

ILLINOIS DEPARTMENT OF CORRECTIONS
Staff Development and Training

DR 504

GRIEVANCE PROCEDURES



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GRIEVANCE OFFICER TRAINING PERFORMANCE OBJECTIVES

Upon completion of this training, participants shall be able to:

1. Describe the offender's rights and the role of grievances.
2. Demonstrate the ability to review "Committed Person's Grievances, DOC 0046" for content and logic.
3. Demonstrate the ability to accurately complete a "Response to the Committed Person's Grievance," DOC 0047.
4. Describe the responsibilities of the Grievance Officer.
5. Describe the process for forwarding grievances if they cannot be resolved at the institutional level.

DR 504 SUBPART F: GRIEVANCE PROCEDURES FOR OFFENDERS - 504.800

This Subpart applies to adult and juvenile offenders assigned to correctional facilities within the Department of Corrections with complaints, concerns, or other issues that cannot be resolved informally.

Filing of Grievances - 504.810

An offender shall first attempt to resolve incidents, problems, or complaints other than complaints concerning disciplinary proceedings through his or her counselor. If an offender is unable to resolve the complaint informally or if the complaint concerns a disciplinary proceeding, the individual may file a written grievance on a grievance form (DOC 0046) that shall be made available in all living units. The offender's Counselor must address the issue, or if it cannot be resolved document the specific reason. (The Counselor should not simply write "unresolved issue" on the Counselor section of the grievance form). A grievance shall be filed within 60 days after the discovery of the incident, occurrence, or problem that gives rise to the grievance. However, if an offender can demonstrate that a grievance was not filed in a timely manner for good cause, the grievance shall be considered. The grievance procedure shall not be utilized for complaints regarding decisions that are outside the authority of the Department, such as parole decisions, clemency, or orders regarding length of sentence or decisions that have been rendered by the Director.

The grievance form shall be addressed to the Grievance Officer and shall be deposited in the living unit mailbox or other designated repository. The grievance shall contain factual details regarding each aspect of the offender's complaint including what happened, when, where, and the name of each person who is the subject of or who is otherwise involved in the complaint. This provision

does not preclude an offender from filing a grievance when the names of individuals are not known, but the offender must include as much descriptive information about the individual as possible. All grievances (except those on DR's) must be addressed and signed by Counselors before they are sent to the Grievance Officer.

Staff assistance shall be available as requested by those offenders who cannot prepare their grievances unaided, as determined by institutional staff. All offenders shall be entitled to file grievances regardless of their disciplinary status or classification. Additionally, each facility shall take reasonable steps to ensure that the grievance procedure is accessible to offenders who are impaired, disabled, or unable to communicate in the English language.

Offenders shall be informed of the grievance procedure at the admitting facility and may request further information regarding the procedure from their Counselors. The written procedure shall be available to all offenders (usually through the orientation manual). An offender unable to speak or read the English language may request that the procedure be explained in the individual's own language.

According to 730 ILCS 5/3-8-8, a record of the grievance and any decision made with respect to it shall be preserved for a period of one year. Offenders shall be allowed to communicate emergency grievances directly to the Director or designee outside of the institution or facility where the person is confined. Discipline shall not be imposed because of the use of grievances.

Grievance Officer - 504.820

The Chief Administrative Officer shall appoint 2 or more employees who may serve as a Grievance Officer to attempt to resolve problems, complaints, and grievances that offenders have been unable to resolve through informal channels. No person who is directly involved in the subject matter of the grievance or who was a member of the Adjustment Committee that heard a Disciplinary Report concerning the grievance may serve as the Grievance Officer reviewing that particular case.

Grievance Procedures - 504.830

A Grievance Officer shall review grievances at least weekly, provided that one or more grievances have been filed. Grievances on issues that are deemed without merit may be returned as denied to the sender without further investigation. No merit grievances include grievances that have previously been addressed for which there is no additional information, and issues that do not involve or affect the offender. The Grievance Officer shall promptly submit a copy of any grievance alleging discrimination based on disability or a request for an accommodation based upon disability to the facility ADA Coordinator. The facility ADA Coordinator shall conduct such investigation as deemed appropriate and make written recommendations to the Chief Administrative Officer for resolution of the grievance.

An offender may be afforded an opportunity to appear before the Grievance Officer unless the grievance is deemed without merit. The Officer may call witnesses as deemed appropriate.

The Grievance Officer shall consider the grievance and report his or her findings and recommendations in writing to the Chief Administrative Officer. The Chief Administrative Officer shall advise the offender of the decision in writing within 2 months after receipt of the written grievance, where reasonably feasible under the circumstances. Responses to duplicate grievances on issues that are currently being grieved may be combined in one response.

Emergency Procedures - 504.840

An offender may request that a grievance be handled on an emergency basis by forwarding the grievance directly to the CAO on a Grievance Form DOC 0046. If the CAO determines that there is a substantial risk of imminent personal injury or other serious or irreparable harm to the offender, the grievance shall be handled on an emergency basis. The CAO shall expedite processing of the emergency grievance and respond to the offender, indicating what action shall be or has been taken.

Appeals - 504.850

If, after receiving a grievance response from the CAO, the offender still feels that the problem, complaint or grievance has not been resolved to his or her satisfaction, he or she may appeal in writing to the Director within 30 days after the date of the decision. Copies of the Grievance Officer's report and the CAO's decision should be attached.

The Director or designee shall review the grievance and the responses of the Grievance Officer and Chief Administrative Officer and shall determine whether the grievance requires a hearing before the Administrative Review Board. If it is determined that the grievance is without merit or can be resolved without a hearing, the offender shall be advised of this disposition, in writing. A panel of the ARB, one member being a citizen from the free community and the second being an employee of the Department designated as chairperson, shall meet as frequently as necessary and may schedule hearings on grievances. Hearings may be conducted in person or via video or telephonic conference. The Board may call witnesses or examine records at its discretion. The ARB shall submit to the Director a written report of its findings and recommendations.

The Director shall review the findings and recommendations of the Board and make a final determination of the grievance within 6 months after receipt of the appealed grievance, where reasonably feasible under the circumstances. The offender shall be sent a copy of the Director's decision.

In those instances where an offender is appealing a grievance determined by the Chief Administrative Officer to be of an emergency nature, the Administrative Review Board shall expedite processing of the grievance.

Records - 504.860

Records regarding the filing and disposition of grievances shall be maintained in the offender's master file.

Direct Review by Administrative Review Board - 504.870

Offenders shall submit grievances directly to the Administrative Review Board (ARB) when grieving:

- Decisions regarding protective custody placement, including continued placement in or release from protective custody. (DOC 00554 to be submitted by the institution).
- Decisions regarding the involuntary administration of psychotropic medication.
- Decisions regarding disciplinary proceedings that were made at a facility other than the facility where the offender is currently assigned.
- Other issues except personal property issues that pertain to a facility other than the facility where the offender is currently assigned.

In accordance with A.D.04.01.115 Administrative Review Board Proceedings, offenders shall have an opportunity to air and seek resolutions to unresolved grievances, complaints and problems with the Administrative Review Board in accordance with Department Rule 504. The CAO at each facility shall:

1. Ensure that all documents that may be reviewed by the Administrative Review Board such as Disciplinary Reports, Program Unit and Adjustment Committee Summaries, Grievance Officer Reports, Incident Reports and DC 252/contraband slips are completed legibly and accurately.
2. Ensure a supply of Committed Person's Grievance Forms, DOC 0046 and the Protective Custody Status Forms, DOC 0054, (if applicable) are available to offenders. Only grievances submitted on the DOC 0046 or the DOC 0054 shall be considered by the ARB. Non-standard forms/formats shall be returned to the offender.
3. Designate a staff member to serve as the ARB Liaison. The ARB Liaison shall provide logistical assistance in scheduling the ARB's issues such as issuing offender call passes; obtaining master, disciplinary, and personal property files and other pertinent documentation; obtaining a citizen member.

The ARB shall determine whether the issue requires a review or hearing based upon the nature of the grievance, seriousness of the issue grieved, and documentation pertaining to the issue. If it is determined that an ARB hearing shall be conducted, the Office of Inmate Issues will schedule the hearing with the offender face-to-face, or via telephone or by videoconference at the facility. Fourteen working days prior to the date of the hearing the Office of Inmate Issues will notify the facility's ARB Liaison of the type of hearing, date, time and name of the Chairperson conducting the hearing, and the names and numbers of offenders to be interviewed and the nature of each individual's grievances. The ARB members shall confer with the offender and review information they determine to be relevant to the issue being grieved. After all hearings are conducted, the ARB Chairperson shall ensure offender files are returned to the facility, debrief the CAO or Assistant CAO and submit a summary of the issues grieved, the offender's statements and a recommendation for each grievance to the Director.

Following the ARB Hearing, (or ARB Review where a hearing was not deemed necessary) if the CAO or Assistant CAO disagrees with the ARB's recommendation, he may protest the recommendation in a written protest with relevant documentation to the respective Deputy Director and the Manager of the Office of Inmate Issues within 5 working days of the debriefing. The Deputy Director shall review the material and make a recommendation to the Director. After the Director renders a final decision the Office of Inmate Issues shall send the decision to the offender and the facility housing the offender for inclusion in the offender's master file. Decisions on ARB Reviews shall be rendered within 4 months of receipt of the grievance where reasonable feasible and decisions on ARB Hearings shall be rendered within 6 months of receipt of the grievance where reasonably feasible under the circumstances.

SUBPART G: GRIEVANCE PROCEDURES FOR RELEASEES

Applicability - 504.900

This Subpart applies to persons committed to the Department of Corrections who have been released from correctional facilities and are under the supervision of the Department. «Releasee» refers to any person committed to the Department who has been released under conditional supervision in Illinois due to parole or mandatory supervised release, but who has not yet been discharged from the Department.

Filing of Grievances - 504.920

Releasees who have been unable to resolve complaints or problems through parole staff may file a written grievance with the Parole Supervisor. The Parole Agent must make the grievance forms available to the offender, in the event a grievance is requested. A grievance shall be filed within 60 days after the discovery of the incident, occurrence, or problem which gives rise to the grievance. However, if a releasee can demonstrate that a grievance was not timely filed for good cause, the grievance shall be considered. Complaints or problems regarding the revocation of release status, clemency, or orders regarding the length of sentence or decisions that have been rendered by the Director are not reviewable under this procedure.

The grievance shall contain factual details regarding each aspect of the releasee's complaint including what happened, when, where, and the name of each person who is the subject of or who is otherwise involved in the complaint. This provision does not preclude a releasee from filing a grievance when the names of individuals are not known, but the offender must include as much descriptive information about the individual as possible.

Review of Grievances - 504.930

The Parole Supervisor shall promptly submit a copy of any grievance alleging discrimination or a request for an accommodation based on disability to the facility ADA Coordinator. The facility ADA Coordinator shall conduct such investigation as deemed appropriate then make written recommendations to the Parole Supervisor for resolution of the grievance.

The Parole Supervisor shall interview the releasee, unless the grievance is deemed without merit, and shall evaluate and respond to the grievance in writing within 2 months, where reasonably feasible under the circumstances. Grievances on issues that are deemed without merit may be returned to the sender as denied without further review. No merit grievances include grievances that have previously been addressed for which there is no additional information or that are on issues that do not involve or affect the releasee. Copies of the grievance and response shall be retained in the Releasee's Case File.

GRIEVANCE PROCESS FOR OFFENDERS

The Department of Corrections is required to establish procedures to review the grievances of offenders as mandated by the Illinois Compiled statutes, 730 ILCS 5/3-8-8 "Grievances". The statute requires that:

- Procedures are established to provide a record of such grievances and any decision made with respect to them shall be preserved for a period of one year.
- Procedures allow an offender to communicate grievances directly to the Director, or person designated by the Director, outside of the institution.

- All offenders shall be informed of the grievance procedures.
- Discipline will not be imposed because of use of the grievance procedures.

In accordance with Department Rule 504 F, offenders may pursue grievances using the appropriate Committed Person's Grievances Report (DOC 0046). A grievance shall be filed within 60 days after discovery of the incident, occurrence, or problem which gives rise to the grievance. However, if the offender can demonstrate good cause for untimely filing, consideration shall be given for review of the grievance. Issues outside the authority of the department (parole decisions, clemency or orders regarding length of sentence or decisions rendered by the Director) should not be reviewed through the grievance process.

The American Correctional Association has also established standards for facilities to follow in providing a meaningful grievance process. Per 3-4271 of the Adult Correctional Institutional Standards, "There is a written offender grievance procedure that is made available to all offenders and that includes at least one level of appeal." The grievance mechanism should include: a written response to all grievances; reasons for the decisions; response within a prescribed, reasonable time limit; provisions for emergency grievances; access by all offenders without reprisals; and applicability to a broad range of issues.

The Prison Litigation Reform Act now requires State offenders to exhaust administrative remedies (grievances) within the department proper to filing suit in court. Should the court determine the suit, "does not raise a substantial issue meriting appellate review" the case is determined to be frivolous. An offender may have up to three suits determined to be frivolous then, to pursue future suits, the offender must pay \$105 court filing fee.

Institutional Grievance Processing

Offenders are to pursue their concerns, other than issues concerning disciplinary proceedings, through their Counselor first in an attempt to resolve the issue. If the issue remains unresolved, the offender may pursue the grievance to the facility Grievance Officer who is appointed by the Chief Administrative Officer to conduct a review/investigation to the offender's concern(s). Assistance is to be available to the offenders who might be physically or mentally impaired or who do not communicate in English. Additionally, no person directly involved in the issue being grieved may serve as Grievance Officer on that particular case.

A standardized format of grievance issues has been developed by the Department in order to maintain statistics of offenders grieved. The form used in the CAO's monthly report, "Inmate Grievances By Type With Disposition" (see attachment, page 57) categorize the grievance issues and this format is to be used by all facilities for tracking purposes. This standardized reporting format is useful for facilities to maintain a tracking system of problem areas within the facility as well as a useful "check and balance" tool. In cases where an offender has pursued a grievance in court, the Attorney General's Office will request the Office of Inmate Issues, and institutions, review file information as to whether or not the offender has exhausted his/her administrative remedies and request an affidavit be prepared. Therefore, it is imperative that the standardized reporting of grievance issues be maintained for retrieval purposes.

Grievances are to be reviewed on a weekly basis by the Grievance Officer. The Grievance Officer may personally interview the offender and/or other witnesses as deemed appropriate and obtain relevance documents to determine the merits of the offender's grievance.

Proper Completion of the Grievance Form

To initiate the grievance process, an offender must complete the DOC 0046-Committed Person's Grievance and submit it in accordance with DR 504F (or G) guidelines.

DOC 0046-Committed Person's Grievance Offender's Section

The offender completes the identifying information: date of submittal; name; register number; present facility and facility where the issue of the Grievance occurred. Common grievances categories can be checked to aid the Grievance Officer in categorizing the nature of the grievance. The narrative section allows the offender to explain the issue(s) being grieved and the "Relief Requested" section documents what the offender is requesting to resolve the issue. Offenders may only file grievances on their own behalf. Grievances cannot be filed as petitions.

There is no written requirement that "originals" be submitted. There is no requirement that separate grievances must be filed for each issue.

Counselor's Response

All grievances (other than disciplinary process) should be submitted to the offender's Counselor prior to submittal to the Grievance Officer. Assistance in filing the grievance may be needed by those who are physically or mentally challenged or who can not communicate in English.

The Counselor should review the grievance issue(s) and relevant information, in an attempt to resolve the grievance at his/her level if possible; or indicate that the issue is outside the jurisdiction of the facility or otherwise unresolvable by the Counselor.

Counselors should address the issue in a professional manner. The grievance issue should be the focus of the review - not the relief requested. Counselors should avoid including personal opinions or judgmental statements.

Grievance Officer's Report

The DOC 0047 (Grievance Response Form) should be completed by the Grievance Officer legibly, accurately, and thoroughly. Include the required information:

- Date Received
- Date of Review
- Grievance # (optional)
- Offender's Name and Register Number
- Nature of Grievance (DR date 5/1/01 by C.O. John Smith; Personal Property- damaged television; Staff Conduct- Excessive Force 5/1/01, etc.)

Facts reviewed should include a brief summary of the issue (s) being grieved by the offender through review of the written grievance or summary of verbal statement given to the Grievance Officer. The Grievance Officer then provides information pertaining to documentation reviewed and what the documentation indicated. Information should be organized as follows:

1. Offender's statement to Grievance Officer, or summary of Committed Person's Written Grievance and issue(s) being grieved.
2. Specific information and documentation reviewed by the Grievance Officer as well as what the documentation revealed. Summarize information (Disciplinary Reports, Adjustment

Committee Summaries, Shakedown Slips, Incident Reports, etc.) reviewed pertaining to the offender's grievance; Staff statements provided regarding the offender's concerns (include name and title of staff person as well as information provided); Reference Department Rules, Administrative or Institutional Directives, and/or facility bulletins with regard to the offender's grievance ensuring the institution is in compliance with established policies and procedures.

3. Provide a complete report of documentation as reviewed by the Grievance Officer with the basis of recommendation to affirm, deny or modify the offender's grievance.

Recommendation: Based upon a total review of all available information, provide a recommendation to the Chief Administrative Officer. (see page 53, "Recommendation Language").

Reviews should be completed in a responsive manner by both the counselor and the Grievance Officer. Avoid using language that would give the appearance of value judgments when considering the offender's explanation or defense. Grievance Officer reports may be reviewed as part of a litigation process. Reports should be completed in a professional manner. This is not the medium for expounding upon one's personal beliefs, opinions, etc. Do not indicate an offender's request for relief is inappropriate and the issue will not be reviewed. The relief requested is not the issue being grieved.

Upon completion of the Grievance Officer's review, a report of findings and recommendation is submitted in writing to the Chief Administrative Officer within a reasonable timeframe. A timely review by the Grievance Officer is most important in order to avoid losing pertinent documents, information, recollection of incidents by witnesses, etc. Additionally, the process becomes meaningless if corrective action cannot be initiated, nullifying the process.

CAO Portion

The Grievance Officer's report is forwarded to the CAO for review and approval. The CAO or designee shall:

1. concur with the recommendation;
2. remand the issue for further review; or
3. disapprove the recommendation.

Comments can be included. The CAO shall sign and date the decision. A copy of the CAO's decision shall be provided to the offender.

Emergency Grievances

Offenders may pursue issues they deem to be emergencies directly to the Chief Administrative Officer. Emergency is described in DR 504 as:

- A substantial risk of imminent personal injury or
- Other serious or irreparable harm to the offender.

The CAO shall have the final determination as to whether the grievance is reviewed as an emergency. The Chief Administrative Officer is to expedite the grievance review and response.

Appeals - ARB

If dissatisfied with the institutional review of a grievance issue, the offender may forward the grievance to the Administrative Review Board (ARB) for final administrative review within the Department. This level of review is the offender's last step within the Department to resolve the issue prior to filing suit in court. The offender has 30 days from the date of the Chief Administrative Officer's decision to forward the grievance to the ARB. The ARB Chairperson will review the grievance and determine whether or not it is without merit or can be resolved without a hearing. The offender will be advised of the Director's decision within 4 months for ARB reviews (no hearing held), and 6 months for ARB hearings, where reasonably feasible in either case.

Litigation Coordinator Information

After a suit is filed in State or Federal Court, a review is conducted by either the Office of Inmate Issues or a Department Litigation Coordinator to determine whether the offender has exhausted his/her administrative remedies prior to filing the suit. A review is conducted of the offender's Master Record file, General Office file, as well as Department records within the Office of Inmate Issues. Litigation Coordinators, after review of institutional Grievance Officer's Reports, are to verify whether any of the following information is lacking:

- In a grievance with numerous issues, all issues within the grievance are not being addressed. For example, a grievance may be regarding both a Disciplinary Report and staff conduct complaint; The Grievance Officer will review the Disciplinary Report and Adjustment Committee Reports, but no reference is made of the staff conduct issue which is only partially resolved.
- There is a reference to an issue that has been addressed previously, but no other reference information is given for the prior grievance (date of review, grievance number, etc.).
- Illegible reports (both by Grievance Officer and counselor) due to either poor handwriting or poor photocopy quality.
- Referenced documents in the Grievance Officer's reports are not attached to the report when report specifically states, "see attached."

NOTE "See attached" references should not be used in a Grievance Officer's report. Whatever information the attachment contains should be specifically addressed in the body of the report.

GRIEVANCE REVIEWS BY CATEGORY

Program- Assignments

Job (DR 420, AD 05.03.103A, AD 05.03.103J, AD 05.01.140)

Educational/Vocational (DR 405, AD 04.10.103, AD 04.10.114, AD 04.10.109, AD 04.10.110)

Special Assignments (DR 420, DR 503B, DR 501D Protective Custody)

Recreational/Leisure (DR 504D)

Job

- Determine the issue (removal from assignment, request for assignment, etc.).
- Review documentation in Master File regarding the issue (job assignment review sheet, reason for termination, eligible for assignment, etc.).

- Contact placement office regarding offender's concerns/allegations as it pertains to eligibility for assignment and/or vacancies for requested assignment.

Educational/Vocational

- Determine the issue (denial of program participation, TABE testing procedures, lack of programs, etc.).
- Review offender Master File for pertinent information (eligible for participation, date of test, etc.).
- Contact facility educational staff for review or clarification of offender's concerns.

Special Assignments

- Determine the issue (request for outside assignment, participation in pilot program at facility, etc.).
- Review offender's Master File to determine qualification for participation (classification, educational requirements, etc.).
- Contact placement office, assignment officer, and/or educational staff for eligibility criteria.
- Sex offender or substance abuse program removal - review documentation with regard to the removal, contact the program coordinator for further information or clarification if necessary.

Recreational/Leisure

- Determine the issue (requesting restriction be reduced/lifted; participation denial, etc.)
- Review offender's Master File for pertinent information (Disciplinary Report which resulted in yard restriction; eligible to participate in special event, etc.)
- Segregation offenders - ensure facility compliance with DR 504 (Section 504.670) which stipulates requirements for recreational access and restriction for segregation status offenders. The following changes allow for restriction of recreation privileges for segregation status offenders:
 - Assault/Violent Assault
 - Dangerous Contraband
 - Dangerous Disturbance
 - Escape
 - Sexual Misconduct
 - Arson
 - Damage or Misuse of Property
 - Aiding, Abetting to any of the above (601)

Pre-release (ATC, electronic detention)

- Review of offender's eligibility for participation (nature of offense, grade status and/or classification). If not eligible, issue has no merit that is considered moot.
- Review of transfer/classification report, noting date of denial and rationale for denial.
- Additional information reviewed which supports denial of placement (negative disciplinary record, multiple incarcerations, past failure in requested facility, etc.)

Reclassification

- Determine the issue (escape risk reduction, aggression level review, security classification, etc.).

- Review offender's Master Record to determine rationale for present classification (escape history, history of aggressive/assaultive behavior, length of sentence, etc.) and date of last review.

Grade/Level Promotion

- Review documentation which resulted in grade/level demotion (Disciplinary Report, case notes, program notes, etc.)
- Review Institutional Discipline Adjustment Review form (summarize information completed on the form, i.e. date of review, decision of reviewing staff, etc.)
- Additional information pertinent to the offender's request for segregation reduction (positive adjustment, recommendation of staff, etc.)

Impact Incarceration Program

- Determine issue being grieved (removal from IIP program, participation denial, etc.)
- Review of offender's Master Record File and Notice of Program Review Hearing noting compliance with Department Rule 460.
- Date of report and reason for referral.
- Summary of explanation and documentation of serving of report.
- Review of Program Review summary and decision of Hearing Officer.
- Date of Chief Administrative Officer's decision.
- Review of Disciplinary Report resulting in IIP termination (compliance with Department Rule 504). Review of DCA 6805 – IIP Termination Approval.
- Date of report, reporting officer, charged offenses, observation area summary, and the date the report was served to the offender.
- Review of Adjustment Committee Summary Report (Date of Report, Basis for Decision, disciplinary action, Chief Administrative Officer's decision and date.)

Security Threat Group Affiliation

- Review grievance for impact on offender of STG affiliation designation (e.g. prohibits placement in "gang-free" facility; personal safety; placement, etc.). NOTE: Grievances which indicate that designation of STG membership in itself is the issue, should be found to have no merit.
- Review documentation which related to 'adverse impact' and/or discrimination.
- Review OTS for STG affiliation and status (active vs. inactive).
- Contact Intel if necessary.

Discipline (DR 504A) Adjustment Committee

- Disciplinary Reports
- Procedures
- Sanctions
- Confinement Status (DR 504D, DR 505)

Disciplinary Reports

- Determine offender's issue – (incident did not occur as reported, was not in area at time of offense, wrong offender identified, etc.).
- Review of Disciplinary Report form indicates report has been completed in compliance with DR 504 (names correctly written, dates and times completed, appropriate signatures affixed through review process).

- Determine if offense line appropriately reflects DR 504 charges.
- Observation area contains sufficient information to substantiate each charge listed by the reporting officer on the offense line.
- Confidential witnesses information is included in the observation area of the report including what information was provided by the informant as well as reasons why the name(s) are being withheld by the reporting officer.
- Verification of offender being served a copy of the Disciplinary Report and serving employee's signature is legibly noted on the report with date and time of serving the report.
- Offender's 24-hour notice of charges waiver.
- Request for witnesses' portion of the report was, or was not, completed by the offender at the time the report was served.

Disciplinary Procedures

- Determine the offender's issue pertaining to procedural violations.
- Review of Adjustment Committee Report form indicates appropriate information (offender number and name correctly recorded, Disciplinary Report was served 24-hours prior to the Adjustment Committee hearing or waived 24-hour notice of charges).
- Adjustment Committee reviewed the DR within 14 days of Disciplinary Report being written (7 days for Juvenile offenders).
- Requested witnesses were contacted by the Adjustment Committee and statements included in report, or reason(s) stated by the Adjustment Committee as to why the offender's witnesses were not contacted.
- Record of Proceedings reflects offender's statement to the Adjustment Committee with regard to his/her defense of the Disciplinary Report.
 - Note whether issue of partiality raised by the offender was addressed by the Adjustment Committee and additional documentation reviewed by the Adjustment Committee (DC 1182, Hearing Investigator's Report, Incident Reports, Waivers, etc.).
- Waiver to appear before the Adjustment Committee completed.
- Note what charges the Adjustment Committee determined the offender guilty or not guilty of, or charges deleted (each charge on the offense line of the Disciplinary Report should be addressed in this area of the report).
- Review of the Basis for Decision indicates two complete rationales recorded by the Adjustment Committee indicating why they found the offender guilty of specific charges.
- Review of the Basis for Decision also reflects appropriate reference to information provided by confidential source(s) including:
 - What specific information was provided?
 - Why names are deleted from the documentation?
 - Appearance by investigating officer before the Review of the Basis for Decision, verifying reliability of the confidential source and truthfulness of the report.
- Ensure documentation reflects appropriate composition of the Committee with a Chairman and at least one member. One of these two individuals must be a minority in the Adult division.
- Determine corrective action to be initiated if any of the above procedures have not been followed and/or required information is not provided or complete.

Disciplinary Sanctions

- Review of disciplinary sanctions recommended, and approved by the CAO, are in compliance with DR 504A.
- DR 504 requires that disciplinary sanctions be imposed keeping in mind:
 - Mental state at the time of offense
 - Degree of participation
 - Amount and/or nature of stolen property, contraband, injury, etc.
- In those cases where several offenders are cited as a result of the same incident, have disciplinary sanctions been imposed equally, keeping in mind the degree of participation be each offender?
- Review of modified disciplinary action has been completed in accordance with DR 504.
- Upon review of disciplinary actions, review the corrective action recommended by the Grievance Officer submitted for review and the approval by the CAO.
- Review documentation of offender's request for reduction of disciplinary sanctions.
 - DR 504- Segregation Reduction – petition every 30 days
 - DR 504- Grade Restoration- petition every 90 days
 - DR 535- A/V – Segregation Status – petition after 60 without Disciplinary Report.
 - DR 107- Restoration of Good Conduct Credit/Statutory Good Time - petition every 3 months (Form 1045)

Confinement Status

- Temporary confinement status imposed in accordance with DR 504 (rationale cited for confinement and date).
- Temporary confinement timeframes in accordance with DR 504 A.
 - Adults - 14 days
 - Juvenile - 7 days
- Investigative Status confinement imposed in accordance with DR 504 noting how the offender was placed under investigative confinement (by Shift Supervisor after reviewing Disciplinary Report, Investigative Report issued, investigative status recommended by Adjustment Committee and approved by the Warden).
- Timeframes in accordance with DR 504A
 - 30 days for adults (extensions possible by CAO only in cases of natural disaster, strikes, lockdowns or riot.)
 - 5 Days for juveniles (extensions possible by CAO only in cases of natural disaster, strikes, lockdowns, or riot).
- Disciplinary segregation/confinement imposed in accordance with DR 504 Verification of segregation release date through facility Record Office.
- Indeterminate segregation placement has been reviewed and documentation of the review has been completed in accordance with DR 504 (section 504.115 – adults only).

Juvenile Division DR 504 E (section 504.730) Confinement Procedures

Ensure juvenile offender confined to his/her room for 24-hours or more has been interviewed daily by counselor or other staff member. Confinement may not exceed 7 consecutive days, or 15 days in any 30 day period except in cases of:

- Violence or attempted violence against another person;
- Assault or attempted assault of a person;
- Damage or attempted damage or property;

Under circumstances above, additional periods of confinement may be ordered by the CAO. When requested by the offender, ensure that the Adjustment Committee reviewed the request for early segregation release and documented their review. Decision of the Adjustment Committee documented and noted as well as decision of the CAO.

Program Unit

Disciplinary Reports

A review of a Program Unit Disciplinary Report reflects:

- Charges cited should be 300 or 400 series charges and a description of how the offender violated the charges is described in the observation section of the Disciplinary Report.
- Reviewing Officer determined the report to be minor in nature.
- Hearing Investigator does not need to review minor Disciplinary Reports.
- 24-hour notice of charges does not need to be waived, report can be reviewed immediately by the Program Unit Hearing Officer after the offender receives a copy.

Procedures

A review of the Program Unit Hearing Report indicates:

- Disciplinary Report was reviewed by the Program Committee within appropriate timeframe (24-hour notice of charges not necessary for Program Unit Reports).
- Requested witnesses may be contacted if requested prior to the hearing, but not required.
- Record of proceedings in a summarized statement provided by the offender.
- The Hearing Officer has made a determination of guilt and a complete rationale is provided.
- Hearing Officer does not need to be a minority; however, within the pool of employee's to review Program Unit reports, one individual is to be a minority.

Sanctions

Disciplinary action imposed is in accordance with DR 504. The Program Unit committee's cannot:

- Recommend Segregation (Confinement- Juvenile Division)
- Revoke Good Conduct Credits/ Statutory Good Time
- Increase security classification or transfer to another facility
- Delay in recommended parole to PRB (Juvenile only)

CONFINEMENT (DR 504A, 504D – Adult, DR 504E Juvenile)

- Administrative Detention (DR 504D, Section 504.660)
- Indeterminate Segregation (DR 504A), Section 504.115)
- Closed Maximum Security (DR 505, AD 05.12.110)
- Investigative Status/Temporary Confinement (DR 504A, DR 504D)

Indeterminate Segregation

- Note date of Disciplinary Report which resulted in the imposition of indeterminate disciplinary segregation (adults only, applicable for charges 100-Violent Assault or 108-Sexual Assault only).
- Review of offender's placement to be conducted within the first year of placement and no less frequently than once every 180 days thereafter, with review being conducted by Director, Deputy Director or Assistant Deputy Director and the date of review(s).
- Face-to-face interview to be conducted with the offender by staff - note dates of interviews, by whom and statements(s) provided.

- Upon review by appropriate staff, has segregation release date been set? - Note the date of release or note placement on indeterminate segregation status continued.

Closed Maximum Security (Department Rule 505)

- Determine and summarize the offender's issue with regard to Tamms Correctional Center.
- Offenders are to be placed under administrative detention or disciplinary segregation with the approval of the Deputy Director or Assistant Deputy Director with documentation of confinement status, approval and date of approval referenced. (505.40)
- Document that offenders are reviewed by the Transfer Review Committee upon arrival (within 10 days) or at the completion of their disciplinary segregation status with a report being provided to the CAO.
- Administrative Detention offenders are to be reviewed by the Transfer Review Committee every 90 days, and annually with a recommendation provided to the CAO, who in turn provides a recommendation of continued placement to the Assistant Deputy Director.
- Rights and privileges are outlined in Department 505, Section 505.80, as it pertains to telephones, visits, commissary and personal property with documentation of the offender's access to these rights and privileges maintained in the offender's Master Record File.

Investigative Status/Temporary Confinement

Document and ensure compliance with confinement procedures outlined previously pertaining to time frames, placement notification, etc.

Protective Custody Removal

Protective Custody placement is applicable to maximum security/level one facilities only. Should the offender's placement in protective custody not be approved by the facility, prior to the offender's return to general population, the ARB will review the offender's protective custody needs. This issue is not reviewed by the facility Grievance Officer. A Protective Custody Status sheet (form DOC 0054) is forwarded to the ARB. The offender is scheduled for hearing and a recommendation on protective custody placement made. If the offender is denied protective custody, he/she may again sign into the unit. A Protective Custody Status form is again completed and forwarded to the ARB. If no new information is included, a file will be completed and the institution notified of the decision.

Harassment/Pressure

- Determine the issue (the offender has expressed a concern for his/her safety and the issue not being addressed by the facility; requesting protective custody status, but due to being housed at a medium security facility, issue is moot, etc).
- Document information through review of offender's Master File which does, or does not reflect the offender's notification to staff of problems he/she may be encountering with other offenders or staff.
- Contact Internal Affairs to verify the offender has been having problems and appropriate administrative action implemented (offender being reviewed for transfer to another facility, or housing unit, etc).

SENTENCE CREDITS

Earned Good Conduct Credits (DR 107B and 107F, AD 01.17.130, AD 04.02.107 A-J, AD 04.10.130, AD 04.23.130C, AD 01.07.420 A-J)

Restoration – Revocation (DR 107 B, DR 504A, AD 05.03.101)

Meritorious/Supplemental Meritorious Good Time Sentence Calculations (DR 107)

Earned Good Conduct Credits

- Determine the issue (EGCC award denied after completion of course; EGCC contract determined to be invalid due to offender's requested transfer; offender did not meet goal(s) established by the EGCC contract, etc.).
- Review and document information provided on the EGCC Goal Statement as to rationale for denial of EGCC award and date of denial.
- Contact the Education Administrator, and/or other educational staff to determine if reconsideration of the contract denial is warranted.

Restoration/Revocation

- Determine the offender's issue (reviewed by facility for restoration of GCC/SGT and denied; revocation of GCC excessive for type of offense; etc.).
- If a request for revocation of GCC/SGT was denied by the Director, the issue is denied in accordance with DR 504 in that the issue has already been reviewed and denied by the Director; the offender should be so advised.
- Document information provided by the Adjustment Committee's review of the Consideration for Restoration of GCC/SGT form DC 1045, Effective 11/95 including:
 - Date of review
 - Date of Disciplinary Report and brief description of incident resulting in the revocation.

Note: If revocation occurred while the offender was in orientation status, restoration must also be approved by the Associate Director.

- Review of information regarding offender's program/job assignments accomplishments and disciplinary record through review period.
- Review of Adjustment Committee's decision, rationale provided and date of CAO's decision.
- Document information provided through review of the Disciplinary Report and Adjustment Committee Summary report which resulted in the revocation of Good Conduct Credits noting:
 - Compliance with DR 504 Disciplinary Sanctions; and
 - Offender's degree of participation in the incident as well as documented history of similar behavior.
 - Provide complete report of documentation reviewed, statements of staff and any other pertinent information reviewed to determine if offender's grievance has merit.
 - Based upon a total review of available information, provide recommendation to the Chief Administrative Officer.

Meritorious/Supplemental Meritorious Good Time

This is an administrative issue determined by the CAO and/or the Director. Therefore, the grievance should be noted as having no merit and the offender advised further consideration is not warranted.

Sentence Calculation

Determine the issue (miscalculation of restoration of GCC, MGT, etc. EGCC award not calculated into sentence, etc.).

Note: The application of jail credits is determined by the sentencing court and outside the jurisdiction of IDOC. The offender's concerns could be referred to the Record Office for clarification regarding the issue through review of the offender's Master Record File and/or contact with the Record Office Supervisor.

STAFF CONDUCT DR 120, DR 501, AD 03.02.108

Discrimination

- Determine the issue and summarize the offender's allegation(s) of discrimination.
- Review of offender's Master Record File indicates Department, or institutional procedures have been followed regarding the offender's allegations.
- Review of institutional records (Incident Reports, DC 252/shakedown slips, job assignment reviews) indicate compliance with established Department Rules, policies and procedures.

Performance of Duty

- Determine the issue and summarize the offender's allegation(s) of alleged staff misconduct.
- Based upon the allegations/concerns of the offenders, review of Department Rules, directives and institutional policies indicate staff were following procedures.
- Review of institutional records (incident reports, shakedown slips, cell house records, etc.) indicate staff acted in compliance with institutional directives, policy or procedure(s).
- Interview(s) with witnesses indicate staff acted in compliance with institutional policy or procedure(s).
- Recommend the offender's grievance be referred to Internal Affairs for investigation requesting to be apprised as to the findings of the Investigating Officer.

Physical/Excessive Force

- Per AD 04.01.114, the Grievance Officer **must** afford the offender a face-to-face meeting on matters including but not limited to: issues that are life-threatening and issues involving the use of force, sexual assaults, and safety and security of the facility.
- Determine the issue and summarize the offender's allegations.
- Through review of the offender's Master Record file, note any documentation with regard to the offender's allegations.
- Interview witnesses (both staff and offenders) to the incident and/or contact cell house staff regarding the offender's allegations.
- Recommend the offender's allegations be referred to Internal Affairs for further review and investigation, requesting to be apprised as to the findings of the investigation.
Note compliance with established Department Rules, Directives and institutional policies and procedure as it pertains to use of force by staff.

Verbal Harassment

- Determine the offender's issue with regard to allegations pertaining to staff misconduct.
- Review offender's Master Record file for any pertinent documentation pertaining to the offender's allegations (Disciplinary Reports, Incident Reports, etc.).
- Contact witnesses (both staff and offenders), housing unit staff, etc. with regard to the offender's allegations.
- Recommend offender's allegations be referred to Internal Affairs for further investigation requesting to be apprised as to the findings of the Investigating Officer.

Sexual Misconduct

- Determine the issue and summarize the offender's allegations.
- Recommend the offender's allegations be referred to Internal Affairs for further review and investigation requesting to be apprised as to the findings.
- Due to the possibility of prosecution in accordance with State law, ensure administrative staff are apprised of the allegations.

CONDITIONS OF CONFINEMENT

Repairs (cell/cellhouse, housing unit)

- Determine the issue and whether the grievance is of an immediate health and/or safety concern.
- Contact appropriate personnel (Chief Engineer, housing unit staff, etc.) with regard to the offender's concerns noting the status of repairs requested.

Safety and Sanitation

- Determine the issue and whether the offender's concern(s) present an immediate health and/or safety issue.
- Contact Safety and Sanitation Officer and review logs regarding the offender's concerns and corrective action implemented.
- Contact Dietary manager with regard to concerns of food delivery and storage ensuring compliance with institutional policy and procedure.

Utility Services

- Determine the issue and whether there is a health or safety hazard (Lack of heat, electrical outages, etc.).
- Contact the Chief Engineer for review of offender's concerns noting corrective action being implemented and/or recommended.

BUSINESS VENTURES (DR 445, DR 504)

Commissary

- Determine the issue (housing unit scheduling problems, lack of variety of commissary items, restrictions on purchases, did not receive commissary items ordered, etc.)
- Contact Business Administrator for clarification of procedures and for review of offender's concerns.

Trust Fund Issues

- Determine the issue (delay in posting of monies to offender's account, unauthorized deduction(s) from offender's account, restitution payments, etc.).
- Contact Business Administrator for clarification of procedures and for review of offender's concerns.

State Pay

- Determine the issue (delay in posting state pay, did not receive appropriate State pay, being paid at wrong rate, etc.).
- Contact Business Administrator and/or job supervisor for review of offender's concerns and response to grievance.

NOTE: If the offender is owed state pay and it is within the same fiscal year, a supplemental payroll should be completed. If not within the same fiscal year, payments \$50 and under should be processed through the offender's present facility Inmate Benefit Fund; over \$50 payment processed through Tort Claim.

Restitution /Deduction

- Determine the issue (excessive restitution, verify amount of restitution owed, inaccurate accounting of deductions, etc.).
- Review of Adjustment Committee report which resulted in restitution payments verifies cost of replacement or repair of item(s). Ensure cost was verified with appropriate institutional staff and is for out-of-pocket expenses only.
- Contact Trust Fund Supervisor for review of deductions made, to date, from offender's trust fund account and verify offender signed authorization of disbursement form.
- Review authorization of offender's trust fund account and verification with Trust Fund Supervisor, indicates offender's restrictions have been posted due to debts owed for legal postage, photocopies, etc.
- Review payment agreement incurred and signed by offender for a critical illness or funeral furlough expense, terms of payment, amount of payment, etc.

MEDICAL (DR 415)

NOTE: When reviewing the offender's grievance avoid using language wherein you indicate medical treatment the offender received is appropriate. Ensure medical treatment is being afforded to the offender, medication received, etc. The issue of treatment being appropriate is to be determined by medical professionals.

Diagnostic

- Determine the issue (offender requested medical attention and did not see medical staff, offender does not feel he/she is receiving appropriate medical treatment, etc.).
- Institutional medical staff (Physician, Health Care Unit Administrator, Director of Nursing, etc.) should be contacted to review offender's concerns and a response provided.

Dental

- Determine the issue (offender has not received dental care, did not receive follow-up treatment after dental surgery, etc.).
- Contact Health Care Unit Administrator regarding dental treatment afforded to the offender and/or pending appointment.
- Ensure offender is in compliance with institutional procedures to request dental services and/or treatment.

Medication

- Determine the issue (offender has not received medication, change in medication, etc.).
- Contact Health Care Unit staff (Physician, Health Care Unit Administrator, Director of Nursing, etc.) to verify medication ordered, the offender's receipt of medication, change of medication in compliance with doctor's order, etc.

Outside Screening/Furlough

- Determine the issue (offender is requesting medical treatment be provided by outside medical facility, doctor disapproved offender's request for outside referral, etc.).
- Contact facility medical staff (Physician, Health Care Unit Administrator, Director of Nursing, etc.) for review of offender's concerns documenting information provided.

Treatment

- Determine the issue (offender is grieving lack of medical treatment, inappropriate treatment, etc.).
- Contact facility medical staff (Physician, Health Care Unit Administrator, Director of Nursing) to verify medical treatment provided and offender's compliance with treatment protocol.

NOTE: If there is a question as to whether an offender should make a medical co-pay (\$2.00) due to chronic illness, follow-up appointment, etc., the issue should be reviewed with the Health Care Unit Administrator for clarification.

AMERICANS WITH DISABILITIES ACT- (ADA) (DR 475, AD 03.01.305)

NOTE: All offenders' grievances that have been determined to be ADA issues, in accordance with DR 475, are to be referred to the Facility ADA Coordinator for review and Investigation as appropriate. The Facility ADA Coordinator is to make a written recommendation to the CAO with regard to the review/investigation. The offender is to receive a report of findings as a result of that review/investigation within 45 days.

Program/Assignments

- Determine the offender's issue (denial of program participation due to disability, lack of programming or assignments for the disabled, etc.).
- Refer the issue to the Facility ADA Coordinator for review and response, summarizing the findings of the ADA Coordinator.
- Ensure and document that the Facility ADA Coordinator's findings have been implemented and/or are being pursued by the facility.

Physical Accessibility

- Determine the offender's issue (lack of TDD machines, lack of reading materials for visually impaired, inability to participate in programming due to physical impairments, etc.).
- Refer the issue to the Facility ADA Coordinator for review and response of the offender's concerns.
- Ensure ADA Coordinator's recommendations and/or findings are being implemented and/or are being pursued by the facility.

NOTE: Grievance Officer's should provide a report of findings of the ADA Coordinator's review to the Offender. This should be done in written form with the CAO's decision.

Accommodations

- Determine the offender's issue (housing assignment is not ADA accessible, cell/room assignment is not ADA equipped, etc.).

- Refer the issue to the Facility ADA Coordinator for review and response ensuring recommendations and/or findings are being implemented and/or are being pursued by the facility.

NOTE: Grievance Officer's should provide a report of findings of the ADA Coordinator's review to the Offender. This should be done in written form with the CAO's decision.

RELIGION (DR 425, AD 04.25.101)

Diet

- Determine the offender's issue (offender denied access to religious meal, institution not meeting dietary needs of religion).
- Contact facility Chaplain with regard to the offender's concerns and clarification of policy.

Services/Activities

- Determine the offender's issue (offender denied participation in a specific religious service, activity, facility does not provide adequate religious services, etc.).
- Contact facility Chaplain for review of offender's concerns and clarification of institutional policy/procedure.

Items (clothing, medallions, publications, etc.)

- Determine the offender's issue (offender denied possession of religious items, offender requests for religious items to be provided by facility denied, etc.).
- Contact facility Chaplain for review of offender's concerns and verification of significance of items denied, and whether items are a requirement of the religion.

LIBRARY (DR 430, AD 04.60.110)

Access

- Determine the offender's issue (offender denied access to library, due to housing unit schedule for library and offender's job assignment does not have access to library, delays in line movement causing shortened library hours, etc.).
- Contact library staff with regard to the offender's concerns and clarification of policy and procedure.
- Contact housing unit Lieutenant and/or Captain with regard to offender's concerns, review of movement logs to the library, and possible resolution of the issue.

Law Library

- Determine the offender's issue (offender denied access to law library, facing court deadline; inadequate legal materials available in law library, etc.).
- Contact library staff with regard to the offender's concerns; verify the offender has provided proof of court deadline status, and possible clarification of policy and procedure.
- Contact housing unit staff with regard to any movement problems/delays encountered by the offender with regard to law library access.
- If the offender is on law library restriction, document accommodations made to allow the offender access to legal material.

Services (copies, notary, etc.)

- Determine the offender's issue (offender unable to get photocopies made, offender is indigent and has been denied library services, etc.).
- Contact library staff with regard to the offender's concerns, verification request for services has been received and or possible clarification of policy and procedure.
- Ensure library services are being provided to those offenders housed in segregation and/or on deadlock status.

Paralegal/Law Clerk

- Determine the offender's issue (lack of assistance, access to law clerks/paralegal being denied, etc.).
- Contact library staff with regard to the offender's concerns, and verification of availability of legal assistance to offenders.

MAILROOM (DR525B)

Delivery

- Determine the offender's issue (delay in receiving mail, receiving other offender's mail, etc.).
- Contact housing unit staff (Lieutenant and/or Captain) and verify mail delivery is made in a timely fashion.
- If there are delays in mail delivery, determine the nature of the delay and what corrective action should be taken, or if the delay appears to be an isolated incident due to staff shortages, institutional emergency, etc.
- Contact mailroom staff with regard to any delays in delivery and/or confusion with regard to offender names and numbers.

Procedures

- Determine the offender's issue (incoming privilege/legal mail being delivered opened, delay in mailing of outgoing mail, etc.).
- Contact housing unit staff (Lieutenant and/or Sergeant) with regard to procedures being followed regarding delivery of privilege/legal mail, verify procedures of outgoing mail, etc.).
- Upon notification of problems with delivery, collection or other mail handling procedures, ensure corrective action has been implemented or is being addressed.
- Verify mail-handling procedures with Mailroom Supervisor with regard to opening privilege/legal mail, delivery of mail, handling of money orders received, etc.
- Verify whether a procedural problem exists or whether the issue is an "isolated" incident.

Privilege/Legal

- Determine the offender's issue (mail not being opened in the presence of the offender, delays in mail outgoing privileged/legal mail etc.).
- Contact housing unit staff (Lieutenant and/or Sergeant) with regard to offender's concerns and clarification of policy and procedure.
- Upon notification and/or verification of privilege mail delivery problems, ensure corrective action has been implemented or incident was of an "isolated" nature.
- Contact Mailroom Supervisor regarding procedures pertaining to delivery of incoming privileged mail, ensuring compliance with Department Rules, Administrative or Institutional Directives, and facility bulletins.

- Upon notification and/or verification of non-compliance with procedures, ensure corrective action has been implemented or incident was of an "isolated" nature.

DIETARY (DR 502A, AD 05.02.142, AD 05.02.145, AD 05.02.147)

Food Quality /Quantity

- Determine the issue (food being served cold, portions are not adequate, lack of balanced diet or variety, etc.).
- Contact Dietary Manager with regard to offender's concerns and verification of procedures for delivery. Upon notification of non-compliance with established procedures, ensure corrective action has been implemented.
- Contact housing unit staff (Lieutenant and/or Sergeant) with regard to offender's concerns and documentation of reported problems.

Menu Composition

- Determine the issue (lack of variety, balanced diets not provided, etc.).
- Contact Dietary Manager with regard to adherence to the master menu and meals meeting the nutritional requirements established by the ADA.

NOTE: For those offenders, due to religious restrictions or medical restrictions who do not eat certain food groups, ensure substitutions were available on the date in question.

Services (delivery, sanitation)

- Determine the issue (food delivery problems, delays, containers broken, sanitary issues, etc.).
- Contact housing unit staff (Lieutenant and/or Sergeant) with regard to service problems encountered and corrective action being implemented, or if issue was isolated in nature.
- Contact Dietary Manager with regard to offender's concerns and clarification of institutional procedures to be followed.

Special Diets (medical, religious)

- Determine the issue (offender alleges he/she is not receiving medically prescribed diet or appropriate substitutions for religious diet, etc.).
- Contact medical staff for verification of medical diet being prescribed by the physician for the offender, if a date of release from diet is recorded, and noting whether medical records indicate the offender's compliance with the prescribed diet.
- If meal loaf is an issue, verify procedures outlined in AD 05.02.147 are being followed.

VISITATION (DR 525A, DR 505, AD 05.01.106, AD 05.01.107)

Disapproval

- Determine the issue (family member denied visitation due to prior incarceration; former employee requesting to visit, etc.).
- Document information through review of the offender's Master Record File with regard to the denial, rationale for denial, when, etc.
- Review visitation log records for additional information.

Restrictions

- Determine the issue (offender disagreement with restriction placed on visitor, no contact visits imposed, requested visit restriction be reconsidered and request has been denied, etc.). If visit restriction was imposed by a facility other than the offender's present facility, the restricting facility CAO must approve reinstatement of visiting privileges.
- Document information through review of the offender's Master Record File regarding circumstances of the visit restriction (i.e., incident reports, restriction notification, shakedown slips, Disciplinary Reports, etc.).
- Review information with regard to offender's request for visit restriction to be lifted, when review took place and the CAO's decision.

Visiting Room Procedures

- Determine the issue (Offender alleges did not receive notification of visit in a timely fashion, visiting hours were shortened without notification, etc.).
- Document information through review of the offender's Master Record File regarding the offender's grievance concerns.
- Housing unit movement sheets and visitation log records should also be reviewed and information noted with regard to procedural issues.
- Information with regard to institutional emergencies and/or needs on a specific date that may have affected visiting hours, or notification of visits should be referenced.
- Contact visiting room staff for information with regard to the offender's allegations as it relates to a specific date.
- Documentation of problems (delays in notification, inappropriate denial of visit, etc.) should be noted further verifying that corrective action has been implemented to avoid future incidents.

CORRESPONDENCE (DR 525B)

Special Request

- Determine the issue (offender grieves denial of corresponding with incarcerated family member, grieves denial of attempting correspondence with victim, etc.).
- Document information through review of the offender's Master Record File regarding offender's request for correspondence privileges, when denied, by whom, etc.
- Verify that offender has been notified in writing he/she is not to correspond with the victim with Mail Room Supervisor.

PERSONAL PROPERTY (DR 502C, DR 505, DR 535, AD 02.06.110, AD 05.03.111C, AD 05.10.110, AD 05.10.115, AD 05.10.200, AD 05.10.120)

Confiscated (excess, unauthorized) (DR 501C)

- Determine the issue (offender grieves property taken was approved, never advised as to number of authorized items, etc.)
- Document information through review of the offender's Master Record File regarding property taken (shakedown slips, Disciplinary Reports, etc.) and why.
- Contact personal property staff with regard to inventory records and property permits verifying offender's possession of the item (s).

Note: Through review of property file, current disposition of property items confiscated (i.e. destroyed, mailed out, picked up on visit, etc.).

Damaged

- Determine the issue (offender alleges property was damaged in transit, during shakedown of offenders cell property was damaged, etc.).
- Document information through review of the offender's Master Record File (incident reports, shakedown slips) regarding property damaged during a shakedown, or damage noticed upon arrival at receiving facility.
- Contact personal property staff with regard to information contained on inventory records and property permits verifying offender's possession of the item (s) at time of transfer and condition, if indicated, and condition of property upon arrival.
- Documentation should also be noted with regard to the offender's possession of property permits for authorized items and to establish a date of acquisition and depreciated reimbursement cost.
- Contact housing unit staff (Lieutenant and/or Captain) with regard to recollection of incident as alleged by offender wherein property items(s) were damaged.

Stolen

- Determine the issue (offender alleges staff allowed another offender access to his/her living area and property was taken; offenders property was not packed in a timely fashion by staff and items are now missing, etc.).
- Document information through review of the offender's Master Record File (incident reports, shakedown slips, etc.).
- Contact personal property staff with regard to offender's possession of the items at time of movement, verification of who packed the property and when received in personal property.
- Verify personal property permits for authorized contract items and the date of acquisition.

Misplaced in Transit

- Determine the issue (note specific property items offender alleges are missing).
- Contact personal property staff with regard to information contained on the sending facilities inventory record (date of packing witnessed by staff, condition of property if noted, etc.) and comparison of inventory records after arrival at receiving facility (note discrepancies in reports).
- Verify with personal property staff the offender's possession of property permits for authorized contract items and date of acquisition.
- Contact sending facility property staff to verify no property is remaining at that facility, noting date remaining property will be shipped as catch-up property.
- Follow-up with receiving facility property staff to ensure property was received.
- Ensure documentation indicates property items were misplaced while in custody of staff, summarizing the information.

Misplaced Local

- Determine the issue (specific items missing, when the property was discovered missing, etc.).
- Contact personal property staff with regard to inventory reports completed verifying the offender's possession of the items and possession of property permits for contract items.
- Note whether the offender packed his/her own property at time of movement or if packed by staff, who checked the property, signed off on the property, and witnessing staff.

- Document information through review of the offender's Master Record file regarding circumstances in the housing unit/cell house at the time the property was packed and/or discovered missing (review of Incident Reports, DC 252 Confiscation/shakedown slips, Disciplinary Reports, etc.).
- Ensure documentation indicates offender's property was misplaced while in possession of staff, summarizing the information.

Restitution of lost or damaged property items

- Offenders are to be reimbursed for lost or damaged property items only when:
- Documentation reveals property was lost or damaged while in custody of staff.
- Verify personal property permits and confirm serial numbers for authorized contract items.

If the amount of reimbursement is \$50 or less, the offender's present facility is to process reimbursement payment through their Inmate Benefit Fund, regardless of where the loss occurred. If the amount is greater than \$50, the reimbursement is processed through the Tort Claim Line Item Fund regardless of where the loss or damage occurred. Grievance Officers are to take into account depreciation, i.e./ wear, and age of item, when recommending reimbursement (refer to AD 02.06.110). Also, Grievance Officers are to reflect information in their report as to how the cost was determined (purchase price listed on contract, contacted commissary supervisor for cost of similar, same item, etc.).

A memorandum requesting reimbursement through Tort Claim should be submitted from the CAO with a copy of the Grievance Officer's report. All tort claims are reviewed for compliance with IDOC policy and approved by the Office of Inmate Issues prior to submission to Fiscal Services for processing of payment.

PUBLICATIONS (DR525C, AD 04.01.108 A-J)

- Determine the issue (specific information as to type of publication, date, name, etc.).
- Contact the facility Publication Review Committee for information with regard to the date of review, rationale for denial of the publication and the date approved or disapproved by CAO.
- If the publication has been denied by the Central Publication Review Committee, the offender should be advised to forward his/her grievance to the Administrative Review Board.

NOTE: A copy of the Department's approved/disapproved publication list is to be available through the facility library for offender review.

ADMINISTRATIVE POLICIES

These types of issues are those in which the decision is made and determined by the CAO and/or the Director, i.e. authorized property items, Meritorious/Supplemental Meritorious Good Time, housing unit assignments, (including MSU placements, work camps, etc.) The offender should be advised in writing this is an administrative policy/decision and the grievance is denied, no further action warranted. Do not indicate the issue is "non-grievable" – reflect the issue is determined by the administration, CAO, or the Director, and will not be reviewed further.

DEFINING GRIEVANCE RECOMMENDATIONS

Upon completion of the review of the grievance issue, relevant documentation/facts, the Grievance Officer makes a recommendation to the CAO concerning resolution of the issue. Recommendations can fall into one of four categories: Affirm/Favorable, Deny, Modify/Mixed and Moot.

Affirm/Favorable

To be used when the offender's grievance is determined to have merit and corrective action implemented such as Expungement of Disciplinary Report; offender to be compensated; State Pay for work performed; Reconsideration of GCC denial recommended, etc.

Deny

To be used when there is no information or documentation to support the offender's allegations of wrongdoing and/or due process violations.

NOTE: The Grievance Officer's report is to reflect specific information and documentation reviewed to make a determination on the issue.

Modify/Mixed Action

The merits of the offender's grievance may be denied; however upon review of administrative action taken concerning the grievance issue, modification of that action might be recommended (i.e. uphold the Disciplinary Report, but reduce disciplinary sanctions; or multiple issues are grieved with some being substantive and others not.

Moot

Issues to be determined "moot" are those when:

A judgment upon some matter that when returned for any cause cannot have any practical effect upon the existing controversy.

Offender's grievance was resolved prior to the Grievance Officer's review (EGCC contract was reconsidered, EGCC awarded; privilege restriction has been lifted, requesting Good Conduct Credits not be revoked, revocation denied by CAO or Director, etc.).

NOTE: If an issue is referred for review by another Department, (e.g. Health Care Admin., all House Supt., Record Office) a final report is to be prepared by the Grievance Officer recommending final resolution.

Recommendation Language

After all available information has been reviewed and witnesses contacted, the Grievance Officer then makes a recommendation regarding the offender's grievance to the CAO. The following language is to be used in recommendation.

Standard Grievance Denial

"Based upon a total review of all available information, it is the recommendation of this Grievance Officer that the offender's grievance be denied...." State a reason why the grievance should be denied, such as:

"The offender's allegation(s) of staff misconduct is/are not substantiated."

"Staff followed established institutional policy and procedures as it related to shakedown of offender's living area."

Standard Grievance Affirmation

"Based upon a total review of all available information, it is the recommendation of this Grievance Officer that the offender's grievance be affirmed...." State a reason why the grievance should be upheld, such as:

"The Education Administrator is requested to reconsider the Earned Good Conduct Credit Goal Statement for the time period (date). A report of findings by the Education Administrator is to be forwarded to the Grievance Officer within 10 days after receipt of this report."

"To comply with Department Rule 504 the offender's yard restriction should be reduced to three months as the restriction imposed was not in compliance."

Disciplinary Report Denial

"Based upon a total review of all available information, and a compliance check of the procedural due process safeguards outlined in Department Rule 504, this Grievance Officer recommends the offender's grievance be denied."

Modify Disciplinary Action

NOTE: It may not be necessary at times to deny the grievance, but to amend charges and/or disciplinary sanctions imposed. Corrective language should be included in the recommendation such as:

"However, this Grievance Officer further recommends the charge of 304-Insolence be deleted as it is a lesser offense of 206-Intimidation and Threats."

"However, this Grievance Officer feels the disciplinary sanctions are excessive and recommends sanctions be reduced to one month segregation, one month C-Grade and visit restriction to one month."

Investigation/Referral

"Based upon a total review of all information this Grievance Officer recommends the offender's grievance be referred to Internal Affairs for review and investigation of the offender's allegations. A report of the findings is to be provided to the Grievance Officer within 15 days after receipt of this report."

NOTE: Upon receipt of the report of findings the Grievance Officer should finalize the offender's grievance in writing, advising the offender of the findings and referencing any administrative or corrective action which was implemented.

Transfer Denial

"Based upon a total review of all information, this Grievance Officer deems the offender's denial for transfer to Pontiac by the (Assignment Committee or Warden) on (date) based upon (rationale) appropriate."

Denial/Loss of Personal Property

"Based upon a total review of all information, this Grievance Officer recommends the offender's grievance be denied because to (provide a rationale)..."

"... inventory reports do not reflect the offender's possession of the missing items at time of transfer."

"...the offender's property was disposed of in accordance with established institutional policy and procedure."

Grant Personal Property Reimbursement/Tort Claim

"Based upon a total review of all available information, it is the recommendation of this Grievance Officer that the offender be reimbursed in the amount of \$__ through the Tort Claim Line Item Fund (over \$50) or the Inmate Benefit Fund (under \$50). Information and documentation reviewed indicates the offender's property was....

"not packed in a timely fashion, "left unsecured," "misplaced during transit."

NOTE: Reimbursement for property items is to be initiated by the offender's present facility, regardless of where the loss occurred. Facility CAO submits the grievance with request for payment to Tort Claim Coordinator in the Office of Inmate Issues.

Grievance Reports

Grievance Officers are responsible for maintaining a record of grievances filed at the institutional level. This requires maintenance of a tracking system, to include the offender name and number, filing dates, action taken and resolutions. There is no set "log" instrument required, however, the tracking system should allow for retrieval of information for the monthly Warden's Reports and monthly "Indicator Report."

Report: Offender Grievance by Type with Disposition

This report is completed on a monthly basis. It documents action taken on grievance issues by category. This report should alert the Administration of potential problem areas as they arise.

The numbers of grievances processed (i.e., reviewed and finalized) are tracked by category and resolution:

Favorable (affirm)

Mixed Action (modified)

Total of Grievances found to have merit

Denied

Moot

Total - all 4 categories of Action/Resolution (moot issues are not included in this total)

Report: Offender Grievance

Directions for completion

Total Number of Grievances Received:

A count of the number of grievances submitted in month which includes duplicates, those declined for review, etc.

Number of Grievances Declined for Review:

- Not within the jurisdiction of the Grievance Officer: Parole Board Decisions; Protective Custody; Enforced Psychotropic Medications. Count the grievances the Grievance Officer cannot review.
- Offender request misdirected: Count the grievances which are returned for counselor's response, and those to be forwarded direct to ARB.
- Grievances resolved prior to hearing: Count the grievances withdrawn by offender prior to review by Grievance Officer.
- Total: Total count of above 3 categories of grievances returned without review by Grievance Officer.

Number of Grievances Processed by Grievance Officer

- Grievances with Merit
- Favorable decisions - affirm grievance
- Mixed Action - modify discipline; portion of grievance affirmed.
- Total - total of above categories resolved that month.

Grievances Denied - Grievances denied, (no merit) for month.

Grievances Moot - Grievances no longer an issue; issue resolved prior to completion of process.

Total:

- # Number finalized Grievance Officer Reports processed.
- Percentage of those finalized found to have merit.

NOTE: Number of grievances processed may not correspond with total number received for month.

Number of repeat grievances are optional unless requested by facility administrator.

Increase/decrease of grievances over the last reporting period are optional unless requested by facility administrator.

Monthly Indicator Report

Institutions are required to submit grievance information on a monthly basis for inclusion in the Indicator Report. Information to be included in the Indicator Report is "total number of Inmate Grievances received (and logged in) by the Grievance Officer for the month."

Section 504. TABLE A Maximum Penalties for Adult Offenders

Offense	Maximum Penalties for Adult Offenders			
	Loss or Restriction of Privileges	B or C Grade	Good Time Revocation	Segregation
100. Violent Assault of any Person	1 year	1 year	1 year	Indeterminate
101. Arson	1 year	1 year	1 year	1 year
102. Assaulting any Person	1 year	1 year	1 year	1 year
103. Bribery & Extortion	1 year	1 year	1 year	1 year
104. Dangerous Contraband	1 year	1 year	1 year	1 year
105. Dangerous Disturbance	1 year	1 year	1 year	1 year
106. Escape or Runaway	1 year	1 year	1 year	1 year
107. Sexual Misconduct	1 year	1 year	1 year	1 year
108. Sexual Assault	1 year	1 year	1 year	Indeterminate
109. Electronic Contraband	1 year	1 year	1 year	1 year
110. Impeding or Interfering with an Investigation	1 year	1 year	1 year	1 year
201. Concealment of Identity	6 months	6 months	6 months	6 months
202. Damage or Misuse of Property	6 months	6 months	6 months	6 months
203. Drugs and Drug Paraphernalia	6 months	6 months	6 months	6 months
204. Forgery	4 months	4 months	4 months	4 months
205. Security Threat Group or Unauthorized Organizational Activity	1 year	1 year	1 year	1 year
206. Intimidation or Threats	6 months	6 months	6 months	6 months
207. Possession of Money	6 months	6 months	6 months	6 months
208. Dangerous Communications	6 months	6 months	6 months	6 months
209. Dangerous Written Material	6 months	6 months	6 months	6 months
210. Impairment of Surveillance	6 months	6 months	6 months	6 months
211. Possession or Solicitation of Unauthorized Personal Information	6 months	6 months	6 months	6 months
212. Frivolous Lawsuit	0 days	0 days	6 months	0 days
213. Failure To Reveal Assets	6 months	6 months	6 months	6 months

Offense	Maximum Penalties for Adult Offenders			
	Loss or Restriction of Privileges	B or C Grade	Good Time Revocation	Segregation
301. Fighting	1 month	1 month	1 month	1 month
302. Gambling	2 months	2 months	1 month	1 month
303. Giving False Information to an Employee	3 months	3 months	3 months	3 months
304. Insolence	3 months	3 months	1 month	1 month
305. Theft	6 months	6 months	3 months	3 months
306. Transfer of Funds	3 months	3 months	3 months	3 months
307. Unauthorized Movement	2 months	2 months	2 months	2 months
308. Contraband or Unauthorized Property	3 months	3 months	3 months	3 months
309. Petitions, Postings, and Business Ventures	6 months	6 months	3 months	3 months
310. Abuse of Privileges	3 months	3 months	3 months	3 months
311. Failure to Submit to Medical or Forensic Tests	3 months	3 months	3 months	3 months
402. Health, Smoking, or Safety Violations	3 months	3 months	3 months	3 months
403. Disobeying a Direct Order	3 months	3 months	3 months	3 months
404. Violation of Rules	1 month	1 month	1 month	1 month
405. Failure to Report	1 month	1 month	1 month	1 month
406. Trading or Trafficking	2 months	2 months	1 month	1 month
501. Violating State or Federal Laws	1 year	1 year	1 year	1 year
601. Aiding and Abetting, Attempt, Solicitation, or Conspiracy	Same as underlying offense	Same as underlying offense	Same as underlying offense	Same as underlying offense

Section 504.TABLE B Maximum Penalties for Juvenile Offenders

		Maximum Penalties for Juvenile Offenders			
Offense	Loss or Restriction of Privileges	Confinement	Good Time Revocation	Delay in Recommendation to PRB	
100. Violent Assault of any Person	1 year	1 month	1 year	1 year	
101. Arson	1 year	1 month	1 year	1 year	
102. Assaulting any Person	1 year	1 month	1 year	1 year	
103. Bribery & Extortion	6 months	1 month	1 year	1 year	
104. Dangerous Contraband	2 months	1 month	1 year	1 year	
105. Dangerous Disturbance	6 months	1 month	1 year	1 year	
106. Escape or Runaway	1 year	1 month	1 year	1 year	
107. Sexual Misconduct	6 months	1 month	1 year	1 year	
108. Sexual Assault	1 year	1 month	1 year	1 year	
109. Electronic Contraband	6 months	1 month	1 year	1 year	
110. Impeding or Interfering with an Investigation	6 months	1 month	6 months	6 months	
201. Concealment of Identity	6 months	1 month	1 month	1 month	
202. Damage or Misuse of Property	1 month	1 month	1 month	1 month	
203. Drugs and Drug Paraphernalia	2 months	1 month	3 months	3 months	
204. Forgery	1 month	1 month	1 month	1 month	
205. Security Threat Group or Unauthorized Organizational Activity	2 months	1 month	6 months	6 months	
206. Intimidation or Threats	1 month	1 month	1 month	1 month	
207. Possession of Money	4 months	1 month	1 month	1 month	
208. Dangerous Communications	2 months	1 month	6 months	6 months	
209. Dangerous Written Material	2 months	1 month	6 months	6 months	
210. Impairment of Surveillance	2 months	1 month	6 months	6 months	
211. Possession or Solicitation of Unauthorized Personal Information	2 months	1 month	6 months	6 months	

Offense	Maximum Penalties for Juvenile Offenders			
	Loss or Restriction of Privileges	Confinement	Good Time Revocation	Delay in Recommendation to PRB
212. Frivolous Lawsuit	0 days	0 days	6 months	0 days
213. Failure To Reveal Assets	2 months	1 month	6 months	6 months
301. Fighting	2 months	1 month	2 months	2 months
302. Gambling	1 month	2 days	1 month	1 month
303. Giving False Information to an Employee	1 month	7 days	6 months	6 months
304. Insolence	1 month	7 days	1 month	1 month
305. Theft	2 months	5 days	3 months	3 months
306. Transfer of Funds	3 months	5 days	3 months	3 months
307. Unauthorized Movement	1 month	5 days	1 month	1 month
308. Contraband or Unauthorized Property	2 months	5 days	2 months	2 months
309. Petitions, Postings, and Business Ventures	2 months	0 days	0 days	2 months
310. Abuse of Privileges	2 months	3 days	0 days	2 months
311. Failure to Submit to Medical or Forensic Tests	2 months	3 days	0 days	2 months
402. Health, Smoking, or Safety Violations	1 month	2 days	1 month	1 month
403. Disobeying a Direct Order	1 month	3 days	15 days	15 days
404. Violation of Rules	1 month	2 days	0 days	1 month
405. Failure to Report	1 month	3 days	15 days	15 days
406. Trading or Trafficking	1 month	3 days	15 days	15 days
501. Violating State or Federal Laws	2 months	1 month	1 year	1 year
601. Aiding and Abetting, Attempt, Solicitation, or Conspiracy	Same as underlying offense	Same as underlying offense	Same as underlying offense	Same as underlying offense

DR 504 APPENDIX A Offense Numbers & Definitions

100. VIOLENT ASSAULT OF ANY PERSON

Causing a person or an object to come into contact with another person in a deadly manner or in a manner that results in or is likely to result in serious bodily injury.

101. ARSON

Setting fire in any location whether public or private, including but not limited to any part of the facility, its grounds, or State vehicles.

102. ASSAULTING ANY PERSON

Causing a person, substances, or an object to come into contact with another person in an offensive, provocative, or injurious manner or fighting with a weapon.

103. BRIBERY & EXTORTION

Demanding or receiving anything of value in exchange for protection, to avoid bodily injury, or through duress or pressure. Giving or receiving money or anything of value to violate State or federal law or to commit any act prohibited under this Part.

104. DANGEROUS CONTRABAND

Possessing, manufacturing, introducing, selling, supplying to others, or using without authorization any explosive, acid, caustic material for incendiary devices, ammunition, dangerous chemical, escape material, knife, sharpened instrument, gun, firearm, razor, glass, bludgeon, brass knuckles, cutting tools, tools which may be used to defeat security measures such as hacksaw blades, keys, and lock picks, any other dangerous or deadly weapon or substance of like character, or any object or instrument that is made to appear to be or could be used as a deadly or dangerous weapon or substance.

105. DANGEROUS DISTURBANCES

Causing, directing, or participating in any action or group activity that may seriously disrupt or endanger the facility, persons, or property, including the taking or holding of hostages by force or threat of force and engaging in prohibited group activities such as work stoppages or hunger strikes.

106. ESCAPE OR RUNAWAY

For escape of a felon or runaway of a juvenile delinquent, leaving or failing to return to lawful custody without authorization, including the failure to return from furlough, leave, or authorized absence within 2 hours after the designated time.

107. SEXUAL MISCONDUCT

Engaging in sexual intercourse, sexual conduct, or gesturing, fondling, or touching done to sexually arouse, intimidate, or harass either or both persons; or engaging in any of these activities with an animal.

108. SEXUAL ASSAULT

Causing unwilling contact between the sex organ of one person and the sex organ, mouth, or anus of another person or any intrusion of any part of the body of one person or object into the

sex organ or anus of another person by use of force or threat of force, including pressure, threats, or any other actions or communications by one or more persons to force another person to engage in a partial or complete sexual act.

109. ELECTRONIC CONTRABAND

Possessing, selling, receiving, supplying to others, or using without authorization any electronic device, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, pagers, computers, and computer peripheral equipment.

110. IMPEDING OR INTERFERING WITH AN INVESTIGATION

Obstructing, impeding, or refusing to provide information relevant to an investigation.

201. CONCEALMENT OF IDENTITY

Wearing a disguise or a mask, impersonating another, or otherwise concealing one's identity.

202. DAMAGE OR MISUSE OF PROPERTY

Destroying, damaging, removing, altering, tampering with, or otherwise misusing property belonging to the State, another person, or entity, including the obstruction of locks or security devices, destroying or tampering with bar codes or identification cards, or the use of another person's identification card.

203. DRUGS AND DRUG PARAPHERNALIA

Possessing, manufacturing, introducing, selling, supplying to others, or receiving alcohol, any intoxicant, inhalant, narcotic, syringe, needle, controlled substance, or marijuana; or being under the influence of any of the above substances; or refusing to be tested for drug or alcohol use, including failure to provide a specimen within 2 hours after the request; or destroying or tampering with drug or alcohol tests or testing equipment. This offense includes medication misuse, for example, the possession or use of unauthorized amounts of prescribed medication, or selling or supplying prescribed medication to others.

204. FORGERY

Forging, counterfeiting, or reproducing without authorization any document, article of identification, money, security, or official paper.

**205. SECURITY THREAT GROUP
OR UNAUTHORIZED ORGANIZATIONAL ACTIVITY**

Engaging, pressuring, or authorizing others to engage in security threat group or unauthorized organizational activities, meetings, or criminal acts; displaying, wearing, possessing, or using security threat group or unauthorized organizational insignia or materials; or giving security threat group or unauthorized organizational signs. Unauthorized organizational activity shall include engaging in the above activities by or on behalf of an organization which has not been approved pursuant to 20 Ill. Adm. Code 445 or 450.

206. INTIMIDATION OR THREATS

Expressing by words, actions, or other behavior an intent to injure any person or property that creates the reasonable belief that physical, monetary, or economic harm to that person or to another will result.

207. POSSESSION OF MONEY

Possessing or causing to be brought into the facility any coin, currency, or other negotiable instrument without authorization or for residents of transition centers, failure to promptly submit all income to center staff including wages, tips, gifts, or any check for social security, disability, veteran's benefits, grants, scholarships, or loans.

208. DANGEROUS COMMUNICATIONS

Engaging in verbal or written communication that is likely to encourage violence against persons or that is likely to disrupt or endanger the safety and security of the facility, including but not limited to, escape plans and manufacture of weapons.

209. DANGEROUS WRITTEN MATERIAL

Possessing or causing to be brought into the facility written material which presents a serious threat to the safety and security of persons or the facility, including, but not limited to, written material relating to methods of escape and the manufacture of weapons.

210. IMPAIRMENT OF SURVEILLANCE

Using curtains, coverings, or any other matter or object in an unauthorized manner that obstructs or otherwise impairs the line of vision into an offender's cell or room or which obstructs or otherwise impairs any viewing panel or surveillance equipment, both audio and visual, within the facility.

211. POSSESSION OR SOLICITATION OF UNAUTHORIZED PERSONAL INFORMATION

Possessing or soliciting unauthorized personal information regarding another offender, releasee, employee, or former employee, including, but not limited to, personnel files, master files, medical or mental health records, photographs, social security numbers, home addresses, financial information, or telephone numbers except as authorized by a court order or as approved in writing by the Chief Administrative Officer.

212. FRIVOLOUS LAWSUIT

A pleading, motion, or other paper filed by the offender for which the court, in accordance with 730 ILCS 5/3-6-3, has found to be frivolous.

213. FAILURE TO REVEAL ASSETS

For adult offenders and juvenile offenders tried as adults, failing to fully cooperate in revealing financial assets on the form provided, including tangible and intangible property and real and personal property; providing false or inaccurate information regarding financial assets or dependents on the forms provided; or refusing to cooperate in revealing financial assets on the form provided.

301. FIGHTING

Fighting with another person in a manner that is not likely to cause serious bodily injury to one or the other and that does not involve the use of a weapon.

302. GAMBLING

Operating or playing a game of chance or skill for anything of value, making a bet upon the outcome of any event, or possessing any gambling device. This shall include participating in any lottery.

303. GIVING FALSE INFORMATION TO AN EMPLOYEE

Lying or knowingly providing false information to an employee, either orally or in writing.

304. INSOLENCENCE

Talking, touching, gesturing, or other behavior that harasses, annoys, or shows disrespect.

305. THEFT

Taking property belonging to another person or entity or the facility without the owner's authorization.

306. TRANSFER OF FUNDS

Causing money to be transferred from one trust fund to another or through an outside source to the account of another offender or entering into contracts or credit agreements without written approval from the Chief Administrative Officer.

307. UNAUTHORIZED MOVEMENT

Being anywhere without authorization or being absent from where required to be or returning late or not traveling directly to or from any authorized destination without prior staff approval.

308. CONTRABAND/UNAUTHORIZED PROPERTY

Possessing, giving, loaning, receiving, or using property that an offender has no authorization to have or to receive and that was not issued to the individual through regular procedures, including the unauthorized possession of food or clothing or the possession of property in excess of that which is authorized by the facility; or property that has been altered from its original state.

309. PETITIONS, POSTINGS, AND BUSINESS VENTURES

Writing, signing, or circulating a petition without authorization; unauthorized distributing or posting of any printed or written materials, including surveys; engaging in an unauthorized business venture; or representing oneself as a corporation or official of a corporation without authorization.

310. ABUSE OF PRIVILEGES

Violating any rule regarding visits, mail, the library, yard, commissary, telephone, or recreational activities. This includes corresponding or communicating with a victim, a victim's family member, or any other person after the offender has received notice that such person has informed the Department that he or she does not wish to receive correspondence from the offender. However, if the conduct also constitutes a violation of federal or State law, a committed person may also be charged under #501.

- 311. **FAILURE TO SUBMIT TO MEDICAL OR FORENSIC TESTS**
Willfully refusing to submit to, or cooperate with, testing, examinations, or the provision of samples required by court order, State law, or current standards of public health and safety, including the refusal to submit to annual tuberculosis screening and mandatory HIV or DNA testing.

- 402. **HEALTH, SMOKING, OR SAFETY VIOLATIONS**
Smoking in an unauthorized area; tattooing or body piercing, including, but not limited to, piercing of the ear, nose, or lip; or disregarding basic hygiene of person, cell, living or work area, or other place in the facility or its grounds.

- 403. **DISOBEYING A DIRECT ORDER**
Willfully refusing or neglecting to comply with an order, including the refusal to participate in educational testing; to accept a work, educational, or housing assignment; or to perform a work assignment.

- 404. **VIOLATION OF RULES**
Willfully disobeying any rule of the facility. If the specific offense is stated elsewhere in this Part, a committed person may not be charged with this offense. The rule violated must be specified in the disciplinary report.

- 405. **FAILURE TO REPORT**
Failure to report for a work, educational, or program assignment or for transport.

- 406. **TRADING OR TRAFFICKING**
Trading or trafficking with any person.

- 501. **VIOLATING STATE OR FEDERAL LAWS**
Committing any act which would constitute a violation of State or federal law. If the specific offense is stated elsewhere in this Part, an offender may not be charged with this offense except as otherwise provided in this Section. The State or federal offense must be specified in the disciplinary report.

- 601. **AIDING AND ABETTING, ATTEMPT, SOLICITATION, OR CONSPIRACY**
Aiding and abetting any person in the commission of any of these offenses; attempting to commit any of these offenses; making plans to commit any of these offenses; soliciting another to commit any of these offenses; or conspiring to commit any of these offenses shall be considered the same as the commission of the offense itself and shall carry the penalty prescribed for the underlying offense.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

DR 504 - SUBPART F: GRIEVANCE PROCEDURES FOR OFFENDERS**Section 504.800 Applicability**

This Subpart applies to offenders assigned to correctional facilities within the Department of Corrections.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.802 Definitions

“Chief Administrative Officer~ means the highest ranking official of a correctional facility.

“Department” means the Department of Corrections.

“Director” means the Director of the Department of Corrections.

“Facility ADA Coordinator” means the person or persons designated by the Chief Administrative Officer to coordinate efforts of the facility in carrying out its responsibilities under Title II of the Americans With Disabilities Act of 1990 (42 USC 12101 et seq.).

“Offender” means a person committed to the Department or to the custody of the Department.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.805 Responsibilities

- a) Unless otherwise specified, the Director or Chief Administrative Officer may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director or Chief Administrative Officer shall personally perform the duties. However, the Director or Chief Administrative Officer may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

(Source: Amended at 22 Ill. Reg. 1206, effective January 1, 1998)

Section 504.810 Filing of Grievances

- a) An offender shall first attempt to resolve incidents, problems, or complaints other than complaints concerning disciplinary proceedings through his or her counselor. If an offender is unable to resolve the complaint informally or if the complaint concerns a disciplinary proceeding, the individual may file a written grievance on a grievance form that shall be

made available in all living units. A grievance shall be filed within 60 days after the discovery of the incident, occurrence, or problem that gives rise to the grievance. However, if an offender can demonstrate that a grievance was not timely filed for good cause, the grievance shall be considered. The grievance procedure shall not be utilized for complaints regarding decisions that are outside the authority of the Department, such as parole decisions, clemency, or orders regarding length of sentence or decisions that have been rendered by the Director.

- b) The grievance form shall be addressed to the Grievance Officer and shall be deposited in the living unit mailbox or other designated repository. The grievance shall contain factual details regarding each aspect of the offender's complaint including what happened, when, where, and the name of each person who is the subject of or who is otherwise involved in the complaint. This provision does not preclude an offender from filing a grievance when the names of individuals are not known, but the offender must include as much descriptive information about the individual as possible.
- c) Staff assistance shall be available as requested by those offenders who cannot prepare their grievances unaided as determined by institutional staff.
 - 1) All offenders shall be entitled to file grievances regardless of their disciplinary status or classification.
 - 2) Each facility shall take reasonable steps to ensure that the grievance procedure is accessible to offenders who are impaired, disabled, or unable to communicate in the English language.
- d) Offenders shall be informed of the grievance procedure at the admitting facility and may request further information regarding the procedure from their counselors.
 - 1) The written procedure shall be available to all offenders.
 - 2) An offender unable to speak or read the English language may request that the procedure be explained in the individual's own language.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.820 Grievance Officer

- a) The Chief Administrative Officer shall appoint 2 or more employees who may serve as a Grievance Officer to attempt to resolve problems, complaints, and grievances that offenders have been unable to resolve through routine channels.
- b) No person who is directly involved in the subject matter of the grievance or who was a member of the Adjustment Committee that heard a disciplinary report concerning the grievance may serve as the Grievance Officer reviewing that particular case.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.830 Grievance Procedures

- a) A Grievance Officer shall review grievances at least weekly, provided that one or more grievances have been filed. Grievances on issues that are deemed without merit may be returned as denied to the sender without further investigation. No merit grievances include grievances that:
 - 1) Have previously been addressed for which there is no additional information; or
 - 2) Are on issues that do not involve or affect the offender.
- b) The Grievance Officer shall promptly submit a copy of any grievance alleging discrimination based on disability or a request for an accommodation based upon disability to the facility ADA Coordinator. The facility ADA Coordinator shall conduct such investigation as deemed appropriate and make written recommendations to the Chief Administrative Officer for resolution of the grievance.
- c) An offender may be afforded an opportunity to appear before the Grievance Officer unless the grievance is deemed without merit. The Officer may call witnesses as deemed appropriate.
- d) The Grievance Officer shall consider the grievance and report his or her findings and recommendations in writing to the Chief Administrative Officer. The Chief Administrative Officer shall advise the offender of the decision in writing within 2 months after receipt of the written grievance, where reasonably feasible under the circumstances. Responses to duplicate grievances on issues that are currently being grieved may be combined in one response.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.840 Emergency Procedures

An offender may request a grievance be handled on an emergency basis by forwarding the grievance directly to the Chief Administrative Officer.

- a) If the Chief Administrative Officer determines that there is a substantial risk of imminent personal injury or other serious or irreparable harm to the offender, the grievance shall be handled on an emergency basis.
- b) The Chief Administrative Officer shall expedite processing of the grievance and respond to the offender, indicating what action shall be or has been taken.

(Source: Amended at 27 m. Reg. 6214, effective May 1, 2003)

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(Source: Amended at 27 m. Reg. 6214, effective May 1, 2003)

Section 504.850 Appeals

- a) If, after receiving the response of the Chief Administrative Officer, the offender still feels that the problem, complaint or grievance has not been resolved to his or her satisfaction, he or she may appeal in writing to the Director within 30 days after the date of the decision. Copies of the Grievance Office's report and the Chief Administrative Officer's decision should be attached.
- b) The Director shall review the grievance and the responses of the Grievance Officer and Chief Administrative Officer and shall determine whether the grievance requires a hearing before the Administrative Review Board. If it is determined that the grievance is without merit or can be resolved without a hearing, the offender shall be advised of this disposition, in writing.
- c) An Administrative Review Board shall be appointed by the Director. One member of the Board may be a citizen from the community. A Department member shall be designated as chairperson.
- d) The Administrative Review Board shall meet as frequently as necessary and may schedule hearings on grievances. Hearings may be conducted in person or via video or telephonic conference. The Board may call witnesses or examine records at its discretion.
- e) The Administrative Review Board shall submit to the Director a written report of its findings and recommendations.
- f) The Director shall review the findings and recommendations of the Board and make a final determination of the grievance within 6 months after receipt of the appealed grievance, where reasonably feasible under the circumstances. The offender shall be sent a copy of the Director's decision.
- g) In those instances where an offender is appealing a grievance determined by the Chief Administrative Officer to be of an emergency nature, the Administrative Review Board shall expedite processing of the grievance.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.860 Records

Records regarding the filing and disposition of grievances shall be maintained in the offender's master file.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.870 Direct Review by Administrative Review Board

- a) Offenders shall submit grievances directly to the Administrative Review Board when grieving:
 - 1) Decisions regarding protective custody placement, including continued placement in or release from protective custody.
 - 2) Decisions regarding the involuntary administration of psychotropic medication.
 - 3) Decisions regarding disciplinary proceedings that were made at a facility other than the facility where the offender is currently assigned.
 - 4) Other issues except personal property issues that pertain to a facility other than the facility where the offender is currently assigned.
- b) The Administrative Review Board shall review and process the grievance in accordance with Section 504.850.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

SUBPART G: GRIEVANCE PROCEDURES FOR RELEASEES

Section 504.900 Applicability

This Subpart applies to persons committed to the Department of Corrections who have been released from correctional facilities and are under the supervision of the Department.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.905 Definitions

“Department” means the Department of Corrections.

“Director” means the Director of the Department of Corrections.

“Facility ADA Coordinator” means the person or persons designated by the Director to coordinate efforts of the facility in carrying out its responsibilities under Title II of the Americans With Disabilities Act (42 USC 12101 et seq.).

“Parole Supervisor” means the supervisor of a parole office or a geographic area within the Department.

“Releasee” means any person committed to the Department who has been released under conditional supervision in Illinois due to parole or mandatory supervised release, but who has not yet been discharged from a correctional facility.

(Source: Amended at 27 m. Reg. 6214, effective May 1, 2003)

Section 504.910 Responsibilities

- a) Unless otherwise specified, the Director or Parole Supervisor may delegate responsibilities stated in this Subpart to another person or persons or designate another person or persons to perform the duties specified.
- b) No other individual may routinely perform duties whenever a Section in this Subpart specifically states the Director or Parole Supervisor shall personally perform the duties. However, the Director or Parole Supervisor may designate another person or persons to perform the duties during periods of his or her temporary absence or in an emergency.

(Source: Amended at 22 Ill. Reg. 1206, effective January I, 1998)

Section 504.920 Filing of Grievances

- a) Releasees who have been unable to resolve complaints or problems through parole staff may file a written grievance with the Parole Supervisor. A grievance shall be filed within 60 days after the discovery of the incident, occurrence, or problem which gives rise to the grievance. However, if a releasee can demonstrate that a grievance was not timely filed for good cause, the grievance shall be considered. Complaints or problems regarding the revocation of release status, clemency, or orders regarding the length of sentence or decisions that have been rendered by the Director are not reviewable under this procedure.
- b) The grievance shall contain factual details regarding each aspect of the releasee's complaint including what happened, when, where, and the name of each person who is the subject of or who is otherwise involved in the complaint. This provision does not preclude a releasee from filing a grievance when the names of individuals are not known, but the offender must include as much descriptive information about the individual as possible.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.930 Review of Grievances

- a) The Parole Supervisor shall promptly submit a copy of any grievance alleging discrimination or a request for an accommodation based on disability to the facility ADA Coordinator. The facility ADA Coordinator shall conduct such investigation as deemed appropriate and make written recommendations to the Parole Supervisor for resolution of the grievance.
- b) The Parole Supervisor shall interview the releasee, unless the grievance is deemed without merit, and shall evaluate and respond to the grievance in writing within 2 months, where reasonably feasible under the circumstances. Grievances on issues that are deemed without merit may be returned to the sender as denied without further review. No merit grievances include grievances that have previously been addressed for which there is no additional information or that are on issues that do not involve or affect the releasee. Copies of the grievance and response shall be retained in the releasee's case file.

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)

Section 504.940 Appeals

- a) The releasee may, if not satisfied with the results of the grievance, submit a written appeal within 30 days after the date of the decision to:

Director
Department of Corrections
1301 Concordia Court, P.O. Box 19277
Springfield, Illinois 62794-9277

- b) The Director shall review the grievance and submit a written response to the releasee within 6 months after receipt of the appealed grievance, where reasonably feasible under the circumstances.

**COMMITTED PERSON'S GRIEVANCE PROCEDURE
(DR 504F)**

**COMMITTED PERSON
SUBMITTAL OF GRIEVANCE**

Submitted if not resolved informally must be submitted within 60 days of discovery of incident, occurrence, problem or receipt of decision concerning informal resolution. Submits DOC 0046.

COUNSELOR

Review documented on DOC 0046 (committed persons' decision to forward on to Grievance Officer unless grievance concerns disciplinary proceedings).

GRIEVANCE OFFICER

(reviews grievance on weekly basis) (must review, report findings and recommendations, in writing to CAO.) Documents review on DOC 0047.

ADA COORDINATOR

Forwards ADA issues. Reviews and provides response to Grievance Officer

CAO

Reviews Grievance Officer recommendation. Advises Committed Person of decision within 2 months (where reasonably feasible under circumstances).

COMMITTED PERSON

Submittal to Administrative Review Board. (Committed Person may submit appeal to ARB within 30 days of CAO's decision. Copy of DOC 0046 and DOC 0047 including CAO's response submitted.)

ADMINISTRATIVE REVIEW BOARD

Face to-face hearing or in-office file review. (Response to Committed Person.) Submits recommendation to Director.

DIRECTOR

(Director's final determination of grievance within six months after receipt, where reasonably feasible.)

COMMITTED PERSON

Decision to Committed Person (copy maintained in Master File).

May 2003

**GRIEVANCE PROCEDURE FOR RELEASEES
(DR 504G)**

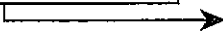
**RELEASEE
SUBMITTAL OF GRIEVANCE**

(If unable to resolve issue informally through parole staff, releasee may file grievance within 60 days of discovery of the incident, occurrence, problem or after receipt of unsuccessful resolution.)



ADA COORDINATOR ← PAROLE SUPERVISOR

ADA issues forwarded by Parole Supervisor. ADA Coordinator prepares response.



(Response within 2 months of receipt of grievance, whenever possible. Response maintained in Releasee's case file)



RELEASEE

Response to Releasee (if dissatisfied with result, may appeal within 30 days).



**DIRECTOR/
ADMINISTRATIVE REVIEW BOARD**

Response within six months (where reasonably feasible).



RELEASEE

Decision to Releasee
Response maintained in Releasee's case file and Master File.

May 2003

EMERGENCY GRIEVANCES

COMMITTED PERSON SUBMITTAL OF GRIEVANCE

File direct to CAO on DOC 0046.
• substantial risk of imminent personal injury or
• irreparable harm



CAO

GRIEVANCE OFFICER

(Determines if grievance is of emergency nature-
If so the response shall be expedited.)

(If not emergency, forward to
Grievance Officer for regular
review.)



COMMITTED PERSON

Decision to Committed Person (DOC 0046).
(May file appeal of decision to ARB.)



ADMINISTRATIVE REVIEW BOARD

Grievance determined Emergency by CAO
shall be expedited



DIRECTOR

Decision to Committed Person



COMMITTED PERSON

Receives decision.
Copy maintained in Master File.

May 2003

GRIEVANCES DIRECT TO ADMINISTRATIVE REVIEW BOARD

**COMMITTED PERSON'S
SUBMITTAL OF GRIEVANCE**

(Concerning Disciplinary Procedures occurring at facility other than current location: Issues (other than Personal Property) occurring at facility other present location; enforced psychotropic medication.)



ADMINISTRATIVE REVIEW BOARD

Face-to-face hearing or in-office review.



DIRECTOR

Renders decision on recommendation within six months after receipt, where reasonably feasible.



COMMITTED PERSON

Decision to Committed Person.
Copy maintained in Master File.

May 2003