

	MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES	
	Subject INMATE GRIEVANCE PROCEDURES	Policy Number DJ-3 Effective Date 10-04-22
Related Information DF-1, <i>Inmate Classification</i> DI-6, <i>Limited English Proficiency (LEP) Inmates</i> DJ-1, <i>Rules and Regulations for Inmates</i> GH-2, <i>Internal Investigations</i> GI-5, <i>Voiance Language Services</i> GJ-28, <i>Prison Rape Elimination Act (PREA)</i>	Supersedes <p style="text-align: center;">DJ-3 (08-08-18)</p>	

PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for the inmate grievance and appeal process by which inmates may communicate their concerns or complaints to Office personnel regarding their conditions of confinement and list resolutions to their issues. Inmates shall receive a prompt response, allowing necessary corrective action to be taken at the lowest possible level.

POLICY

Office personnel shall in a timely manner, make a good faith effort to resolve grievance issues using a resolution at the lowest possible level. It is the policy of the Office to provide all inmates an opportunity to seek redress of their grievances without regard to disciplinary status, security level, housing category, or any other administrative status.

DEFINITIONS

Blue Team: The Early Identification System (EIS) application that allows employees and supervisors to record information in a database regarding incidents, performance, and conduct. The information from Blue Team is transferred to the IAPro Early Identification case management system.

External Grievance Appeal: A process by which an inmate may submit a grievance appeal, electronically or through paper form, for review to the External Referee following a response to an institutional grievance appeal that the inmate considers unsatisfactory. The External Referee shall not be an Office employee.

Formal Resolution: Settlement of an inmate's electronically submitted or written grievance after being reviewed by a Custody Bureau Hearing Unit (CBHU) Sergeant.

Good Faith: Reasonable reliance on fact, or that which is held out to be factual, without the intent to deceive or be deceived and without reckless or malicious disregard for the truth.

Grievance: A complaint by an inmate regarding procedures, conditions in the jail, and employee conduct.

- A. Detention Grievance: A complaint by an inmate regarding non-medical issues, to include complaints alleging employee misconduct. If employee misconduct is alleged, the complaint shall be processed, as specified in Office Policy GH-2, *Internal Investigations*.
- B. Medical Grievance: A complaint by an inmate regarding medical issues.

Grievance Appeal: A process by which an inmate may submit an appeal either electronically or in paper form for review to the next level of response, or in the case of a medical grievance, the appropriate clinic supervisor, following a response to a grievance that the inmate considers unsatisfactory. This process is not applicable for grievances alleged to be employee misconduct, which shall be processed, as specified in Office Policy GH-2, *Internal Investigations*.

Informal Resolution: Settlement of an inmate's electronically submitted or written grievance prior to being forwarded to the CBHU.

Inmate Tablet: A handheld computerized electronic device which utilizes a touch screen interface. The inmate tablet is provided and maintained by a contracted vendor. Inmate tablets are battery operated and must be returned to the charging station on a regular basis in order to be charged.

PROCEDURES

1. **Inmate Grievance Procedure:** The inmate grievance procedure is a process in which an inmate may file a grievance to communicate and document their concerns or complaints to Office personnel regarding their conditions of confinement. Inmate grievances may be submitted electronically through the inmate tablets or on a paper form.
 - A. The procedure requires the inmate to list their issue.
 - B. Office personnel shall in a timely manner, make a good faith effort to resolve grievance issues using a resolution at the lowest possible level.
 - C. If the inmate is not satisfied with the Office resolution, the procedure allows the inmate to further their concern or complaint through a grievance appeal process, as specified in this Office Policy.
 - D. An inmate shall not be subjected to harassment, coercion, or reprisal because they submitted a grievance or appeal the Office's resolution.
 - E. Information regarding the inmate grievance procedure is available to inmates, in both English and Spanish, in the *Rules and Regulations for Inmates* which are available in hard copy and electronically on the inmate tablet.
2. **Assisting Inmates with the Grievance Procedure:** Assistance shall be provided to inmates whose comprehension of the *Rules and Regulations for Inmates* and the grievance procedure may be adversely affected by a disability, illiteracy, or due to having limited knowledge to read, write, speak, or understand the English language.
 - A. Inmates with Limited English Proficiency (LEP) shall be assisted, as specified in Office Policies DI-6, *Limited English Proficiency (LEP) Inmates* and GI-5, *Voiance Language Services*.
 - B. An inmate who states they are hard of hearing, and/or who appears to be unable to effectively communicate as a result of hard of hearing, should be provided, at their request, a nationally certified interpreter. A good faith effort shall be made to provide a hard of hearing inmate with an interpreter.
 - C. A good faith effort shall be made to explain the grievance procedure to inmates whose comprehension of the *Rules and Regulations for Inmates* may be affected by illiteracy.

3. **Timeline for Submission of an Inmate Grievance:** Custody bureau facility commanders shall ensure all grievance procedure time limits are enforced, as specified in this Office Policy.
 - A. Written inmate grievance forms shall be made available to inmates who are unable to electronically submit grievances on the inmate tablet, or when the inmate tablet is unavailable.
 - B. Inmates shall submit an electronic grievance or a written *Inmate Grievance Form* to Office personnel within 72 hours of the event being grieved. All submitted grievances shall include a proposed resolution.
 - C. The 72-hour grievance submittal time-limit requirement does not apply to grievances alleging excessive use of force or restraint, employee misconduct, or a violation of the Prison Rape Elimination Act (PREA). **All grievances alleging use of force or restraint, employee misconduct, or a violation of PREA shall be immediately forwarded to a supervisor.**
 1. All grievances alleging excessive use of force or restraint may be submitted at any time, and shall be addressed, as specified in Office Policy GH-2, *Internal Investigations*. Grievances alleging excessive use of force or restraint shall not be denied solely on the basis the involved inmate was given a *Disciplinary Action Report* (DAR) regarding the incident being grieved.
 2. All grievances alleging employee misconduct may be submitted at any time, and shall be addressed, as specified in Office Policy GH-2, *Internal Investigations*.
 3. Grievances alleging a violation of the PREA may be submitted at any time following the alleged violation. The allegation shall be addressed, as specified in Office Policies GJ-28, *Prison Rape Elimination Act* (PREA) and GH-2, *Internal Investigations*.
 - a. Inmates found by the PREA Compliance Manager and/or the CBHU to have knowingly submitted a grievance containing a false PREA allegation may be subject to disciplinary action.
 - b. Information regarding any false PREA allegations shall be provided to the CBHU for filing and retention.
4. **Grievances of an Emergency Nature:** Office personnel shall take immediate action if failure to act promptly in response to an inmate's complaint or grievance may result in serious physical or psychological harm to an inmate, or threaten the safety or security of a jail facility. Inmates are informed in the *Rules and Regulations for Inmates* not to submit grievances of an emergency nature electronically, but rather to contact detention personnel as soon as possible.
 - A. Employees who fail to act in matters of an emergency nature may be subject to disciplinary action, as specified in Office Policy GC-17, *Employee Disciplinary Procedures*.
 - B. The employee's supervisor shall initiate an internal complaint in Blue Team, when the employee fails to take immediate action.
 - C. The complaint shall be processed, as specified in Office Policy GH-2, *Internal Investigations*.
5. **Detention Grievances:** A good faith effort shall be made to resolve all detention grievances, other than those alleging employee misconduct, at the lowest possible level.

- A. All medical grievances submitted on a written *Inmate Grievance Form* shall be forwarded directly to the Custody Bureau Hearing Unit (CBHU) prior to the end of the shift. Medical grievances submitted electronically shall only be responded to by Correctional Health Services (CHS) personnel. Other Office personnel shall not respond to medical grievances.
- B. Detention personnel and Office employees in designated areas who respond to inmate grievances are responsible for the following:
 1. Electronically Submitted Inmate Grievances:
 - a. Office personnel shall log-in to the electronic grievance platform at least once per shift in order to respond to electronically submitted grievances.
 - b. A response to an electronically submitted grievance shall require the responder to VIEW the grievance and write a response in the Response to Inmate section. The status of the grievance shall be changed to CLOSED, saved and sent to the inmate. Electronic grievances must be CLOSED in order for the inmate to appeal the response. Each level of response must be CLOSED.
 - c. When an inmate submits an electronic grievance to the wrong area, the shift supervisor shall contact the CBHU to have the grievance reassigned to the correct area.
 - d. Electronic grievances alleging employee misconduct or PREA allegations shall be sent directly to the CBHU Misconduct Coordinator and PREA Unit for review and proper routing. No employee involved in the allegation shall attempt to resolve the grievance.
 - e. When Office personnel initially respond, it is considered a Level 1 Response, as indicated in Attachment A of this Office Policy. The Level 1 Response shall be completed within seven business days from the date of the electronic submittal. The status of the grievance can only be updated to CLOSED by authorized personnel to the same response level in which the grievance was assigned. If Office personnel fail to respond within seven business days, the electronic grievance platform automatically allows the inmate to appeal to the next level response for up to 72 hours.
 - f. If Office personnel believe an electronically submitted grievance does not meet the guidelines set forth in the *Rules and Regulations for Inmates*, they shall contact the facility CBHU Sergeant who will determine if the grievance should be processed. If it is determined the grievance will not be processed, then the CBHU Sergeant may reject the electronically submitted grievance.
 - g. In the event an inmate submits a duplicate or repetitive grievance in both paper and electronic format, the paper version should be rejected, and the electronic grievance shall be processed. The rejected paper grievances shall be processed as rejected by the CBHU.
 2. Written Inmate Grievances:
 - a. Office personnel shall, within a reasonable amount of time, provide an inmate with a written *Inmate Grievance Form* upon request.

- b. When an inmate submits a written *Inmate Grievance Form*, Office personnel who accept the *Inmate Grievance Form* shall sign their name, serial number, and note the date and time of the action before returning the pink copy to the inmate.
 - c. The employee accepting the grievance shall ensure they read the grievance to confirm the complaint is not of an emergency nature, requires immediate action, or if the grievance needs to be forwarded for specific action, as specified in this Office Policy. If the grievance requires no immediate action, the employee shall address the grievance in Section II of the *Inmate Grievance Form*.
 - d. With the exception of inmate grievances related to alleged employee misconduct, PREA allegations, or use of force, or restraint allegations, Office personnel shall indicate in Section II of the *Inmate Grievance Form*, what action was taken; sign their name and serial number; and note the date and time of the action.
 - (1) If the grievance is resolved, or the inmate now wishes to withdraw the grievance, Office personnel shall direct the inmate to mark resolved or withdrawn, as appropriate.
 - (2) The inmate shall acknowledge the withdrawal or resolution in Section II of the *Inmate Grievance Form* by signing their name, booking number, and the date.
 - (3) The inmate shall be given the yellow copy of the *Inmate Grievance Form*, and the original shall be forwarded to the CBHU to be documented in the Sheriff's Inmate Electronic Data (SHIELD) system and filed appropriately.
 - e. If an inmate submits a written grievance concerning an area or facility other than their assigned housing facility, the grievance shall be forwarded to the CBHU. The CBHU shall forward the grievance to the affected area.
 - f. The shift supervisor shall respond to grievances alleging employee misconduct, PREA allegations, or use of force allegations. No employee involved in the allegation shall attempt to resolve the grievance.
 - g. If a written grievance is rejected, detention personnel shall place a diagonal line across the grievance and indicate the reason for the rejection. The rejected grievance shall be signed and dated. The yellow copy of the grievance shall be returned to the inmate. The white and pink copies of the grievance shall be sent to CBHU for processing.
- 3. Office personnel shall provide a response to the inmate in an attempt to resolve the grievance within seven business days. Office personnel shall as soon as practical make a good faith effort to resolve grievance issues using a resolution at the lowest possible level. Office personnel unable to resolve the grievance within seven business days, shall forward the *Inmate Grievance Form* to the next level for a response.
 - 4. Office personnel shall not accept a grievance or any appeal in paper form or electronically from an inmate for the following reasons:

- a. Grievances filed on behalf of other inmates, except those which allege excessive use of force or restraint, employee misconduct, and allegations of PREA misconduct;
 - b. Single grievances containing more than one complaint;
 - c. Grievances containing vulgarity or name calling;
 - d. Grievances containing no proposed resolution;
 - e. Grievances submitted after the timeframe has expired, except those which allege excessive use of force or restraint, employee misconduct, and allegations of PREA misconduct;
 - f. Grievances regarding out-of-stock canteen items; or
 - g. Grievances regarding delivery date of canteen items.
- C. Shift Supervisor's Responsibilities: The shift supervisor shall respond to electronic and written grievances within seven business days and shall ensure:
1. Office personnel are responsible for appropriately responding to or resolving grievances relating to issues under their immediate control. If the grievance is not resolved by Office personnel, supervisors shall meet and address the issue with the inmate.
 2. Inmate grievance forms regarding allegations of employee misconduct, to include use of force, are addressed as specified in Office Policy GH-2, *Internal Investigations*.
 - a. Once it has been determined that the complaint shall be investigated as an External Complaint through the Professional Standards Bureau (PSB) and entered into Blue Team, the *Inmate Grievance* shall not be processed any further by the shift supervisor, and it shall be closed out in the CBHU database with a reference to the IA number.
 - b. A copy of the *Inmate Grievance Form*, with the notation response that the PSB shall be conducting an investigation, shall be provided to the inmate by the CBHU Commander or designee.
 3. Electronically Submitted Inmate Grievances:
 - a. Shift supervisors shall log-in to the electronic grievance platform at least once per shift in order to respond electronically to any grievances at their level of response. Shift supervisors shall indicate what actions were taken to address the inmate's grievance. Once the response is completed, the grievance shall be sent back to the inmate through the electronic grievance platform.
 - b. Shift supervisors shall respond as a Level 2 Response, as indicated on Attachment A of this Office Policy, within seven business days from the date of electronic submittal. If the shift supervisor fails to respond within the seven business days, the electronic grievance platform will allow the inmate to automatically appeal the Level 2 Response to the next level response.

- c. An inmate complaint received through the electronic grievance process alleging employee misconduct shall be submitted directly to the CBHU Employee Misconduct Coordinator who shall determine if a Preliminary Inquiry Report is needed. If a Preliminary Inquiry Report is required, the Employee Misconduct Grievance Coordinator shall assign the complaint to the appropriate area.

4. Written Inmate Grievances:

- a. Shift supervisors shall complete Section III of the written *Inmate Grievance Form* by indicating what action was taken; sign their name and serial number; and note the date and time the form was returned to the inmate. Any additional documentation needed shall be attached to the back of the form. If an addendum is used to respond to the written grievance form, a copy shall be given to the inmate and attached to original *Inmate Grievance Form*.

- (1) The inmate shall be instructed to acknowledge the resolution or withdrawal on the *Inmate Grievance Form* by signing their name, booking number, and the date.

- (2) If the grievance is resolved or the inmate withdraws the grievance, the shift supervisor shall direct the inmate to mark resolved or withdrawn on the *Inmate Grievance Form*.

- (3) The inmate shall be given the yellow copy of the *Inmate Grievance Form*, including any attached documentation. The original shall be forwarded to the CBHU to be entered into the SHIELD and filed.

- b. If the shift supervisor is unable to resolve the grievance within seven business days, they may request a written time extension from the inmate not to exceed seven business days. If the supervisor fails to obtain an extension or meet the required seven business day timeframe, the inmate may appeal by forwarding the pink copy of the grievance attached to an *Institutional Grievance Appeal Form* to the CBHU.

D. Shift Commander's Responsibilities:

- 1. Review detention grievance responses to ensure the responses are appropriate and the inmate's grievance matter was appropriately addressed. If necessary, the shift commander shall provide guidance to the shift supervisors on proper Office policy, procedures, or actions that should be taken to attempt to resolve the grievance.

- 2. Upon receipt, the shift commander shall respond at the appropriate level to electronic and written detention grievances within seven business days.

- 3. Electronically Submitted Inmate Grievances: Shift commanders shall log-in to the electronic grievance platform at a minimum of once per shift in order to respond electronically to any grievances at their level of response.

- a. Shift commanders shall indicate what actions were taken to address the inmate's grievance. Once the grievance response is completed it shall be electronically sent back to the inmate through the electronic grievance platform.

6. **Medical Grievance:** Medical grievances submitted electronically shall only be responded to by the appropriate CHS personnel. The CBHU shall ensure grievances submitted on paper forms designated as medical, are in fact medical issues. Medical grievance shall be forwarded within one business day from the date of receipt of the grievance to the responsible charge nurse, or designee.
 - A. The charge nurse shall meet with the inmate and discuss the issue. The charge nurse must respond to a medical grievance within 11 business days from the date the grievance was forwarded to CHS. The charge nurse shall indicate on the *Inmate Grievance Form*, or electronically, what actions were taken, including the reasons for their decision; sign their name and serial number; and note the date and time.
 - B. If the charge nurse resolves the grievance, the inmate shall be instructed to acknowledge the resolution on the *Inmate Grievance Form*, by signing their name, booking number, and the date. The inmate shall be given the yellow copy of the *Inmate Grievance Form*. The original forms shall be forwarded to the CBHU to be entered into the Grievance Database and filed. No further action is required from the inmate if the grievance is electronically submitted.
 - C. If the grievance cannot be resolved by the charge nurse, the inmate shall be informed by the charge nurse of their right to appeal to the appropriate medical, dental, or psychiatric manager or clinic supervisor within 72 hours of receiving the charge nurse's response. The inmate shall be instructed to file the appeal electronically or, if a paper grievance was filed, attach the yellow copy of the *Inmate Grievance Form*, including the response, to the *Inmate Institutional Grievance Appeal Form*. All paperwork shall be forwarded through the CBHU to the nurse manager or clinic supervisor, who must respond to the institutional appeal within 14 calendar days from the date of receipt.
 - D. An inmate who has not received a response within 11 business days of submitting the original grievance may submit an *Institutional Grievance Appeal Form* to the CBHU. The CBHU shall log and forward the appeal to the appropriate medical, dental, or psychiatric nurse manager or clinic supervisor, unless the inmate has agreed in writing to an extension of time. In the event there is no response to an electronically submitted grievance, within 11 business days from when it was submitted, the grievance will automatically appeal to next level.
7. **Grievance Appeal Procedures:** The inmate grievance procedure includes two levels of review, the grievance appeal and external grievance appeal procedures. Appeals may be submitted electronically through the inmate tablets or on a paper form.
 - A. Grievance Appeals:
 1. Detention Grievance Appeals: The custody bureau facility commander or designee in consultation with the bureau chief, if necessary, shall take action and provide a written response to the inmate within seven business days from the date the appeal was received. An inmate who has not received a response within seven business days of submittal, may file an external grievance appeal, if filing on a paper form, unless they have agreed in writing to an extension of time. However, if the appeal was filed electronically, it will automatically escalate to the next level.
 - a. If the grievance appeal is resolved, the inmate shall be instructed to place a check mark in the appropriate area indicating that it was resolved and acknowledge the resolution by signing their name, booking number, and the date. The inmate shall be given the yellow copy of the *Inmate Institutional Grievance Appeal Form*, the yellow copy of the original grievance, and any other supporting documentation

that was attached. The white original copy of the *Grievance Appeal Form*, along with copies of any supporting documentation, shall be forwarded to the CBHU to be logged and filed. If an electronically submitted appeal is resolved no further action is required by the inmate.

- b. If the grievance appeal is not resolved by the custody bureau facility commander, the inmate shall be informed of their right to appeal to the External Referee within 72 hours of receipt of the custody bureau facility commander's response. An inmate who decides to appeal shall be given an *Inmate External Grievance Appeal Form*. The inmate shall be required to attach the yellow copy of the *Inmate Grievance Form* and the yellow copy of the *Inmate Institutional Grievance Appeal Form*, including all responses and attachments, to a properly completed *Inmate External Grievance Appeal Form*. All paperwork shall be forwarded to the CBHU for documenting and proper routing. If the electronically submitted appeal is not resolved, then the inmate may appeal to the next higher level within 72 hours by clicking "Appeal" on the inmate tablet.
2. Medical Grievance Appeals: The nurse manager or clinic supervisor shall discuss the appeal with the inmate, take appropriate action, and provide a written response in either electronic or in paper form to the inmate within 14 business days from the original submittal date. An inmate who has not received a response within 14 business days may file an external grievance appeal, unless they have agreed in writing to an extension of time.
 - a. If the grievance appeal is resolved, the inmate shall be instructed by the nurse manager or clinic supervisor, to make a check mark in the appropriate area indicating the appeal was resolved. The inmate shall be instructed to sign their name, booking number, and the date, acknowledging the resolution on the *Inmate Institutional Grievance Appeal Form*. The yellow copy of the *Inmate Institutional Grievance Appeal Form* shall be given to the inmate, and the original shall be forwarded to the CBHU to be entered into the SHIELD and filed. If an electronically submitted appeal is resolved no further action is required by the inmate.
 - b. If the grievance appeal cannot be resolved, the inmate shall be informed by the nurse manager or clinic supervisor of their right to appeal to the External Referee within 72 hours of receipt of the nurse manager's or clinic supervisor's response.
- B. Electronic Grievance Appeals: Electronic grievance appeals submitted electronically utilizing the inmate tablet will continue through the appeal process until the inmate is satisfied with the results or the filing process has been exhausted at the highest level of the internal or external appeal.
 1. Throughout the appeal process, inmates will have the ability to continue the process electronically. However, the inmate must submit their appeal upon receipt of the previous response within 72 hours.
 2. If during the electronic appeal process the inmate does not respond within 72 hours of the previous received response, then the grievance process is considered complete.
 3. The electronic grievance appeal process will not have the same designations as the paper appeal forms.

4. The electronic grievance appeal process provides the inmate with the same opportunities afforded in the paper form appeal process.
- C. External Grievance Appeals:
1. Detention External Grievance Appeals: All detention external grievance appeals, if filed on paper or electronically filed at the highest level, shall be forwarded to the CBHU Commander or designee for review. The CBHU Commander shall have seven business days to review the grievance and appeals and, if necessary, acquire additional information that may be needed for a complete report for the External Referee.
 - a. If the CBHU Commander concludes that the issues being grieved are valid, the appeal shall be forwarded to the External Referee within seven business days. The External Referee shall conduct their own review and provide a separate written response.
 - b. If the CBHU Commander concludes that the appeal is frivolous, repetitive, without merit, or relates to a non-grievable issue, it shall be noted and forwarded to the appropriate bureau chief with a recommendation to end the process.
 - (1) The bureau chief shall review, respond, and make a finding to the appeal. The response and findings shall be returned to the CBHU Commander within 14 business days. If the bureau chief agrees with the recommendation of the CBHU Commander, the grievance process shall end and the appeal returned to the inmate. No further administrative remedy is available. The inmate may file a claim in Federal District Court.
 - (2) If the bureau chief disagrees with the recommendation of the CBHU Commander, the appeal shall be sent to the External Referee within 14 business days. The External Referee shall conduct their own review and provide a separate written response. The inmate shall view the External Referee's response in the manner the grievance was submitted.
 - (3) An inmate who has not received a response within 30 business days from the date the External Referee received the grievance, may request in writing, either in electronic or paper form, that the External Referee reach a decision within the next seven calendar days.
 - (4) The response of the External Referee is final and shall conclude the formal inmate grievance procedure. No further administrative remedy is available. The inmate may file a claim in Federal District Court.
 - (5) Any returned sustained or partially sustained findings by the external referee shall be forwarded to the responsible division commander and shall require a response to include steps taken to address the issue. The response shall be returned to the CBHU within 20 calendar days.
 2. Medical External Grievance Appeals: All medical external grievance appeals shall be forwarded to CHS Quality Management Department for review either electronically or paper form.

- a. Either electronically or in paper form all medical external grievance appeals must indicate whether or not the inmate authorizes the release of their medical information.
 - b. The inmate shall be instructed to attach the yellow copy of the *Inmate Grievance Form*, the yellow copy of the *Inmate Institutional Grievance Appeal Form*, and all responses to a properly completed *Inmate External Grievance Appeal Form*. If the appeal is submitted electronically the grievance will be forwarded.
 - c. The CHS Quality Management Department shall have 14 business days to review the external grievance appeal. A written report containing only the pertinent medical information shall be included with the *Inmate External Grievance Appeal Form* and/or electronic version.
 - d. If the CHS Quality Management Department concludes that an external grievance appeal is frivolous, repetitive, or relates to issues that cannot be resolved using the grievance process, they shall recommend that the appeal be summarily dismissed either electronically or in paper form.
 - (1) The CHS Quality Management Department shall then forward all external grievance appeal forms and their written report to the CBHU who shall log, copy, and forward the appeal to the CBHU Commander. The CBHU Commander shall have three calendar days to review and take action.
 - (2) If the CHS Quality Management Department has recommended that an external grievance appeal be summarily dismissed, the CBHU shall update the log, provide a copy of the CHS Quality Management Department's written response to the inmate, and the matter shall be concluded. No further administrative remedy is available. The inmate may file a claim in Federal District Court.
 - (3) For electronic grievances, if the CHS Quality Management Department has recommended that an external grievance appeal be summarily dismissed, they will respond and close the grievance. No further administrative remedy is available. The inmate may file a claim in Federal District Court.
 - e. If an external grievance appeal has not been recommended for summary dismissal the appeal shall be sent to the External Referee either electronically or in paper form. The External Referee shall conduct their own review and provide a separate written response either electronically or in paper form.
8. **Direct Supervised Grievance Protocol:** The Direct Supervised Grievance Protocol is an enhanced process within the grievance procedure to effectively seek redress for an inmate submitting numerous complaints, repeatedly failing to follow the proper grievance procedure, or alleging a practice or pattern of not receiving a timely response. This protocol shall effectively allow corrective action to be taken at the lowest supervisory level.
- A. The CBHU Commander, in conjunction with a custody bureau facility commander, shall initiate the Direct Supervised Grievance Protocol when they have deemed it to be appropriate.

- B. When an inmate has been placed on the Direct Supervised Grievance Protocol, the custody bureau facility commander shall assign a shift supervisor and the CBHU Commander shall assign a CBHU Sergeant to the inmate.
 - C. The CBHU Sergeant shall meet with the inmate as soon as possible, in order to explain the protocol and provide a copy of the procedures to the inmate.
 - D. The assigned shift supervisor or the CBHU Sergeant shall meet with the inmate twice a week, excluding weekends and holidays, to ensure that the inmate has the opportunity to communicate their concerns or complaints. Each meeting shall be documented notating the date of the meeting with the inmate.
 - E. Inmates placed on this protocol may be allowed to file electronic grievances upon approval from the CBHU Commander otherwise all grievances shall be submitted on paper forms. Upon request, detention personnel shall, within a reasonable amount of time, provide the inmate with an *Inmate Grievance Form*. The inmate shall submit the grievance with the assigned supervisor or CBHU Sergeant during the designated meeting times. If the inmate's complaint is of an emergency nature, alleges a violation of PREA, or alleges excessive use of force or restraint, the on-duty supervisor shall be notified.
 - F. The assigned supervisor or CBHU Sergeant shall determine if the inmate's complaint should be handled through the grievance procedure. The assigned supervisor or CBHU Sergeant shall make a final determination within two business days.
 - 1. If the assigned supervisor or CBHU Sergeant determines that the complaint shall be processed through the grievance procedure, then the inmate's completed *Inmate Grievance Form* shall be handled, as specified in this Office Policy.
 - 2. If the assigned supervisor or CBHU Sergeant determines that the complaint shall not be processed through the grievance procedure, the inmate's completed *Inmate Grievance Form* shall be taken and the inmate advised why the grievance was not accepted. The inmate shall not receive any copies of the completed *Inmate Grievance Form*.
 - a. The confiscated *Inmate Grievance Form* shall be filed, and the reason the grievance was not accepted documented in the inmate's Direct Supervised Grievance log.
 - b. The confiscated grievances and log shall be maintained by the CBHU.
9. **Grievance Databases:** A tracking number shall be assigned to all grievances forwarded to the CBHU either through the electronic grievance platform or by a CBHU Sergeant for the paper forms. Each paper form grievance shall be documented in SHIELD, and electronic grievances are documented through the electronic grievance platform. Grievances that are processed as an External Complaint when employee misconduct is alleged shall be closed out with a reference made to the IA number if one is assigned by the PSB.
- A. The database shall contain information including, but not limited to, the following:
 - 1. Tracking number;
 - 2. Inmate's name;

3. Inmate's booking number;
 4. Synopsis of the grievance;
 5. Resolution of the grievance; and
 6. Grievance appeals, including external grievance appeals.
- B. Entries shall be cross-referenced by the inmate's name and the assigned tracking number.
- C. All grievances that are informally or formally resolved, withdrawn by the inmate, all Institutional and External Appeals, and all attachments shall be filed by the CBHU and maintained within either the electronic grievance platform or SHIELD and kept for a period of three years following the release of the inmate.
10. **Confidentiality:** All records concerning an inmate's participation in the grievance procedure are confidential to the extent permitted by law and shall be handled in the same manner as other confidential case materials. Jail facility personnel working on the resolution of a grievance shall have access to all inmate records, excluding an inmate's medical records. CHS may release pertinent medical information for the purpose of resolving an external grievance appeal involving medical care upon completion of the *Authorization for Release of Medical Information* form by the inmate.

Attachment A

WRITTEN DETENTION GRIEVANCES

WHO	TIME	ACTION
Inmate	72 hours of the event for all grievances other than those which allege employee misconduct, excessive force or restraint, and violations of the PREA. For these, the 72 hour time limit does not apply	Submit to Office Personnel
Office Personnel	7 business days	Resolve or forward to Shift Supervisor, or forward, as specified in this Office Policy.
Inmate	72 hours	Accept or appeal/forward a response
Shift Supervisor	7 business days	Respond, Resolve or forward to CBHU, or forward, as specified in this Office Policy
Inmate	72 hours	Accept or appeal/forward a response
Shift Commander	7 business days	Respond, resolve or forward to CBHU, or forward, as specified in this Office Policy
Inmate	72 hours	Accept or appeal/forward a response
CBHU Sergeant	11 business days	Respond, Resolve, and return to Inmate
Inmate	72 hours	Accept, Appeal, or forward a response
Employee misconduct identified at any step in the review process shall be immediately reported to the PSB		

ELECTRONIC DETENTION GRIEVANCES and APPEALS

WHO	TIME	ACTION
Inmate	72 hours of the event for all grievances other than those which allege employee misconduct, excessive force or restraint, and violations of the PREA. For these, the 72-hour time limit does not apply	Submit electronically to Office Personnel
Level 1 Response	7 business days	Office Personnel will respond and close
Inmate	72 hours	Accept or appeal/forward to the next level
Level 2 Response *	7 business days	Office Personnel will respond and close
Inmate	72 hours	Accept or appeal/forward to next level
Level 3 Response *, **	7 business days or	Office Personnel will respond and close
Inmate	72 hours	Accept or Appeal/forward to next level
Level 4 Response *, **, ***	7 business days or	Office personnel will respond and close or inmate may accept or file complaint in Federal District Court
Inmate	72 hours	Accept, appeal to the next level
Level 5 Response **, ***	7 business days or	Office personnel will respond and close or inmate may accept or file complaint in Federal District Court

Inmate	72 hours	Accept or appeal to the next level
Level 6 Response ***	14 business days or 30 calendar days	Accept or file complaint in Federal District Court
<p>*CBHU response is 11 business days **Jail Commander response is 7 business days ***CBHU Commander review is 7 business days followed by the Bureau Chief Review which is 14 business days or if forwarded to the External Referee they will have 30 calendar days to respond</p>		
<p>Employee misconduct identified at any step in the review process shall be immediately reported to the PSB</p>		

WRITTEN GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	72 hours of response receipt	Submit to Office Personnel
Office Personnel	End of the shift	Forward to Shift Supervisor
Shift Supervisor	1 business day of receipt	Forward to CBHU
CBHU Sergeant	1 business day of receipt	Log and forward
Custody Bureau Facility Commander or designee	7 business days	Respond
CBHU Sergeant	1 business day of receipt	Log for return
Inmate	72 hours	Accept or file an external grievance appeal

WRITTEN EXTERNAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	72 hours of response receipt	Submit to Office Personnel
Office Personnel	End of the shift	Forward to Shift Supervisor
Shift Supervisor	1 business day of receipt	Forward to CBHU
CBHU Sergeant	1 business day of receipt	Log and forward
CBHU Commander or designee	7 business days	Review, respond, or if necessary, prepare additional information and forward to the External Referee or the Bureau Chief
Bureau Chief Review	14 business days	Review, respond and return to CBHU Commander
External Referee	30 calendar days from receipt	Respond
CBHU Sergeant	1 business day of receipt	Log for return
Inmate	N/A	Accept or file complaint in Federal District Court

ELECTRONIC MEDICAL GRIEVANCES

WHO	TIME	ACTION
Inmate	72 hours of event	Submit electronically
Level 1 (CHS Charge Nurse or designee) response	11 business days	CHS personnel will respond and close
Inmate	72 hours	Accept or appeal to the next level
Level 2 (CHS Clinic Supervisor or Nurse Manager) response	14 business days	CHS personnel will respond and close
Inmate	72 hours	Accept or appeal to the next level
Level 3 (CHS Quality Management Department) response	14 business days or if forwarded to an External Referee they will have 30 calendar days	Respond and close This ends the grievance process
Inmate	N/A	Accept or inmate may file complaint in Federal District Court

WRITTEN MEDICAL GRIEVANCES

WHO	TIME	ACTION
Inmate	72 hours of event	Submit or to Office Personnel
Office Personnel	End of the shift	Forward to Shift Supervisor
Shift Supervisor	End of the shift	Forward directly to the CBHU
CBHU Sergeant	1 business day of receipt	Log and forward
Charge Nurse or designee	11 business days of receipt	Respond and return
CBHU Sergeant	1 business day of receipt	Log for return
Inmate	72 hours	Accept or file Grievance or Appeal

WRITTEN MEDICAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	72 hours of receipt of response	Submit to Office Personnel
Office Personnel	End of the shift	Forward to Shift Supervisor
Shift Sergeant	End of the shift	Forward directly to the CBHU
CBHU Sergeant	1 business day of receipt	Log and forward
CHS Clinic Supervisor or Nurse Manager	14 business days	Respond and return
CBHU Sergeant	1 business of receipt	Log for return
Inmate	72 hours	Accept or file an external grievance appeal

WRITTEN MEDICAL EXTERNAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	72 hours of receipt	Submit to Office Personnel
Office Personnel	End of the shift	Forward to Shift Supervisor
Shift Supervisor	End of the shift	Forward to CBHU
CBHU Sergeant	1business day of receipt	Log and forward
CHS Quality Management Department	14 business days	Review & prepare a medical report for the External Referee or CBHU Commander
CBHU Sergeant	1business day of receipt	Log and forward
External Referee	30 business days from receipt	Respond
CBHU Sergeant	1business day of receipt	Log for return
Inmate	N/A	Accept or file complaint in Federal District Court

**Attachment B
Grievance Flow Chart**

	Level 1	Level 2	Level 3	Level 4	Level 5	Level 6
General	Detention Officer	Detention Sergeant	Detention Lieutenant	CBHU Sergeant	Institutional Appeal	External Appeal
Laundry	Laundry Officer	Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Mailroom	Mail Personnel	Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Employee Misconduct	Detention Sergeant	Detention Lieutenant	CBHU Sergeant	Institutional Appeal	External Appeal	
Sheriff's Information Management Services (SIMS)/Workbox (WB)	SIMS/WB Personnel	SIMS/WB Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Chaplain	Chaplain	Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Food Services	Food Services Personnel	Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Jail Intelligence	Jail Intelligence Personnel	Supervisor	CBHU Sergeant	Institutional Appeal	External Appeal	
Court Operations	Detention Officer	Detention Sergeant	CBHU Sergeant	Institutional Appeal	External Appeal	
Transportation	Detention Officer	Detention Sergeant	CBHU Sergeant	Institutional Appeal	External Appeal	
Canteen	Canteen Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
Classification	Classification Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
Education	Education Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
Inmate Legal Services (ILS)	ILS Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
Library	Library Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
Programs	Programs Personnel	CBHU Sergeant	Institutional Appeal	External Appeal		
MCSO Records Legal Liaison Section (LLS)	Records Personnel LLS	CBHU Sergeant	Institutional Appeal	External Appeal		
Hearing Unit	CBHU Sergeant	CBHU Sergeant	Institutional Appeal	External Appeal		