

 King County	Department of Adult and Juvenile Detention Adult Divisions General Policy Manual	
	<u>Chapter 6</u> Classification	
6.04.002: Inmate Grievance Procedures	Approved By:	Director Holtgeerts
	Effective Date:	June 30, 2005
	This policy supercedes all prior polices and memoranda relating to this subject.	

Purpose

To establish a process by which an inmate's complaints may be addressed.

Policy

It is the policy of this Department to provide inmates with a method to seek resolution to a specific complaint or concern.

References

- ACA Standards: 3-ALDF-3E-11
- DAJD Forms: Inmate Grievance Form (F-525)
Inmate Grievance Tracking Log (Computer Database)
Inmate Medical Grievance Form (JHS Form)
- DAJD Policies: 6.02.002, Inmate Disciplinary System
- JHS Policies: J-11, Grievance Mechanism
- NCCHC Standards: J-A-11

Definitions

DAJD Grievance Procedures: The process that provides the inmate population a format to file complaints.

Entry Coordinator: The Captain's AS III's, one at each facility, tasked with making entries into the Grievance Tracking Log and forwarding grievances and appeals to the appropriate Section Coordinator.

Formal Grievance: A written complaint that either results when an issue cannot be resolved informally or when the allegations involve gross or possible criminal conduct by a staff member.

Informal Grievance: Verbal complaint that is resolved via discussion with the inmate.

Inmate Grievance Tracking Log: A master log sheet (maintained as a computer database) on which is recorded for each grievance: a tracking number, the inmate's name, the date the grievance is received, the facility from which the grievance is generated, and the section the grievance is forwarded to, among other information. One sheet will be utilized for the Department so that each grievance will have a unique tracking number, regardless of which Division the grievance is processed in.

JHS Grievance Procedures: The process that provides an inmate a format to file complaints related to his or her medical issues while incarcerated. The Inmate Medical Grievance Form is salmon in color and is to be used for medical issues only.

Respondent: A person who responds or makes a reply.

Section Coordinator: A staff member designated to coordinate grievances addressed to their particular section. Section Coordinators will be responsible for grievance review, assignment to other staff members when appropriate, preparing responses as appropriate, and return of completed paperwork to the Entry Coordinator.

Tracking Number: A unique number assigned to each grievance. The number consists of the numerical month, year, and a number based on the sequential order in which the grievance was received. As an example, '8-05-064' would signify the month of August, year 2005, grievance number 64.

A. General Guidelines

1. An inmate's submitted Inmate Grievance Form or Inmate Medical Grievance Form shall be responded to in writing.
2. When ever possible staff should attempt to resolve grievances at an informal level.
3. Staff shall not hinder, assist, or advise in the writing of any statements or complaints for a grievance.
4. Inmates shall not be retaliated against for submitting any grievance filed in good faith.
5. The first-step grievance response should take no longer than 10 calendar days and an appeal response should take no longer than 20 calendar days, unless extraordinary circumstances exist, in which case the inmate shall be informed in writing of the delay and the expected date of reply.
6. Grievances alleging any type of gross or criminal misconduct by staff shall be immediately forwarded to the supervisor of the staff member in question. These matters shall be prioritized for immediate review and follow up which may include consultation with DAJD senior administration and/or referral for internal and/or criminal investigation. Inmates alleging such staff misconduct will not be expected to attempt informal resolution to their complaint.
7. Medical grievances will be placed in Medical Kite Boxes and retrieved by JHS staff.
8. A grievance must be submitted within 14 calendar days of the incident that is being grieved. This requirement applies even if the inmate is released from the custody of DAJD.
9. An appeal must be submitted within 5 calendar days of the inmate receiving the grievance response.
 10. Grievable issues are legitimate complaints regarding facility conditions, actions or conduct by staff members or other inmates, operational procedures or practices.
11. Non-grievable issues include disciplinary actions, penalties or sanctions imposed via the disciplinary process, matters beyond control of DAJD and planned events that have not yet occurred. For disciplinary appeals, refer to Department policy 6.02.002, Inmate Disciplinary System.
12. Grievance appeals may be made only on the basis of:
 - a. New information is available that was not considered at the time of the original response, or
 - b. An error made by the original reviewer, in which case the inmate must explain the error that he or she believes was made.
13. The same staff member shall not be the respondent on both the original grievance and an appeal.

B. Grievance Procedure

1. Whenever possible staff members should attempt to resolve grievance/complaints informally via verbal discussion with the inmate.
2. If the staff member and the inmate are unable to resolve the grievance informally, the staff member shall provide the inmate with an Inmate Grievance Form or an Inmate Medical Grievance Form. Inmates will place the completed form in the unit/floor mailbox. All grievances will be sorted by mailroom staff and forwarded to the Captain's Office for logging and dispersal.
3. The **Entry Coordinator** shall:
 - a. enter the date, inmate's name, BA number, and section code in the tracking log.
 - b. enter the date received and the tracking number on the grievance.
 - c. forward the original grievance to the Section Coordinator for the designated area.
 - d. maintain copies of all completed grievances and appeals.
4. The **Section Coordinator** shall:
 - a. review the grievance to determine that the complaint meets the criteria for a grievable issue and that the inmate marked the appropriate section on the top of the form. The document must be complete and the complaint must be limited to the space provided.
 - b. return grievances to the Entry Coordinator that do not meet criteria or that should be forwarded to a different section and make the appropriate entries in the tracking log.
 - c. determine who should respond to the grievance, assign accordingly, and make the appropriate entries on the Grievance Tracking Log. It may be appropriate for the Section Coordinator to be the respondent.
5. The **Respondent** shall:
 - a. review, investigate, determine validity of complaint, and respond to the grievance within 10 days. Investigation may include taking statements from staff, inmates, or anyone involved and/or review of logs, reports, or any other documentation.
 - b. return original grievance or a copy to the inmate. If the inmate is no longer in custody the grievance will be mailed to the inmate's last known address.
 - c. return a copy of the grievance to the Entry Coordinator.

C. Grievance Appeals

1. Completed appeals will be placed in the unit/floor mailbox. All appeals will be sorted by mailroom staff and forwarded to the Captain's Office for logging and dispersal.
2. The **Entry Coordinator** shall:
 - a. enter the date of the appeal in the tracking log.
 - b. forward the appeal to the appropriate Section Coordinator.
3. The **Section Coordinator** shall:
 - a. review the appeal to determine if it meets the appropriate guidelines.
 - b. return to the inmate appeals that do not meet the criteria, make the appropriate entries in the Grievance Tracking Log, and forward a copy to the Entry Coordinator.
 - c. when appropriate, forward the appeal to another respondent (in cases where the Grievance Coordinator was the first level respondent) and make the appropriate entries in the Grievance Tracking Log.
 - d. review, investigate, and respond to the appeal. Make the appropriate entries into the Grievance Tracking Log.

- e. return the original or a copy of the appeal to the inmate.
- f. return a copy to the Entry Coordinator.
4. **JHS Staff** shall:
 - a. retrieve Medical Grievances at least twice per shift.
 - b. deliver the grievance to the JHS Administrator.
5. The **JHS Administrator** or **designee** shall respond to the inmate, observing the timelines set forth in this policy and any other applicable JHS policy. Refer to JHS Policy J-11, Grievance Mechanism.

D. Misuse of the Grievance Process

The following will be considered abuse or misuse of the grievance process and will result in termination of the review and possible disciplinary action:

- a. Providing false or inaccurate information.
- b. Using the grievance process to harass staff or other inmates.
- c. Using the grievance process to disrupt operations.
- d. Using abusive, obscene, or degrading words in the grievance.
- e. Filing a frivolous grievance (those without merit or a basis in fact).
- f. Making complaints about small, insignificant issues for which there is not likely a remedy.
- g. Filing additional grievances for the same complaint while an investigation is ongoing.
- h. Repeated submission of the same complaint after a final response has been received.

E. Records Storage

1. The **Entry Coordinator** shall forward completed grievances and appeals to the Records Office for storage/archiving.
2. The **Records Manager** shall arrange for the storage and/or archiving of the records associated with inmate grievances according to accepted practices and shall be maintained for a minimum of six years.