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James J. Saba
Superintendent

To: James J. Saba, Superintendent
From: Sgt. AnnMarie Aucoin, Policy Coordinator *AnnMarie Aucoin*
Date: February 19, 2013
Re: **Annual Review of 103 CMR 491, Inmate Grievance**

Please be advised that MCI-Cedar Junction has conducted an Internal Annual Review of **103 CMR 491, Inmate Grievance** based on the Department Policy signed on by the Commissioner on 12/12/12.

Per the directive of the Policy Development and Compliance Unit, any procedures that do not change or have minor changes during the annual review process do not need review and signature from the Central Office Reviewing Authority.


James J. Saba, Superintendent

2/19/13
Date

**MCI-CEDAR JUNCTION
INSTITUTIONAL PROCEDURE FOR
103 CMR 491
INMATE GRIEVANCE**

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Attachments

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Attachment I	Informal Compliant Form

**MCI-CEDAR JUNCTION
INSTITUTIONAL PROCEDURE FOR
103 CMR 491
INMATE GRIEVANCE**

Objective:

To establish procedures for inmates to file complaints.

Applicability:

All MCI-Cedar Junction staff and inmates.

I. Informal Complaint and Grievance Procedures

- A. The following procedures shall be followed when filing an inmate complaint. Inmates are encouraged to use informal measures to resolve their complaint; however, they are not required to do so prior to filing a formal grievance.
- B. The informal complaint resolution process is the preferred mechanism for the resolution of inmate concerns. Most requests and complaints can be addressed easily and quickly through direct communication with the staff person responsible for the area of concern. Staff shall respond to written or verbal concerns submitted by inmates in an expedient manner.
- C. The inmate orientation program and manual shall include a component addressing the staff communication and informal complaint resolution process.
- D. The informal complaint resolution process shall include, but not be limited to, the utilization of the Informal Complaint Form (attachment I).
- E. While inmates are encouraged to utilize other available avenues as defined in the Informal Complaint Resolution Standard Operating Procedures, for addressing complaints prior to submitting an informal complaint form, they shall not be penalized for failing to do so.

- F. The informal complaint resolution process is not a substitute for existing appeal processes, including but not limited to medical issues, classification and disciplinary appeals.
- G. The informal complaint resolution process shall be coordinated by the deputy superintendent of operations office.
- H. The informal complaint forms are available in the institution library, housing units, CPOs and institutional grievance coordinator (IGC).
- I. Inmates shall file an informal complaint form within five (5) working days of the actual incident or within five (5) working days of the inmate's becoming aware of the incident or situation.
- J. Informal complaint forms should contain a brief description of the issue. If more than one (1) issue exists, inmates shall use separate forms for each issue to ensure it is referred to the appropriate staff person to response.
- K. Inmates shall address forms to the deputy superintendent of operations office and submit them via institutional mail or deposit them directly into the locked drop box designated for grievances.
- L. The IGC shall forward informal complaint forms submitted via the locked drop box to the deputy superintendent of operations office each business day.
- M. The deputy superintendent of operations office shall immediately screen the incoming informal complaint forms and shall ensure they are recorded into the informal complaint resolution log within one (1) working day of receipt.
- N. Within one (1) working day of logging the informal complaint form, the deputy superintendent of operations office shall forward a copy of the informal complaint form to the appropriate department head or responsible area staff person for possible resolution.
- O. The department head or responsible area staff person shall evaluate the request or concern, including interviewing the inmate if deemed appropriate.
- P. Once the department head or responsible area staff person makes his/her decision, he/she shall take appropriate action to resolve the matter or advise the inmate of the reason for denial if the inmate's complaint.

- Q. The department head or responsible area staff person shall issue a response to the inmate within ten (10) working days of receipt from the deputy superintendent of operations office.
- R. The department head or responsible area staff shall return a copy of the informal complaint form with the documented outcome to the deputy superintendent of operations office.
- S. The deputy superintendent of operations office shall document the outcome of the informal complaint resolution process into the informal complaint resolution log. The deputy superintendent of operations office shall also maintain the completed informal complaint form, which shall be attached to the original on file.
- T. The superintendent or designee shall review the log periodically to identify and address potential problem areas.
- U. Once the informal complaint resolution process has concluded and if the inmate is not satisfied with the informal decision rendered, the inmate shall have ten (10) working days from the receipt of the informal complaint decision to file a formal grievance without being penalized.
- V. The IGC may extend these timeframes if the inmate has made a good faith and timely effort to resolve the issue informally.
- W. Grievance forms (attachment Form A) as well as inmate appeal forms (attachment Form B) may be obtained in the law library, from the housing units, CPO, or from the IGC.
- X. Completed grievance forms may be filed by either submitting them directly to the IGC via institutional mail or depositing them in a locked grievance box located in the East Wing corridor, West Wing corridor, and the Orientation Unit.
- Y. These boxes are collected every business day.
- Z. All grievances are entered into IMS verbatim.
- AA. Inmates are forwarded an IMS generated copy as their receipt.
- BB. The telephone interpreter service shall be available for use by the IGC when conducting interview if necessary.

- CC. Inmates who wish to withdraw a grievance or grievance appeal must contact the IGC in writing; by submitting a grievance withdrawal form (attachment F).
- DD. The time limits referred to in 103 CMR 491 may be extended if the IGC or superintendent determines that additional time is necessary for an appropriate decision to be made or if the inmate presents legitimate reason for requesting an extension.