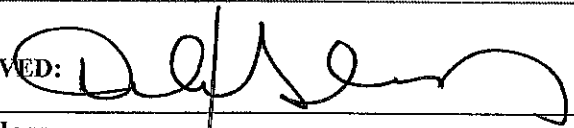


City of St. Louis Department of Public Safety/Division of Corrections
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CHAPTER:	3	Institutional Operations	3.3.3
SECTION:	3	Rules, Discipline, and Rights	EFFECTIVE DATE: 7 / 21 / 2020
SUBJECT:	3	Inmate Grievance	
STANDARDS: ACA – 4 – ALDF: 6B-01			
APPROVED: 			REVIEW DATE: 4 / 26 / 21
Dale Glass COMMISSIONER OF CORRECTIONS			REVISION DATE: 4-28-21
Rescind: 3.3.1 dated 7/30/20 Cancel:			

I. POLICY

It is the policy of the St. Louis City Division of Corrections to provide the inmate population with an informal and formal internal grievance process that includes at least one (1) level of appeal.

II. PURPOSE

To establish rules and regulations governing the filing and resolution of inmate complaints through an informal resolution process and a formal grievance process that is fair, accessible to inmates, measurable and legally defensible.

III. RESPONSIBILITIES

All Division of Corrections employees, contracted staff and inmates are responsible for adhering to the following procedures.

IV. DEFINITIONS

Abandonment: A condition, which results when an inmate fail to resubmit IRR/Grievance, Appeal forms in the proper format, or fail to find closure of a complaint within applicable time frame.

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Americans with Disabilities Act: The Americans with Disabilities Act (ADA) is the most comprehensive federal civil-rights statute protecting the rights of people with disabilities.

Appeal Acknowledgment Form: Used by the CSU to document the issuance of a grievance appeal form and notifies the inmate that the appeal is being investigated

Close Observation: Observation of the inmate in staggered intervals, not to exceed 15 minutes, in moderate risk situations. This includes recorded observation within 15-minute intervals.

Constituency Services Unit: Designated Division staff whose duties include retrieval of IRR and Grievance forms from Lock Boxes, documenting, investigating, issuing responses that resolves informal complaints, managing, and monitoring the Inmate I.R.R./Grievance process including issuing of monthly record of activities and statistical reports.

Emergency Grievance: A complaint concerning matters that, under regular time limits, would subject the inmate to a substantial risk of personal injury or cause other serious and/or irreparable harm to the inmate.

Exhaustion: The completion of the Formal Grievance at the last appeal level.

External Review Committee: An independent and external committee acting under the authority of the St. Louis City Public Safety Committee of the Board of Alderman, to monitor the Inmate Grievance Procedure and other aspects or conditions of confinement within the Division of Corrections. The specific duties of the committee are addressed under a separate policy that does not fall under the Division of Correction's policy protocols.

Formal Grievance Acknowledgment Form: Used by the CSU to document the issuance of a grievance form and notifies the inmate that the complaint is being investigated.

Frivolous Complaints: The filing of complaints that have no merit or sound basis of fact, or repetitive complaints that have been addressed or in the process of being addressed and the inmate has been previously notified through a valid or legitimate response.

Grievance: A formal complaint filed by an inmate regarding matters of institutional life that the inmate believes to warrant a remedy that will resolve a point of contention.

Grievance Appeal Process: A process that allows the inmate to appeal their grievance response as provided in this policy. (Inmates may appeal their grievance response to the Commissioner of Corrections. All decisions of the Commissioner of Corrections are final and not subject to further appeal within the Division.

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Grievance Coordinator: A Correctional Staff Member designated by the appointing authority to research and investigates inmates' grievances and provides factual and credible responses that are reviewed and authorized by the Detention Center Superintendent prior to issuing a resolution response copy to the inmate. The Grievance Coordinator must be properly trained on the Inmate Grievance Processes and other relative training. Record of such training must be maintained on file.

Grievance Restriction Log Book: A master record of events maintained by CSU detailing the names of inmates who have been placed on grievance restrictions for violating or abusing the Inmate Grievance Procedure.

Inmate Request: A written request to CSU from an inmate for an Informal Resolution Request Form. The written request will include the inmate's name, inmate master Number and Housing Unit assignment.

Informal Resolution Request (IRR): A request completed and submitted by an inmate and routed to the CSU in an attempt to resolve a complaint pertaining to matters relating to institutional life prior to initiating the formal grievance process.

Informal Resolution Sequential Numbering System: A numbering system designed to maintain accountability for all grievances filed.

Informal Resolution Request Acknowledgment Form: Used by the CSU to document receipt of the IRR and notifies the inmate that the complaint is being investigated.

I.R.R. Acknowledgement of Inmate Orientation/Training Form: Used by the CSU to document the training of inmates on the instruction of the fundamental steps necessary to assist inmate to properly initiate the Informal Resolution Process.

I.R.R./Grievance Withdrawal: A written request from an inmate notifying CSU of personal decision to no longer pursue a previous complaint filed at the I.R.R./Grievance or Appeal stage.

I.R.R. Notification/Investigative Inquiry Form: Used by the Constituency Services Unit to notify a specific staff person that a complaint has been written by an inmate regarding alleged conduct or violation of the inmates' rights. This form will direct staff to respond to specific details regarding the inmate's complaint and returns the response to the CSU staff within a limited time frame.

Integrated Jail Management System (IJMS): Automated system that tracks admitted and pre-admitted inmates; collects, organizes and stores standard information and demand information. The application also documents the activities of inmates within the Division of Corrections, including classification, cell history, Disciplinary Reports, demographic information, personal property information, medical and social service history, chronological notes, and program participation.

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Letter of Caution: A letter issued to the inmate by the Grievance Coordinator warning the inmate that inmate may be placed on restrictions against filing I.R.R./Grievances because of an abuse of the process.

Letter of Limited Filing Status: A letter issued to the inmate by the Commissioner of Corrections/designee informing the inmate that specific restriction has been placed against the inmate's ability to file I.R.R./Grievances due to abuse of the process.

Maximum Assaultive Status: The inmate has a documented history of serious assault on staff or inmates with severe injury, severe mental or emotional disturbance with a propensity for violence.

Medical Grievance: A complaint related to health care issues including but not limited to medical, dental, psychological, psychiatric services, and related medical staff.

Staff Notification of Non-Compliance: When the official response timelines have been exceeded, the notification is sent to the staff person to meet with the Grievance Coordinator for corrective action.

Suicide Status: Crisis levels that identify the status of inmates, who have been identified by the mental health staff as being at risk of self-harm, emotionally disturbed or mentally ill and not stabilized on medications.

Unprocessed: The return of an I.R.R./Grievance to the inmate because it failed to meet the guidelines established in the grievance procedure such as inclusion of multiple complaints, perplexing, incomplete and incomprehensible language or the guidelines as established under this program.

V. GENERAL INFORMATION

1. Inmates may file I.R.R./Grievances on all matters related to institutional life with the exception of the restrictions outlined in this policy under item #15 of the General Information).
2. The procedures contained herein are not intended to defer any procedural or substantive rights or any private cause of action otherwise granted by state or federal law.
3. As part of effort to assist inmates to fully understand and take advantage of the grievance program, inmates are to receive special orientation that includes:
 - a. Orientation within 72 hours of transfer to the inmates' assigned facility and housing unit.
 - b. Instructions on the fundamental steps required to initiate the Inmate Grievance Process.

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- c. Access to view the Informal Resolution Request PowerPoint Video administered by the CSU.
 - d. Sign an Acknowledgement of Inmate Orientation/Training which will be forwarded to the inmate's Caseworker for filing in the inmates' custody file.
3. The grievance policy will be made accessible to inmates in the institutional libraries.
4. The process of filing a formal complaint by an inmate begins with an inmate request for an Informal Resolution Request. A formal grievance is not filed until the IRR process is complete. The CSU will ensure that there are no barriers for inmate access to I.R. R's/Grievances or Appeals forms should the inmate fail to accept response that seeks to resolve complaint at the IRR' level. In the context of this procedure and work rule, CSU staff will ensure that inmates have the opportunity to file complaints in a timely and confidential manner.
5. Inmates may utilize the Inmate Grievance Process regardless of any disciplinary status, housing location or classification. Appropriate provisions will be made to ensure that inmates who are not fluent in English, persons with disabilities, those with low literacy levels, the elderly and the mentally challenged have access to the Inmate Grievance Procedure.
6. Inmates may use the Inmate Grievance Process to file "Emergency Grievances". An inmate may file an emergency grievance when a condition exists that is consistent with the parameters established in the definition of an emergency grievance. The CSU will determine whether a grievance will be processed as an emergency regardless whether or not the inmate had requested to file an emergency grievance.
7. All I.R.R.s must be filed within ten (10) working days of the actual incident or situation, or within ten working days of the inmate becoming aware of the incident or situation.
8. The timeline stated in this procedure and work rule for inmates to file a grievance or an appeal may be extended if in the opinion of the Grievance Coordinator or the Commissioner/designee such an extension is necessary to make an appropriate decision or if the inmate presents a legitimate reason for requesting an extension.
9. Failure by the inmate to observe the timeline, unless waived, will terminate the grievance process.
10. Inmates should not limit themselves strictly to the grievance process for the resolution of "emergency situations". Inmates should also utilize all other

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available means of verbal or written communications such as letters or verbal notifications to staff.

11. Any Informal Resolution Request or Formal Grievance received by CSU marked as an “emergency” will be immediately evaluated through the chain of command to determine whether it is an emergency as defined by the procedure and require immediate response outside of Grievance Procedure time frames.
12. Inmates cannot submit an I.R.R. on behalf of another inmate. Inmates incapable of completing an IR.R. Form will receive assistance in filing a complaint from the Social Services staff.
13. All decisions of the Commissioner of Corrections are final and not subject to appeal within the Division.
14. The Grievance Coordinator will notify the Commission on the Disabled verbally and in writing if a complaint is related to the American with Disabilities Act in order to seek a remedy for the complaint.
15. Non-grievable Issues:
 - a. Actions of state legislature or other federal, state and local agencies.
 - b. Actions in an institution other than the Division of Corrections and the complaint are unrelated or associated with the Division of Corrections operations.
 - c. Judicial proceedings
 - d. Conditions, which affect another inmate without affecting the grievant personally.
 - e. The purpose or the necessity of any Institutional Post Order, or policies and procedures but may grieve the application of a post order and/or policies and procedures.
 - g. Search procedure but may grieve how the search was conducted or whether the search was following established procedures.
 - h. Repetitive Complaints/ Frivolous Complaints/ perplexing or ambiguous complaints, and complaints written in an intangible language.
16. All inmates I.R.R.’s and Grievances must include:
 1. The name and inmate number of the inmate making the complaint.

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2. The date of occurrence of the incident and time.
3. The name of facility where the incident occurred.
4. A brief statement of facts of incident.
5. The name of staff person involved or notified and how the inmate was affected.
6. Clear statement of remedy being requested.
7. Signature of inmate filing the complaint.

VI. PROCEDURE

A. Informal Resolution Request Process

1. Inmates will submit a written request for an Informal Resolution Request Form to CSU. The request must include the inmates' name, inmate master number and housing unit. The written request must be placed in the CSU locked I.R.R./Grievance mailbox located in the housing unit.
2. In the event an inmate is impaired or requires assistance with making the request for the I.R.R., the inmate may request the Housing Unit Officer to contact the Social Service staff assigned to the unit to help in obtaining the I.R.R. and completing the form. The Housing Unit Officer will document the inmate's request in the IJMS journal.
3. The Social Service staff will assist the inmate within three (3) working days of being notified of the inmate's need for assistance. The Social Services staff will further assist the inmate in completing the Informal Resolution Request.
4. The written request will be retrieved by the C.S.U. staff who will date and time-stamp the request upon receipt and log the date received into an official logbook for controlling and determining timelines.
5. The Informal Resolution Request (I.R.R.) Form will be issued to the inmate by C.S.U. and given an I.R.R. Sequential Number to initiate the I.R.R. Process/Formal Grievance Process. The inmate will be required to sign an I.R.R. Acknowledgment Form.
6. The inmate will complete the I.R.R. form; sign it in the space provided and place it in the CSU locked IRR/Grievance mailbox located in the housing unit. The CSU staff will check the locked mailbox at least once daily during their work week.

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7. Once the IRR Form has been completed along with inmate's signature and assigned Control Number, the C.S.U staff will run-off a copy and provide the copy to the Citizen Oversight Board, (CBO) via the Divisional Courier, who delivers and obtain a signed delivery receipt (DOC Form #3.3.3-L), and is returned to C.S.U. staff. The C.S.U. staff will log the date and time of delivery in the Daily Activity Log / IJMS.
8. Upon receipt of a completed I.R.R., CSU staff will have seven (7) working days in which to investigate the complaint and provide the inmate a written resolution response to the complaint. A copy of the resolution response will be forwarded to Citizen Oversight Board as provided in item #7 above.
9. If additional time is needed to complete the investigation, the C. S. U. staff notifies the inmate of the extended time and the expected completion date using DOC Form #3.3.3-I. A copy of the extended date is forwarded to the Unit Manager.
10. The CSU staff will:
 - a. Notify staff involved in the complaint via the I.R.R./Investigative Inquiry Form. Staff must complete the form and respond to CSU staff within three (3) working days. Failure to respond as requested may lead to a disciplinary action.
 - b. Interview staff, the complainant and other witnesses (including inmate witnesses) if necessary. All oral interviews must be supported by a written statement from those interviewed. CSU will also collect reports and other documentation relative to the inmate's complaint.
 - c. Exhaust all other resources necessary to resolve the complaint. If necessary CSU will utilize external resources when applicable. For example: The Commission on the Disabled may be consulted when addressing concerns related to the American with Disabilities Act.
9. Any I.R.R. not completed in accordance with procedural requirements will be returned and stamped "Unprocessed". The inmate will be provided a new I.R.R. form to begin the I.R.R. phase for a second time and will be given an extension of two (2) working days to make any corrections in the complaint that is necessary to meet procedural requirements. The I.R.R. will include the same reference number as the initial I.R.R. but will be labeled as an I.R.R. extension.
10. The CSU staff will issue written response and discuss I.R.R. response that resolves the complaint with the inmate.

B. Formal Grievance Process

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1. If the inmate deems the I.R.R. response to be unacceptable, the inmate has the option of filing a Formal Grievance or abandoning the complaint. Should the inmate choose to pursue the complaint further, the inmate will provide written explanation why the IRR resolution is not acceptable, and submits it to CSU with a request for a Formal Grievance Form. CSU staff will provide the I.R.R. Response to, and discuss the inmate's explanation with, the Grievance Coordinator. After evaluation with appropriate authority, inmate may be issued the Form to proceed with formal grievance.
2. CSU will provide the inmate a Formal Grievance Form and document the issuance of the form in the final disposition section of the I.R.R. The inmate will also be required to sign a Formal Grievance Acknowledgment Form. The inmate will be provided a copy of the completed I.R.R. form.
3. The inmate has (5) five working days from receipt of the grievance form from CSU to file a formal complaint. The completed Grievance Form must be signed by the inmate and must be placed in the CSU I.R.R./Grievance mailbox located in the unit. The CSU will notify the inmate if additional time is required to complete the investigation. The notification will include the time frame for completion.
4. In the event an inmate is impaired or requires assistance with the inmate Grievance Form, the inmate may request the Housing Office to contact the Social Service staff assigned to the unit for assistance in completing the Grievance Form. The Housing Unit Officer will document the inmate's request in the IJMS journal. The journal entry will include the time the Social Service staff was notified of the request. The Social Service Staff will assist the inmate within three (3) working days of being notified of the inmate's request. The completed grievance will be returned to the CSU via the I.R.R./Grievance mailbox.
5. The inmate is required to place a single complaint with related issues on a single Grievance Form. If the inmate fails to adhere to the requirements established in Section VII .14 or Section VIII, A and H) the submission of the grievances will be rejected and stamped "Unprocessed" and returned to the inmate. The inmate will be provided a written explanation as to why the grievance is being returned as "Unprocessed".

In the event a grievance is returned as "Unprocessed" to the inmate, CSU staff will issue a new form to the inmate and will write the same reference # on the new form to begin the grievance phase for a second time. The inmate will be given an extension of two (2) working days to make any corrections in the complaint that is necessary to meet procedural requirements.
6. If the inmate submits a second grievance form that is unable to be processed the inmate will be notified that the complaint is considered "Abandoned". The inmate will not be allowed to re-file the same complaint.

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7. Once the grievance has been logged by CSU staff, the staff person will attach all documentation pertaining to previous attempts to resolve the complaint at the I.R.R.'s level and forwards the packet to the Grievance Coordinator on the same day. The Grievance Coordinator will have (15) working days from the receipt of the Grievance Form from CSU to issue a resolution response to the inmate.
 8. Upon receipt of the inmate's grievance packet, the Grievance Coordinator will:
 - a. Review the details of the grievance including any additional information not included in the I.R.R. complaint;
 - b. Gather any evidence that may support any additional information submitted by the inmate.
 - c. Re-examine and verify any evidence relied upon in the CSU's response. Exhaust all other resources necessary to resolve the complaint. (Such resources would include the Commissioner on the Disabled if the Complaint is related to the American with Disabilities Act.).
 9. The Grievance Coordinator formulates a resolution response based on factual findings and, presents the response to the Detention Center Superintendent who reviews and may approve the response as is, or amend it or requests additional information.
 10. Once the Detentions Center Superintendent has approved the grievance response, the Grievance Coordinator will forward it to the inmate via, the CSU whose staff delivers and answer questions of the inmate.
 11. In the absence of the Detention Center Superintendent, the Grievance Coordinator will formulate a resolution response, signs it and forwards it to the inmate via, the CSU.
 12. If the inmate deems the grievance response unacceptable the inmate has the option to file an appeal with the Commissioner of Corrections. If the inmate chooses to file an appeal, the inmate will provide written explanation why the grievance response is unacceptable and submits it to CSU with a request for Grievance Appeal Form. CSU staff will forward the explanation and request for appeal form to Grievance Coordinator. After evaluation with appropriate authority, the inmate may be issued the Form to proceed with the appeal.
- C. Emergency Grievance Process**
1. Inmates may file an Emergency Grievance when conditions exist in which going through the normal grievance process would subject the inmate to substantial risk of personal injuries or other damages.

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2. The inmate will submit a written complaint marked "Emergency Grievance" and place it in the locked CSU Grievance Mailbox located in the housing unit. The correspondence will include all the identifiable information that would otherwise be included on a Grievance Form. CSU will review the complaint and determine if the complaint can actually be considered an emergency. If considered to be an emergency, the CSU will:
 - a. Regard the written correspondence as the initiation of the Emergency Grievance Process.
 - b. Attach the complaint as a supplement to an original grievance form, write the inmate's name and the IMN on the Grievance Form and assign grievance SRN #. The Grievance Form will be marked "Emergency" in the upper right hand corner of the form.
 - c. Deliver the complaint with all particulars to the Grievance Coordinator within the same day.
3. If determined to be an actual emergency grievance, the Grievance Coordinator confers with the Detention Center Superintendent who immediately notifies the Commissioner and directs the grievance to appropriate staff in the chain of command that may be able to initiate immediate and appropriate corrective steps to resolve the problem. The Detention Center Superintendent shares with the Commissioner, the staff person assigned to initiate the appropriate corrective steps to resolve the problem.
4. The staff person charged with initiating the resolution is required to resolve the complaint by close of business day unless there is clear reason not to do so. Any delay is communicated to the Grievance Coordinator who notifies the Detention Center Superintendent.
5. Once the complaint has been resolved the Grievance Coordinator in collaboration with the Detention Center Superintendent will prepare a written response to the inmate regarding the resolution. The response is shared with the Commissioner prior to issue to the inmate.
6. If the inmate wishes to appeal the response, the inmate may file an appeal to the next highest level (the Commissioner of Corrections).
7. If appealed to the Commissioner, the CSU will log the grievance accordingly and forwards the Emergency Grievance Appeal to the Commissioner of Corrections.
8. The Commissioner of Corrections will provide the inmate a written response to the Emergency Grievance Appeal within three (3) working days. The Emergency Grievance Appeal responses will be returned to CSU to be discussed with the inmate. The inmate will sign for receipt of the grievance and will be issued a

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copy of the grievance response. The response from the Commissioner is the last step in the Emergency Grievance Process.

D. Appeal Process

1. The CSU staff will:
 - a. Provide the inmate with an Appeal Form.
 - b. Document the issuance of the Appeal Form in the final disposition section on the Grievance Form.
 - c. Have the inmate sign an Appeal Acknowledgment Form,
 - d. Logged in the original Grievance Form as a completed grievance that is under appeal.
2. The inmate will briefly outline reason(s) for the appeal and include any new evidence in support of the appeal.
3. Upon completion, the inmate will return the Appeal Form to the CSU. CSU staff will log the appeal and forward the Appeal Form to the Grievance Coordinator who attaches all documentation pertaining to previous attempts to resolve complaint at the I.R.R. and Grievance levels and forwards it to the Commissioner of Corrections.
4. Upon receipt of an inmate's appeal, the Commissioner will:
 - a. Review all previous attempts to resolve complaints at the I.R.R. and formal grievance levels and may direct a follow-up investigation be conducted.
 - b. Notify the inmate and Grievance Coordinator if additional time is required to complete the investigation. The notification will include the time frame for completion.
 - c. Issue a written response to the inmate's appeal within ten (10) business days unless further investigation is warranted. The Commissioner signs the response and returns it to the Grievance Coordinator.
 - d. The Grievance Coordinator or CSU staff will discuss the Commissioner's response with the inmate on the same date the response was received unless compelling security reason prevents otherwise. Delay to discuss response will be documented.
5. Once the appeal response has been issued by the Commissioner and discussed

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with the inmate, the grievance process has been exhausted. The inmate will be issued a written copy of the appeal response from the Commissioner.

E. Suicide Watch, Close Observation and Mass Assault Status

Inmates on suicide watch, close observation and mass assault status will not be provided access to pens, pencils and other sharp objects that could be used to cause harm to themselves or staff. Inmates under the above status will gain access to the grievance process by:

- a. Make a verbal request through the Housing Unit Officer, or Supervisor who contacts the appropriate staff, or through CSU staff during their weekly tour of the area for assistance in completing an I.R.R./Grievance. A CSU staff member will visit each inmate assigned to the above status at least once per week.
- b. The inmate will convey their complaint to the CSU staff that will write out the complaint on an I.R.R./Grievance form.
- c. CSU staff will obtain the inmate signature as verification of an accurate depiction of the verbal complaint.
- d. CSU will process the complaint in accordance with the guidelines established in this procedure.

E. Protection against Reprisal

1. If an inmate submits an Informal Resolution Request, Grievance or Grievance Appeal containing threat or threat of bodily harm, appropriate the inmate will be subject to disciplinary action. The Commissioner of Corrections will be provided the documentation containing the threat and upon the Commissioners approval, the inmate may be issued a rule violation report. This rule violation Report will be prepared by the CSU staff and will not be viewed as retaliation. The inmate will receive due process hearing as provided in policy #3.3.6: Major Violations/ Disciplinary Hearing.
2. Retaliation or threat of retaliation for use of the Inmate Grievance Procedure is strictly prohibited. If the inmate believes that a reprisal has occurred, the inmate will make a written request to CSU to advance the complaint to the next level; the request must include an explanation of the reprisal and date of occurrence.
3. The CSU staff will investigate the complaint to determine if there is valid claim. If not a reprisal, the appeal will be returned with a letter notifying the inmate that the complaint is not considered a reprisal and has been closed.
4. If the claim is valid, CSU will issue the Grievance Appeal Form and have the

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inmate sign an Appeals Acknowledgement Form. The inmate does not have to file a new Informal Resolution Request or a Grievance Form in this regard.

5. The inmate will return the Appeal Form to CSU within five (5) working days of being issued. The staff will log the complaint, provide a copy to the Grievance Coordinator and forward the original appeal package directly to the Commissioner of Corrections.
6. If the Commissioner determines that the inmate has been subject to a reprisal for use of, or participation in, the Inmate Grievance Procedure, the Commissioner will:
 - a. Respond at the earliest opportune time following receipt of the appeal.
 - b. Initiate the appropriate action necessary to cause an investigation of the conduct/action determined to be a reprisal against the inmate.
 - c. Take appropriate action to prevent further reprisal in all valid claims
 - d. Return the grievance appeal response and action taken to Grievance Coordinator who forwards it to CSU for documentation and, if appropriate issue response copy to inmate.

F. Process Abuse and Restrictions:

1. Failure by inmate to substantiate their grievance allegation will not by itself be a ground to initiate restriction against the inmate. If abuse by inmate is established, the Grievance Coordinator will confer with the Detention Center Superintendent. The Detention Center Superintendent will authorize restriction only after consultation with the Commissioner of Corrections.
2. An inmate abuses the Inmate Grievance Procedure when the inmate does any of the following during the grievance resolution process:
 - a. Threatens bodily harm to staff, inmates or the general public.
 - b. Repeatedly files I.R.R./ Grievance form that duplicate previous filing.
 - c. Submits I.R.R./Grievance that contains abusive or profane language or offensive drawings or threat of bodily harm.
 - d. Repeatedly submits frivolous I.R.R./Grievances as determined after thorough investigation.
 - e. File false allegations that are part of an I.R.R./Grievable complaint as determined after thorough investigation.

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- f. Filing multiple complaints in a single I.R.R./Grievance.
3. CSU will notify the inmate when it has been determined that the inmate has abused the grievance procedure. The inmate will be advised in writing that the violation is being referred to the Detention Center Superintendent for administrative action that may include future restriction for filing grievance.
 - a. Inmates who abuse the grievance process will be brought to the attention of the Detention Center Superintendent through a memorandum generated by the Grievance Coordinator with evidence attached.
 - b. The Detention Center Superintendent will review documentation substantiating the abuse.
 - c. If determined to be abuse the Detention Center Superintendent may issue a Letter of Caution or may limit the inmate to one new complaint per week for a maximum of sixty (60) days with a Letter of Limitation that establishes the filing status.
 - d. Subsequent restrictions must be approved by the Commissioner of Corrections/designee and should be no more than ninety (90) days in duration.
 4. The Grievance Coordinator will inform the CSU staff (via copies of restrictions notices to the inmate) of all inmates who are on grievance restrictions. CSU will document these restrictions in the Inmate Grievance Restriction Log. The list will contain information when the restriction will be lifted.
 5. An inmate placed on grievance filing restriction will not be denied opportunity to file an I.R.R./Grievance that qualifies as an emergency complaint. The complaint will be processed under the guidelines for handling emergency grievances until a determination is made that the complaint is not an emergency.

G. Grievance Withdrawal

1. Inmates wishing to withdraw their Informal Resolution Request, Grievances and Appeals will contact the CSU staff in writing via the grievance mailbox located in the housing unit. CSU staff will meet with the inmate to formalize I.R.R, Grievance, or Grievance Appeal withdrawals:
 - a. The inmate will include in the statement, "I wish to withdraw on the I.R.R., Grievance or Grievance Appeal."
 - b. The inmate must sign and date the complaint forms denoting the decision to withdraw the complaint.

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2. Staff will not coerce or create the belief that an inmate is being forced to withdraw a grievance. Staff will not offer unrealistic remedies or remedies that are not sanctioned by the Division of Corrections in an effort to get an inmate to withdraw a complaint.
3. The CSU will log all grievance withdrawals in the grievance tracking system making sure to document the reason given by inmate for the withdrawal.

H. Remedies

1. Approved remedies for I.R.R./grievances will be executed timely. Staff's failure to execute a remedy as directed will result in the issuance of a letter of caution from the Commissioner or other corrective action that reinforces compliance. The CSU staff will notify the Commissioner of non-compliance via a Notification of Non-Compliance form.
2. Remedies will be determined by the respondent with the goal of appropriately resolving legitimate complaints at the lowest level possible.
3. The response to a complaint will be provided in writing at each level of review. The report will explain the facts used to reach the decision.
4. All complaints filed in accordance with this procedure and found to be of merit will be afforded an appropriate remedy which may include, but not limited to:
 - a. Review and or modification of a condition or practice that is being grieved, other than policy and procedure (See specific stipulations in this policy relating to grievances against policy and procedure).
 - b. Restitution of funds or monetary compensation for inmate property lost or damaged while under the direct control of staff or due to staff negligence.
 - c. Corrections of records to include impingement of rule violations reports, conducting re-hearing on rule violation reports, amending disciplinary sanctions and institutional reclassification.
 - d. Other remedies as appropriate, which may include reasonable accommodations or reasonable modification.
 - e. Any personnel action taken as a result of a complaint is confidential and will not be specified in the response to the inmate.
 - f. Consequential or punitive damages will not be provided

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I. Access to Files and Files Maintenance

1. The CSU will maintain a manual/electronic logbook for each institution and a file on every inmate that file an I.R.R./Grievance.
2. These individual files will be maintained until the inmate is released or transferred to the Missouri Department of Corrections or another agency.
3. CSU, Grievance Coordinator, and other staff who are participating in the Investigation and disposition of an I.R.R./Grievance will only access records essential to the resolution of the complaint.
4. The information in an inmate grievance file will be confidential and will not be distributed or made available to any entity except at the direction of the Commissioner of Corrections.
5. Investigation materials, such as internal affairs investigative reports, staff statements, staff reports and employee personnel information will not be given to the inmate.
6. Informal Resolution Request and grievance files are generated in anticipation of litigation.
7. All relevant reports, requests, statements, procedures or any other pertinent evidence or related documents should be maintained in a file assigned to that Informal Resolution Request or inmate grievance.
8. Informal Resolution Request and grievance files will be maintained for five (5) years at the work site.

J. I.R. R/Grievance Tracking

1. CSU staff will maintain a tracking system for the accountability of all I.R.R./Grievances that are filed by inmates in the custody of the St. Louis City Division of Corrections. The CSU will immediately record in the grievances tracking system for the issuance and receipt of I.R.R./Grievances at each stage of the inmate grievance process.
2. Each I.R.R./Grievance will be assigned an individual reference number that should be logged in the grievance tracking system as well as on the I.R.R./Grievance. Beginning at the I.R.R. stage, a complaint will have the same independent referencing number throughout the grievance process.
 - a. The first set of letters will represent the initials of the institutions (CJC for the City Justice Center and MSI for Medium Security Institution).

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- b. Next, the set of numbers will represent the month of the year.
 - c. The 2nd set of numbers will represent the calendar year.
 - d. The 3rd set of numbers will represent the sequential number of the Complaint for the Medium Security Institution or the City Justice Center for the calendar year.
 - e. The last set will include an alphabet and a number, and will represent the category and subcategory of the complaint.
 - f. The following will represent examples of a complete I.R.R./Grievance Reference number:
 - (1) CJC - 10-09-122-A1
 - (2) MSI - 10-09-12/87-A1
 - g. The sequential number will start as 01 at the beginning of each calendar year at each institution.
3. The categories and subcategories listed below will be used to denote the areas of complaint for each I.R.R./Grievance:
- a. **Classifications**
 - (1) Administrative Segregation
 - (2) Institutional Assignment
 - (2) Housing/ Cell Assignment
 - (4). Protective Custody
 - (5) Program Assignments
 - (6) Work Assignments
 - (7) Suicide/ Close Observation
 - b. **Activities/ Privileges**
 - (1) Canteen
 - (2) Food Service

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(3) Access to Courts/ Law Library

(4) Mail Service

(5) Religious Issues

(6) Recreation

(7) Payment/ Education

(8) Visitation

(9) Legal Mail

(10) Other

c. Due Process

(1) Sanctions Imposed

(2) Accuracy of Violation Reports

(3) Failure to Notify Inmate of Charge on Violation Report

(4) Failure to Afford Inmate a Procedural Complaint Disciplinary Hearing

d. Harassment

(1) Cell Search

(2) Discrimination

(3) Sexual Harassment by Inmate

(4) Sexual Harassment by Staff

(5) Verbal Harassment by Inmate

(6) Verbal Harassment by Staff

(7) Search of Person

(8) Other

e. Medical

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- (1) Dental Services
- (2) Medical Services
- (3) Mental Health Services
- (4) Operational Issues

f. **Property**

- (1) Wages
- (2) Loss of Property
- (3) Damage of Property
- (4) Denial of Property
- (5) Inmate Accounts

g. **Use of Force**

- (1) Excessive Use of Force
- (2) Strip Cell
- (3) Restraint Chair
- (4) Sexual Abuse by Inmate
- (5) Sexual Abuse by Staff
- (6) Physical Abuse by Inmate
- (7) Physical Abuse by Staff

h. **Other**

- (1) Conditions of Confinement including sanitation
- (2) Violation of Policy by Staff
- (3) Accident or Injury
- (4) Failure to Protect

4. The following information will be included in the grievance tracking system.

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- a. I.R.R. Request Date
 - b. I.R.R. Reference Number
 - c. I.R.R. Issue Date
 - d. I.R.R. Response Date
 - e. Grievance Issue Date
 - f. Grievance Response Date
 - g. Grievance Appeal Date
 - h. Grievance Appeal Response Date
 - i. Final Disposition of Grievance (Resolved or Unresolved)
 - j. Abandonments and withdrawals will be considered as resolved.
5. The CSU will maintain the following documents/forms as part of the tracking and monitoring system.
- a. Inmate acknowledgment of receipt of I.R.R.
 - b. Inmate acknowledgment of receipt of grievance.
 - c. Inmate acknowledgment of grievance appeal.
 - d. Inmate written request for an Informal Resolution Request Form.
 - e. Inmate Grievance Withdrawal Form.

K. Program Monitoring and Audits

1. The Commissioner of Corrections may at any time, cause to audit the Inmate Grievance Program to ensure efficiency, effectiveness and program compliance.
2. The Commissioner of Corrections/designee will monitor complaints with the grievance procedure by the issuance and by the Failure to Execute Remedy Notification when applicable. The Commissioner/designee will take corrective action or other steps to ensure the credibility of the grievance process.
3. No part of this procedure and work rule may be altered, changed or repelled without the prior authorization of the appointing authority. If any provision of this policy is unenforceable as written, a request to revise is made through the

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appropriate channel. All policy revisions are made through the Policy Development and Compliance Unit.



City of St. Louis
Department of Public Safety/Division of Corrections
Citizen Oversight Board
Delivery Receipt of I.R.R. /Grievance

TO: CBO

FROM: CSU

1.) Inmate Name: _____ I.R.R./SRN#: _____

IMN#: _____

2.) Inmate Name: _____ I.R.R./SRN#: _____

IMN# _____

3.) Inmate Name: _____ I.R.R./SRN#: _____

IMN# _____

4.) Inmate Name: _____ I.R.R./SRN#: _____

IMN# _____

5.) Inmate Name: _____ I.R.R./SRN#: _____

IMN# _____

Signature: _____ **Date Delivered** _____

Time Delivered: _____

*Return this Delivery copy to CSU