How to File a Grievance Inside Jail

Important Tips



The best way to file a grievance is electronically on your tablet. If you do not have access to the tablet, you may submit a paper grievance. Both electronic and paper grievances are accepted by DCR.

Filing a Proper Grievance

Be aware: If your grievance is <u>not</u> filed properly, DCR staff can return your grievance form without addressing the issue in your grievance.

To make sure your grievance is filed properly:

- Only describe one (1) issue per grievance form. If you have more than one issue, you will need to fill out a separate form for each issue.
- File within 15 days of the incident or issue being grieved.
- Clearly state what you want to happen or the question you want answered.

If the person making the grievance is not a strong reader or writer, another resident may write the grievance for them. However, the person making the grievance must sign the finished form.

If the grievance is about sexual abuse, or risk of imminent sexual abuse:

- Third parties—including fellow incarcerated people, family members, attorneys, and outside advocates—are permitted to assist you with filing a grievance.
- Another incarcerated person can file a grievance on your behalf.
- If you would be required to submit the grievance to the staff member you are alleging engaged in sexual abuse, submit the grievance directly to the Superintendent.
- Grievances related to sexual abuse are not limited by the 15-day filing requirement.

If the grievance is about a disability you have, or an accommodation that you are not receiving, check the box labeled "ADA-related" at the top of the form. You should also mark this box if your grievance is about the MAT program (Subutex, Sublocade, etc.)

For paper grievances, always remember to:

- Write on only one side of the page. You are allowed one (1) additional sheet of 8.5 x 11 paper, so long is there is only writing on one side of the page.
- Use only one (1) staple, and to avoid folding the form except to put it inside an envelope
- Avoid spills, smudges, or marks on the grievance form.
- Ask for a copy of your grievance at each stage of the process and write "please give me a copy of my grievance" on the top of each form.
- If you submit grievances through DCR employees instead of mail, keep a record of the name of the staff member and the date of your submission.

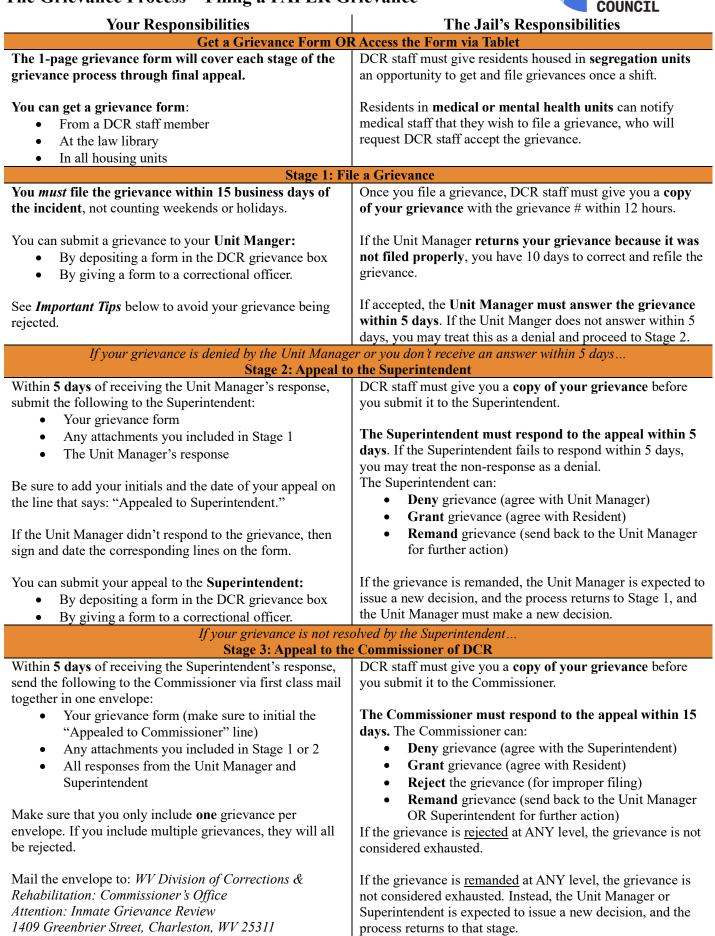
Exhaust the Grievance Process to Protect Rights in Court

Finally, if your grievance issue is not resolved, it is important to complete each stage through to the final decision by the Commissioner. Remember, "remand" is not a final decision by the Commissioner. Remand means that you must continue return to an earlier stage of the grievance process.

If you do not complete the process through the final decision by the Commissioner, then you may lose your ability to file a lawsuit over jail conditions.

Learn more about the Community Collaborative Council at: <u>https://westvirginiaccc.org/</u>

The Grievance Process – Filing a PAPER Grievance



COMMUNITY COLLABORATIVE