

# Orientation and Jail Rules

## Inmate/Detainee Grievance Procedure

### Contents

[\[hide\]](#)

- [1 1600.5.1 - Purpose](#)
- [2 1600.5.2 - Allowable Grievances](#)
- [3 1600.5.3 - Initiating a Grievance](#)
- [4 1600.5.4 - Supervisor Responsibilities](#)
- [5 1600.5.5 - Grievance Resolution](#)
- [6 1600.5.6 - Grievances Requiring Special Handling](#)
- [7 1600.5.7 - Grievance Appeals](#)
- [8 1600.5.8 - Emergency Grievances](#)
- [9 1600.5.9 - Protection from Retaliation](#)
- [10 1600.5.10 - Grievance Procedure Abuse](#)

## 1600.5.1 - Purpose

---

The Department endeavors to meet the legitimate needs of the inmates/detainees in its custody. It also recognizes that problems relating to conditions of confinement can and do arise, and can seem especially significant to inmates/detainees who have limited control over their own circumstances.

The grievance procedure is a formal process for an inmate/detainee to address a specific issue or condition of confinement that personally and directly affects him/her. It provides a positive outlet for the expression of concerns, and facilitates their fair and appropriate resolution. It also reduces the likelihood that inmates/detainees will resort to misconduct as a means of handling their real or perceived problems. In these ways, the grievance procedure improves custody operations.

In order to exhaust administrative remedies as required by the Prison Litigation Reform Act (PLRA), the inmate/detainee must follow the grievance procedure outlined in this section.

---

## 1600.5.2 - Allowable Grievances

---

1. Any inmate/detainee may file a grievance related to any condition of confinement, including but not limited to:
  - Medical Care
  - Classification Actions
  - Program Participation
  - Telephone, Mail, and Visiting Procedures
  - Food, Clothing, and Bedding Issues
  - Disability Discrimination
2. The grievance procedure is not to be used for disciplinary appeals. The disciplinary appeal process is covered in [CCOM Section 1602.6](#).
  - Staff will accept disciplinary appeals even if they are on the wrong form and will forward them pursuant to [CCOM Section 1602.6](#).
3. An inmate/detainee may not file a grievance on any issue which the Department has no control over, such as
  - Federal, State, or Local Laws
  - Judicial Proceedings or Decisions of the Courts
  - Probation or Parole Actions
4. If a grievance is invalid, staff will document the specific reason on the form. Staff will provide the inmate/detainee with a copy and forward the original to Inmate Records for inclusion in the inmate's/detainee's records file.
  1. Invalid grievances will not be entered into the grievance database and will be kept only for documentation purposes.
  2. Staff may act on an invalid grievance if it is in the best interest of the Department.

## 1600.5.3 - Initiating a Grievance

---

1. Inmates/Detainees may utilize the grievance procedure regardless of disciplinary status, housing location or classification.
2. Grievance forms are available in all housing locations.

3. Any staff member who receives a verbal or written request for a grievance form shall, as soon as practical, provide one to the requesting inmate/detainee.
4. The grievance procedure is to address the specific concerns of the individual inmate/detainee filing the grievance.
  1. The inmate/detainee shall place a single complaint with related issues on a single grievance form. If multiple, unrelated issues are included on a single form, staff will return the form to the inmate/detainee and instruct him/her to submit a separate form for each unrelated complaint.
  2. An inmate/detainee shall not submit a grievance on behalf of another inmate/detainee or group of inmates/detainees. Petitions or joint grievances involving multiple inmates/detainees will not be accepted.
  3. This shall not prevent an inmate/detainee from obtaining assistance in preparing or filing a grievance (e.g. – family, attorney, or other inmates/detainees).
5. Illiterate, disabled, or non-English speaking inmates/detainees shall be provided assistance, upon request.
6. All properly completed grievance forms shall be submitted within 14 calendar days of the alleged incident. Any grievance form submitted after 14 days will be considered invalid. The inability to obtain assistance is not a valid reason for exceeding the time limit for submissions.
  1. The inmate/detainee may drop the completed grievance form in any grievance drop box. These boxes are located throughout the facility and accessible to all inmates/detainees. The grievances will be retrieved by the sergeant responsible for the area where the box is located.
  2. The inmate/detainee may submit the grievance form directly to sworn staff.
    1. Any grievance form submitted to non-sworn staff will be considered invalid.
    2. If at the time of submission the staff member who receives a completed grievance form determines the grievance is actually a request (i.e. – sentence ending date, law book request, haircut, etc.) he/she will check the “Handled as

- Inmate/Detainee Request” on the form and process the form as a request.
3. The receiving staff member will legibly print his/her name and PID number and enter the date/time of submission on the “Received By” line of the grievance form.
  4. If the sworn staff member can resolve the grievance upon receipt from the inmate/detainee, he/she shall document the resolution in the appropriate sections of the grievance form and assign the grievance a jail incident number (JI number). The staff member will write his/her name and PID number and the date/time of return on the “Response Returned to Inmate/Detainee” line of the grievance form. The staff member will provide the inmate/detainee a completed copy, and place the original completed and signed form in the area’s grievance box for supervisor review, database update, and distribution.
  5. If the staff member cannot resolve the issue, he/she will assign the grievance a JI number and deliver the grievance to the area sergeant before the end of the shift.

## 1600.5.4 - Supervisor Responsibilities

---

1. At least once per shift, each sergeant will collect all new grievances from the locations in his/her area of responsibility.
2. The sergeant will review all submitted grievances and determine the appropriate level at which to handle them. This may include delegation to a deputy, assignment to another sergeant or forwarding to the facility administrative lieutenant. The sergeant may also elect to handle the grievance personally. The sergeant will write the name of the assigned staff member and the date/time on the “Assigned To” line of the grievance form.
3. The sergeant will assign a JI number to each grievance submitted without one. Grievances received by staff already have a JI number.
4. The sergeant will enter the grievances into the grievance database.
5. The sergeant or his/her designee will distribute the grievances to the assigned staff.

6. When the assigned staff member returns the grievance to the sergeant, the sergeant will update the grievance database and forward the completed grievance to the facility administrative sergeant for review, distribution, and filing.

## 1600.5.5 - Grievance Resolution

---

1. All grievances will be resolved at the lowest possible level. If the assigned staff member is unable to resolve the issue, the form will be forwarded to the next highest level in the chain of command. The chain of command for the grievance process shall be as follows: Deputy, Sergeant, Facility Administrative Lieutenant, Division Commander.
2. Staff investigations and responses shall be completed within a reasonable amount of time. Reasonableness will be based on the type and scope of the grievance submitted, but all grievances will be acted on within five working days of receipt.
3. All grievance forms will detail the resolution, including any corrective actions taken.
4. Grievances that are denied or cannot be resolved will have written reasons for the denial from each level of review which acted upon the grievance.
5. The facility administrative lieutenant will review all completed grievances. The administrative sergeant will ensure the grievance database has been updated, the original grievance filed, and a copy placed in the inmate's/detainee's records jacket.

## 1600.5.6 - Grievances Requiring Special Handling

---

1. If the grievance is a complaint about staff misconduct, the sergeant will enter it into the grievance database and follow the procedures in [Policy 340 – Disciplinary Policy](#) and [Policy 1020 - Personnel Complaint Procedure](#) for the investigation of citizen complaints.
  1. Return a copy of the grievance form to the inmate/detainee with "The matter is being investigated." in the staff response section.

2. Document the complaint on an intra-department memorandum form, include any recommendations, attach a copy of the original grievance, and forward it to the watch commander or bureau commander.
  3. A copy of all ICE detainee grievances alleging staff misconduct must be forwarded to ICE/ERO.
2. If the grievance is about a medical or disability issue, the sergeant will enter the grievance into the database and forward it to the facility administrative sergeant.
  1. The administrative sergeant is the facility Americans with Disabilities Act (ADA) coordinator.
  2. The administrative sergeant will forward medical grievances to the Correctional Health Services (CHS) administrative manager for resolution.
  3. The CHS support services manager will notify the administrative sergeant at the facility where the grievance originated when the grievance has been resolved.
3. If the grievance is about an Inmate Services Division (ISD) issue, enter the grievance into the database and forward it to the facility administrative sergeant.
  1. ISD includes Correctional Programs, Food Services, and Commissary.
  2. The administrative sergeant will forward the grievance to the appropriate ISD contact.
  3. The ISD will notify the administrative sergeant when the grievance has been resolved.
  4. If the issue has already been resolved by sworn staff, the administrative sergeant will forward a copy to ISD for informational purposes.

## 1600.5.7 - Grievance Appeals

---

1. Any staff member who receives a verbal or written request for a grievance appeal form shall, as soon as practical, provide one to the requesting inmate/detainee. The form is the same for initial grievances and appeals.

2. In the event an inmate/detainee is dissatisfied with the outcome of the actions taken at the initial level, the grievance may be appealed to the next highest level.
3. All appeals must be submitted in accordance with all procedures established for submitting an initial grievance.
4. Any grievance appeal must be submitted within 14 days of notification of the previous grievance outcome.
5. The inmate/detainee must include the original jail incident number from the top right corner of the initial grievance in the appropriate field. The inmate/detainee must mark the form "APPEAL".
6. The appeals process will be considered exhausted when the inmate's/detainee's grievance has been reviewed by the division commander.

## 1600.5.8 - Emergency Grievances

---

1. The grievance procedure is a written procedure. As such, it may not be conducive to resolving true emergencies. Inmates/Detainees should immediately notify staff of any emergency.
2. An emergency grievance involves an immediate or imminent threat to a detainee's health, safety or welfare.
3. When staff receives a grievance marked as an emergency, or determines a grievance may be an emergency, staff will
  1. If necessary, move the inmate/detainee and any other inmates/detainees potentially affected by the issue, to a safe location pending the grievance review and resolution.
  2. Deliver the grievance to a supervisor immediately.

## 1600.5.9 - Protection from Retaliation

---

1. Staff shall not harass, discipline, punish, or otherwise retaliate against an inmate/detainee who uses or participates in the grievance process.
2. The inmate/detainee may pursue any alleged or threatened retaliation through the grievance procedure.

## 1600.5.10 - Grievance Procedure Abuse

---

Abuse of the grievance procedure is defined as the misuse of the process through excessive frivolous complaints or continued complaints of previously resolved issues. The Division Commander or his/her designee has final determination of what is considered grievance procedure abuse.

1. It shall be considered an abuse of the grievance procedure to file a grievance on an issue that has already been resolved.
2. Abuse of the grievance procedure will be considered a violation of jail rules and is subject to appropriate disciplinary action.
3. Discipline resulting from grievance procedure abuse is not considered retaliation as covered in 1600.5.9.