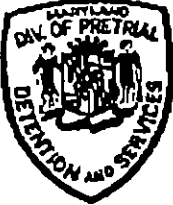



STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF PRETRIAL DETENTION AND SERVICES

	PROGRAM: Inmate Grievances
	PDSP: 180-1
	TITLE: Inmate Grievance Procedures
	ISSUED: November 30, 2000
	APPROVED: LaMont W. Flanagan  COMMISSIONER

- I. References: MCCS .05J
- II. Applicable: The Division of Pretrial Detention and Services (DPDS).
- III. Purpose: To establish policy and procedures providing for a formal internal inmate grievance system within DPDS.
- IV. Definitions:
- Inmate Grievance Procedure Committee - A 3-person panel.
- Staff - All permanent, temporary and contractual staff and volunteers.
- Inmate Grievance Coordinator - A DPDS employee authorized to act in accordance with this policy; and directed to keep and maintain records and logs of all grievances filed, their status, and the disposition of each case.
- Working Days - Consecutive days excluding Saturdays, Sundays, and Holidays.
- V. Policy: It is the policy of the Division of Pretrial Detention and Services that all inmates housed in its facilities, have access to a formal procedure for individual complaints against or about employees, officials, policies, or medical services of DPDS. Inmates shall also be assured of written and timely responses to these complaints that are fair and reasonable.

VI. Procedures:

A. Grievance Procedure "Step I"

1. An inmate with a grievance or complaint against or about an employee, official, policy, medical service or dietary service of DPDS, may initiate a grievance by completing an "Inmate Grievance Form, Step I" (Appendix A) within 30 calendar days of the date on which the incident occurred or within 30 calendar days of the date the inmate first gained knowledge of the complaint.
2. The form should be submitted to the Inmate Grievance Coordinator (IGC) through the section Inmate Council Representative, the Section Officer or by depositing the form in one of the facility mail boxes. Inmates in the Women's Detention Center may also use one of the Grievance Boxes that are located next to the dorms.
3. The IGC shall conduct a fact finding investigation of all grievances submitted, except those involving Medical Services (See VI.A.7.)
4. Upon completion of the investigation of grievances, the IGC shall determine the merit or lack of merit of each grievance.
5. If the complaint is found to be without merit or outside the jurisdiction of DPDS, the IGC shall dismiss it in writing within 10 working days of its receipt.
6. If the complaint is found to be meritorious, within 5 working days of the receipt of the complaint, the IGC shall issue a written recommendation to the Warden providing for appropriate relief. That recommendation is subject to the Warden's review and may be affirmed, reversed, or modified in writing within 5 working days. The IGC shall ensure that a written response, reflective of the Warden's review, is forwarded to the inmate within 10 working days of the IGC's receipt of the inmate complaint.
7. If the grievance involves a complaint about medical service:
 - a. The IGC shall forward a copy of the grievance to the Director of Health Care Services and the Contractual Health Care Provider within 2 working days of receipt;
 - b. The Contractual Health Care Provider shall investigate each grievance, document findings, and forward a written response to the Director of Health Care Services and the IGC within 5 working days;

- c. The IGC shall review each medical response and process as in VI.A, 4-6.)

B. Grievance Procedure "Step II"

1. An inmate wishing to appeal the "Step I" decision to the Inmate Grievance Procedure (IGP) Committee may do so by completing an "Motion for Grievance Committee, Step II Form" (Appendix B.) The form must be submitted via the Inmate Grievance Box as indicated in VI.A,2.
2. The IGC will schedule the complaint to be reviewed by the IGP Committee at its next hearing. (Committee meetings are scheduled as needed.)
3. At the scheduled time and place for the hearing, the IGC shall convene the hearing. The hearing shall be conducted in an informal manner, beginning with a presentation of the grievance by the grievant, followed by the testimony of other parties and/or witnesses.
4. The IGC shall allow committee members to question any of the parties or witnesses concerning their testimony and also allow the grievant or his/her representative to question the parties or witnesses.
5. Following the completion of the testimony, the IGC shall ask the grievant and his/her representative (if applicable), to leave the hearing room so that the IGP Committee can deliberate on the grievance and discuss possible solutions.
6. Following their discussion, the IGP Committee shall make a decision on a resolution of the grievance. The decision is to be made by a majority vote of the committee members.
7. If the decision of the IGP Committee is that the grievance is without merit, the inmate shall be immediately returned to the Hearing Room and orally notified of the Committee's decision. A written explanation of the Committee's decision shall be sent to the inmate within 5 working days of the hearing date.

8. If the IGP Committee finds that the grievance is meritorious, the inmate shall be immediately returned to the Hearing Room and orally notified of the Committee's decision. The Committee's decision shall be sent in writing to the Warden with a recommendation for specific relief within 5 working days of the hearing date. The Committee's recommendation is subject to the Warden's review and may be affirmed, reversed, or modified in writing, within 5 working days of receiving the Committee's report.

C. Grievance Procedure "Step III"

1. An inmate wishing to appeal the "Step II" decision to the Warden may do so by completing an "Motion to Appeal to the Warden, Step III Form" (Appendix C,) and submitting it to the IGC within 3 working days of the decision rendered in "Step II".
2. The IGC shall deliver a copy of the appeal to the Warden within 1 working day of receiving the appeal, making all records of the grievance (to date) available to the Warden.
3. The Warden shall review the grievance, records and the decision (conducting any appropriate investigation) and submit a written decision on the appeal (within 3 working days of receiving the appeal) to the IGC, the grievant and parties to the grievance.

D. Grievance Procedure "Step IV"

1. An inmate wishing to appeal the Step III decision to the Commissioner of the Division of Pretrial Detention and Services may do so by completing an "Motion to Appeal to the Commissioner, Step IV Form" (Appendix D,) and forwarding it to the IGC within 3 working days of the inmate's receipt of the decision rendered in Step III.
2. The Commissioner shall direct the IGC to schedule a hearing and to inform the grievant and other parties to the grievance of the time, date and place for the hearing.
3. At the conclusion of the hearing the Commissioner shall submit a written notice of the decision to the inmate and copies to the IGC, within 20 working days of the hearing. That decision shall be final.

Any final decision from the Warden or the Commissioner which determines that the grievance is at least in part meritorious shall direct certain relief to be afforded to the inmate and shall direct the appropriate staff to provide the relief and to document compliance within 10 working days (if possible), or as may be otherwise specified in the decision.

E. Employee Awareness

All staff having direct contact with inmates are to be informed of the complaint process to facilitate timely implementation.

It is the responsibility of the Warden/Dept. Head to ensure that records of written acknowledgment of this policy are maintained for all appropriate staff and that copies are forwarded to the Office of Court Compliance in a timely manner.

- VII. Attachments:
- Appendix A - Inmate Grievance Form, Step I (DPDS# 180-1a)
 - Appendix B - Motion for Grievance Committee Step II (DPDS# 180-1b)
 - Appendix C - Motion for Appeal to the Warden Step III (DPDS# 180-1c)
 - Appendix D - Motion for Appeal to the Commissioner (DPDS# 180-1d)

VIII. Rescissions: PDSD# 180-1, Inmate Grievance Procedures (eff. 7-1-99)

Distribution: C

Department of Public Safety & Correctional Services
Division of Pretrial Detention & Services

RESIDENT GRIEVANCE FORM (step one)
Only 1 Complaint per Form

#1 Print Your Name: _____ Today's Date: _____

Your ID#: _____ and Your Section: _____

#2 Please, check 1 box to show your grievance type.

MEDICAL

- Sick Call
- Waiting too long for crutches, brace, treatment etc.
- Other
- Medication
- Disagree with diagnosis or treatment
- Need follow-up care

PROPERTY

- Got lost while on PC, Seg, at Court, Hospt.
- Item(s) lost
- Asked for mail-out. Never was delivered
- Want mail-out
- Want to name a designee or new designee
- Other

REPAIRS

- Sink, toilet, shower
- Telephone
- Light
- Flaking paint, mold
- Ceiling, wall, floor, window
- Other

- Security
- Food Service
- Visits
- Mail
- Commissary
- Recreation
- Money
- Other

#3 Give all the important details about this grievance. What action or outcome do you want?

Use other side if necessary.

#4 Sign your name here: _____

Department of Public Safety & Correctional Services
Division of Pretrial Detention & Services

RESIDENT GRIEVANCE FORM (step one)
CONTINUED

MOTION FOR GRIEVANCE COMMITTEE

STEP II

NAME: _____ ID #: _____ SECTION: _____

REASON(S) FOR APPEAL : _____

GRIEVANT'S SIGNATURE: _____ DATE: _____

IGP COORDINATOR'S SIGNATURE: _____ DATE: _____

RESPONSE OF THE I.G.C. _____

I.G.C. MEMBERS _____ DATE: _____

_____ DATE: _____

_____ DATE: _____

DATE RETURNED TO GRIEVANT: _____

I AGREE/DISAGREE WITH THE COMMITTEE'S DECISION (Circle One)

GRIEVANT'S SIGNATURE: _____ DATE: _____

IF YOU ARE UNHAPPY WITH THE GRIEVANCE COMMITTEE'S RESPONSE, YOU HAVE THE RIGHT TO APPEAL TO THE WARDEN. SEE THE INMATE GRIEVANCE COORDINATOR.

MOTION TO APPEAL TO THE WARDEN

STEP III

NAME: _____ ID#: _____ SECTION: _____

REASON(S) FOR APPEAL: _____

GRIEVANT'S SIGNATURE: _____ DATE: _____

RESPONSE OF THE WARDEN: _____

WARDEN'S SIGNATURE: _____ DATE: _____

DATE RETURNED TO GRIEVANT: _____

I AGREE/DISAGREE WITH THE WARDEN'S DECISION (Circle One)

GRIEVANT'S SIGNATURE _____ DATE: _____

IF YOU ARE UNHAPPY WITH THE WARDEN'S RESPONSE YOU HAVE THE RIGHT TO APPEAL TO THE COMMISSIONER. SEE THE INMATE GRIEVANCE COORDINATOR.

MOTION FOR APPEAL TO THE COMMISSIONER

STEP IV

NAME: _____ ID#: _____ SECTION: _____

REASON(S) FOR APPEAL: _____

GRIEVANT'S SIGNATURE: _____ DATE: _____

RESPONSE OF THE COMMISSIONER: _____

COMMISSIONER'S SIGNATURE: _____ DATE: _____

DATE RETURNED TO GRIEVANT: _____

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Stuart O. Simms
Secretary

DIVISION OF PRETRIAL DETENTION AND SERVICES

INMATE HANDBOOK

2001 - 2002



LaMont W. Flanagan
Commissioner

Division of Pretrial Detention and Services

Ralph V. Logan

Warden

Baltimore City Detention Center

William Jednorzki

Warden

Baltimore Central Booking and Intake Center

XIII. INMATE GRIEVANCE PROCEDURE

The Inmate Grievance Office processes and provides written responses to complaints of inmates against the DPDS. However, inmates are encouraged to seek informal resolutions to their complaints prior to filing a formal grievance. This can be accomplished by presenting complaints to the officer assigned to your housing unit or your Inmate Council Representative.

Inmates wishing to file a grievance may do so by completing a Grievance Form Step I. The step 1 form must be filed within thirty (30) days of the date the incident occurred or you gain knowledge of the incident, otherwise, it will be dismissed for untimeliness. A Grievance Form Step I can be obtained from your Inmate Council Representative or the Officer assigned to your housing unit.

Sections one and two of the Grievance Form Step I, "description of the complaint" and "action requested by grievant" must be completed or the form will be returned to you. The form must also be signed and dated.

When filing a grievance always forward any documents pertaining to your grievance, such as: a notice of Inmate Rule Violation and Disciplinary Hearing, property receipts, commissary slips/receipts, etc. along with your Grievance Form Step I. Submitting this documentation along with your Grievance Form Step I may help to significantly reduce the response time to your complaint.

The Grievance Form Step I should be submitted to the Inmate Grievance Office (IGO) through your Inmate Council Representative or the officer assigned to your housing unit. You may also deposit your form in the Grievance Box, if one is located in your housing unit or through the mail slot located on the door of the Inmate Grievance Office.

The Inmate Grievance Coordinator (IGC) will forward copies of each complaint to the areas in question for investigation. Grievances filed untimely, without merit or outside the jurisdiction of the DPDS will be dismissed in writing. If your grievance has merit you will receive a written response notifying you of a resolution.

If you are dissatisfied with the Step 1 decision, at the bottom of your Grievance Response form are instructions on how to appeal. A Motion for Grievance Committee Step II Form will be forwarded to you after you complete the appeal process. This form must be completed and returned to the IGC within the five (5) business days.

Inmates wishing to appeal the Step II decision may do so by completing the bottom portion of the "Motion for Grievance Committee Step II" form. The IGC will forward "A Motion to Appeal to the Warden Step III" form to you, which you are to complete and return within five (5) business days.

Step III decisions can be appealed by completing the bottom portion of the Motion to appeal to the Warden Step III decision. The IGC will forward a Motion to appeal to the commissioner Step IV to you, which you are to complete and return within five business days. All Step IV decisions are final.