



*Commonwealth of Massachusetts*  
*Department of Correction*  
**SOUZA BARANOWSKI CORRECTIONAL CENTER**  
**INSTITUTIONAL PROCEDURES**  
*in accordance with:*  
**103 CMR 491 – INMATE GRIEVANCES**

<b>Souza-Baranowski Correctional Center</b>	<b>PROCEDURE</b>
<b>TITLE:</b> Inmate Grievance Procedure	In accordance with: 103 CMR 491

**PURPOSE:** To establish written guidelines to aid in dealing with informal inmate complaints and the implementation of 103 CMR 491 Inmate Grievances.

**ACCESS:** All Staff

**REVIEW:** Annually

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Superintendent

**I. INFORMAL PROCESSING OF INMATE COMPLAINTS**

- A. While inmates are encouraged to pursue informal measures prior to filing a grievance, they shall not be required to. Informal complaints may be addressed with the appropriate staff member.
- B. Informal Complaints are forwarded to the Superintendent's AAI for disbursement to the appropriate area and tracking of Informal Complaint Resolution.

**II. FORMAL PROCESSING OF INMATE GRIEVANCES**

**A. Filing a Grievance**

1. Inmates can obtain a Grievance Form (SBCC 491p1 Attachment A) from the grievance box at the Officer's Station, from any unit staff person, from the Library and Law Library, or from the Institutional Grievance Coordinator (IGC). A grievance shall be filed within ten working days of the actual incident or situation or within ten working days of the inmate's becoming aware of the incident or situation
2. Completed grievance forms may be filed by giving it directly to the Superintendent, Deputy Superintendent, or the Institutional Grievance Coordinator (IGC), depositing the form in the locked mail box labeled USPS/Grievances (no postage necessary) where it shall be forwarded the same day to the Institutional Grievance Coordinator (IGC) in accordance with 103 CMR 491.09 sec. The Institutional Grievance Coordinator (IGC) will open the locked mail boxes at least once each working day with the exception of weekends and Holidays.
3. Institutional Grievance Coordinator (IGC) shall: investigate the factual basis of the grievance and propose a resolution or deny the grievance, within ten (10) working days from receipt of the grievance.

4. If a grievance is returned to the inmate for improper format, the grievance shall be returned to the inmate with a written explanation. The inmate shall have an additional three (3) working days from the date of receipt to file a grievance in proper format.
5. The Institutional Grievance Coordinator (IGC) or the Superintendent may issue time extensions for grievances, appeals and responses. Inmates may request an extension by writing the Institutional Grievance Coordinator (IGC) or the Superintendent. The Institutional Grievance Coordinator (IGC) or the Superintendent will answer this request in writing.
6. Inmates who are illiterate, or who can not write legibly, shall request assistance from their unit CPO. The unit CPO shall be responsible for assisting the inmate with filing an informal complaint and formal grievance. If an inmate does not understand English, the Unit CPO shall provide access to the Telephonic Interpreter Service.

### **III. APEALS**

#### **A. Filing an Appeal**

1. Inmates can obtain an Appeal Form, (Attachment B) from any Unit Staff Person, from the inmate Library and Law Library, or the Institutional Grievance Coordinator (IGC).
2. Completed grievance appeal forms may be filed by depositing the form in the locked mail box (no postage necessary) in accordance with SBCC 481p1. Grievance appeals may also be filed directly with the Superintendent or Deputy Superintendent in accordance with 103 DOC 491 .12(1). Appeals must be sent to the Superintendent within 10 working days of receiving the grievance decision. Institutional Grievance Coordinator (IGC) will open the locked mail boxes at least once each working day with the exception of weekends and Holidays.

#### IV. RECORD KEEPING AND DISTRIBUTION

- A. The Institutional Grievance Coordinator (IGC) shall be responsible for maintaining copies of all inmate grievances/appeals.
- B. The Superintendent's Office staff shall be responsible for entering all grievance appeals into IMS. The staff member upon entering the grievance appeals shall forward the appeals to the Institutional Grievance Coordinator (IGC) to update the tracking system of Grievance Appeals Pending.
- C. All grievances and appeals shall be tracked from the date received to the final disposition. The tracking system shall be maintained by the Institutional Grievance Coordinator (IGC) who shall track all grievance appeals to ensure that extensions are issued where applicable and Emergency Grievance Appeals resolutions conform to policy guidelines.
- D. The Institution Grievance Coordinator (IGC) will submit a monthly report to the Superintendent for review and signature. The monthly report will be forwarded to the Department Grievance Manager by the 5th day of the following month.
- E. The Institutional Grievance Coordinator (IGC) shall be responsible for maintaining institutional grievances for a period of seven (7) years.

#### V. EMERGENCY GRIEVANCES

- A. An emergency grievance may be filed when an inmate believes that the issue that he has may result in *personal risk or injury*; and/or has a documented court case requiring photocopies.
- B. If the issue is determined to be of an emergent nature, the grievance will be processed via the normal grievance process, however, it will be answered within three (3) working days of receipt. Emergency appeals will be answered within (5) working days of receipt.

**VI. ABUSE OF THE GRIEVANCE PROCESS**

If it is determined that the inmate is abusing the grievance process, he shall be notified in writing by the Superintendent (Attachment D).

**VII. SETTLEMENTS**

The Institutional Grievance Coordinator (IGC) shall ensure that the Resolution Agreement Form is completed and approved by the Superintendent.

**VIII. GRIEVANCE WITHDRAWALS AND RESOLUTIONS**

Inmates wishing to withdraw from a grievance or appeal shall be required to complete and sign a Grievance Withdrawal form. This is to ensure a withdrawal is not made under duress, coercion or threat from any staff person or inmate.