



POLICY & PROCEDURE:	16.03
UNIT:	Detention and Corrections
CHAPTER:	Inmate Rights, Rules, and Discipline
SUBJECT:	Inmate Grievance Procedure
ISSUED DATE:	July 01, 1989
REVISION DATE:	March 4, 2026
NOTES:	
RELATED ORDERS:	MJS 1065, 1073(b) GO 1.22 , 1.23 P&P 1.14 , 2.18 , 8.15 , 13.07 , 16.01 Consent Decree Provisions 321, 600, 1020, 1021, 1022
ATTACHMENTS:	1. Inmate Grievance Form 2. Inmate Grievance Response Form (ML52-A) 3. Grievance Unit Service Tracking Form (ML52-B) 4. Grievance Response Supplemental Information Form (ML-53) 5. Notice of Extension Form (ML-54)

PURPOSE: To establish Policy and Procedure (P&P) for the inmate grievance process at the Santa Rita Jail (SRJ).

POLICY: It shall be the policy of the Alameda County Sheriff's Office (ACSO) to comply with the Prison Rape Elimination Act (PREA) and relevant Title 15 requirements as they relate to inmate grievances. Inmates are entitled to utilize the inmate grievance procedure to resolve disputes and receive a timely written response without fear of reprisal or punitive action.

Inmates may file grievances related to any issue directly affecting the conditions of their confinement or regarding any incident of sexual assault, sexual harassment, sexual abuse, or the potential threat thereof. Inmates shall be advised of this grievance procedure through the Inmate Rules and Information handbook, inmate publications, the inmate admission-orientation videos, and on the inmate tablet system.

DEFINITIONS:

INMATE GRIEVANCE FORM (ML-51): The form used by inmates to file a grievance.

INMATE GRIEVANCE RESPONSE FORM (ML52-A): The form used by the Grievance Unit to respond to the inmate's grievance at the conclusion of the investigation.

GRIEVANCE UNIT SERVICE TRACKING FORM (ML52-B): The form used by the Grievance Unit to track the various phases and timelines of the grievance process including service to the inmate, the appeal process, and final disposition.

GRIEVANCE RESPONSE SUPPLEMENTAL FORM (ML-53): The form used by Agency members to document the actions they took to attempt to resolve the inmate's grievance, or the facts gathered regarding the grievance to assist the grievance unit in their investigation. This form can be accessed through the web based PowerDMS system.

NOTICE OF EXTENSION FORM (ML-54): The form used by the Grievance Unit to notify an inmate that an investigation regarding a grievance must be extended to allow for an appropriate investigation, decision, and response.

E-GRIEVANCE: A grievance submitted electronically via the tablet provided by the current contracted tablet/digital media provider.

GRIEVANCE UNIT TRACKING SYSTEM (GUTS): The electronic database used by the Grievance unit to track and manage grievances and associated documents and generate statistics and reports which monitor grievance trends and problem areas.

ADA GRIEVANCE E-FILE: An electronic database used by the SRJ Americans with Disabilities Act (ADA) Unit to record ADA-related grievances submitted by inmates.

EFFECTIVE COMMUNICATION: The use of various tools or resources to ensure any written or verbal communications are as clear and understandable to inmates with disabilities as they would be to inmates without disabilities. Refer to Detention and Corrections (D&C) Policy and Procedure (P&P) 9.11 – Effective Communication.

STANDARD GRIEVANCE: All grievances not pertaining to sexual abuse, sexual harassment, sexual assault, threats of violence toward inmates or other exigent issues that would require immediate protective actions and/or an expedited response.

EMERGENCY GRIEVANCE: Any grievance pertaining to exigent issues requiring immediate protective action and an expedited response including, but not limited to, sexual abuse, sexual harassment, sexual assault, threats of violence toward inmates, etc.

EMERGENCY APPEAL: Any appeal pertaining to exigent issues requiring immediate protective action and an expedited response including, but not limited to, sexual abuse, sexual harassment, sexual assault, threats of violence toward inmates, etc.

EXCESSIVE GRIEVANCES: Defined as either the continuous submission of grievances by an inmate containing issues that are currently being, or have been, previously investigated; Continual submission of grievances containing statements which after investigation are routinely determined to be false; and/or submission of grievances determined by the SRJ Operations Captain and/or the Compliance Unit Captain to be an abuse of the grievance process.

BAD FAITH GRIEVANCES: Grievances submitted which are determined to be purposely fraudulent, dishonest, or make factually inaccurate representations of events.

GRIEVANCE MAILBOX: Inmates wishing to file grievances without turning them in to an Agency member may do so utilizing the Grievance Mailbox located in the housing unit dining room areas.

PROCEDURE: The SRJ Grievance Unit will investigate and respond to grievances or appropriately route grievances for investigation and response to the appropriate entities including but not limited to: Adult Forensic Behavioral Health (AFBH), the current SRJ contracted medical provider, the current contracted food provider, the current contracted tablet/digital media provider, the PREA Unit, the ADA Unit, the Force Training and Compliance Unit. The SRJ Grievance Unit will route, track, and store five years' worth of grievances and associated responses in a software system known as the Grievance Unit Tracking System (GUTS).

A. STANDARD GRIEVANCE FILING PROCESS (PAPER GRIEVANCES):

1. Grievances must be submitted to a deputy within 21 days of the occurrence of the incident or grieved issue. This timeframe is necessary to ensure relevant evidence is still accessible for a thorough investigation. The grievance must be completely filled out, including the “date grievance occurred” section at the top for proper processing.
 - a. The Grievance Unit Lieutenant will determine if grievances submitted past the 21-day timeframe will be accepted or not
2. Tracking numbers shall be drawn on the day the grievance is received by an Agency member.
3. Grievance forms will be readily available in the housing units. An adequate supply of inmate grievance forms shall be kept in the housing unit. The sergeant responsible for supervision of each housing unit shall confirm the supply of grievances is adequate or ensure the forms are replenished in a reasonable timeframe if the supply is found to be inadequate. The sergeant shall sign the stamp in the Housing Control Redbook to acknowledge they checked the supply of grievances available.
 - a. The inmate grievance form can be ordered from the Supply Unit. Refer to Detention and Corrections (D&C) P&P 2.18 – Warehouse, Inventory Control, and Supply Distribution.
4. Inmates will not be denied a grievance form and will not be retaliated against for requesting a grievance form.
5. Grievance forms will be provided and collected in a timely manner. Agency members should try to resolve the grievance at their level prior to providing the inmate with a grievance form, with the exception of emergency grievances.
6. Receiving Agency members will read the grievance form to confirm the issue is appropriate for a grievance and not a request which is more appropriately addressed via an inmate message request. If the grievance should be addressed through a message request, the Agency member will:
 - a. Provide the inmate a message request or direct the inmate to submit a message request on their tablet.
 - b. In the event of a message request being more appropriate, or if the Agency member is able to resolve the grievance in some other way, the receiving Agency member will:
 - i. mark the grievance as resolved at deputy level
 - ii. request the inmate sign it
 - iii. prepare a response on an ML-53 form as to what actions were taken to resolve the grievance
 - iv. No grievance tracking number will be drawn
 - v. The Agency member will provide the inmate with the pink copy and route the

white copy to the grievance unit via the grievance unit mailbox in the alcove for tracking.

- c. Inmates shall not be denied a grievance or a grievance tracking number if they insist upon one.
7. Inmates do not have to submit their grievance form to sworn Agency members and can utilize the grievance box located in the housing unit dining rooms. Deputies will afford reasonable access to an inmate to submit the grievance form into the box.
 - a. Inmates that do not have regular access to the grievance box due to their housing unit assignment and do not want to provide the grievance directly to an Agency member, may place the grievance in a sealed envelope and hand it to any staff member (Envelopes are not provided by the Agency). The inmate shall write their name and PFN number on the exterior of the envelope, with the words "Confidential Grievance."
 - b. The receiving Agency member shall verify the inmate properly labeled the envelope with the information outlined above, obtain a Grievance Tracking Number and write it on the exterior of the envelope.
 - c. The receiving Agency member will then place the sealed grievance in the housing unit's grievance box.
 - d. Sergeants are responsible for checking and emptying the grievance box during their shift. Once the box has been emptied and appropriate investigative actions have been assigned as outlined in this policy and other relevant policies, the sergeant shall notate the Housing Control Redbook acknowledging the task was completed by signing next to the stamp.
8. Inmate grievances shall be limited to one complaint or issue per tracking number. Inmates will be advised of this in the Inmate Rules and Information Handbook as well as on the paper grievance form itself. If the inmate submits a grievance with multiple complaints, they will be afforded the opportunity to obtain new inmate grievance forms for any additional complaints prior to submission.
 - a. In the event an inmate chooses to submit the form with multiple complaints on it, the grievance will still be accepted by the receiving Agency member and forwarded to the Grievance Unit if the complaint cannot be resolved at their level.
 - b. The Grievance Unit will investigate the complaint or issue deemed to be an emergency, or a health and/or safety concern above all else. Additional complaints in the grievance will not be investigated and the inmate will be directed to re-submit those issues via a new grievance for investigation.
9. Inmates who submit grievances in bad faith are subject to disciplinary action.
10. If the receiving Agency member cannot resolve the grievance at their level, or if the inmate is not satisfied with the Agency member's resolution, or if the inmate declines to resolve the grievance informally, the Agency member shall mark the box, "Cannot be Resolved at Deputy Level," draw a tracking number from CP-1, and print their name, badge number, tracking number, and date in the appropriate areas of the form.

11. Once the resolved/unresolved process described above is complete, the receiving Agency member shall complete the following:
 - a. Access the Inmate Grievance Response Supplemental Information form (referred to herein as, "Supplemental response form") from PowerDMS and document what action was taken to attempt to resolve the grievance, or any facts gathered regarding the complaint.
 - i. The information documented by Agency members shall not be written on the back of the original inmate grievance form.
 - ii. Submit the original grievance form and the supplemental response form to a Sergeant for review.
 - iii. The Sergeant shall determine if reasonable efforts were taken to resolve the grievance and, if necessary, contact the inmate to confirm a resolution cannot be met.
 - b. Once the grievance and supplemental response form have been reviewed and approved by a Sergeant, the Agency member will place the grievance and the supplemental response form in the Grievance Unit box in the Alcove or deliver it to the Grievance Unit Office prior to the end of their shift.
 - c. If the Grievance Unit receives a grievance form without a supplemental response and a response is needed to answer the grievance, an Agency member will be assigned by the Grievance Unit to investigate the complaint and provide a response. Agency members tasked with responding to a grievance shall have five calendar days from the time they received the grievance (or the assignment for a response from the grievance unit) to do so. Responses shall be documented on the supplemental response form and forwarded to the Grievance Unit.
 - d. Grievances submitted against an Agency member's conduct including alleged unlawful use of force and PREA violations will initially be investigated by a sergeant.
 - i. If the grievance is related to a PREA allegation that cannot be handled at the sergeant level, copies of the grievance will be routed to the PREA unit along with a memorandum authored by the appropriate supervisor indicating the steps taken to investigate the allegations/complaint, and their findings. The original grievance will be routed to the Grievance Unit. The PREA memorandum authored by the sergeant will be forwarded to the Operations Captain via chain of command.
 - ii. If the grievance is related to a claim of unnecessary or excessive use of force, the grievance will be routed to the Grievance Unit. The Grievance Unit will investigate the allegation and determine if it was properly reported and documented in accordance with 21.01.01 D&C. If the alleged force was not reported, and the Grievance Unit determines it meets the criteria for reporting, a sergeant will be assigned to ensure the incident is investigated and documented in an investigative report in accordance with 21.01.01 D&C to include immediate medical clearance for the inmate, photographs of all involved parties, and interviews as appropriate.

- e. The Grievance Unit will forward all grievances which contain allegations of Use of Force to the Force Training Compliance (FTC) Unit for review and upload into **Axon Standards**. The Grievance Unit's response will advise the inmate of the investigation by the FTC and advise the inmate to contact the FTC via message request if they would like to know the disposition of the FTC investigation. No information related to any actions imposed on involved personnel (to include training conducted or disciplinary action) will be disclosed to the inmate.
- f. Unless the inmate has been released from custody, they will be provided a copy of the ML-52A and ML-52B after completion of the grievance investigation and issuance of the Commanding Officer's final finding. Inmates are responsible for keeping all copies of the paperwork provided at the time of service. Neither the California Public Records Act (CPRA) Unit nor the Grievance Unit will process requests for additional copies of grievances and/or grievance responses which were already provided to the inmate at the time of service.

B. STANDARD GRIEVANCE FILING PROCESS (E-GRIEVANCES)

- 1. The online grievance, also referred to as the, "e-grievance," will be available to inmates via the inmate tablet system if they have an assigned tablet.
 - a. Paper grievances must remain available regardless of the inmate's ability to access a tablet.
- 2. The online e-grievance system is not a replacement for the original grievance procedure, but it provides another opportunity for inmates assigned a tablet to submit a grievance without the need to speak to an Agency member.
- 3. Inmates will have access to online e-grievances during the time they are assigned and have possession of their assigned tablets. If an inmate chooses to complete an online e-grievance, they must complete the online form completely and correctly. Once the online form is completed, the inmate will send the e-grievance electronically to the Grievance Unit for review and proper routing.
 - a. If the inmate requires assistance via Effective Communication, the Agency member, will assist the inmate in completing the form in accordance with D&C P&P 9.11 - Effective Communication.
- 4. The same procedures and timeframes for standard grievance investigations apply for e-grievances.
 - a. Once the Grievance Unit receives the e-grievance, it will be reviewed for any emergencies or immediate actions required, including the proper routing as necessary.
 - b. If the e-grievance can be resolved satisfactorily to the inmate at the Grievance Unit's level, the resolution will be communicated to the inmate via the tablet and the e-grievance will be closed without a tracking number being generated. If the e-grievance is more appropriately addressed via a message request, the e-grievance will be re-categorized to a message request. The inmate will receive electronic correspondence regarding action taken to resolve the complaint, and the online

grievance/message request will be filed appropriately.

- c. If the e-grievance cannot be resolved at the Grievance Unit's level, a tracking number will be drawn from the GUTS system and the standard grievance procedure will be followed.
5. Inmates who request a paper copy of their e-filed grievances should submit a message request to the grievance unit, who will facilitate sending a copy to the inmate.

C. GRIEVANCE MAILBOX FILING PROCESS:

- 1. Area sergeants are responsible for checking the grievance mailboxes in their assigned housing units each shift. The sergeant shall review each grievance submitted to the mailboxes to ascertain if it qualifies as an emergency grievance, as defined above.
 - a. Emergency grievances retrieved from the mailboxes shall be immediately addressed, as outlined below. Emergency grievances pertaining to any form of sexual abuse shall not be delegated to sworn Agency members who are a named party to the complaint for investigation.
 - b. Grievances not qualifying as emergency grievances shall be given to the sworn Agency member assigned to the housing unit for investigation and attempted resolution prior to obtaining a grievance tracking number.

D. EMERGENCY GRIEVANCE FILING PROCESS:

1. GENERAL EMERGENCY GRIEVANCE PROVISIONS:

- a. There will be no time limit imposed on when an inmate may submit an emergency grievance.
- b. Inmates submitting emergency grievances of any kind may seek the assistance of any third party, including fellow inmates, Agency members, family members, Attorneys, and outside advocates who will be permitted to assist the inmate in filing the grievance on their behalf. However, the inmate must agree to have the request filed on their behalf and must personally cooperate with the investigation and pursue subsequent steps in the process. Effective Communication should be utilized in accordance with D&C P&P 9.11 - Effective Communication.
 - i. If the inmate refuses to have the emergency grievance filed on their behalf, an agency member shall document it in a memorandum to the Grievance Unit, or the PREA Coordinator or their designee if the emergency grievance pertains to any form of sexual or other forms of abuse.
 - ii. If the inmate declines to have the emergency grievance processed or filed on their behalf, the investigating Agency member shall document the inmate's refusal in a supplemental report to the original incident report.
 - iii. Grievances authored by an inmate other than the impacted inmate will not be accepted. However, any allegations of abuse, violations of law or policy, or information reported that jeopardizes the safety and security of the facility will

be addressed and reported verbally and in writing to the sergeant responsible for the housing unit where the inmate is assigned unless that sergeant is alleged to be involved.

- c. Inmates wishing to file emergency grievances without submitting them to a sworn Agency member may do so utilizing the grievance mailboxes as described above or the inmate tablet system if they have an assigned tablet.
 - d. Inmates who falsely file grievances or make false reports of sexual abuse of any kind may be subject to disciplinary action. Evidence that the inmate acted in bad faith shall be fully documented in a disciplinary or criminal report. Refer to D&C P&P 16.01 – Disciplinary Procedure
 - e. If the emergency grievance pertains to sexual abuse or is potentially criminal in nature:
 - i. The receiving Agency member shall immediately notify their Sergeant or Watch Commander who shall make the appropriate notifications to the SRJ Investigations Unit pursuant to D&C P&P 8.15 – Criminal Investigations, if necessary.
 - ii. A sworn Agency member shall be assigned to take immediate action to render medical and mental health assistance, secure the scene, protect the victim, locate and secure existing evidence, and separate the suspect to prevent victim or witness intimidation, crime scene contamination, and/or destruction of evidence pursuant to ACSO General Order (GO) 1.23 – Prison Rape Elimination Act.
2. NON-PREA RELATED EMERGENCY GRIEVANCES: Non-PREA related emergency grievances include, but are not limited to, any allegations of safety concerns, including staff misconduct, potential enemy situations, classification related to the safety of involved inmates, or facility security. An allegation of over detention should also be treated as an emergency grievance.
- a. Emergency grievances not pertaining to any form of sexual abuse shall be handled by the receiving Agency member in the following manner:
 - i. The Agency member shall immediately notify their Sergeant, who shall take immediate action to protect the inmate(s) from harm.
 - ii. A sworn Agency member shall be assigned to investigate the emergency grievance.
 - iii. The investigating sworn Agency member shall draw a grievance tracking number from CP-1 and document their findings using a supplemental response form.
 - iv. When appropriate, or at the direction of a Sergeant or the Watch Commander, the receiving sworn Agency member shall also draw an incident report number from CP-1 and document the incident accordingly pursuant to GO 5.50.

- v. The inmate will be provided with the pink copy of the grievance form, complete with the grievance tracking number, and the original (white) copy shall be forwarded with the receiving Agency members supplemental response form to the Grievance Unit prior to the end of their shift.
 - b. The Grievance Unit shall provide an initial response within 48 hours, excluding weekends and holidays, and shall issue a final Agency decision within five calendar days.
 - i. The initial response and final Agency decision shall document the Grievance Unit's determination whether the inmate is at substantial risk of harm and the action(s) taken in response to the emergency grievance.
 - ii. If the grievance is not accepted as an emergency grievance, the inmate will be advised of the reason along with the anticipated completion of the grievance response. The grievance will be processed under the procedures and timeliness associated with non-emergency grievances.
- 3. PREA-RELATED EMERGENCY GRIEVANCES:
 - a. Upon receiving an emergency grievance alleging an inmate is currently experiencing, or at substantial risk of, imminent sexual abuse, sexual harassment, and/or sexual assault from another inmate, the receiving Agency member shall immediately notify their Sergeant so that prompt action may be taken
 - i. Should it become necessary, any inmate housing unit or cell reassignments shall be coordinated with, and approved by, the Classification Unit.
 - b. The Agency member receiving the grievance shall conduct an initial investigation pursuant to the above-described procedures and in accordance with ACSO GO 1.23, and D&C P&P 8.15.
 - i. All PREA related inquiries will be conducted in a private location out of the view of other inmates and will be recorded with the interviewing Agency members Body Worn Camera.
 - c. PREA-related emergency grievances will be immediately reviewed by the on-duty Sergeant. The on-duty Sergeant will take appropriate action to ensure the safety of the inmate and initiate an investigation. The PREA Coordinator or their designee will review the grievance and investigation. A copy of any emergent grievance shall be forwarded to the PREA Coordinator or their designee and the Grievance/Litigation Unit by the on-duty Sergeant before the end of their shift. No grievance tracking numbers will be drawn for PREA-related emergency grievances.
 - d. A grievance regarding a PREA complaint of harassment or abuse by another inmate will be tracked by calling CP-1 and obtaining a PREA tracking number. The number shall be recorded on the grievance form. The white copy of the form is retained by sworn Agency members, who shall investigate the incident and document their findings on an incident or criminal report. The grievance shall be submitted to the Grievance/Litigation Unit who will forward it to the PREA Coordinator or their designee. The pink copy of the form shall be returned to the inmate.

- e. A grievance involving a PREA complaint of harassment or abuse against Agency members will be tracked by calling CP-1 and obtaining a PREA tracking number. The number shall be recorded on the grievance. An incident/criminal report shall not be taken. The white copy of the form will be given to the on-duty Sergeant who shall initiate an investigation. The pink copy shall be returned to the inmate. The Sergeant will complete and forward a memorandum to the SRJ Operations Captain, detailing the findings of the investigation. The white copy of the grievance shall be attached to the completed memorandum. Before the end of their shift, the on-duty Sergeant shall forward a copy of the grievance to the PREA Coordinator or their designee and the Grievance/Litigation Unit
- f. The PREA Coordinator shall provide a disposition response to the inmate after reviewing the completed investigation, unless the inmate is no longer in custody.
 - i. The initial response and final Agency decision shall document the PREA Coordinator's determination whether the inmate is at substantial risk of imminent sexual abuse, harassment, and/or assault, and the action(s) taken in response to the emergency grievance.
 - ii. Extensions for PREA-related emergency grievance investigations not involving a civilian staff member or any Agency member may be granted, with good cause and the approval of the PREA Coordinator or their designee, as further described below.
- g. If the emergency grievance involves allegations of any form of sexual abuse against a civilian staff member or any Agency member, the receiving Agency member shall immediately notify their sergeant. It shall be the responsibility of the sergeant to notify the watch commander and begin an initial investigation as outlined below. Refer to ACSO GO 1.23 –for additional investigative and reporting requirements.
 - i. The receiving Agency member shall submit the emergency grievance to their sergeant, who shall draw a PREA tracking number. A grievance tracking number does NOT need to be drawn.
 - ii. The assigned sergeant shall conduct a preliminary investigation as described above.
 - iii. If the allegation against Agency members would likely lead to negative discipline if determined to be true, the investigating sergeant shall not interview the named Agency member as part of their investigation. Refer to General Order (GO) 3.27.02
 - iv. The sergeant shall write a memorandum that includes the PREA tracking number, outline the complaint, and detail the findings of the preliminary investigation. The memorandum shall be addressed and forwarded to the SRJ Operations Captain via Chain of Command. The original copy of the grievance shall be submitted with the memorandum.
 - v. Agency members named in the grievance shall not investigate allegations against themselves.

E. GRIEVANCES PERTAINING TO AMERICANS WITH DISABILITIES ACT (ADA)

1. ADA-designated inmates shall have equal access to the grievance process. ADA inmates, where there is an identified need, who are unable to submit written or electronic grievances as a result of their disability may make a request verbally or through other means of communication to sworn Agency members, and/or the ADA Unit, who shall assist the inmate in submitting the grievance in accordance with P&P1,14-ADA & P&P 9.11-Effective Communication
2. If the grievance pertains to an Americans with Disabilities Act (ADA) issue, whether or not the ADA box is checked on the form, the following procedures will be followed:
 - a. Sworn Agency members receiving an ADA-related grievance will ensure the ADA check box in the upper right-hand corner of the form is marked.
 - b. Upon receiving an ADA-related grievance, the Grievance Unit will immediately forward the Grievance to the ADA Unit for processing and investigation.
 - i. The ADA Coordinator, or an Agency member certified by the ADA Coordinator and assigned to the ADA Unit, shall review all ADA related complaints within seven days to evaluate the complaints for any issues or requests for accommodations that require an expedited response.
 - ii. Where an urgent ADA-related issue is identified, and cannot be handled when the issue is reported, the ADA Unit shall respond to the grievance within 48 hours of receiving the grievance, excluding weekends and holidays. This may require the assistance of the current SRJ medical provider and/or Adult Forensic Behavioral Health (AFBH) qualified mental health professionals, when appropriate.
 - iii. For non-emergency ADA-related grievances, the ADA Unit shall respond to the grievance within 10 days of receipt. If an investigation will take longer than 10 days to provide a response, the ADA unit shall notify the grievance unit so an extension may be served to the inmate.
 - iv. The ADA Coordinator will assign an Agency member assigned to the ADA Unit to investigate the grievance, and/or interview the inmate to the extent the grievance is unclear.
 - v. Investigating ADA Unit Agency members may consult with qualified mental health professionals, as appropriate, to assist in their investigation. The ADA Unit tracking system will be utilized to route ADA related grievances to AFBH for their review.
 - c. All ADA-related grievances and responses will be documented in the ADA Unit E-File tracking system.
 - d. If an ADA Unit grievance investigation reveals the complaint is not a legitimate ADA-related complaint, the grievance will be referred back to the Grievance Unit for additional investigation as needed, and for a formal response back to the inmate addressing the initial complaint.

F. GRIEVANCES CONTAINING CALIFORNIA PUBLIC RECORDS ACT REQUESTS:

1. If the grievance pertains to a CPRA request, the following procedure will be followed:
 - a. CPRA requests are time sensitive and shall be forwarded without delay. Refer to General Order 1.22 – Public Records.
 - b. CPRA requests received via grievance will be handled by the grievance unit in communication with the Agency CPRA Unit.
 - c. Neither the CPRA Unit nor the Grievance Unit will process requests for additional copies of grievances and/or grievance responses which were already provided to the inmate at the time of service. It is the inmate's responsibility to maintain all copies they are provided or arrange to have the paperwork placed in their property.

G. GRIEVANCE FINDINGS:

1. The following grievance findings will be utilized:
 - a. Affirmed: there was evidence found during the investigation to support the occurrence of the grieved issue or allegation.
 - i. If a grievance is affirmed by investigating Agency member assigned to the Grievance Unit, the following procedures shall be followed:
2. A copy of the affirmed grievance and the ML52-A form will be forwarded to the Grievance Unit Sergeant for review.
3. If the Grievance Unit Sergeant upholds the affirmed finding, direction to complete corrective action and instructions for communicating the corrective action that was completed back to the Grievance Unit will be assigned to the appropriate Agency member or partner agency to complete. The Grievance Unit Sergeant will not make the determination on the type of corrective action to be completed but will only make notification to the Agency member or partner agency to determine appropriate corrective action and implement it. Corrective action completed will be tracked in the GUTS system.
 - a. Any discipline imposed on Agency members will not be disclosed in the grievance response form provided to the inmate.
 - b. Partially Affirmed: there was evidence found to partially support the occurrence of the grieved issue or allegation or if there are multiple issues, evidence found to support one or more of the grieved issues or allegations. The specific issues/allegations which were found to be affirmed will be noted in the grievance response.
 - c. Unfounded: no evidence was found to support the allegation being made.
 - d. Denied: denial of a request with a provided reason for denial supported by a policy, procedure, practice, security concern or other supported reason.

- e. Closed- Information Provided: no further action needed, information provided in the grievance response to answer the grievance issue or direct the inmate to complete some action related to their concern.
 - f. Resolved: the issue, item, or service requested has been provided or fixed.
 - g. Withdrawn: After speaking with the Grievance Unit, the inmate voluntarily decides they no longer want to move forward with the grievance process and wishes to withdraw the grievance.
 - i. Withdrawn grievances with tracking numbers already drawn will be forwarded to the Commanding Officer for final disposition without generating a grievance response.
 - ii. The inmate will sign the grievance form on the "inmate acceptance" line to indicate their intent to withdraw the grievance.
 - h. Resubmit: Grievance Unit lacks sufficient details to investigate the issue or allegation and provides the inmate with what is needed in their resubmission to result in a proper investigation and issue a finding.
 - i. Duplicate: the grievance is a duplicate submission and is already being investigated in another grievance submitted prior.
 - i. Duplicate grievances with tracking numbers already drawn will be forwarded to the Commanding Officer for final disposition after the inmate is informed of the duplicate submission via a grievance response which references the original grievance number. That grievance response will be served to the inmate in accordance with this policy.
4. Additional administrative findings will be utilized for tracking:
- a. Lost: the grievance is unable to be located.
 - b. Drawn in error: the grievance tracking number was drawn in error. No investigation will be completed.
 - c. Not received: the grievance tracking number was drawn, but the grievance form was never received.
 - d. In process: the grievance is in the process of being investigated.

H. PROCESS AND TIMELINES FOR GRIEVANCE RESPONSES, APPEALS, EXTENSIONS, AND FINAL FINDING BY THE COMMANDING OFFICER

1. The Grievance Unit will have 15 days to provide a non-automated initial response to standard grievances whether submitted via paper grievance or e-grievance. If the investigation and response have not been completed within 15 days, a Notice of Extension form will be presented to the inmate. Generally, the extension will be no more than 15 days, unless the incident involves employee investigations or seeking information from outside agencies or partner agencies such as the contracted medical provider. If

additional extension is needed beyond the 15 days, the inmate will be notified with an updated Notice of Extension Form. Extensions are approved by the Compliance Unit Captain or his/her designee.

- a. The period of time referred to for action in any section of this policy may be extended for good cause if the circumstances indicate additional investigative time is necessary to make an appropriate decision. The reasons for the delay shall be noted in the grievance packet for reference. Inmates may inquire about any delay in the grievance process by submitting a message request to the Grievance Unit.
2. If an inmate refuses to read or sign the Notice of Extension form, the serving Agency member will note on the inmate signature line, "Refused to Read," "Refused to Sign," (or both if applicable), print his or her name and badge number, and date the form in the appropriate areas. A copy of the extension will be provided to the inmate at the conclusion of the grievance process.
- I. **GRIEVANCE APPEAL PROCESS:** An inmate has the right to appeal any grievance response to the Watch Commander, who shall serve as the Appeals Officer. Watch Commander appeals investigations should be completed within 10 days of receipt and routed back to the Grievance Unit for further processing, absent extenuating circumstances.
 1. If an inmate elects to appeal the grievance response and initial finding from the Grievance Unit's initial investigation, the inmate shall indicate so by checking the appeal box, signing their name, and dating the ML52-B form during the initial service of the grievance response to the inmate. On the ML-52B form the inmate will have the opportunity to write the reason(s) for their appeal. The reason(s) should be succinct, with specific facts, witnesses and/or additional evidence to be presented to the Watch Commander during the second level of review at the appeal level.
 2. In addition to a summary of the reason for the appeal, the grievance unit staff member serving the inmate will capture the specific facts, witnesses, and/or additional evidence presented verbally by the inmate on their body worn camera (BWC). If the information presented by the inmate is specific and actionable enough to be investigated, the Grievance Unit will tag the body worn camera (BWC) footage in evidence.com with the grievance tracking number and categorize it as evidentiary so it will be retained after regularly scheduled deletion periods. Simply restating the matter under appeal does not constitute information specific enough to be actionable. If the information presented is non-specific, unclear, adds no additional actionable information to the original set of facts and circumstances documented in the original grievance, or is determined to be opinion-based, false, or a deliberate attempt to distort the facts, it will not be tagged in evidence.com or retained. This determination will be made so as to preserve the integrity of the appeals process and utilize valuable resources to investigate appeals with merit.
 3. The Watch Commander will refer to the Grievance Unit Tracking System (GUTS) to determine whether any additional evidence has been presented by the inmate or the Grievance Unit to support the appeal and will review relevant documentation and conduct any follow up they deem necessary to complete the appeal process. This follow up should minimally include viewing the tagged BWC footage relevant to the investigation as well as any BWC footage where the inmate presents additional information relevant to their appeal. Another example of follow up may be interviewing the inmate who submitted the grievance, or any witnesses identified that weren't previously identified in the initial grievance submission.

4. An inmate's refusal to acknowledge or sign the ML52-B form shall be determined a refusal to participate in the process and the grievance will be automatically forwarded to the Compliance Captain or his/her designee for a final finding.
5. Following the inmate's appeal to the Watch Commander, the grievance will be forwarded to the Compliance Captain or his/her designee for issuance of the final finding, and closure of the grievance. The final finding should be completed within 14 days of receiving the grievance from its previous level of findings issued by either the Grievance Unit or the Appeals Officer/Watch Commander absent extenuating circumstances. Once the grievance is closed at this level, the inmate has exhausted their administrative remedy at Santa Rita Jail.
6. Inmates shall not exceed 5 grievance appeals in a 7-day period unless they are submitting an emergency appeal, or the appeal is accepted due to exceptional circumstances by the Compliance Captain or his/her designee. If an inmate exceeds the 5-appeal limit in a 7-day period, the appeal will be reviewed by the grievance unit to determine if there is an exceptional circumstance or if it is an emergency appeal. If it meets neither of those criteria, the ML-52B form will be stamped "Exceeds 7-day appeals limit" and it will be forwarded to the Compliance Captain or his/her designee for determination of final finding and closure.
 - a. An appeal shall not be considered an emergency appeal if it is re-stating the same issue or issues determined to be an emergency in the original grievance.
 - b. Emergency appeals shall not be fraudulently utilized to circumvent the limitation on appeals within a 7-day period.

J. RELEASED INMATES:

1. When an inmate with an active grievance investigation has been released from custody, the following procedure will apply:
2. The Grievance Unit shall still process, complete, and store the original grievance packet as if the inmate were still in custody
3. Any grievance that is being investigated after the submitting inmate has been released from custody will be automatically forwarded to the **Compliance Captain or their designee for review and issuance of final finding.**
4. Out-of-custody inmates may request a copy of the final disposition of their grievance by submitting a written California Public Records Act (CPRA) request
5. In cases where an inmate did not receive the final disposition of a grievance they submitted because they were released from custody prior to receiving the Grievance Unit's response, and where the inmate has returned to custody, he or she may request a copy of the final disposition via an Inmate Message Request form directed to the Grievance Unit.

K. GRIEVANCE MANAGEMENT PLANS:

In accordance with Minimum Jail Standard 1073(b), any inmate who submits excessive grievances may be subject to a Grievance Management Plan. Prior to implementing a Grievance Management Plan on an inmate who is a Behavioral Health Client (BHC) or identified as having an IDD or cognitive disability, the Grievance Unit shall consult with Adult Forensic Behavioral Health (AFBH) and/or the contracted health care provider. At no such time shall an ADA inmate be restricted from requesting reasonable accommodation or adaptive supports.

1. Grievance Management Plans are approved by the Compliance Unit Captain. The following steps outline the process for recommending an inmate for a Grievance Management Plan:
 - a. A member of the Grievance Unit will address a memorandum to the Compliance Captain, via Chain of Command, outlining who is to be placed on the plan and the reasons necessitating the management of their grievance submissions.
 - b. A second memorandum, "Conditions of Grievance Management Plan" addressed to the inmate from the Compliance Unit Captain will be written. The memorandum will detail the conditions of the plan in accordance with this policy.
 - i. This memorandum will be served to the inmate by a member of the Grievance Unit upon approval of the plan by the Compliance Unit Captain. Effective communication will be utilized as appropriate to ensure the inmate understands the plan and the reasons for it.
 - ii. Additional copies of the approved memorandum will be provided to housing control where the inmate resides, posted within the housing unit deputy's offices where the inmate resides, and filed in the inmate's grievance file.
 - iii. If the grievance management plan is denied, all documentation will be returned to the Grievance Unit and filed in the inmate's grievance file.
 - d. The grievance management plan will be reassessed by the Grievance Unit weekly. After 30 days, (or sooner, if appropriate) a formal review by the Compliance Unit Captain, or his or her designee, will be conducted to determine if the plan should be extended or discontinued. The inmate will be notified in writing either way of the disposition of the 30-day review. If the plan is to be continued, a timeframe for continuance not to exceed an additional 30 days will be established.
- L. GRIEVANCE MANAGEMENT PLAN PROCESSING: For inmates attempting to submit a grievance while actively subject to grievance management plan restrictions, the following procedure will apply:
 1. The grievance will be accepted by the agency member it is presented to, reviewed to determine if it is an emergency grievance and/or if any immediate action is warranted to protect the health and safety of the inmate or others. If it is an emergency grievance or immediate action is warranted, the agency member accepting the grievance shall draw a tracking number and process the grievance as outlined in the emergency grievance section of this policy. Any actions taken by the accepting Agency member shall be documented on a Grievance Response Supplemental Information Form (ML-53) and attached with the grievance for submission to the Grievance Unit.

2. If the grievance is determined to be anything other than an emergency grievance or a grievance requiring immediate action, the grievance is to be forwarded to the Grievance Unit without a tracking number drawn.
3. Upon receiving the grievance, a member of the Grievance Unit will complete a secondary review to determine if any immediate action or referral for services is needed. If no such requirements exist, the grievance will be filed without a tracking number and no response form will be generated.

M. RECORD KEEPING AND REPORTING:

1. All records related to grievances, grievance responses, associated investigative documents, and responses from partner agencies will be maintained in the GUTS system.
2. The Grievance Unit will retain completed grievances and associated responses for five years. The GUTS system will automatically purge documents which fall outside of the retention period
3. The Grievance Unit will prepare a monthly report regarding submitted grievances, to inform management on timeliness, trends, and problem areas. The report will be submitted to the Compliance Unit Captain who will brief the Division Commander. The Division Commander will utilize monthly trend reports to ascertain if there are trends or other pertinent information to be addressed with the Operations Captain. The reports may also be shared with Watch Commanders via the Operations Captain as appropriate and may be shared with partner agencies as appropriate with approval by the Compliance Unit Captain.