

RECEIVED MAY 04 2004



**Dorchester County
Department of Corrections
829 Fieldcrest Road
Cambridge, Maryland 21613**

[REDACTED] Warden
Tele: [REDACTED]
Fax: [REDACTED]
E-Mail: [REDACTED]

April 30, 2004

[REDACTED]
ACLU cooperating counsel
Meadow Mill at Woodberry
3600 Clipper Mill Road
Suite 350
Baltimore, MD. 21211

RE: Your letter dated April 19, 2004
Grievance Procedure

Dear [REDACTED]

I do appreciate your response and comments concerning how our Complaint/Grievance procedure appears to you, however, I have a different opinion and I hope we can agree that we are both entitled to our own opinion.

Our system has been in place for many years and only a few changes have occurred, one recently when we were first contacted by one of your law clerks who raised an issue and we agreed that particular wording needed to be up-dated.

I am not concerned how our Complaint/Grievance procedure concerns the Standards Commission or anyone else because I know it exceeds their standards and meets all legal requirements.

It is my concern when an inmate finds it necessary to request and file a Grievance form because that means that one of my staff has failed to answer a request form or handle an inmate problem. Now my concern is only with "real and valid" problems. Our request form system is fully documented and reviewed to insure all request slips are responded to, no matter the reason for the request.

Over the last 12 years as Warden of this facility there have been very few incidents that a Grievance form was necessary to respond to a true/valid problem that an inmate had, in fact, I could count them on my fingers and have a few left over. The majority of Grievance Forms submitted are from inmates who because of their own disciplinary problems or personal demands are not getting what they want; they are not true or valid Grievances. Therefore, we require the inmate to explain why they want a Grievance form which will help us research the request slips in their file and our request slip inventory log to determine if they have a true or valid complaint.

Our system has worked for hundreds of inmates who have gone through our doors and have always provided them with quick and responsive actions to their request, I would be foolish to change a system that works for the facility and the inmate population because a few inmates did not get what they wanted and they complained to you.

ACLU April 30, 2004: Grievance Procedure

I have always and will continue to run this facility in a manner that is fair to everyone and in a manner that provides the best delivery of services to the inmate population within reason.

Again, I appreciate your comments and have studied them, but, they do come down to one point that you want "confirming that inmates dissatisfied with informal resolution of grievances through inmate request slips will always be allowed to file a for # 602 or some type of formal grievance."

Filing a request slip or a Grievance form requires the same amount of time and writing ability, writing a request slip works, receives action. It makes no sense to fill my grievance form file with frivolous complaints just to make a few unhappy inmates happy.

Therefore, I do not intend changing a system that has a proven track record of reliability and success unless it can be made better, not add additional documentation or length to obtain the same thing.

To summarize, if you are not, you should be aware that our system does permit an inmate who can show that their request has not been responded to in an appropriate manner; they can request a Grievance Form from the Classification Officer that comes directly to me.

Thank you for your comments and I will keep them in my file for reference as we look at our Inmate Handbook and Policy & Procedures during our annual review process.

Sincerely,

[REDACTED]

[REDACTED] Warden

Enclosure:

**DORCHESTER
DETENTION
CENTER**

**INMATE
INFORMATIONAL
HANDBOOK**

CMT# _____

REVISED: OCTOBER 17, 2003

SANCTIONS

3. Loss of all privileges means:
 - a. Commissary
 - b. Personal Visits
 - c. Recreation
 - d. Self-help programs (for major rule violations only)
 - e. Any other privileges given to the general population
4. Loss of good time means:
 - a. Loss of all good time earned during the month the violation occurred.
5. Segregation time means:

Placement in maximum security (seg-A male inmates and maximum for females). When the segregation time is completed they must be reclassified before being placed in general population. Male inmates will be placed in Max B and female inmates are to be placed in female processing pending a reclassification hearing.
6. Probation means:

Placement on probation means that if during the probation time the inmate violates any rules of the facility he / she will be charged with the rule violated plus be charged with rule # 17, disobeying an order, and be required to serve any time remaining for his / her original sanction that was suspended for probation time at the initial board hearing.
7. Time tables for disciplinary hearings:
 - a. The inmate shall be served with a copy of the Infraction within 48 hours of the date / time of the offense, or within 48 hours of the inmate returning to the custody of DDC.
 - b. Unless waived by the inmate DDC shall not hold Disciplinary Hearings for the first 24 hours after the Infraction is served.
 - c. Unless prevented by exceptional circumstances, which must be documented, the inmate shall appear before the Hearing Officer for the hearing within 96 hours of the alleged infraction excluding Weekends and Holidays.
 - d. The accused inmate(s) has the right to representation / witnesses at the hearing.
 - e. If the inmate is found guilty at a Disciplinary Hearing they have five (5) working days to appeal the decision of the Hearing Officer. The appeal will be submitted on an Inmate Request Slip to the Chief of Security.
8. The Warden may, at his discretion, impose or reduce any sanction he deems appropriate.

GRIEVANCE PROCEDURES

An inmate who has had an appeal concerning a classification / disciplinary hearing decision denied by the Chief of Security and believes there is sufficient information to modify or overturn said decision, must appeal to the Warden within five (5) days of the decision. Inmates desiring to file a Complaint/Grievance concerning a DDC policy, employee, etc., will do so, by obtaining a grievance / complaint form # 602 from the Classification Coordinator. The grievance / complaint form #602 may only be obtained after you have exhausted all other means by inmate request slips. When submitting a request for a 602 form you must state details of the grievance / complaint and all attempts that have been made to remedy the grievance / complaint. You will submit form # 602 to the Warden for investigation.

SMOKING POLICY

DDC is a smoke free facility. Inmate / Staff are prohibited from smoking or possessing smoking materials in all areas.

PROGRAMS PARTICIPATION

DDC provides confinement for convicted / pre-trial inmates, it is necessary to distinguish between these groups concerning rights to participate in work assignments and programs.

Convicted Inmates - may refuse to participate in activities, services and programs with the exception of work assignments essential to support the operation, safety and maintenance of the institution, programs specifically mandated by statute (law), basic education programs, or programs ordered by the sentencing court or based upon written agreement. Refusal to maintain the cleanliness / orderliness of living area or any order designed to ensure the security of the institution or which is mandated by the court will be documented and disciplinary measures will be initiated in accordance with policy.