

Program Review Maryland State Correctional Facility: _____

Departmental Initial Follow-Up Internal _____

.05 Inmate Rights

Date _____

Lead: _____

H. Inmate Complaint System

Administrative Remedy Process (ARP)

	Compliance	Deficiency	Exceeds Standards	Recommendation	Not Applicable
1. Does the Warden or the institutional coordinator conduct a preliminary review of each request?	<input type="checkbox"/>				
2. Are new employees required to sign Appendix B to DOC.185.0002?	<input type="checkbox"/>				
3. Do all inmates have at least a daily opportunity to submit their requests to designated staff?	<input type="checkbox"/>				
4. Are all cases indexed within 5 business days of submission?	<input type="checkbox"/>				
5. When requests are withdrawn is there a withdrawal form in the ARP file?	<input type="checkbox"/>				
6. Are files maintained chronologically by month and year in the order indexed, with a copy of the index in front of each month?	<input type="checkbox"/>				
7. Are quarterly reports completed?	<input type="checkbox"/>				
8. When inmates are required to resubmit a request, are they given the later of 15 calendar days or the original 30 day time frame before the resubmitted request IID's case number?	<input type="checkbox"/>				
9. Do cases dismissed for procedural reasons because they are under the authority of IID, have an IID's case number?	<input type="checkbox"/>				
10. Are all sections of the case summary completed?	<input type="checkbox"/>				
11. Are investigations completed by the due date?	<input type="checkbox"/>				
12. Did the Warden issue a response within 30 calendar days or 45 calendar days if an extension was required?	<input type="checkbox"/>				

**H. Inmate Complaint System
Administrative Review Process (ARP)**

Compliance Deficiency Exceeds Standards Recommendation Not Applicable

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| 13. | If an extension was required, is there a copy of the extension form in the file? | <input type="checkbox"/> |
| 14. | Does the Warden’s response give the disposition in the first sentence? Is the response clear? | <input type="checkbox"/> |
| 15. | If the relief has not been provided by the time of response, are the instructions for providing relief clear? | <input type="checkbox"/> |
| 16. | If the order for relief includes reimbursement, are the inmates given an opportunity to sign Appendix 1 to DOC.220.0008? | <input type="checkbox"/> |
| 17. | Does the inmate orientation include a description of the ARP process? | <input type="checkbox"/> |
| 18. | Are all ARP’s properly dismissed for procedural reasons when they concern one of the following issues: case management recommendations and/or procedures, MPC or adjustment procedures or decisions, or decisions to withhold mail? | <input type="checkbox"/> |
| 19. | Are ARP forms readily available in all housing units? | <input type="checkbox"/> |
| 20. | Did all inmates file ARP’s using their committed name and inmate identification number? Were inmates restricted from filing class action complaints or filing on behalf of others? | <input type="checkbox"/> |
| 21. | Did the Warden provide a reason with each recommendation to limit the amount of ARP’s an inmate can file? Were ARP’s that exceed the limit by the Commissioner dismissed? | <input type="checkbox"/> |
| 22. | Were all ARP’s that included ongoing or Commitment issues accepted past the 30 day timeframe? | <input type="checkbox"/> |
| 23. | Are inmates allowed to submit a reasonable number of closely related issues in one complaint? | <input type="checkbox"/> |
| 24. | ARP’s are first submitted to an officer, who then submits the ARP to an area designated by the Warden by the end of the officer’s shift? | <input type="checkbox"/> |

Compliance
 Deficiency
 Exceeds Standards
 Recommendation
 Not Applicable

H. Inmate Complaint System
Inmate Grievance Office (IGO)

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| 1. | Has the Warden designated, in writing, institutional staff person) to serve as the representative and the alternative representatives? | <input type="checkbox"/> |
| 2. | Does the Warden ensure the appearance of staff as a witness and that appropriate action is taken against staff for failing to appear after receiving proper notification? | <input type="checkbox"/> |
| 3. | Does the Warden ensure that: | <input type="checkbox"/> |
| | a. The hearing room is equipped for conducting hearings; | | | | | |
| | b. The hearing room is accessible to disabled persons; and | | | | | |
| | c. The IGO is notified prior to any change in a hearing room? | | | | | |
| 4. | Does the Warden ensure that a correctional officer is present throughout the hearing in an observation role to provide security coverage? | <input type="checkbox"/> |
| 5. | Is the representative familiar with the rules and regulations of OAE that are contained in the Inmate Grievance Manual? | <input type="checkbox"/> |
| 6. | Upon receipt of the IGO docket, does the representative ensure that the required information is recorded onto OCMS, Inmate Activity sets? | <input type="checkbox"/> |

Compliance
 Deficiency
 Exceeds Standards
 Recommendation
 Not Applicable

H. Inmate Complaint System (continued)
Inmate Grievance Office

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| <p>7. Does the representative ensure that:</p> <p style="margin-left: 20px;">a. Additional information received from the IGO concerning postponements, withdrawals, etc. is entered onto OCMS, Inmate Activity Sets;</p> <p style="margin-left: 20px;">b. All final dispositions are recorded onto OCMS, Inmate Activity Sets; and</p> <p style="margin-left: 20px;">c. Requested information is forwarded to the IGO in a timely manner:</p> <p style="margin-left: 40px;">i. Advising the IGO, in writing, that a document will not be forwarded based on confidentiality requirement; and</p> <p style="margin-left: 40px;">ii. Deleting or blocking out confidential information contained in a document before forwarding to the IGO?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> |
| <p>8. Does the representative complete and forward the case preparation worksheet to the headquarters coordinator for review at least 10 working days prior to the scheduled hearing date?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> |
| <p>9. Does the representative bring to the attention of the Warden, immediately after the hearing, the name of any witness who fails to appear as required?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> |
| <p>10. Does the representative ensure that the following employees attend IGO hearings, when appropriate, as expert witnesses:</p> <p style="margin-left: 20px;">a. Commitment records specialist supervisor or designee;</p> <p style="margin-left: 20px;">b. Contractual medical staff; and</p> <p style="margin-left: 20px;">c. Maryland Correctional Enterprises (MCE) staff member?</p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>11. Are settlement agreements being entered into consistent with DOC.180.0005?</p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> | <p><input type="checkbox"/></p> |

Compliance
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H. Inmate Complaint System (continued)
Inmate Grievance Office (IGO)

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| <p>12. Does the representative complete a statistical analysis of the number and types of grievances by subject matter heard each month and forward a copy of the report to the headquarters coordinator on no less than a quarterly basis?</p> | <input type="checkbox"/> |
| <p>13. No later than 10 working days from the scheduled IGO hearing, does the representative:</p> <p style="margin-left: 20px;">a. Notify the IGO of any reason why a case may not be heard on its scheduled date and time;</p> <p style="margin-left: 20px;">b. Review the IGO docket and properly identify cases that require representation by both the institutional representative and a hearing officer;</p> <p style="margin-left: 20px;">c. Notify witnesses of their required presence and testimony using Appendix 1 to DOC. 180.0003;</p> <p style="margin-left: 20px;">d. Provide appropriate staff a list of all persons required to be present at the hearings no later than 48 hours prior to the hearing;</p> <p style="margin-left: 20px;">e. Compile information and evidence for inclusion in the grievant's case file;</p> <p style="margin-left: 20px;">f. Ensure preparation and presentation of an IGO case when the complaint originates at the representative's institution;</p> <p style="margin-left: 20px;">g. Ensure that staff are provided the opportunity to complete and file with the Office of the Attorney General Appendix 2 to DOC.050.0029 in a case regarding allegation of assault on an inmate; and</p> <p style="margin-left: 20px;">h. Notify the Office of the Attorney General when a case may have division-wide impact?</p> | <input type="checkbox"/> |
| <p>14. Does the representative comply with the 4 established elements prior to the IGO hearing?</p> | <input type="checkbox"/> |
| <p>15. Is the representative knowledgeable about what issues should be raised preliminary to the IGO hearing?</p> | <input type="checkbox"/> |

H. Inmate Complaint System (continued)
Inmate Grievance Office (IGO)

	Compliance	Deficiency	Exceeds Standards	Recommendation	Not Applicable
16. Does the representative make a brief statement of the Division's position which will be supported by evidence	<input type="checkbox"/>				
17. Does the representative present cases in the manner prescribed?	<input type="checkbox"/>				
18. Does the representative make a brief summary of what the Division has attempted to prove during the IGO hearing with relevant command relating to the Division's exhibits and witness testimony?	<input type="checkbox"/>				
19. Upon conclusion of the IGO hearing, does the representative: Place the file in a locked filing cabinet and arrange alphabetically; and Retain the file for at least 4 years?	<input type="checkbox"/>				
20. Are written IGO decisions properly distributed?	<input type="checkbox"/>				
21. Is the compliance letter forwarded to the headquarters coordinator in the prescribed timeframe?	<input type="checkbox"/>				
22. Is information properly recorded onto OCMS Rule Violation Summary, when an IGO order directs a new adjustment hearing.	<input type="checkbox"/>				
23. Does the representative ensure that the expungement of records requirement is being met?	<input type="checkbox"/>				
24. Does the Warden ensure compliance with Court Orders resulting from IGO decisions appealed to the courts?	<input type="checkbox"/>				
25. Does the Warden ensure that written certification of compliance with Court Orders are forwarded to the headquarters coordinator within the specified timeframe and that the inmate is notified of the action taken?	<input type="checkbox"/>				
26. Are copies of the Court Orders distributed properly?	<input type="checkbox"/>				