond to an inmate's appeal within thirty (30) days of receipt of the appeal.
- e. The Director shall be the final level of appeal for each inmate who files a grievance consistent with the DOC Inmate Grievance Procedure.
- f. 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

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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 housing unit grievance box daily, Monday through Friday.
- 2) The IGP Coordinator shall inform the inmate in writing:
 - a) Resolution of informal and formal grievances;
 - b) When a non-emergency grievance will receive informal resolution because the inmate failed to follow this step of the process;
 - c) When the matter cannot be grieved under the IGP and/or should be otherwise appropriately addressed.
 - d) If a grievance is not accepted as an emergency grievance the inmate must be informed that the grievance shall be treated as regular grievance.
- 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 data into JACCS and DOC Data tracking, which includes but is not limited to:
 - a) Grievance Entry Information - The IGP Coordinator shall enter the *JACCS Grievance Type Code* to indicate the subject of each complaint

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in order to permit efficient reporting, tracking and monitoring of informal resolution and grievances.

b) Enter new date if extension is granted.

- 6) Review of Information.
- 7) Determine if the grievance was referred for investigation.
- 8) The new date that a response is due when an extension has been granted.
- 9) Enter Appeal Level 2 ruling into PaperClip(when applicable).
- 10)The IGP Coordinator shall scan the original complaint/grievance into PaperClip.
- 11)The IGP Coordinator shall then forward the complaint/grievance to the appropriate Department Designee for investigation and resolution.
- 12)The IGP Coordinator will monitor response due dates for grievances filed using the Crystal Reports *IGP Grievances Due Next 7 Days* and *IGP Overdue Grievances* features.

b. The Department Designee shall:

- 1) Investigate grievances. The manager shall impartially investigate each grievance and make every effort to reach a reasonable resolution.
- 2) Respond to Grievances.
- 3) Provide a written memorandum of response to the IGP Coordinator within seven (7) business days following receipt of the grievance.

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- 4) F4. Forward a 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 G) will be sent to the inmate.
- 5) In consultation with the IGP Coordinator, 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. 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 or designee that an inmate is deliberately abusing the grievance system through excessive filing of grievances and/or repeated refusal to follow procedures, the Warden or designee will notify the inmate, in writing, that additional grievances will not be considered until all pending grievances have been resolved. More than five (5) active grievances is considered excessive.

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*.

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

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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 either facility CDF or CTF after transfer, he/she can do so by following the DOC grievance process posted in all housing units.

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 Warden, Deputy Wardens and Chief Case Manager..
- 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 fifteen (15) business 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.
- 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*.

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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.
 - 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

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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.

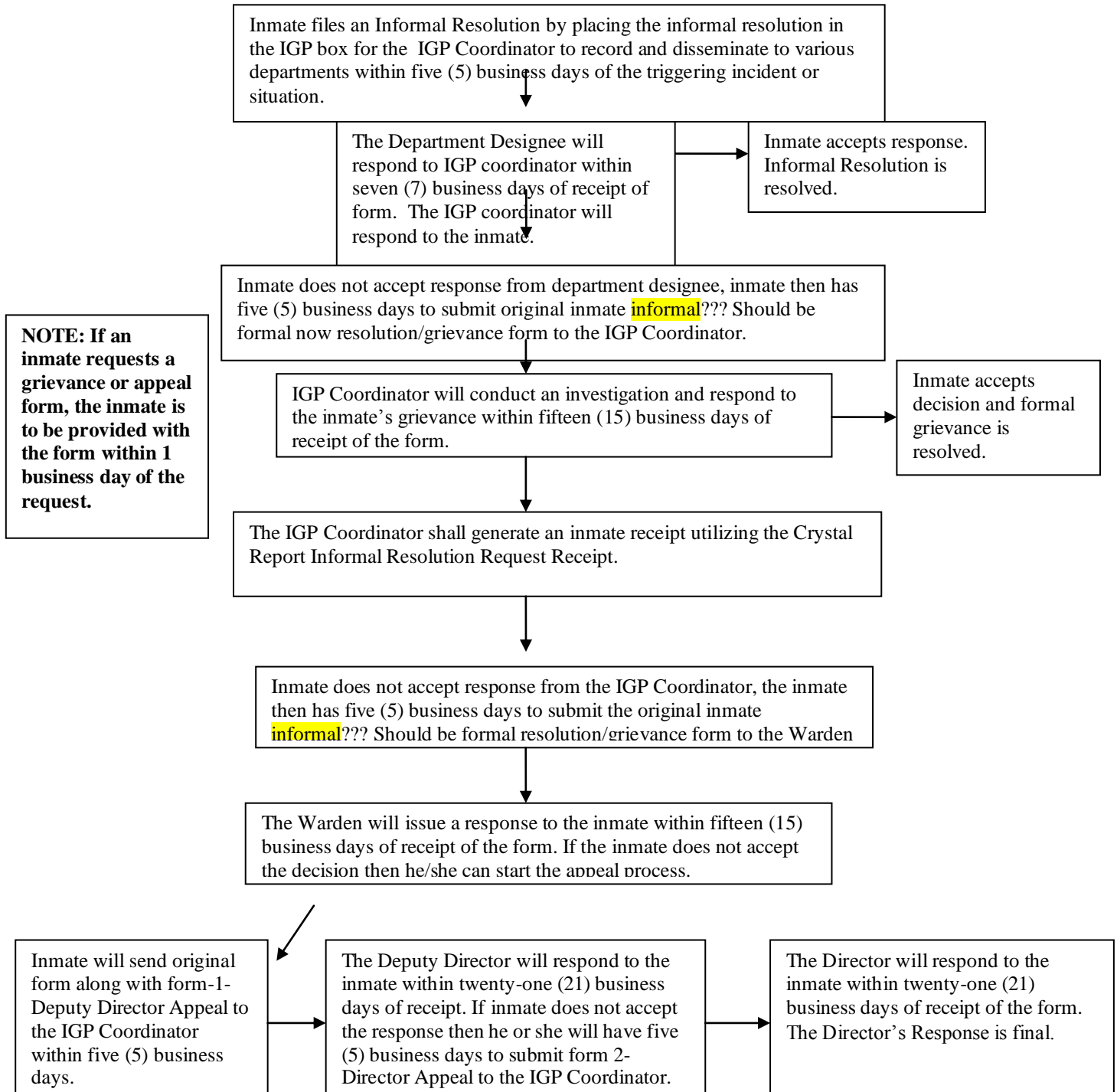
ATTACHMENTS

- Attachment A – Inmate Grievance Process and Time Frames
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DOC/PP4030.1K/1/18/2018



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.
- Place this form in the housing unit IGP box. The IGP coordinator will respond within seven (7) business days..

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 ○ Religious Services | <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 _____

- **FOR INMATE:** Has this issue been resolved? YES or NO If not, please check the "NO" box and place this form in the housing unit IGP Box. Inmate has five (5) business day submit is form back to IGP Coordinator.

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: REQUEST FOR WARDEN'S 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 after response from the Warden. This grievance must be attached to the appeal.



CRYSTAL REPORT IGP
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.

COMPLAINT 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.

COMPLAINT TYPE CODE

SIGNATURE OF Director or Designee



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

TO BE COMPLETED BY THE 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:
--------------------------	--------------------------

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) business 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 .
- _____ This grievance concerns an issue that cannot be resolved by the Department of Corrections 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 is addressed 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) business 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.