

PART I

GENERAL PROVISIONS

866-1.0 PURPOSE

To provide an administrative process for fair, prompt decisions and actions in response to inmate grievances.

866-2.0 AUTHORITY

Code of Virginia, Section 53.1-10, Powers and duties of Director

866-3.0 EFFECTIVE DATE

February 1, 1999

866-4.0 DISCUSSION

The inmate grievance procedure is a mechanism for inmates to resolve complaints, appeal administrative decisions, and challenge the substance of procedures. The process provides corrections' administrators a means to assess potential problem areas and, if necessary, correct those areas in a timely manner.

Federal and state laws require inmates to exhaust available administrative processes prior to filing lawsuits concerning conditions of incarceration. To comply with these laws, exhaustion of the regular grievance procedure is mandatory prior to judicial action by the inmate. The only exception is for disciplinary decisions for which the exhaustion of the inmate disciplinary appeals process is mandatory prior to any judicial action. The filing of an emergency grievance does not satisfy the exhaustion requirement.

866-5.0 APPLICABILITY

This Operating Procedure applies to all employees of the Department of Corrections and all inmates incarcerated within a state correctional institution of the Department.

A separate Institutional Operating Procedure is not required. However, the Warden/Superintendent will prepare an implementation memorandum, which will provide institution-specific information designating staff responsibilities and institutional processes under this procedure. This Division Operating Procedure and the facility's implementation memorandum will be made available for staff and inmate review.

Enclosure 

## INMATE GRIEVANCE PROCEDURE

DOP 866 PAGE 2 of 14  
November 20, 1998866-6.0 DEFINITIONS

Abuse - the use of these procedures in a manner other than in good faith for resolution of grievances.

Appeal - the submission of a response to a grievance from one level to the next available level for review and response.

Calendar day - any 24-hour day regardless of weekends or state holidays.

Day - a 24-hour period.

Emergency - a situation or condition which may subject the inmate to immediate risk of serious personal injury or irreparable harm.

Founded - when a determination has been made that a remedy is required.

Grievance - an unresolved issue filed and signed by an individual inmate on his/her own behalf concerning an issue which has affected him/her personally.

Grievance Coordinator - the employee designated for coordination and monitoring of the institution's inmate grievance procedure, at institutions that do not have an established Human Rights Advocate position.

Informal Procedure - those processes, practices, or procedures available to inmates to secure institutional services or resolve complaints.

Institutional Ombudsman - the working title of the Human Rights Advocate position designated for the coordination and monitoring of the institution's grievance procedure.

Misuse - using the grievance procedure other than in accordance with the procedures defined herein.

Petitions - complaints submitted or signed by more than one inmate.

Regional Ombudsman - the working title for the Human Rights Advocate Senior employed by the Office of Ombudsman Services responsible for monitoring institutional grievance procedures, and providing investigative services for inmate grievances.

Repetitive Grievance - an issue that has been previously grieved through the regular grievance procedure.

Reprisal - any action or threat of action against anyone for good faith use of or good faith participation in the grievance procedure.

Remedies - actions taken as result of founded grievances.

Request - an attempt to secure a service, privilege, information, or an item from appropriate staff.

Form (Attachment 1) should be given to each inmate during orientation at all reception centers and all parole violator units. Inmates with special needs (i.e. visually/hearing impaired, non-English speaking, non-readers) should be identified and the Institutional Ombudsman/Grievance Coordinator notified of the special need so that necessary services can be obtained prior to the center/unit's formal orientation process.

If an inmate wishes to file a grievance prior to participation in the formal orientation, provisions should be made for staff to provide assistance so that the inmate's ability to grieve an issue is in no way hindered.

2. Institutional Orientation. An explanation of the facility's inmate grievance procedure should be provided to all new employees and incoming inmates during orientation. Provisions should be made prior to orientation for those inmates not speaking English, as well as for the impaired, handicapped and non-readers.

The Institutional Ombudsman/Grievance Coordinator will monitor to ensure that appropriate information on the inmate grievance procedure is provided.

- 866-7.3. ACCESSIBILITY. Each inmate will be entitled to use the grievance procedure. In cases where an inmate is adjudged by the Warden/Superintendent as abusing that usage, his filings may be limited by the Warden/Superintendent in accordance with Section 866-7.9.

In the event of a widespread institutional disruption, natural disaster or other unusual occurrence which requires emergency action, any or all portions of this Operating Procedure may be temporarily suspended. Once order has been restored, the processing of grievances will resume. The determination as to whether or not emergency conditions exist will be made by the Warden/Superintendent in accordance with procedures governing institutional emergencies.

- 866-7.4. REPRISALS. No reprisals will be visited upon inmates for filing grievances in good faith. Neither employees nor inmates participating in the resolution of grievances should be subject to reprisal in any form. An inmate may pursue a complaint of reprisal through the Inmate Grievance Procedure. Allegations by employees of retaliation should be reported through their chain-of-command.

- 866-7.5 WRITTEN RESPONSES WITH REASONS. At each level of the procedure responses to each grievance will be made in writing, with reasons for the decisions stated clearly. Employees who are the subject of the issue being grieved will not be the respondent, but may offer information during the investigation of the complaint.

- 866-7.6 APPEALS. Appeals will be allowed without interference by administrators or employees of the institution. An inmate who is dissatisfied with the response to a grievance may appeal by signing, dating, and indicating in the designated area reasons why he/she is dissatisfied with the prior response. Appeals not submitted in accordance with procedures should be returned to the inmate with specific reasons for the return, and if applicable, instructions for resubmittal.

866-7.7 TIME LIMITS. Prompt and reasonable time limits will be set for all levels of the procedure with provisions for emergencies.

866-7.8 DISCIPLINARY ACTION. An inmate's use of the grievance procedure should not ordinarily be cause to take disciplinary measures. Inmates are instructed to use the grievance process in good faith for problem resolution. In grievances where inmates threaten bodily harm to any person (Offense Code 212), use vulgar or insolent language toward an employee (Offense Code 222) or make false statements or charges against an employee (Offense Code 221), a charge may be issued in accordance with the provisions in Division Operating Procedure 861 "Inmate Discipline".

Due to the sensitive nature of Offense Code 221, "False statements or charges against an employee," it is imperative that the matter be investigated by an impartial party and handled with the utmost caution and fairness to avoid chilling the inmate's right to file complaints against employees.

866-7.9 LIMITING AS A RESULT OF ABUSE. It is imperative that all inmates be able to utilize their available administrative remedies in a timely manner. All inmates should use the grievance procedure in good faith for problem-resolution.

Inmates who abuse the grievance procedure by excessive filings or habitual misuse of the procedure hinder access by other inmates and impede staff's ability to investigate and resolve complaints within specified time limits.

Where an inmate is adjudged to be abusing the inmate grievance process, it is the responsibility of the Warden/Superintendent to regulate that inmate's usage of the regular and emergency grievance procedures. On a case-by-case basis, the Warden/Superintendent should review the inmate's usage of the grievance procedure and determine whether restriction of regular and/or emergency filings is needed.

An inmate may be restricted to no less than one grievance per week. The Warden/Superintendent will notify the inmate in writing of the reason for the limitation, the number of grievances he/she is limited to, and the length of time of the limitation. A copy of the notice will be provided to the Regional Director.

The inmate may grieve the limitation decision to the Warden/Superintendent without an informal resolution attempt being required. Application of the limiting procedure is appealable to the Regional Director at Level II.

866-7.10 WITHDRAWAL OF GRIEVANCES BY INMATE. An inmate may, at any time, voluntarily withdraw his/her grievance from any level of the procedure by completing the Withdrawal section on the Regular Grievance Form (Attachment 2 page 2). Subsequent grievances on the same issue should be determined as repetitive and should not normally be accepted, if the inmate has formally withdrawn the initial grievance.

866-7.11 GRIEVABILITY.

## 1. Grievable. The following matters are grievable by inmates:

Procedures of the facility, region, division, and department which affect the grievant personally

Actions of individual employees and/or inmates which affect the grievant personally, including any denial of access to the grievance procedure

Reprisals against the grievant for filing a grievance or grievance appeal

Issues concerning the Department's administration of the Interstate Compact Agreement which affect the grievant personally

Any other matters relating to conditions of care or supervision within the authority of the Department which affect the grievant personally

## 2. Non-Grievable. The following matters are not grievable:

Disciplinary hearing decisions, penalties and/or procedural errors, which may be appealed in accordance with Division Operating Procedure 861, "Inmate Discipline".

State and Federal court decisions, laws, and regulations

Policies, procedures and decisions of the Parole Board, Board of Corrections, Virginia Department of Transportation (VDOT), the Department of Correctional Education (DCE), and other agencies

Other matters beyond the control of the Department

866-7.12 REMEDIES. The grievance procedure should afford a successful grievant a meaningful remedy when applicable. Although available remedies may vary among institutions, a reasonable range of meaningful remedies in each institution is necessary. All grievances determined as founded will be provided an administrative remedy and should, if necessary, include an inmate remedy. Remedies should include, but are not limited to, the following:

## 1. Administrative Remedies

Substance of procedure. Written change communicated effectively, promptly, as extensively as necessary, and with instructions including time limits for effecting the change.

Interpretation of procedure. Written explanation of revised interpretation communicated effectively, promptly, as extensively as necessary, and with instructions for effecting the change.

Application of procedure. Written direction to the relevant

employee or employees to apply the procedure correctly, and, if necessary, with instructions for accomplishing the change. Disciplinary actions against employees, if appropriate, will not be communicated to inmate, but should be documented.

2. Individual Inmate Remedies.

Redress to the grievant as appropriate (for example, protection of the grievant, return/reimbursement of property, appropriate/prompt classification action, recomputation of time, timely medical attention or treatment, improvement of living conditions in a timely fashion).

866-7.13 INFORMAL PROCEDURE. Prior to submitting a formal grievance, the inmate should demonstrate that he/she has made a good faith effort to resolve the issue informally. The facility's implementation memorandum should specify how an inmate should attempt to resolve his/her complaints prior to submitting a formal grievance.

The time frame for staff response to an inmate's informal complaint should be no longer than 15 calendar days to ensure responses are provided prior to the expiration of the 30 day time requirement for an inmate to file his/her grievance.

866-7.14 INITIATION OF REGULAR GRIEVANCE PROCEDURE. Grievances are to be filed within 30 calendar days from the date of occurrence/incident or discovery of the occurrence/incident, except in instances: 1) beyond the inmate's control, or 2) where a more restrictive time frame has been established in Division Procedures to prevent loss of remedy or the issue from becoming moot. Once a grievance is filed, all records necessary to address the complaint should be made available to the designated person conducting the investigation.

1. Inmates are to use the Regular Grievance Form (Attachment 2) to file their own grievances. Regular grievance forms should be available to all inmates during waking hours. Assistance should be made available for inmates who are unable to complete the forms.

Only one issue per grievance form will be addressed. The inmate is to write the issue in the space provided on the grievance form, preferably in ink. The inmate must either attach any required documentation of his/her attempt to resolve the issue or write the results of the informal resolution within the space provided on the grievance form, in accordance with the procedures established in the institution's Implementation Memorandum. If an inmate has supporting documents which he/she feels are relevant to the issue, he/she should be provided the opportunity to present them prior to the response at Level I.

The original regular grievance (no photocopies or carbon copies) should be submitted by the inmate through the institutional mail system to the Warden/Superintendent's Office for processing by the Institutional Ombudsman/Grievance Coordinator. In cases where the inmate has been transferred, the inmate should submit the grievance to the institution where the complaint occurred.

Grievances repetitive of a complaint previously filed through the

regular grievance procedure or which contain threatening or vulgar language should not be accepted.

2. Intake. Incoming grievances are to be dated/date stamped on the working day received in the space provided on Page 1 of the Regular Grievance Form (Attachment 2).

If the grievance meets the criteria for acceptance, the grievance should be logged into the Adult Grievance Information System (AGS) using the working day received. A receipt (Attachment 3) will be issued within two (2) working days from the date of receipt.

If the grievance does not meet the criteria for acceptance, the grievance should be returned to the inmate within two (2) working days by completing the Intake section of the Regular Grievance Form (Attachment 2, Page 2) on the back of the grievance. A copy of all returned grievances and completed referral forms are to be maintained for documentation purposes in the inmate's individual grievance file.

If an inmate wishes a review of the intake decision on any grievance, he/she may send the grievance to the appropriate Regional Ombudsman for a determination. The Regional Ombudsman should provide his/her decision to the inmate within five (5) working days. There is no further review of intake decisions.

In the event of excessive filings by an inmate, the Institutional Ombudsman/Grievance Coordinator should contact the Warden/Superintendent for a determination as to whether the limiting procedure should be instituted prior to initiating any intake action. If it is the decision of the Warden/Superintendent to limit, all filings in question will be returned to the inmate with the written notification from the Warden of the initiation of the limiting procedure (refer to Section 866-7.9).

3. Special Concerns during the Intake Process.

**Allegations of Physical Assault or Criminal Activity.** Grievances alleging physical assault or criminal activity by employees or inmates should be brought to the attention of the Warden/Superintendent when received. The grievance should be logged and receipted according to the intake criteria and time limits.

**Disciplinary Action.** If a grievance is received which threatens harm to any person or contains vulgar and/or insolent language toward an employee, the inmate may be charged under the Inmate Disciplinary Procedure. The original grievance is forwarded to designated staff for review and possible disciplinary charge. The inmate is to be advised of this action by a copy of the grievance and referral notice on the back of the grievance form. The inmate is instructed that, in order to receive consideration, the returned grievance must be rewritten and submitted promptly without the inappropriate language.

866-7.15 LEVELS OF REVIEW. There are three (3) levels of review available for regular grievances. Each Level of response should state if an appeal is available and provide the title and address of the respondent for the

next available level of review, if applicable.

1. Level I, Warden or Superintendent. The Warden or Superintendent maintains the primary responsibility for responses to grievances at this Level within the time limits specified.

Once the grievance is logged and receipted, the Institutional Ombudsman/Grievance Coordinator should review the content and determine the course of investigation. A face-to-face interview with inmates is not required for all Level I investigations. A face-to-face interview should not be held on issues which have been resolved or those issues which the answer is factual in nature and/or of a resolving content.

The response will include the following:

the results of the informal process

the facts (who, what, when, where, why)

the procedure and content which govern the issue

a determination of one of the following:

- whether the complaint was founded or unfounded and, if founded, what remedy was taken, or will be taken within what time limit
- whether the decision being appealed is upheld or reversed
- whether the procedure being challenged needs revision

the reason(s) for the determination

instructions on the appeal process

The Warden or Superintendent should ensure that appropriate investigation has occurred and any remedy action has been taken.

2. Level II, Regional Director, Health Services Director, or Chief of Operations for Classification and Records.

Grievances over which the Regional Director has authority are forwarded to the appropriate Regional Office for response.

Grievances regarding actions or decisions of the Central Classification and Records Unit (including Central Classification Board decisions, time computation, Court and Legal actions, detainers, etc.) are reviewed and responded to by the Chief of Operations of the Classification and Records Unit. Those grievances concerning the Interstate Compact Agreement from Virginia inmates housed in states participating in the Agreement may be submitted directly to the Chief of Operations of Classification and Records for a response and are appealable to Level III of the procedure.



Grievances regarding Health Services procedures, and medical, dental, and mental health care are reviewed and responded to by the Director of the Office of Health Services.

If the Level I response does not contain sufficient information to arrive at the decision at Level II, the Level II respondent or designee should request the information from the Warden/Superintendent or designee who will ensure that the information is provided within the time frame established by Level II.

If the review at Level II supports the Level I response, the decision should indicate such. If the Level I response is not supported, the response will indicate the results of any additional investigation and any action to be taken within a specified time period.

The response at this level should indicate whether the issue qualifies for an appeal to the next level, and provide the name and address of respondent at the next level of appeal, if applicable. If there is no further appeal, the inmate should be advised that he/she has exhausted all administrative remedies.

3. Level III, Deputy Director or Director.

Grievances challenging the substance or interpretation of Division Procedures are appealable to the respective Deputy Director.

Grievances regarding decisions of the Publication Review Committee are appealable to the Deputy Director of Operations directly from Level I.

Grievances concerning the Interstate Compact Agreement from Virginia inmates participating in the Agreement are appealable to the Deputy Director of Operations.

Grievances challenging the substance or interpretation of Department Procedures are appealable to the Director.

Grievances appealed to the Deputy Director or Director's office will be reviewed to determine if they qualify for a response by this level. Grievances which do not qualify will be returned to the inmate indicating such. Grievances which qualify for a Level III decision will be responded to by either the Deputy Director or the Director, as appropriate. The inmate will be advised that this is the last level of appeal and he/she has exhausted all administrative remedies.

866-7.16 TIME LIMITS. The total time allowed from initial submission of the regular grievance to the last level of review will not exceed one hundred and eighty (180) calendar days, including any authorized continuances.

1. Responses. Responses should be made within specified time limits at each level of decision. Expedient processing of grievances at each level of decision is essential to prevent grievances from

becoming moot. Time limits will be considered as beginning on the day the grievance is received at each level. The grievance form will indicate the date the response is signed. The time between the date received and mailed to the inmate should not exceed the time allotted for each level.

2. Specified Time Limits. Time limits for responses at each level for regular grievances are as follows:

LEVEL I: 30 calendar days

LEVEL II: 20 calendar days

LEVEL III: 20 calendar days

3. Authorized Continuances. A regular grievance may be continued up to 30 calendar days beyond the specified time limits at any level of the procedure for good reason(s). The inmate must be notified in writing of the continuance (Attachment 4) prior to the expiration of the specified time limit at any level. Grievances should be completed as soon as the reason justifying the continuance has ended or is no longer applicable.

Authorized continuances may be justified for the following reasons:

The principal(s) involved is unavailable to provide the information essential to the issue being grieved.

Awaiting results of Central Investigative Unit or information from other facilities, divisions, or agencies

Unavailability of key staff due to escape, disturbance, or natural disaster

4. Expiration of a time limit (to include any authorized continuance) at any stage of the process shall qualify the grievance for appeal to the next level of review. The grievance will be returned promptly to the inmate. The respondent will advise the inmate on the grievance form of the option to advance the grievance and the appeal information (name/address for the next level of review).
5. The inmate should be allowed 5 calendar days upon receipt of a response to appeal to the next level, if such appeal is available.

866-7.17 DISTRIBUTION AND RECORDKEEPING. The original grievance with response(s) should be returned to the inmate and a copy of the grievance with responses from all appeals routed to the Institutional Ombudsman/Grievance Coordinator for filing in the inmate's grievance folder. The institution should maintain the official record of the inmate grievance with copies of each level's response.

#### 866-7.18 EMERGENCY GRIEVANCES

Special provisions are made for responding to situations or conditions which may subject the inmate to immediate risk of serious personal

injury or irreparable harm. It is the duty of all correctional employees to be responsive to grievances of an emergency nature.

1. **Initiation.** Emergency grievance forms should be available on a 24 hour basis for all inmates regardless of housing status. The facility's implementation memorandum or inmate orientation handbook should indicate how inmates can obtain and submit emergency forms. Inmates are to write their grievances on the standardized Emergency Grievance Form (Attachment 5) and submit the completed grievance form to a staff person. Use of threatening, vulgar or insolent language, or false allegations against staff, may subject the inmate to disciplinary charges as outlined in Section 866-7.8.

2. **Intake.** The staff person who received the grievance will determine what action needs to be taken in accordance with specific instructions outlined in the implementation memorandum.

If the grievance must leave the presence of the inmate, the receipt at the bottom of the emergency form should be completed by the staff person and provided to the inmate when the inmate submits the grievance. If a determination is made and the form is completed in the inmate's presence, the receipt section of the form should be struck through and "File" copy retained prior to returning the form to the inmate.

3. **Response.** The implementation memorandum will designate who may serve as respondents to grievances filed as emergencies. The respondent should review the issue, determine the course of action, and provide an appropriate response with reasons.

If the issue does not subject the inmate to immediate risk of serious personal injury or irreparable harm, it is so indicated on the grievance form, signed with date and time of response by the designated staff person.

If the issue subjects the inmate to immediate risk of serious personal injury or irreparable harm, the designated staff person should determine if he/she can address the issue or if the grievance should be forwarded to a higher authority for resolution. The grievance should receive response from the level at which corrective action can be taken.

4. **Time limits.** A grievance submitted as an emergency should be responded to within eight (8) hours. Grievances ruled as emergencies that will be mooted by the passage of the time limit should receive immediate attention and appropriate action taken.
5. **Distribution and Recordkeeping.** The original grievance form with response goes to the inmate and the copy is routed to the Institutional Ombudsman/Grievance Coordinator for retention. Those grievances which are determined to be emergencies are logged into the Adult Grievance Information System (AGS) within two (2) working days of response. Those grievances which are determined as non-emergencies are not logged. All copies of emergency grievance forms submitted by an inmate should be filed in the inmate's grievance record for documentation purposes.

6. **Monitoring.** The Institutional Ombudsman/Grievance Coordinator should review the copies of grievances submitted through the emergency process and bring problem areas (including any allegations of criminal activity or physical assault) to the attention of the Warden/Superintendent.

866-7.19 **RECORDS.** Records of all regular and emergency grievances submitted at the institution, both logged and unlogged, will be maintained by the Institutional Ombudsman/Grievance Coordinator. The Adult Grievance Information System contains the official information of all logged grievances at each level of review. The Institutional Ombudsman/Grievance Coordinator should maintain monthly data regarding the number/reason for returns of regular grievances during the intake process, and the number of grievances submitted through the emergency process which were determined not to be emergencies. This information should be included in the written monthly report [Section 866-7.20 (1)].

1. **Retention.** Copies of grievances, both regular and emergency, will be maintained at the unit for a minimum of three years following final disposition of the grievance. Grievances concerning matters known to be under litigation will be maintained until completion of the litigation.
2. **Disposal of Records.** Permission for disposal of grievance records must be secured in accordance with Departmental Procedure 1-8, Records Retention and Disposition.
3. **Record Content.** Grievances or copies of grievances will not be placed in an inmate's Central or Institutional files, except when the grievance has been used as evidence to substantiate a disciplinary action taken in accordance with Section 866-7.8. Copies of grievances should be maintained in the grievance files of the institution, regional office and central office.
4. **Confidentiality.** Grievance records will be maintained in accordance with provisions outlined in Division Operating Procedure 803, Privacy and Security of Inmate Records. Information on grievances should only be available to employees on a need-to-know basis, as determined through the Warden/Superintendent's office.

866-7.20 **Monitoring.** The Inmate Grievance Procedure will be monitored by the Institutional Ombudsman/Grievance Coordinator at the institutional level and by the Ombudsman Services Unit at the regional and central office levels on a regular basis.

1. The Institutional Ombudsman/Grievance Coordinator will regularly monitor the institutional grievance procedure for compliance. As part of this monitoring process, the Institutional Ombudsman/Grievance Coordinator will provide to the Warden or Superintendent a written monthly report regarding the operation of the grievance procedure for the previous month. A copy of the monthly report is to be sent to the Regional Ombudsman for monitoring purposes.
2. The inmate grievance procedure will be monitored by the Ombudsman Services Unit through institutional visits, review of the Institutional Ombudsman/Grievance Coordinator's monthly report,

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2. The inmate grievance procedure will be monitored by the Ombudsman Services Unit through institutional visits, review of the Institutional Ombudsman/Grievance Coordinator's monthly report,

and the usage of information contained in the Adult Grievance Information System.

866-7.21 Evaluation. An evaluation of the inmate grievance procedure will be conducted on an annual basis by the Ombudsman Services Unit to ascertain the effectiveness of the process statewide and any need for revision to this procedure.

### PART III

#### ADMINISTRATION

##### 866-8.0 OFFICE OF PRIMARY RESPONSIBILITY

The Deputy Directors are responsible for ensuring that Level III actions are in compliance with this Operating Procedure.

The Regional Directors, Chief of Operations for Classification and Records, and the Director of Health Services are responsible for ensuring that Level II actions are in compliance with this Operating Procedure.

The Warden/Superintendent is responsible for implementation of this Operating Procedure and for issuance of the facility's implementation memorandum which is in compliance with this Operating Procedure.

The Program Manager of the Ombudsman Services Unit is responsible for the monitoring and annual evaluation of the inmate grievance process.

##### 866-9.0 SUPERSESSON

This operating procedure supersedes Department Procedure 10-2, Inmate Grievance Procedures dated August 11, 1993.

##### 866-10.0 REFERENCES

Standards for State Correctional Facilities, January 16, 1998, Board of Corrections; Standards 300-4, and 330-3.


Virginia Department of Corrections, Division of Operations Procedures 803, 851, 852, 856, and 861

Federal Prison Litigation Reform Act (PLRA)

Federal Civil Rights of Institutionalized Persons Act (CRIPA)

Code of Virginia: 8.01-243.2

866-11.0 REVIEW DATE These procedures will be reviewed as necessary.

  
Gene M. Johnson  
Deputy Director  
Division of Operations