



# OAKLAND COUNTY SHERIFF'S OFFICE

## Policies and Procedures

	<b>NUMBER</b> 374	<b>DATE</b> June 28, 2021
<b>SUBJECT:</b>  <b>INMATE GRIEVANCE PROCEDURE</b>	<b>DISTRIBUTION</b> A,D,E,M. – Chaplain, Clinic, Aramark, Program Services	
<b>REFERENCE:</b>	Rescinds & Replaces Policies & Procedures No. 323, dated August 29, 2017 Pen & Ink Changes dated 10.21.24	

### POLICY

It is the policy of the Oakland County Sheriff's Office to provide inmates a means for resolving complaints regarding institutional matters. Inmate grievances may be filed for alleged violations of civil rights or statutory laws, alleged violations of the Sheriff's Office policy, jail procedures, appeal a disciplinary process, jail staff conduct, medical, dental or mental health services and alleged unsafe or unsanitary living conditions. Grievances shall not be repetitive, excessive or frivolous in nature. Periodic reviews of grievances will be conducted by the Jail Administration to identify any patterns of problem areas and take corrective action, if appropriate.

### PROCEDURE

#### 1.0 GRIEVANCE PROCESS

- 1.1 The *Oakland County Jail Inmate Grievance* form will be available through electronic means to all, without reprisals, regardless of the inmate's administrative, disciplinary, housing or classification status.
- 1.2 All inmates filing a grievance must name everyone including all jail deputies or jail staff involved in any incident they are grieving. All completed grievance forms shall be submitted through the electronic grievance process for review. The supervisor's review shall determine whether it is a grievable issue. If it is determined to be a grievable issue and the grievance has been filed within seven (7) days of the alleged incident or condition, the supervisor shall make a determination if it falls under their scope of authority and conduct an investigation into the merits of the alleged incident that is being grieved. If it does not, the grievance will be reassigned to the appropriate personnel for investigation. Jail Administration shall have fifteen (15) working days to review, assign, investigate and approve a grievance, unless a thirty (30) day extension for investigation is approved.
- 1.3 Nongrievable issues shall be noted in the response box and routed to the Grievance Coordinator for approval or additional actions. Nongrievable issues shall be closed and may not be afforded an appeal.
- 1.4 Only one grievance topic or alleged incident may be submitted for each Inmate Grievance form and only an individual inmate (not a group or representative of a group of inmates) may file a grievance.

- 1.5 Grievance forms with more than one alleged incident or submitted by/or representing a group of inmates will be deemed nongrievable and no appeal may be afforded.
- 1.6 Once the supervisor has conducted an investigation and provided a response via electronic means, the grievance is automatically routed to the Grievance Coordinator for review, approval or additional actions.
- 1.7 If the supervisor believes a grievance submitted is excessive, repetitive, and frivolous in nature or previously addressed, the grievance shall be noted as such awaiting the Grievance Coordinator's final determination.
- 1.8 Grievances concerning medical, dental, mental health or Program Services will be investigated and a response shall be provided by the designated qualified health professional in those areas.

## 2.0 **GRIEVANCE COORDINATOR**

- 2.1 The Grievance Coordinator shall review, for approval or additional actions, all grievances received into the electronic grievance database.
- 2.2 The Grievance Coordinator shall review the grievance and ensure it has been filed within seven (7) days of the alleged event/condition and that it is, in fact, a grievable issue.
- 2.3 If the time frame has expired, the grievance is repetitive, excessive, and frivolous in nature or previously addressed or the issue is not a grievable matter, a response shall be returned to the inmate by the Grievance Coordinator with a notation of the reason it was deemed nongrievable and closed with no appeal.
- 2.4 If it was submitted properly, the grievance will be routed to the appropriate area (i.e. Jail Clinic Health Administrator, Program Services Supervisor, Kitchen, Commissary, etc.) for investigation.

## 3.0 **GRIEVANCES FORWARDED FOR FURTHER INVESTIGATION**

- 3.1 The Corrections Shift Sergeant or respective area supervisors shall have fifteen (15) working days to respond to the grievance. If additional time is necessary to conduct a formal investigation, the inmate shall be notified via electronic notation on the grievance that the grievance is in the process of being reviewed, and the response time shall be extended to thirty (30) days.
- 3.2 The Corrections Shift Sergeant shall provide notification to the inmate indicating the resolution, remedy, or disposition of an actual grievance in electronic form. This response shall be submitted to the Lieutenant for review and electronic approval before returning to the inmate. Should the electronic grievance system fail to function twenty-four (24) hours or more due to a power outage or another catastrophic incident, the paper *Oakland County Jail Inmate Grievance Response* forms shall be utilized until the incident/outage is resolved. The procedural timeline will remain the same as electronic. Once the system is restored, the paper grievance response forms will be uploaded to the system, and the original paper copy of the grievance response and supporting documents will be saved in the Inmate Booking file.

4.0 **APPEAL PROCESS**

- 4.1 Inmates unsatisfied with the resolution of a grievance that has been deemed grievable shall have five (5) working days after receipt of the response to appeal the decision to the appropriate Corrective Services Division Captain or designee.
- 4.2 The appropriate Corrective Services Division Captain or designee shall have seven (7) working days to review the appeal and notify the inmate in electronic form of the decision. In the case of an unforeseen occurrence (i.e., power outage) that disables the electronic grievance system for twenty-four (24) hours or more, paper *Oakland County Jail Inmate Grievance Response* forms shall be utilized until the incident outage is resolved. The procedural timeline will remain the same as electronic. Once the system is restored, the paper grievance response forms will be uploaded to the system, and the original paper copy of the grievance response and supporting documents will be saved in the Inmate Booking file.
- 4.3 All appeal decisions made by the appropriate Corrective Services Division Captain or designee are final.

5.0 **RECORD KEEPING**

- 5.1 Inmate grievances and any supporting documents used to support or refute the inmate grievances shall be kept electronically. If using paper grievances, then those shall be uploaded to the system.
- 5.2 The Grievance Coordinator shall track grievances through electronic means and be made available to the inmate through electronic means.
- 5.3 Paper copies of grievances shall be made available through the Freedom of Information Act (F.O.I.A.) requests.



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