1. PURPOSE AND SCOPE. To update 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 an 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 another inmate to retaliate against an inmate for the good faith use of, or participation in, the inmate grievance process.

3. APPLICABILITY

   a. This Program Statement (PS) applies to any DOC facility and contractors who house or provide services to inmates under the care and custody of the DOC.
b. Inmates housed in contract prison facilities shall use the contractor’s grievance process, noting the contractor to be responsible for day-to-day operations within the affected facility. Upon exhaustion of the contractor’s grievance process, the inmate may send a written appeal to DOC officials as outlined in Section 20 of this directive.

c. **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;
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 §d ¶1 below (those matters have established appeal procedures).

d. **Non-Grievance 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 can not 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; and

7) Policies, procedures, decisions or matters to include but not be limited to transfers, sentence computations, parole/probation/release/treatment decisions issued by the Bureau of Prison, Immigration and Customs Enforcement (ICE) or other states and jurisdictions;

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, 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.

   b. DOC prohibits discrimination against inmates based on race, religion, national origin, gender, sexual orientation or disability when making administrative decisions in providing access to programs. When both males and females are housed in the same facility available services and programs are comparable.

   c. Inmates with disabilities, including temporary disabilities, are housed in a manner that provides for their safety and security. Housing used by inmates with disabilities, including temporary disabilities, is designed for their use and provides for integration with other inmates. Programs and service areas are accessible to inmates with disabilities who reside in the facility. Discrimination on the basis of disability is prohibited in the provision of services, programs and activities.

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

   a. Open lines of communication will identify, prevent or 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**
      D.O. 4030.1E  Inmate Grievance Procedure (IGP) (7/1/04)
   b. **Directives Referenced**
      a. PS 4020.1  Inmate Orientation Program (Inmate Handbook)

7. **AUTHORITY**
   a. DC Code §24-211.02 (b) (2) Jail Improvement Act of 2003
   b. Prison Litigation Reform Act (PLRA), 42 USC § 1997e(a.)

8. **STANDARDS REFERENCED**. American Correctional Association (ACA) 4th Edition Standards for Adult Local Detention Facilities 4-ALDF-2A-05, 4-ALDF-2A-06, 4-ALDF-2A-27, 4-ALDF-6B-01 and 4-ALDF-6B-02.

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.
   b. The Deputy Director 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 Inmate Request Slips and Inmate Complaint – Informal Resolution forms.
   d. Each facility shall maintain a sufficient supply of IGP forms for formal resolution and submission of appeals.
   e. Each Housing Unit and Community Correctional Center (CCC) supervisor shall ensure that sufficient forms are available and accessible on the unit during his or her tour of duty.
   f. The IGP shall be available to inmates regardless of any disciplinary, classification, or other administrative or legal conditions affecting them.
10. **INMATE NOTIFICATION**

   a. The Warden or the Office of Community Corrections (OCC) Administrator shall ensure that this PS 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 shall also be given to each inmate during intake orientation.

   c. This PS shall be readily available in the law library and case manager offices, posted on inmate bulletin boards and, as appropriate, shall be described in inmate handbooks.

   d. The Warden shall ensure that non-English speaking inmates, inmates who cannot read or are otherwise impaired (physically or mentally), receive assistance in order to understand and access the IGP.

11. **STAFF NOTIFICATION/TRAINING**

   a. The Deputy Director shall ensure that this PS and any other written directives pertaining to the IGP shall be made available to all staff assigned to DOC and DOC contract facilities.

   b. The Department’s Training Academy shall include a discussion of the IGP PS 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 on file.

12. **SUPERVISION AND MANAGEMENT**

   a. The Warden, Deputy Wardens 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. 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 improvements shall be taken. Improvements may include recommendations for procedural changes to correct systemic problems, refresher training, counseling or discipline when the investigation findings clearly point to this as the appropriate action.

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

14. **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.

15. **INMATE GRIEVANCE ADVISORY COMMITTEE (IGAC).** The CDF shall establish and maintain an IGAC, composed of five (5) inmates, the IGP Coordinator, one program manager and one uniform supervisor. 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 and the OCC Administrator for improved activities and conditions;

   d. Reviewing the IGP Program Statement during annual reviews; and

   e. Preparing and forwarding minutes of IGAC meetings to the Warden for review and any appropriate action.

16. **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.

2) The CDF IGP Coordinator or designee shall collect informal complaints and grievances 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) Assign and forward informal and formal grievances to the appropriate program manager for response/resolution.

5) Maintain the JACCS electronic data input and tracking.

6) Apprise the affected Warden on the next business day when suspense dates are not met.

7) Ensure the inmate receives a copy of the completed informal response or grievance.

8) If the inmate is transferred to another facility under the jurisdiction of or contract with DOC, the IGP Coordinator shall forward the CDF response to the IGP Coordinator at the affected facility.

9) The IGP Coordinator where the inmate is located shall ensure that the response is forwarded to the inmate and a copy placed in the inmate’s official institutional record.

10) Not less than quarterly, conduct a random sample of grievance decisions and document if the assigned manager took actions specified 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 shall assign staff to perform the above stated duties at the respective appeal levels.

17. **INMATE REQUEST SYSTEM**

   a. *Request Slip.* Inmates shall continue to use the DOC Inmate Request Slip system when seeking routine assistance.
b. **Sick Call.** Inmates shall request medical treatment by signing up for sick call. Inmates shall request urgent medical assistance via the housing unit staff.

c. **Environmental Safety and Sanitation Inspections.** During cell inspections on the #2 Shift and #3 Shift inmates shall demonstrate that cell plumbing works and shall report broken fixtures and repair. Inmates shall inform correctional staff at any time when more urgent breakdowns such as clogged plumbing occur.

18. **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.

b. Informal Complaint Submission

1) Inmates shall, within seven (7) calendar days of the incident/reason for complaint or within seven (7) days of knowledge of the incident/reason for complaint became known to the inmate, file the informal resolution request (Attachment A).

2) Inmates may request the Inmate Complaint – Informal Resolution forms from any staff member who is assigned to his or her housing unit and the affected staff member shall give the inmate the form during his or her shift or tour of duty.

3) The inmate shall place the complaint in the grievance box that is located in the housing unit.

4) The IGP Coordinator or designee shall collect inmate complaints from each CDF housing unit locked grievance box daily, Monday through Friday.

5) The IGP Coordinator shall generate the inmate receipt using the Crystal Reports *Informal Resolution Request Receipt*.

6) The IGP Coordinator shall forward the inmate receipt via the institutional mail.

7) The IGP Coordinator shall assign the complaint to the appropriate program manager and establish a response date.

8) The IGP Coordinator shall log the complaint and make appropriate entries into an informal complaint tracking system.
9) Informal resolution should be achieved within ten (10) calendar days of the inmate’s submission to the IGP Coordinator.

c. Informal Resolution Meeting. The staff member assigned to complete the informal resolution process shall:

1) Conduct an initial meeting with the inmate to discuss the issue;
2) Meet with all staff members involved with the issue when needed;
3) Research necessary information to determine if a remedy is possible;
4) Develop a response to present to the inmate in an attempt to resolve the issue informally;
5) Ensure the inmate and the IGP Coordinator receive a copy of the completed informal grievance form at the time the response is provided;
6) Obtain the inmate’s signature upon resolution of the complaint; and
7) Ensure any remedies agreed upon are completed.

19. INMATE 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. The inmate shall file the IGP within five (5) calendar days of receipt of the informal resolution response, or

2) The inmate has not received a response within ten (10) calendar days of filing the complaint.

b. Each grievance must pertain to one specific incident, charge or complaint.

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

d. Inmates may request IGP Form 1 Grievance (Attachment B) from any staff member who is assigned to his or her housing unit and the affected staff member shall ensure that inmates who request an IGP Form are provided a form during his or her shift or tour of duty.

e. Inmates may also obtain grievance and appeal forms during visits to the law library.
f. If an IGP Form 1 *Grievance* 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 DOC number of inmate filing the grievance;

2) The name of the institution 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) Date.

20. **PROCEDURES FOR FILING AN INMATE GRIEVANCE - CDF**

a. The inmate shall place the IGP Form 1 *Grievance* in the locked box marked “GRIEVANCES.” IGP collection boxes are located in each housing unit.

b. Inmates housed in segregation units shall deposit the IGP form in the locked box marked “GRIEVANCES” during their individual recreation time or may also submit the IGP to their assigned case manager or a supervisor, having first placed the IGP form in a sealed envelope. The case manager or supervisor shall then place the IGP form in the locked box marked “GRIEVANCES”.

21. **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 IGP Form 1 *Grievance* and state the nature of the emergency.

c. The inmate shall file the emergency grievance in a sealed envelope; also marking it 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 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 IGP box or forwarded via the regular institutional mail.

e. 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.

f. The inmate shall be informed if the grievance is not accepted as an emergency grievance and that the grievance shall be treated as a regular grievance.

g. The following special provisions shall apply to Emergency Grievances:

1) An emergency grievance shall be responded to within 72 hours of its receipt.

2) Within 48 hours of receiving a response to the emergency grievance, an inmate may appeal to the next level of the IGP appeal process.

22. **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 may suspend the filing of additional grievances until all pending grievances have been resolved. The Warden or Administrator will provide the inmate with written documentation of the suspension.

23. **FILING AN APPEAL**

a. **Central Detention Facility**

1) If an inmate housed at the CDF is not satisfied with the 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) calendar days of receipt of the grievance response from the Warden, using IGP Form 2 Appeal – Deputy Director (Attachment C). The appeal shall be accompanied by a copy of the original grievance and the Warden's response and supporting documentation. If an IGP Form 2 Appeal – Deputy Director 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) calendar days following its receipt.

b. Corrections Corporation of America Correctional Treatment Facility

1) Inmates housed in the CTF shall exhaust all provided remedies in the affected facility to include formal and informal resolution efforts.

2) The CCA Warden shall ensure that sufficient grievance and appeal forms are available on the housing units at the CTF.

3) 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 within five (5) calendar days, using IGP Form 2 Appeal – Deputy Director (Attachment C) or plain letter-size paper. The inmate must attach copies of the informal complaint/resolution and IGP 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) calendar days following its receipt.

5) The Deputy Director or designee shall input required data into JACCS Appeal Log.

c. Contract Community Correctional Center

1) 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 Deputy Director within five (5) calendar days, using IGP Form 2 Appeal – Deputy Director (Attachment C). If an IGP Form 2 Appeal – 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 support documentation, from the OCC Administrator.

2) The Deputy Director or designee shall respond to the appeal within twenty-one (21) calendar days of receipt.

3) The Deputy Director or designee shall input required data into JACCS Appeal Log.

d. Final Appeal to the DOC Director

1) As a final appeal an inmate/offender housed in a correctional facility or CCC under jurisdiction of or contract with DOC who is dissatisfied with
an appeal decision rendered by the Deputy Director may submit his or her grievance to the Director within five (5) calendar days following the receipt of a grievance appeal response.

2) The IGP Form 3 (Attachment D) Appeal – Director shall be used for filing an appeal to the Director.

3) Appeals to the Director must be accompanied by the original grievance along with the corresponding responses. If an IGP Form 3 Appeal – 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 twenty-one (21) calendar days of receipt of the appeal.

5) The Director shall be the final level of appeal for each inmate/offender who files a Grievance within the DOC Inmate Grievance Procedure.

6) The Director’s designee shall input required data into JACCS Appeal Log.

24. **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 can not be grieved under the IGP and/or should be otherwise appropriately addressed.

      3) The IGP Coordinator shall generate the inmate receipt using the Crystal Reports Informal Resolution Request Receipt or GP Grievance Receipt.

      4) The IGP Coordinator shall forward the inmate receipt via the institutional mail.

      5) The IGP Coordinator shall input required complaint data into the respective JACCS Informal Resolution Request or Grievance Data Entry Screen to include:
a) Grievance Entry Information - The IGP Coordinator shall enter the JACCS Grievance Type Code to indicate the subject of the complaint in order to permit efficient reporting, tracking and monitoring informal resolution and grievances, in all logs and reports.

b) Submitted for Review Information
c) Referred to Investigation
d) Extension of Time requested and new date for response if the inmate consents
e) Finding Response
f) 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 using the Crystal Reports IGP Grievances Due Next 7 Days and IGP Overdue Grievances in CDF.

9) The IGP Coordinator will make notification to the appropriate managers identified in step 9.

b. Investigation. The manager shall impartially investigate the complaint and make every effort for reasonable resolution

c. Response to IGP

1) The manager shall provide a written memorandum of response to the IGP Coordinator within ten (10) calendar days following receipt of the grievance.

2) The affected Warden shall review and approve/disapprove or otherwise revise the response.

3) The IGP Coordinator shall forward written notice of findings and the decision to the inmate.

4) In any instance when the IGP Coordinator, in consultation with the affected Warden and the investigating manager, determines that a
sufficient response to a grievance cannot be rendered within the prescribed time limitation, the following conditions apply:

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 PS, the inmate may proceed to the next step in the grievance procedure.

25. 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 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 22 days after receipt. Not 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 grievance shall be maintained in accordance with the DOC Records Retention and Disposal Schedule.

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 grievances and a report *Unresolved Grievance Log*.

26. 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 Management Information and Technology Services shall maintain the database and provide an annual statistical summary of the DOC IGP and submit it to the Director and the Office of Internal Controls, Compliance and Accreditation. This summary shall be provided by the 21st day of October for the preceding fiscal year.

ATTACHMENTS

A. Informal Complaint – Informal Resolution
B. IGP Form 1 Grievance (Administrative Remedy to Warden/OCC Administrator)
C. IGP Form 2 (Appeal to Deputy Director)
D. IGP Form 3 (Appeal to Director)