

EXHIBIT 1

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10 IN THE UNITED STATES DISTRICT COURT

11 FOR THE DISTRICT OF ARIZONA

12 William Mathews,

13 Plaintiff,

14 v.

15 Joseph Arpaio,

16 Defendant.

NO. CV 06-1143-PHX-FJM (ECV)

AFFIDAVIT OF ZELEAN TADEMY

17
18 STATE OF ARIZONA)
MARICOPA COUNTY) ss.
19)

20 ZELEAN TADEMY, being duly sworn, upon her oath deposes and says:

21 1. I, Zelean Tademey, have been employed by the Maricopa County
22 Sheriff's Office ("MCSO") since March 1990. Since July 2005, I have been a

1 Sergeant assigned to the Inmate Hearing Unit.

2 2. In my position within the Inmate Hearing Unit, my duties include the
3 receipt, processing, tracking and storage of grievances submitted by inmates
4 detained within the Maricopa County Jail facilities.

5 3. I am familiar with the inmate grievance and appeal process that
6 MCSO has established for inmates to register complaints concerning the
7 interpretation and application of policies that govern their treatment in Maricopa
8 County Jail facilities.

9 4. MCSO Policy & Procedure DJ-3 ("Policy DJ-3") describes the
10 inmate grievance procedure. (A copy of Policy DJ-3 is attached hereto as
11 Attachment A and incorporated herein by this reference.)

12 5. MCSO evaluates and resolves inmate grievances by using a multi-
13 tiered administrative process. An inmate files a grievance by completing an
14 Inmate Grievance Form 5000-239 ("Inmate Grievance Form"). (A copy of the
15 Inmate Grievance Form is attached hereto as Attachment B and incorporated
16 herein by this reference.) The inmate initiates the informal grievance process by
17 submitting the grievance form to detention personnel in an attempt to resolve the
18 issue. If the detention officer cannot resolve the issue, the officer forwards the
19 grievance to the shift supervisor. If the shift supervisor is unable to resolve the
20 grievance, the shift supervisor forwards the grievance to a hearing officer. The
21 hearing officer then reviews the matter and takes appropriate action.

22

1 6. If the inmate is not satisfied with the outcome of the informal
2 grievance process, he may then proceed to the formal grievance process by
3 filing an Institutional Grievance Appeal with the jail commander. If the inmate is
4 not satisfied with the jail commander's decision on appeal, he may then file an
5 External Grievance Appeal, which is forwarded to an external referee. The
6 external referee prepares a response and written decision which concludes
7 MCSO's formal grievance procedure and exhausts the inmate's administrative
8 remedies.

9 7. MCSO provides a copy of the Rules and Regulations for Inmates
10 ("Rules for Inmates") to each inmate during the booking process. (A copy of the
11 relevant portions of the Rules for Inmates is attached hereto as Attachment C
12 and incorporated herein by this reference.) Rules for Inmates describes the
13 MCSO inmate grievance procedure.

14 8. The actions listed on Inmate Grievance Form are consistent with
15 the inmate grievance procedure described in Policy DJ-3 and the Rules for
16 Inmates.

17 9. Policy DJ-3 does not restrict the type of grievance that an inmate
18 may submit for evaluation and resolution.

19 10. Detention officers do not ignore inmate grievances. As part of their
20 daily shift duties, detention officers pass out grievance forms to inmates who
21 request them. Moreover, detention officers do not restrict an inmate's privileges
22 or otherwise retaliate against an inmate because that inmate has filed a

1 grievance form.

2 11. Grievances are filed under categories according to the issues listed
3 in the grievances. Inadequate outdoor recreational opportunities is an individual
4 category of a grievance. During the period of January 1, 2006 through April 30,
5 2006, the MCSO Hearing Unit received 27 grievances from the Towers Unit on
6 the issue of inadequate outdoor recreational opportunities.

7 12. MCSO records reflect that William Mathews (P137390) was booked
8 into the Intake Unit on January 5, 2006, and transferred to the Fourth Avenue
9 Unit later that same day. On January 14, 2006, he was transferred to the
10 Towers Unit. On June 7, 2006, he was transferred to the Lower Buckeye Unit.
11 On June 12, 2006, he was transferred back to the Towers Unit. He remains in
12 custody in the Towers Unit.

13 13. I have searched the inmate grievance records maintained by MCSO
14 for the period of Mathews' incarceration from January 5, 2006 through the
15 present. Those records indicate that Mathews filed three Inmate Grievance
16 Forms, all of which were filed after April 24, 2006, and were resolved informally
17 without the filing of institutional or external grievance appeals. Mathews did not
18 file any grievances about inadequate outdoor recreational opportunities.

19 ...

20 ...

21 ...

22

1 14. Mathews did not exhaust his administrative remedies as outlined in
2 MCSO Policy DJ-3 and Rules for Inmates.

3 15. Further affiant sayeth naught.

4 Signed this 15 day of September 2006.

5

6


ZELEAN TADEMY

7

8 SUBSCRIBED AND SWORN to before me this 15th day of September
9 2006.

9

10


NOTARY PUBLIC

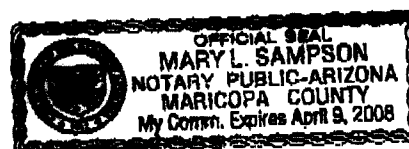
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EXHIBIT 1A

*	MARICOPA COUNTY SHERIFF'S OFFICE	
	Policy & Procedure	
	Subject INMATE GRIEVANCE PROCEDURE	Policy Number DJ-3
		Effective Date 08-14-98
Related Information		Supersedes DJ-3 (05-22-98)

INTRODUCTION

This Policy establishes an inmate grievance and appeal process by which inmates may communicate their concerns or complaints to jail staff and receive a prompt response, allowing necessary corrective action to be taken at the lowest supervisory level.

POLICY AND PROCEDURE

1. **DEFINITIONS:** For the purpose of this Policy the following terms shall apply:
 - A. **External Grievance Appeal:** A process by which an inmate may petition for review of his grievance by an external referee, following a jail commander's or clinic supervisor's response to an Institutional Grievance Appeal. The external referee shall not be an Office employee.
 - B. **Formal Resolution:** Settlement of an inmate's written grievance after being reviewed by a hearing officer.
 - C. **Grievance:** A complaint by an inmate concerning the interpretation or application of Policies which govern his treatment in custody.
 - D. **Institutional Grievance Appeal:** A process by which an inmate may petition the jail commander or, in the case of a medical grievance the appropriate clinic supervisor, to review a grievance response that is considered by the inmate to be unsatisfactory.
 - E. **Informal Resolution:** Settlement of an inmate's written or oral grievance, accomplished by a line officer or supervisor, prior to its being forwarded to the hearing officers.
2. All inmates shall be afforded an opportunity to seek redress of their complaints without regard to disciplinary status, security level, housing category, or any other administrative status. The grievance procedure includes two levels of appeal: Institutional and External. A synopsis of the grievance and appeal procedures is available to inmates, in both English and Spanish, in the *Rules and Regulations for Inmates*. The Legal Services Section shall maintain a current copy of the grievance procedure, and copies will be provided to inmates on request. Jail commanders will ensure that grievance forms are issued in a timely manner when requested, and that all time

Policy DJ-3, Inmate Grievance Procedure

limits specified in this Policy are enforced. Inmates shall not be subject to harassment, coercion, or reprisal because they have submitted a grievance.

3. A reasonable effort shall be made to assist those inmates whose comprehension of the grievance procedures or *Rules and Regulations for Inmates* may be adversely affected by a disability. Upon request, a hearing-impaired inmate shall be provided with an interpreter. The shift supervisor shall be notified, and, following his approval, the appropriate on-call interpreting service shall be contacted for further assistance.
4. Upon request, an inmate will be provided with a Grievance Form. The Grievance Form must be submitted to detention personnel within 48 hours of the event being grieved, and must include the inmate's proposed resolution. Line personnel shall attempt to resolve grievances that relate to issues under their immediate control. Grievances alleging excessive use of force or restraint must be submitted to detention personnel within 60 days of the event being grieved. Grievances concerning medical problems or complaints shall be forwarded by line personnel to a shift supervisor, who shall forward them directly to the hearing officers, prior to the end of the shift. The shift supervisor will not respond to medical grievances.
 - A. The officer accepting the Grievance Form will sign his name, add the date and his serial number, and return the pink copy to the inmate. The officer will attempt to resolve the grievance prior to the end of his shift.
 1. The officer will indicate in Section II of the Grievance Form what action was taken, sign his name, serial number, and add the date and time of the action. If the grievance is resolved, or the inmate now wishes to withdraw the grievance, the officer will circle "resolved" or "withdrawn," as appropriate. The inmate will be required to acknowledge the withdrawal or resolution in Section III of the Grievance Form by signing his name, booking number and adding the date. The inmate will be given the yellow copy of the Grievance Form, and the original will be forwarded to the hearing officers to be appropriately logged and filed.
 2. If the officer is unable to resolve the grievance within four calendar days, he will inform the inmate that the Grievance Form will be forwarded to a shift supervisor.
 3. An inmate who has failed to receive a resolution or a written response to his grievance within four calendar days of submitting it may submit a Grievance Form directly to a shift supervisor, unless the inmate has agreed in writing to an extension of time, or has been advised that the grievance has already been forwarded to the shift supervisor by the officer who accepted it.
 4. If an inmate initiates a grievance in an area or facility other than his housing facility, such as Transportation or Medical, the area or facility receiving the grievance will have four calendar days to resolve the grievance. If the grievance cannot be resolved in four calendar days the inmate will be informed that the grievance will be forwarded to the receiving facility shift supervisor.

- 5. All Grievances submitted which allege excessive use of force or restraint will be reviewed by the Use of Force Review Committee, and processed in the same manner as Restraint Chair/Bed Forms and Use of Force Forms.
 - 6. No use-of-force grievance will be denied solely on the basis that the involved inmate was given a Disciplinary Action Report regarding the complaint.
- B. The shift supervisor, in consultation with the shift commander if necessary, shall attempt to resolve a detention grievance within four calendar days from the time he receives it. In Section IV of the Grievance Form, the shift supervisor shall document the actions taken and his reasons for them, sign his name and serial number, and add the date.
- 1. If the grievance is resolved, the shift supervisor will place a check mark in the appropriate area indicating that the issue has been informally resolved, and require the inmate to acknowledge the resolution in Section IV of the Grievance Form by signing his name and booking number, and adding the date. The inmate will be given the yellow copy of the Grievance Form, and the original will be forwarded to the hearing officers to be appropriately logged and filed.
 - 2. If the shift supervisor is unable to resolve the grievance, he will place a check mark in the appropriate area indicating that it will be forwarded as a formal grievance, require the inmate to acknowledge this action in Section IV of the Grievance Form by signing his name and booking number, and entering the date, and forward it to the hearing officers.
 - 3. An inmate who has not received a written response to his grievance within four calendar days of submitting it, or having it submitted, to the shift supervisor, may submit a Grievance Form directly to the hearing officers, unless he has agreed in writing to an extension of time.
- 5. If an inmate's complaint or grievance is of an emergency nature, or alleges excessive use of force or restraint, the shift supervisor will be notified, and appropriate action taken.
- A. An emergency is an abnormal situation in which failure to act promptly may result in serious physical or psychological harm to an inmate, or threaten the safety or security of a jail.
 - B. The inmate grievance shall be promptly processed in compliance with the procedures specified in this Policy.
6. The hearing officers shall determine, within one calendar day from date of receipt of each grievance, whether it is a medical or detention grievance.
- A. Detention Grievance: A hearing officer shall respond to a detention grievance within nine calendar days from the time he receives it. An inmate who has not received a response within nine calendar days may file an Institutional Grievance Appeal Form, through the hearing officer, who will forward all applicable documentation to the appropriate jail commander, unless he has agreed in writing to an extension of time..

Policy DJ-3, *Inmate Grievance Procedure*

1. A hearing officer will indicate in Section V of the Grievance Form the actions taken, including the reasons for his decision, sign his name and serial number, and add the date.
 - a. If the grievance is resolved, the inmate will be required to acknowledge the resolution in Section V of the Grievance Form by signing his name, booking number and adding the date. The inmate will be given the yellow copy of the Grievance Form, and the hearing officer will appropriately log and file the original.
 - b. If the grievance is not resolved, the inmate will be informed of his right to appeal to the jail commander within 24 hours of the hearing officer's response. An inmate who decides to appeal will be given an Institutional Grievance Appeal Form to which he will be required to attach the yellow copy of the Grievance Form, including the hearing officer's response. All paperwork will be forwarded through the hearing officers to the appropriate jail commander.
 2. The jail commander, in consultation with the bureau commander if necessary, shall take action and provide a written response to the inmate within seven calendar days from receipt of the appeal. An inmate who has not received a response within seven calendar days may file an External Grievance Appeal, unless he has agreed in writing to an extension of time.
 - a. If the Institutional Grievance Appeal is resolved, the inmate will be required to place a check mark in the appropriate area indicating that it was resolved, and acknowledge the resolution in Section II by signing his name, and adding the date and his booking number. The inmate will be given the yellow copy of the Grievance Appeal Form, and the original will be forwarded to the hearing officers to be logged and filed.
 - b. If the Institutional Grievance Appeal is not resolved by the jail commander, the inmate will be informed of his right to appeal to an external referee within 24 hours of receipt of the jail commander's response. An inmate who decides to appeal will be given an External Grievance Appeal Form. The inmate will be required to attach the yellow copy of the Grievance Form and the yellow copy of the Institutional Grievance Appeal Form, including all responses, to a properly completed External Grievance Appeal Form. All paperwork will be forwarded through the hearing officers to the external referee.
- B. **Medical Grievance:** A grievance concerning medical, dental, or psychiatric diagnoses, treatment, or care will be forwarded by the hearing officers to the responsible charge nurse or designee. The charge nurse shall respond to a medical grievance within nine calendar days, indicating in Section IV of the Grievance Form what actions were taken, including the reasons for his decision, sign his name, and add the date. The charge nurse

must also identify for the hearing officer any inmate in psychiatric housing who is diagnosed as seriously mentally ill.

- a. If the grievance is resolved by the charge nurse, the inmate will be required to acknowledge the resolution in Section IV of the Grievance Form by signing his name, booking number, and adding the date. The inmate will be given the yellow copy of the Grievance Form, and the original will be forwarded to the hearing officers to be logged and filed.
 - b. If the grievance cannot be resolved by the charge nurse, the inmate will be informed of his right to appeal to the appropriate medical, dental, or psychiatric clinic supervisor within 24 hours of receiving the charge nurse's response. Upon completion, the inmate shall be required to attach the yellow copy of the Grievance Form, including the response, to the Institutional Grievance Appeal Form. All paperwork will be forwarded through the hearing officers to the nurse manager/clinic supervisor.
 - c. An inmate who has not received a response within nine calendar days, may submit an Institutional Grievance Appeal Form to the hearing officers who will log, and forward the appeal to the appropriate medical, dental, or psychiatric clinic supervisor, unless he has agreed in writing to an extension of time.
2. The nurse manager/clinic supervisor shall take action and provide a written response to the inmate within fourteen calendar days from the receipt of the appeal. An inmate who has not received a response within fourteen calendar days may file an External Grievance Appeal, unless he has agreed in writing to an extension of time.
- a. If the Institutional Grievance Appeal is resolved, the inmate will be required to make a check mark in the appropriate area indicating that it was resolved, and acknowledge the resolution in Section II of the Institutional Grievance Appeal by signing his name and booking number, and adding the date. The yellow copy of the Institutional Grievance Appeal Form will be given to the inmate, and the original will be forwarded to the hearing officers to be logged and filed.
 - b. If the Institutional Grievance Appeal cannot be resolved, the inmate shall be informed of his right to appeal to an external referee within 24 hours of receipt of the nurse manager/clinic supervisor's response. The External Grievance Appeal includes a waiver acknowledged and approved by the inmate by his signature, permitting the release of his medical records to personnel involved in the resolution of medical cases. The inmate will be required to attach the yellow copy of the Grievance Form, the yellow copy of the Institutional Grievance Appeal Form, and all responses, to a properly completed External Grievance Appeal Form. All paperwork will be forwarded to the external referee, through the hearing officers.

Policy DJ-3, *Inmate Grievance Procedure*

7. External Grievance Appeals.
 - A. The Hearing Officers Unit Supervisor will forward all External Grievance Appeals to the Contracted Health Services Legal Liaison. If the Contracted Health Services Legal Liaison concludes that an External Grievance Appeal is frivolous, repetitive, or relates to non-grievable issues, he will recommend to the external referee that the appeal be summarily dismissed.
 - B. The Contracted Health Services Legal Liaison will forward all External Grievance Appeals to the external referee within seven calendar days.
 - C. If the Contracted Health Services Legal Liaison has recommended that an External Grievance Appeal be summarily dismissed, the external referee will review the basis for the recommendation. If the external referee agrees with the recommendation of summary dismissal, the inmate will be provided a copy of the Contracted Health Services Legal Liaison written response bearing the external referee's concurrence, and the matter will be concluded. If an External Grievance Appeal has not been recommended for summary dismissal, or the external referee concludes the summary dismissal is inappropriate, the external referee will conduct his own review and provide a separate written response.
 - D. An external referee shall hold hearings on all External Grievance Appeals submitted by inmates who are all of the following: indigent, psychiatric inpatients, and diagnosed as seriously mentally ill.
 - E. An inmate who has not received a response within 18 calendar days may request, in writing, that the external referee reach a decision within the next seven calendar days.
 - F. The response and written decision from the external referee will conclude the formal inmate grievance procedure.
8. Upon conclusion of this procedure, an inmate may elect to file a complaint with the Federal District Court. The hearing officer shall ensure that written notification of this right is attached to the inmate's copy of the response from the external referee. A copy of the external referee's response must be attached to the inmate's federal complaint.
9. A case number will be assigned to all grievances which are forwarded to the hearing officers, and each grievance will be logged in a computer database.
 - A. The database will contain information including, but not limited to, the following:
 1. Case number.
 2. Inmate's name.
 3. Inmate's booking number.
 4. Synopsis of the grievance.

5. Resolution of the grievance.
 6. Grievance appeals, including External Grievance Appeals.
- B. The entries will be cross-referenced by the inmate's name and the assigned case number.
 - C. All formal grievances, informally resolved grievances, and those withdrawn by the inmate, will be filed with the hearing officers.
 - D. A log of all Institutional Grievance Appeals shall be kept by the hearing officers for a period of five years.
10. All records concerning an inmate's participation in the grievance procedure are confidential, and shall be handled in the same manner as other confidential case materials. Jail personnel working on the resolution of a grievance shall have access to all inmate records, excluding an inmate's medical records. Contracted Health Services may release pertinent medical information to the external referee for the purpose of resolving an External Grievance Appeal involving medical care.
 11. Under certain circumstances, an inmate grievance may be withdrawn or canceled.
 - A. If the inmate decides to withdraw the complaint, and the Grievance Form has not left the housing area, the form will be returned to the inmate. The inmate will be required to acknowledge the withdrawal in Section III of the Grievance Form by circling the text, "withdrawn by inmate," signing his name and booking number, and adding the date. The officer returning the form will acknowledge the action taken in Section II by signing his name and serial number, and adding the date. The inmate will be given the yellow copy, and the original will be forwarded to the hearing officers to be logged and filed.
 - B. If an inmate demonstrates a pattern of abuse by submitting grievances which are repetitive and frivolous, his grievances shall be forwarded directly to the jail commander. Upon reviewing the grievance and information provided by the hearing officer, the jail commander may summarily dismiss the grievance. Reasons for the dismissal, and the number of known repetitive or frivolous grievances previously submitted, shall be reported on the Grievance Form.

Policy DJ-3, Inmate Grievance Procedure

ADDENDUM TO POLICY DJ-3

FLOW CHART

DETENTION GRIEVANCES

WHO	TIME	ACTION
Inmate	48 hours of event	Submit. Alleged excessive use of force or restraint, time limit is 60 days.
Detention Off.	4 calendar days	Resolve or forward
Shift Supervisor	4 calendar days	Resolve or forward
Hearing Officer	9 calendar days	Resolve and return
Inmate	24 hours	Accept or file Institutional Griev. Appeal

INSTITUTIONAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	24 hours of response receipt	Submit to Jail Commander
Hearing Officer	1 calendar day of receipt	Log and forward
Jail Commander	7 calendar days	Respond
Hearing Officer	1 calendar day of receipt	Log for return
Inmate	24 hours	Accept or file External Grievance Appeal

EXTERNAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	24 hours of response receipt	Submit
Hearing Officer	1 calendar day of receipt	Log and forward
Division Cmdr.	7 calendar days	Review and forward
Hearing Officer	1 calendar day of receipt	Log and forward
External Referee	18 calendar days	Respond
Hearing Officer	1 calendar day of receipt	Log for return
Inmate		Accept or file complaint in Federal District Court

ADDENDUM TO POLICY DJ-3

MEDICAL GRIEVANCES

WHO	TIME	ACTION
Inmate	48 hours of event	Submit
DO	1 shift	Resolve or forward
Shift Supervisor	1 shift	Forward
Hearing Officer	1 calendar day of receipt	Log and forward
Charge Nurse	9 calendar days	Respond
Hearing Officer	1 calendar day of receipt	Log for return
Inmate	24 hours	Accept or file Institutional Griev. Appeal

INSTITUTIONAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	24 hrs of receipt of response	Submit
DO	1 shift	Forward
Hearing Officer	1 calendar day of receipt	Log and forward
Nurse Manager	14 calendar days	Resolve & submit to Medical/Psych Director for review
Hearing Officer	1 calendar day of receipt	Log for return
Inmate	24 hours	Accept or file External Grievance Appeal

EXTERNAL GRIEVANCE APPEAL

WHO	TIME	ACTION
Inmate	24 hrs of receipt	Submit
Hearing Officer	1 calendar day of receipt	Log and forward
CHS legal liaison	7 calendar days	Review & prepare med. rpt for Ext. Ref.
Hearing Officer	1 calendar day of receipt	Log and forward
External Referee	18 calendar days	Respond
Hearing Officer	1 calendar day of receipt	Log for return

EXHIBIT 1B

INMATE GRIEVANCE FORM

**Maricopa County Sheriff's Office
Joseph M. Arpaia, Sheriff**

To: _____ Received By: _____ Date/Time: _____

From: _____
Inmate Name Booking # Facility Cell/Room Date

I. Grievance (To be completed by inmate): Briefly describe your complaint and a proposed resolution.

Inmate's Signature Date

II. Officer Action Taken:

Officer's Signature A# Date/Time

III. This complaint has been resolved informally by the line officer or withdrawn by the inmate.

Inmate's Signature Booking # Date

IV. Shift Supervisor's action and receipt (Informal): I have addressed the nature of the complaint of the above named inmate and have taken the following action:

return yellow copy to inmate if resolved.

Shift Supervisor's Signature Date/Time

Forward to Hearing Officer for file (informally resolved).

Forward to Hearing Officer as a formal grievance.

Inmate's Signature Booking # Date

V. Bureau Hearing Officer's Response (Formal): I have investigated the above grievance and have taken the following action:

Bureau Hearing Officer's Signature Date/Time

Inmate's Signature Booking # Date

To Inmate: If not satisfied with the Hearing Officer's resolution, submit an inmate Institutional Grievance Appeal Form within 24 hours of receipt to the Jail/Division Commander through the Hearing Officer.

WHITE - Return to the Hearing Officer upon response YELLOW - Return to inmate with response PINK - Retained by inmate upon submital

EXHIBIT 1C

Section 10
GRIEVANCE PROCEDURES
(MEDICAL GRIEVANCES SEE PAGE 17)

The Maricopa County Sheriff's Office provides you with a system to register your valid complaints about procedures and conditions in the jails. **You must make a good faith effort to resolve your complaint at the lowest level possible in the grievance procedure, and you may not bypass any of the steps listed below.** However, if the staff fails to respond to your grievance within the time allowed, you may proceed to the next step in the process. Time limits may be extended upon request.

You **CANNOT** grieve disciplinary action or matters that pertain to other inmates.

Using **vulgarity** or **name calling** in your grievances or appeals will result in the denial of the grievance process.

A: WHEN YOU HAVE A COMPLAINT

Ask for a Grievance Form from an Officer. Complete the form, which must include a **proposed resolution**. The proposed resolution must be reasonable or it will not be accepted. **You may not include more than 1 issue on each form.** If more room is needed you must use additional Grievance Forms. Write only in the designated area of the Grievance form. Duplicate grievances will be dismissed. Submit the completed form to detention staff within **48** hours of the event being grieved. The officer will sign the form and return the pink copy to the inmate with the officer's name and A#, date, and time received upon submittal. If the officer cannot resolve the grievance within **4** calendar days from receipt, it will be forwarded to the Shift Supervisor for review.

- If the grievance is not resolved with the Shift Supervisor within four 4 calendar days from being received, the form will be forwarded to the Hearing Officer as a formal complaint.
- The Hearing Officer will attempt to resolve the grievance within nine 9 calendar days from the date of receipt. If you do not receive a response after those nine 9 calendar days, or if you feel the problem has not been resolved, you may file an Institutional Grievance Appeal with the Jail Commander. You must complete and submit the appeal within **24** hours after receiving the Hearing Officer's response. You must also attach the yellow copy of your grievance to the appeal upon submittal.

The Jail Commander will respond to an Institutional Grievance Appeal within **7** calendar days from the date it is received. **NOTE:** The Jail Commander, or his designee, may dismiss repetitive or frivolous grievances and they will not be processed any further. The written decision ends the formal grievance procedure.

- If the problem still is not resolved, and you wish to appeal to the External Referee, you have **24** hours from the day you receive the Jail Commander's response to file an Inmate External Grievance Appeal Form. You must attach your yellow copies of the Grievance Form and the Grievance Appeal Form (including all responses/attachments) to the External Appeal Form when you submit it. The appeal will not be accepted without the appropriate attachments.
- The Ancillary Services Division Commander or his designee, will review the External Grievance Appeal. Valid issues will be forwarded to the External Referee within **7** calendar days after receiving them. If the Ancillary Services Division Commander, or designee, concludes that an External Grievance Appeal is frivolous, repetitive, or related to a non-grievable issue, it will be noted and this will conclude the grievance process.
- The External Referee will review the grievance and recommendations and give you their written opinion within **18** calendar days from the date of receiving the appeal. If the decision will be delayed, the Jail Commander will have the Hearing Officer request an extension, giving you the reason for the delay. The External Referee's response and written decision end the formal inmate grievance procedure.

B: DENTAL TREATMENT

Limited emergency Dental Treatment is available. If you are requesting Dental care from a private dentist, you must request a referral from the contracted medical provider. You will be responsible for all costs incurred for the treatment.

C: FORMAL MEDICAL GRIEVANCE RESOLUTION

Housing Unit Officers will forward grievances concerning Medical, Dental, Psychiatric problems, or treatment to the Hearing Officers for processing through the appropriate medical staff member. The Hearing Unit will have 1 day to record and forward all medical grievances. The appropriate medical staff member personnel will attempt to resolve the grievance within nine 9 calendar days of receiving it.

- If you have not received a response, or the grievance has not been resolved within 9 calendar days, you may submit a Grievance Appeal Form to the Nursing Supervisor. The yellow copy of the grievance must be attached to the Appeal and forwarded to the Hearing Unit within 24 hours.
- The Nursing Supervisor will attempt to resolve the grievance within 14 calendar days of receiving the grievance. If it is not resolved at this level, you may submit an External Medical Grievance Appeal to the External Referee within 24 hours of receiving the Nursing Supervisor's response. The External Medical Grievance Appeal will be processed the same as stated above for Grievance Procedure.

Section 17

PERSONAL APPEARANCE AND HYGIENE

You will keep your hair, body, and clothing in a neat, clean, and odor free condition. If you are indigent, you will be provided with basic hygiene items such as combs, toothbrushes, toothpaste, and soap. Hoarding of free items will not be permitted.

You are to be fully dressed any time you are outside your assigned cell or bunk. At no time will you wear your clothing inside out. Your trousers will be worn with the waistband above the hips and no portion of the boxers or underwear exposed. You are NOT permitted to roll up or tie trousers or shirts. You are NOT permitted to expose your midsection in any way.

If you are issued a sweatshirt, you must wear it under your regular MCSO shirt. When leaving your housing unit your sweatshirt must be worn at all times, you will not carry it with you. MCSO sweatshirts that have been altered or bleached white will be confiscated and disciplinary action may be taken.

You are not allowed to wear clothing that is excessively large or small. Jail Commanders may modify clothing guidelines as deemed necessary, such as during seasonal changes.

You will not wear or have in your possession, any type of jewelry except what cannot be physically removed. The Sheriff's Office will not be responsible for any such items in the event they are lost or stolen. You will not be permitted to wear handmade jewelry, including using altered items, such as teeth from a comb, or wires, used as piercing inserts.

You may not bind your hair so tightly that it cannot be searched. You may not wear any type of hair accessories unless purchased through Inmate Canteen. Inmates serving or handling food will wear powder free latex, or plastic, gloves and have their hair restrained and covered with a hair net while working.

Each week you will be provided with 2 changes of underwear, 1 change of outer garments and bedding, and 3 changes of towels (Close Custody Inmates will receive all items once a week to keep in their cells). It is your responsibility to ensure that no part of the clothing you receive is altered or damaged, as you will be held responsible for the clothing you wear. You will be given 1 clean blanket per month. Female inmates will be issued a nightshirt that will NOT be worn away from their cell or bunk, however, female inmates in dorms, requiring the use of the restroom and sink to wash their hands during lockdown hours, may wear nightshirts.