

## **MARCH ROLL CALL TRAINING**

### **Jail High-Risk Critical Task- Inmate Grievances**

One of the most important tools for any jail is the grievance process provided to inmates in order to file complaints regarding conditions as well as events in the jail where the prisoner believes their rights are violated. By providing prisoners with a proper grievance process, jail administrators can resolve issues within the jail environment before the conditions or events lead to a full-blown lawsuit. Under the Prison Litigation Reform Act (PLRA) no action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted. Thus, a proper grievance procedure may greatly diminish the number of lawsuits brought by inmates. In fact, the PLRA was enacted to reduce frivolous lawsuits and to enhance the quality of those suits that are brought. The policy of the jail is to accept, investigate fairly, and respond in a timely manner to all prisoner grievances. In doing so the jail will respect the due process rights of all prisoners incarcerated in the jail.

All prisoners admitted to the jail shall be made aware of the grievance procedure during their initial orientation as well as in the jail's handbook. Prisoners shall be able to file their grievances in a secure and confidential manner and without a threat of retaliation. All prisoners shall have equal access to the grievance system. Grievance forms shall be readily available to all inmates. The Sheriff shall appoint a grievance officer who shall be responsible for the collection and investigation of all grievances. Inmate grievances must be filed in a timely manner in accordance with the inmate handbook rules and include a description of the event or condition giving rise to the grievance. In no case shall response to a grievance be delayed beyond five (5) days unless the prisoner has been notified and waived their right to a timely response.

**Scenario:** An inmate believes he has been subjected to treatment that amounts to a violation of his rights. He contacts the officer who has supervision over him and according to the process spelled out in the inmate handbook requests to file a written grievance. The inmate is provided with a grievance form and after completion returns it to the correctional staff. After 5 days the inmate receives a response that he believes is unsatisfactory.

**Question:** Given the response is there an appeal process?

**Answer:** Yes, in cases where the prisoner is not satisfied with the initial response to the grievance, the prisoner may appeal his grievance to the supervisor of the grievance officer. This appeal must occur in a timely manner and in accordance with the handbook guidelines. The prisoner will receive a response from a supervisor within a timely manner of their first appeal. In cases where the prisoner is not satisfied with the response to the first appeal, the prisoner may appeal to the jail administrator. The jail administrator will then respond. In cases where the prisoner is not satisfied with the response by the jail administrator, the prisoner may appeal to the Sheriff. The Sheriff will respond to the prisoner and his response shall be considered final. (Deadlines for filing grievances and responding to the appeals must be spelled out in the inmate handbook.)