

ORIGINAL

IN THE MATTER OF:

Antonio Lee Blanchard
vs. Superintendent
Andrews, et al.

Cause No. 08 C 5037

Deposition of Antonio Lee Blanchard
12/21/2009

Gore Perry Gate^way Lipa Baker Dunn & Butz
Certified Court Reporters & Legal Videographers
1-800-878^6750

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I COURT NORTHERN DISTRICT OF
N ILLINOIS EASTERN DIVISION

ANTONIO LEE BLANCHARD,

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Plaintiff,

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No. 08 C 5037

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SUPERINTENDENT ANDREWS, CHIEF D.

HOWELL #117, CAPTAIN DARCY,

LIEUTENANT TUCKER, SERGEANT DEW,

CORRECTIONAL OFFICER MOORE,

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Defendants.

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DEPOSITION OF ANTONIO LEE BLANCHARD,

taken on behalf of the Defendants, at the Shawnee

Correctional Center, 6665 State Route 146E, Vienna,

Illinois, on the 21st day of December, 2009, before

Gretta G. Cairatti, RPR, CRR, MO-CCR#790, IL-CSR

#084-003418, and Notary Public.

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Louis 314.241.6750 St. Charles 636.940.0926

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APPE
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SEL:

CA PIRRI, ESQ. Katz Law
Office, Ltd. 4105 West
26th Street Chicago, IL
60623 773/321-6651

FOR

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FOR THE DEFENDANTS:

RONALD WEIDHUNER, ESQ.
Assistant State's Attorney
500 Richard J. Daley Center
Chicago, IL 60602
312/603-5527

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^ANTONIO LEE BLANCHARD,

of lawful age, having been first duly sworn to testify the truth, the whole truth, and nothing but the truth in the case aforesaid, deposes and says in reply to oral interrogatories propounded as follows, to-wit:

EXAMINATION

QUESTIONS BY MR. WEIDHUNER:

Q: All right. Have you ever given a deposition before, Antonio?

A: When I went to trial and got 40 years.

Q: Okay. That's a little bit different. That was when you testified; right?

A: Right.

Q: In a criminal proceeding?

A: Right.

Q: A deposition is a -- a thing where I get to ask questions. If you don't want to answer, you can turn to your attorney and say, Do I got to answer that? She may tell you yes or no depending; you just follow the lead of your attorney. Generally, you have to answer. It can always be stricken from the record at a later time by order of the judge.

With that, once we start, you can take a

1 break at any time you want to get a drink of water,
2 go to the bathroom, the only thing I ask is whatever
3 question is pending before you take a break, you
4 answer that before we go on the break.

5 A: How long this might take?

6 Q: Less than an hour.

7 A: What time is it?

8 Q: A little after 12 now.

9 A: All right.

10 Q: Is there something -- should I speed up? Do
11 it quick as possible?

12 A: Yeah, I mean, if possible.

13 Q: All right. We're here to take the
14 deposition of Antonio Blanchard pursuant to the
15 Federal Rules of Civil Procedure and the Local Rules
16 of the Northern District of the Federal Court,
17 Northern District of Illinois, Federal Court. I'm
18 Assistant State's Attorney Weidhuner taking
19 Mr. Blanchard's deposition. He's represented by
20 Monica Pirri, P-I-R-R-I, who is present.

21 With that, are you ready to answer my
22 questions?

23 A: Yes.

24 Q: Okay. You've got to say yes or no. You
25 can't say uh-huh, huh-uh, because the court reporter

1 can't take that down; okay?

2 MR. WEIDHUNER: Let's mark this.

3 (Defendant's Exhibit No. 1 marked for
4 identification.)

5 QUESTIONS BY MR. WEIDHUNER:

6 Q: I'm showing you Exhibit -- Plaintiff --
7 well, it says Defendant's Exhibit No. 1 for
8 identification. Did you receive a packet similar to
9 this?

10 A: Yes.

11 Q: Cook County Department of Corrections Rules
12 and Regulations for Detainees?

13 A: Yes.

14 Q: Okay. You can keep that.

15 A: Okay.

16 (Defendant's Exhibit No. 2 marked for
17 identification.)

18 QUESTIONS BY MR. WEIDHUNER:

19 Q: I'll show you what's being marked as
20 Exhibit 2 for identification. I'll ask you to look
21 at this. Have you ever seen this before?

22 A: Yes.

23 Q: You have?

24 A: Yes.

25 Q: Okay. And that's -- what is that, to your

1 knowledge?

2 A: Strip search procedures.

3 Q: Okay. And that's for the correctional
4 officers to follow under General Order 9.7; correct?

5 A: Yes.

6 Q: Did you ever read it?

7 A: Yes.

8 (Defendant's Exhibit No. 3 marked for
9 identification.)

10 QUESTIONS BY MR. WEIDHUNER:

11 Q: I'm going to show you what we're marking
12 Exhibit 3 for identification. That's Exhibit 3.
13 And that's General Order 14.7. Have you ever seen
14 this before?

15 A: Yes.

16 Q: Okay. When did you see this?

17 A: It came in the package when I first was
18 appointed a defense, had an attorney.

19 Q: Inmates Rights and Welfare it's titled;
20 correct?

21 A: Right.

22 Q: Did you read it?

23 A: Yes.

24 Q: And in fact, going back one to Exhibit 2
25 which was labelled 9 -- General Order 9.7, did you

1 read that packet, the departmental search
2 procedures?

3 A: Yes.

4 (Defendant's Exhibit No. 4 marked for
5 identification.)

6 QUESTIONS BY MR. WEIDHUNER:

7 Q: And the next one, Exhibit 4, I'm going to
8 ask you if you've ever seen this one before?

9 A: Yes.

10 Q: And what is that one titled?

11 A: Detainee Grievance Procedures.

12 Q: Okay. And that's General Order No. 14.5?

13 A: Yes.

14 Q: Did you receive a copy of that?

15 A: Yes.

16 Q: Did you review it?

17 A: Yes.

18 Q: And that was upon your entry to the Illinois
19 Department -- or to the Cook County Department of
20 Corrections?

21 A: No, I never read it when I was in Cook
22 County. I just received it when Defendants sent me
23 their package letting me know that Defendants
24 were --

25 Q: All right.

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1 A: represented by an attorney.

2 (Defendant's Exhibit No. 5 marked for
3 identification.)

4 QUESTIONS BY MR. WEIDHUNER:

5 Q: And finally Exhibit 5, now, this form I know
6 you haven't seen -- you may have seen before, but
7 you were -- did I send you this one, too?

8 A: Yes.

9 Q: Okay. And according to this report by the
10 signature at the bottom, which I can't make out,
11 that was signed 10/22 of 2008. It indicates that
12 there were no grievance reports filed or found by
13 you, but is that consistent with what you were
14 telling me earlier, that, in fact, while you
15 received a grievance form and attempted to file it,
16 that no grievance number was placed on there, that
17 it was -- you gave it to the social worker who
18 changed it to a request?

19 A: Okay --

20 Q: Or how would you describe what they did with
21 it?

22 A: -- it was an inmate grievance form. At the
23 top it stated Cook County Department -- Department
24 of Corrections, Detainee Grievance Form, and the
25 grievance was filed on a matter of a hospital issue,

1 on a medical issue at a later time, I think around
2 October, if I'm not mistaken, I'm just going off the
3 top of my head. If I'm not mistaken, I think it was
4 around October.

5 Q: Okay.

6 A: And clearly it stated detainee grievance.
7 Now, at the top it states that it has what --
8 supposed to have an AX number where it's supposed to
9 be logged as a grievance, and at the top of it is
10 wrote request. And at the bottom where it has
11 process as request, it was X'd out as it was
12 processed as a request, and I received the pink slip
13 back. And I never heard nothing else from it.

14 So this wasn't -- this wasn't a grievance
15 that was filed on this particular matter, but it was
16 a grievance that I had filed while I was in Cook
17 County after this that took place on a medical
18 situation.

19 MS. PIRRI: But in regards to this means
20 when you attempted to file a grievance for this.

21 THE WITNESS: Yeah.

22 MS. PIRRI: Didn't you -- you told me that
23 you spoke to certain officers --

24 THE WITNESS: Yes.

25 MS. PIRRI: -- regarding filing a grievance

1 for these strip searches. What did they say to you?

2 THE WITNESS: They told me it's over with
3 now, what you want us to do about it?

4 MS. PIRRI: Did they give you the grievance
5 form like you requested?

6 THE WITNESS: No.

7 MS. PIRRI: Okay. Yeah, I think that's kind
8 of what he was trying to talk -- was asking in
9 regards to this matter in itself.

10 THE WITNESS: Well, I basically gave the
11 information letting them know I have filed
12 grievances. If the grievance -- If this grievance
13 went through the same process as my other ones I
14 filed on the strip search procedure, who's to say
15 what took place with them.

16 QUESTIONS BY MR. WEIDHUNER:

17 Q: Okay. Where were you able to get the
18 grievance forms?

19 A: Usually they are located right there in the
20 front of the -- in the front of -- where the
21 officers sit at, right out in front.

22 Q: Okay. Out in the open where you can just
23 grab them?

24 A: Well, no, they on the wall. The officer
25 have to give them to you.

1 Q: Okay. Can you get them from your social
2 worker?

3 A: Not usually.

4 Q: Not what?

5 A: Not usually. That's why you can get them
6 from your officer, your wing officer.

7 Q: Okay. You said not usually from the social
8 worker. Sometimes could you?

9 A: Maybe the right social worker come through.

10 Q: Okay. When you fill out the grievance form,
11 where does it go?

12 A: Well, once you fill it out, you have to hand
13 it back to the social worker.

14 Q: Okay.

15 A: That's a must. Inside a brown envelope
16 with --on the outside of the envelope it states
17 Detainee Grievance Form. You fill out your
18 grievance, fold it up, put it in there and give it
19 to the social worker.

20 Q: Is there a way to close that envelope so --

21 A: Yes.

22 Q: -- it can't just be opened by anybody?

23 A: Yes, you lick it sealed.

24 Q: All right. What's supposed to happen with
25 the grievance that's in that brown envelope that you

1 give to the social worker?

2 A: Well, it's supposed to be filed.

3 Q: Do you know where?

4 A: No.

5 Q: Okay. To your knowledge is that when they
6 give it the number?

7 A: I mean, according to what I read what they
8 send in this package, yes, it's supposed to be
9 logged as a number once it goes to a grievance.

10 Q: Okay. And as to this strip search procedure
11 and your attempt to file a grievance about that,
12 what happened with the grievance? Did you ever get
13 one?

14 A: Not back -- Not after I signed one, I never
15 got one back in regards to what I filed.

16 Q: Okay. Did you ever follow-up and say, Hey,
17 Where's the response to that?

18 A: Yes.

19 Q: And what were you told?

20 A: We never received no grievance for you,
21 Mr. Blanchard. But you've got to also understand,
22 when I filed the first grievance, I was on B-1. So
23 I switched and got moved to F-4 in which I have a
24 total different case manager. And she's supposed to
25 did the research to find out where the grievance

1 went to, but nothing ever came back.

2 Q: Okay. Did you ever attempt to file another
3 grievance?

4 A: Several times.

5 Q: About that same incident?

6 A: Several times.

7 Q: What happened with those?

8 A: Nothing ever came back.

9 Q: So you filled out a grievance form and
10 nothing at all? Nothing came back --

11 A: No piece of paper, no nothing.

12 Q: How many times did you attempt to do that?

13 A: I'm going to say at least four times.

14 Q: Okay. Who did you give those grievance to?

15 A: To my new case manager, whose name was
16 Mr. Hinton, if I'm not --

17 Q: H-I-N-T-O-N?

18 A: Yeah, if I'm not mistaken.

19 Q: Okay. Since we talked prior to the dep, I
20 want to go back and talk again what we talked a
21 little bit about. Basically your complaint that you
22 filed under Case No. 08 C 5037 is that when you
23 arrived at the Cook County Department of Corrections
24 on February 8, 2008, and went to Court on the
25 following date, February 14th, February 29th,

1 March 20th, March 21st, April 28th, and May 29th,
2 that's all 2008 --

3 A: Mm-mm.

4 Q: each of those times upon returning to the
5 jail you were ordered to strip naked while
6 surrounded by other detainees. I was disgust -- I
7 believe you meant disgusted -- and confused by these
8 actions; is that correct?

9 A: Mm-mm.

10 Q: Okay. Where was -- Where were you
11 physically within the Cook County Department of
12 Corrections when these events occurred returning
13 from Court? Was it right by receiving?

14 A: No, it was -- When you come through -- When
15 you come back from court, you come through the
16 tunnels, and coming up through Division 1 is a
17 staircase, probably about 20 steps, back of
18 Division 1. And you come up the steps there and
19 there's a long -- it's, like, a hallway on both
20 sides. So it's about, maybe, like, 20, 25 of us.
21 And this hallway is -- like, on each side is
22 probably like 25 of us, but right there in front of
23 the visiting hall, how I can describe it, leading
24 to, if you walk into -- you go to the different
25 wells doors.

1 Q: Okay. And to get to the visiting, all you
2 have to go through is doors; right?

3 A: One door. Once you come down -- like, once
4 you come down a long hallway, it's one door on one
5 side like you come in here.

6 Q: Describe the door.

7 A: A solid door.

8 Q: Okay. So people can't see unless the door's
9 open, right? From the visiting area?

10 A: Right.

11 Q: Okay.

12 A: But the only one be on that side is inmates
13 or officers.

14 Q: On the side you're at.

15 A: Right.

16 Q: Right. Then the next line you write, On
17 July 15, 2008, returning from court, again, I was in
18 the hallway of Division 1 right next to the visiting
19 hall with about 35 other court return detainees. We
20 were ordered to strip search --or strip down naked
21 by Correctional Officer Moore. I told Moore that I
22 was not going to strip and he, Officer Moore, told
23 me that if I did not, I would make it hard for the
24 rest of the detainees standing there. So I stripped
25 naked.

1 Once I was naked, Officer Moore, in my
2 opinion, made us stand there for an extra four
3 seconds naked, stating, You all can thank your
4 fellow detainee Blanchard for this; end of quote.
5 Then he ordered us to get dressed. Is that what
6 happened?

7 A: Yes.

8 Q: Okay. And you -- I was humiliated after the
9 incident. I went to the lieutenant office doorway
10 in Division 1, I spoke with the chief. Who's the
11 chief?

12 A: Chief Howell.

13 Q: But he said, What do you want me to do about
14 it? It's over now. Is that correct?

15 A: Right, yes.

16 Q: And then your last line is, Again, this
17 incident with Officer Moore took place July 15,
18 2008, after returning from court at - - around
19 1:20 p.m.; correct?

20 A: Yes.

21 Q: Okay. When you first entered County, were
22 you given a copy of the rules and regulations for
23 detainees, Exhibit 1?

24 A: No.

25 Q: Did you ever see it posted on the walls or

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1 doorways or anywhere within the Department of
2 Corrections?

3 A: You might have seen the front page, but you
4 never seen nothing else. I mean, it was outside.
5 It wasn't in -- inmates couldn't obtain it. Only
6 thing you could see is the front page on the
7 bulletin board.

8 Q: Were you ever told upon entry to the Cook
9 County Department of Corrections how to file a
10 grievance?

11 A: No.

12 Q: How did you know to even file a grievance?

13 A: As you would --As you may know that every
14 County have, if you got a problem, file a grievance.
15 If you don't know how to file, ask one of your
16 fellow inmates to teach you.

17 Q: Did you do that?

18 A: Basically, yes.

19 Q: And did you learn how to file a grievance
20 from one of your fellow inmates?

21 A: I guess you could say that, yes.

22 Q: Okay. And you, in fact, indicated you've --
23 you would have attempted several times to file
24 grievances; correct?

25 A: Yes.

1 Q: In regard to this particular strip search
2 matter you attempted to file a grievance; correct?

3 A: Yes.

4 Q: And you attempted it for medical procedures
5 or problems that you were having with getting
6 medical attention?

7 A: Yeah.

8 Q: Any other times?

9 A: No, that was the only issue I had.

10 Q: Okay. Was there more than once for medical
11 issues?

12 A: No.

13 Q: Okay. Did you receive any injuries in any
14 way, shape or form from what happened during the
15 strip searches?

16 A: No.

17 Q: No guards ever beat you in any way, did
18 they?

19 A: No.

20 Q: No detainees jumped you?

21 A: No.

22 Q: Did any detainee ever say anything to you
23 that they were going to jump you?

24 A: No.

25 Q: Okay. Any officer ever say they were going

1 to jump you?

2 A: No.

3 Q: How would you say you were damaged in
4 regards to this strip search procedure?

5 A: Just that I was -- I felt that as a
6 professional, he could have did his job a little
7 better. I mean, as it states in here, we're
8 supposed to be treated with the respect and the
9 dignity of a person, so just by him going overboard
10 with his comments kind of, like, threw me when I
11 wasn't acting out -- out of character or anything
12 like that. I mean, he's supposed to be a
13 professional at all times, so ...

14 Q: Given this is a deposition, and if we file a
15 summary judgment the Court would be able to see it,
16 is there anything else you'd like to say before we
17 end the deposition, or my questioning?

18 MS. PIRRI: Well --

19 MR. WEIDHUNER: You still get to ask
20 questions, I'm just asking him if there's anything
21 else he wants to say.

22 MS. PIRRI: Well, for your deposition, I
23 mean, I guess what he was asking, the last question
24 was, like, how, like, unprofessional were they, and
25 what did they do, but how did that make you feel?

1 Like, did it humiliate you?

2 THE WITNESS: Well, like I said, I mean, as
3 we all know, Cook County's a very hostile
4 environment with gangs and killings and all that
5 going on. And the comment, to me, was kind of
6 confusing and humiliating because I have a number of
7 other detainees around me. So it's no telling what
8 they might have -- what their thoughts might have
9 been or how they might have felt as Mr. Moore
10 stated, You can thank your fellow inmate Blanchard
11 for you all having to endure this. So I kind of
12 felt a little bit nervous or whatever because I
13 still have to live amongst these guys. So that's
14 why I was kind of, like, threw me off, like, you
15 know, why would he make a comment like this, you
16 know what I'm saying? So that's pretty much it.

17 MR. WEIDHUNER: I'm done questioning.
18 Monica, would you like to?

19 MS. PIRRI: I think I've pretty much asked
20 the questions in between, so -- Are those on the
21 record to when I asked?

22 THE COURT REPORTER: Yes.

23 MS. PIRRI: Well, those are the ones, as you
24 asked, if there was something, I --

25 MR. WEIDHUNER: Okay. That concludes the

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depos io Blanchard. For the record, also, though, there's
ition an offer of \$4,000. Both sides have to get authority
of to actually complete that offer and settlement;
Anton okay? THE WITNESS: Okay.

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#790,

IL-CSR ^#084-003418, and Notary Public in and for the
State of Illinois, duly commissioned, qualified and
authorized to administer oaths and to certify to
depositions, do hereby certify that pursuant to notice,
in the civil cause now pending and undetermined in the
United States District Court for the Northern District
of Illinois, Eastern Division, to be used in the trial
of said cause in said court, I was attended at the offices
of Shawnee Correctional Center, 6665 State Route 146E,
Vienna, Illinois, by the aforesaid witness; and by the
aforesaid attorneys; on the 21st day of December, 2009.

That the said witness, being of sound mind and
being by me first carefully examined and duly cautioned
and sworn to testify the truth, the whole truth, and
nothing but the truth in the case aforesaid, thereupon
testified as is shown in the foregoing transcript, said
testimony being by me reported in shorthand and caused
to be transcribed into typewriting, and that the
foregoing pages

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correctly set forth the testimony of the
aforementioned witness, together with the questions
propounded by counsel and remarks and objections of
counsel thereto, and is in all respects a full,
true, correct and complete transcript of the
questions propounded to and the answers given by
said witness; that signature of the deponent was
waived by agreement of counsel.

I further certify that I am not of counsel or
attorney for either of the parties to said suit, not
related to nor interested in any of the parties or
their attorneys .

Witness my hand and notarial seal at St. Clair
County, Illinois, this 4th day of January, 2010.
My Commission expires July 27, 2012.

X/O3t?V 1/7 /V/r,,,^ ! OFFICIAL SEAL j
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NOTARY PUBLIC -STATE OF ILLINOIS j
Notary Public in -and for the » COMMISSION EXWMWJB j

State of Illinois

<?\$\$\$#" GRETTAG.CAIRATTI
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Wl/wr : « § October 29, 2012
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"iA^0 Commission #08515535

1 COURT MEMO

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5 Antonio Lee Blanchard vs. Superintendent Andrews, et al 08
C 5037

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CERTIFICATE OF OFFICER AND
7 STATEMENT OF DEPOSITION CHARGES

8 DEPOSITION OF ANTONIO LEE BLANCHARD

TAKEN ON BEHALF OF THE DEFENDANT

9 12/21/2009

10 Name and address of person or firm having custody of
11 the original transcript:

12 Ronald Weidhuner

13 COOK COUNTY STATE'S ATTORNEY'S OFFI 500

14 Richard J. Daley, Chicago, IL 60602

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Notary Public

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NAL 500 Richard J. Daley,

TRANS Chicago, IL 60602

CRIPRT Total:

TAXED

IN Upon delivery of transcripts, the above
FAVOR charges had not been paid. It is anticipated
OF: that all charges will be paid in the normal course
Ronald of business.

d GORE PERRY GATEWAY & LI PA REPORTING COMPANY

Weidh 515 Olive Street, Suite 700

uner St. Louis, Missouri 63101

COOK IN WITNESS WHEREOF, I have hereunto set

COUNT my hand and seal on this _____ day of _____

Y Commission expires

STATE *Mt*

'S

)
OFFICIAL SEAL

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Cook County Department Of Corrections



DEFENDANT'S
EXHIBIT

Rules and Regulations For Detainees

Effective: July 2007

4. Sweep
5. Inmate will receive a written copy of the rules and regulations and 3 oral explanation items. TAM CCDOC will also provide a written copy of the rules and regulations in any language used by a significant portion of the Department's inmate population.

A copy of the rules and regulations will also be posted in inmate areas throughout the CCDOC.

General Rules

1. Inmates must lock up immediately when so ordered.
2. Inmates must be fully clothed when outside their cells.
3. Inmates may not wear or display any type of gang sign or symbol.
4. Inmates must clean their cells, make beds, and remove trash before each morning inspection.
5. Inmates must clean their cells at least every other day.
6. Inmates must remove garbage from their cells before they leave.
7. Inmates must attach objects to cell, living area walls, doors, windows, or lights. Doorways must be free from obstruction.
8. Inmates may not display nude pictures or photographs.
9. Privileges begin when living unit and cells pass morning inspections.
10. Inmates will be held responsible for all damage to CCDOC property.
11. Inmates must keep dayroom area clean.
12. Inmates must have permission to enter the exercise area or multipurpose room.
13. Inmates may enter the visiting booth only when they have a visit.
14. Inmates will not be loud, boisterous or disruptive.
15. Inmates must comply with orders and directions given by correctional personnel.
16. Inmates will remain silent when moved throughout the Department.
17. Inmates will not sit on stairs or tables in the living areas.
18. Inmates are required to maintain a level of personal hygiene consistent with group living.
19. Inmates will use the dayroom in accordance with the Living Unit Rotation Schedule.

Rights and Responsibilities of CCDOC Inmates

Expect that as a human being all personnel will treat you respectfully, impartially and fairly. I. Be informed of the rules and schedules concerning the operation of the Department. Freedom of religious affiliation and voluntary-religious worship.

Health care which includes nutritious meals, the opportunity to shower regularly, proper ventilation, a regular exercise period, toilet articles, medical and dental treatment. Confidential access to the courts. The right to consult with legal counsel by mail, telephone or personal interview. Participate in the use of the law library reference materials to assist in resolving legal problems. Right to receive help when it is available at the law library. Clean and sanitary living conditions.

Prevention/Self Protection from Sexual Abuse/Attack
You may avoid an attack by keeping the following safety guidelines in mind.

1. Position yourself in "Safe Zones" areas where you can see personnel and personnel can see you. If you are being pressured for sex, report it to any personnel immediately.
2. Be aware of situations that make you feel uncomfortable. Trust your instincts. IF IT FEELS WRONG, LEAVE, GET HELP, OR CALL OUT FOR PERSONNEL.
3. Don't let your manners or pride get in the way of keeping yourself safe. Don't be afraid to say "NO" or "STOP IT NOW."
4. Walk and stand with confidence. Many predators choose victims who look like they won't fight back or are emotionally weak.

Reporting Sexual Abuse/Assault Get to a safe place.

REPORT THE ATTACK TO PERSONNEL IMMEDIATELY. The longer you wait, the more difficult it is to obtain the evidence necessary for a criminal and/or an administrative investigation. Request immediate medical attention; you may have serious injuries that you are not aware of, and any sexual contact can expose you to sexually transmitted diseases. Do not shower, brush your teeth if the (abuse/assault was oral), use the restroom, or change your clothes. You may destroy important evidence.

Treatment and Counseling for Sexual Abuse/Assault Victims

Victims of sexual abuse/assault shall be given evaluations and treatment by medical personnel for any injuries inflicted by the abuse/assault. Victims may also receive counseling by psychiatric personnel.

Disciplinary Procedures

Any inmate charged with the commission of any act(s), where an inmate may be subject to disciplinary segregation, is entitled to the due process procedures. Inmates will receive a copy of the four-part Disciplinary Report form stating the specific prohibited act(s) they are charged with and a brief statement of facts. Inmates will be entitled to a hearing and decision within seven (7) days excluding weekends and holidays. When an inmate is placed in disciplinary segregation before a disciplinary hearing is conducted, the Disciplinary Hearing Board ensure that a hearing is completed within 72 hours, including weekends and holidays. The Executive Director/designee may place an inmate under "administrative lock-up" pending a disciplinary hearing further instructions. Any time spent in pre-hearing segregation will be credited against any subsequent disciplinary detention imposed.

An inmate charged with a rule violation will have the opportunity (but is not required) to be present, make a statement, present documentary evidence and call witnesses on his or her behalf when such witnesses are reasonably available and their presence is not deemed the Hearing Board to be unduly hazardous to Departmental safety. The Disciplinary Hearing Board is empowered to impose appropriate sanctions when substantiated by information obtained in the process.

the right to appeal any decision of the nary Hearing Board by filing a written request with jperintendent of the division in which the infraction .<. place. This appeal must be made within ten (10) jrking days from the date of being advised of the decision.

The divisional Superintendent may affirm or reverse the decision outright, return the decision back to the Hearing Board for farther proceedings, or modify, but not increase the sanction imposed. A decision will be made within five (5) days, and a written copy of the decision will be provided to the inmate. The inmate will sign and date, indicating he or she has received notification of the appeal decision.

THE COOK COUNTY DEPARTMENT OF CORRECTIONS DOES NOT TOLERATE CRIMINAL ACTIVITIES OF ANY KIND. THE POSSESSION OF CONTRABAND. ASSAULTS AGIANST PERSON^NEL OR OTHER INMATES. AND DAMAGE TO COUNTY PROPERTY WILL BE REFERRED TO THE COOK COUNTY STATE'S ATTORNEY FOR CRIMINA^^ PROSECUTION.

Contraband

Items in your possession that have not been provided or approved by the CCDOC will be considered contraband, confiscated and a disciplinary report will be written.

Discipline Categories and Penalties

If you are found guilty of any of the acts listed below by a Disciplinary Hearing Board, you may receive one or more of the follow^ing penalties: loss of work assignment, loss of good time, loss of commissary privileges, loss of visitation privileges, increase in security classification, financial restitution, or any combination of the above. When .the charge of "Damaging or Altering Government Property" is sustained, the Disciplinary Hearing Board may reduce or increase the infraction category/charge dependi^ng on the amount of restitution that is required. For all other infractions the Disciplinary Hearing Board may reduce the category/charge during their deliberations, however the category/charge may not be increased.

Penalties Category

| | | |
|-----|---|--|
| | I | Verbal Warning to 4 days in Disciplinar^y. Segregation^, |
| II | | 5 to 9 days in Disciplinary Segregation |
| III | | 10 to 14 days in Disciplinary Segregation |
| IV | | 15 to 19 days in Disciplinary Segregation |
| V | | 20 to 24 days in Disciplinary Segregation |
| VI | | 25 to 60 days in Disciplinary Seg^regation |

CATEGORY I

101. Possession of excess of clothing and/or bedding.
- 102 Failure to keep cell clean.
- 103 Tattooing/possession of tattooing instruments.
- 104 Littering.
- 105 Affixing items to walls, light fixtures or windows.
- 106 Wearing headbands or head coverings without authorization.
- 107 Violation of dress code.
- 108 Storing drinks or foods other than those packaged foods purchased through commissary.
- 109 Failure to remain silent during inmate movement through the Department.
- 110 Verbally or physically demonstrating disrespect to personnel.

- 111 Possession of contraband.
- 112 Damaging or altering CCDOC property (restii .01-50.00).

CATEGORY II

- 201 Use of obscene language to personnel and vi
- 202 Being in unauthorized area.
- 203 Presenting false information to sworn person
- 204 Violation of safety or sanitation regulations.
- 205 Engaging in inappropriate physical contact
- 206 Making sexual threats, proposals or gesture:
- 207 Committing any act that disrupts the orderl^y^ operation of the CCDOC.
- 208 Verbal threat to another person.
- 209 Possession of unauthorized medication.
- 210 Misuse of authorized medication.
- 211 Indecent exposure,
- 212 Possession and/of manufacture of unauthoi beverages (e.g. "hooch").
- 213 Possession of unauthorized monetary items credit cards, money, checks, Etc).
- 214 Failure to stand for count or interfering with taking of the count.
- 215 Violation of visiting regulations.
- 216 Violation of telephone or mail regulations.
- 217 Gambling.
- 218 Smoking.
- 219 Failure to comply with the Intake procedure
- 220 Failure to follow the directions of Court Serv Deputies while being moved to/from, or dur judicial proceedings.
- 221 Possession of any tobacco or any tobacco re products (i.e. cigarette papers, lighters, mat chewing tobacco, and any other related mat
- 222 Damaging or altering CCDOC property (rest 50.01-100.00).

CATEGORY III

- 300 Fighting.
- 301 Refusing an order to lock up.
- 302 Committing any act(s), which necessitates security search by sworn personnel.
- 303 Damaging or altering CCDOC property (r 100.01-150.00).
- 304 Possession of stolen property.
- 305 Disobeying verbal or written orders from personnel.
- 306 Sexual misconduct (voluntary).

CATEGORY IV

- 400 Possession of unauthorized clothing, j
- 401 Committing any act that disrupts a jj proceeding.
- 402 Throwing or projecting any item or :
- 403 Participating in any gang-related a<^j^ communication.
- 404 Damaging or altering CCDOC pro^jj 150.01-200.00).

CATEGORY V

- 500 Theft.
- 501 Committing any act that requir^^^ to use force against an inmate, i
- 502 Possession of counterfeit identil
- 503 Committing any act that requij by Court Service Deputies whj to/from, or during a judicial

Unauthorized possession of sworn personnel
property or equipment.
Damaging or altering CCDOC property (restitution
200.01-250.00).
Gang, activity, participating in gang-related activity
or communication.

CATE (

600

601 Assaulting any person.

602 Sexual abuse/assault.

603 Arson.

604 Possessing, manufacturing, introducing any
weapon, ammunition, explosive caustic substance,
dangerous chemicals, sharpened instruments or
unauthorized tools, intoxicant, narcotic,
paraphernalia, or drug not prescribed for the
individual, or any other dangerous or deadly
weapon or substance (e.g. homemade weapons or
any sharp instrument such as scissors, fingernail
files and all items identified as contraband).

605 Participating in riots.

606 Escape/escape attempt.

607 Battery.

608 Intimidation, extortion, blackmail, threats by
words, action or other behavior.

609 Gang recruitment.

610 Attempting to commit any act listed in category VI,
aiding and abetting any person in their
commissions, planning to commit or soliciting to
commit any offense will be considered the same
commission as the act itself.

611 Participation in a disturbance requiring
deployment of specialized units (i.e., K-9, ERT).
Damaging or altering CCDOC property (restitution
250.01 and above).
Assault with a weapon on any person.

613

Repeat Violations and Criminal Charges

Second or subsequent violations may be subject to the
maximum number of days in the next highest category.
Depending on the severity of the violation, criminal charges
may be imposed pursuant to Illinois or Federal Law.

Restitution

Inmates are held responsible for CCDOC property
damaged or destroyed while in custody of the Sheriff of Cook
County.

Inmates are required to pay for the repair, replacement
and/or restoration of this property or any cost incurred by
the Department (i.e. ambulance runs, overtime for sworn
personnel, etc.) when it is determined by an official hearing
board the inmate is responsible for the damages.

Upon a finding of GUILTY by the Disciplinary Hearing
Board, the replacement cost of destroyed/damaged property
and/or any cost incurred by the Department will be
deducted from the inmate's trust account. In the event the
funds in these accounts are not adequate to satisfy the
replacement cost(s), an encumbrance will be placed on
future monies received by the inmate until the financial
obligation is satisfied.

Satisfaction of all claims will remain on file for seven (7)
years, after the date of property destruction or damage. In
the event an inmate is released (with an encumbrance and

subsequently re-incarcerated, required payment of the debt
will remain active until satisfied).

Grievances Guidelines

Inmates housed in the CCDOC may initiate written
grievances regarding circumstance or action, which he/she
feels may be discriminatory, oppressive or unjust. The
following reasons are to be used as guidelines when
determining when to file a grievance:

1. Alleged violations of civil, constitutional or
statutory rights.
2. Alleged criminal or prohibited acts by personnel.
3. Alleged violation of Department policy regarding
the inmate's general welfare or safety.
4. To resolve concerns within the facility that creates
unsafe or unsanitary living conditions.
5. To resolve issues related to an inmate's money,
property, education and medical needs.

Inmate Grievance Forms will be available in all housing
units. When forms are unavailable, grievances can be
submitted on plain paper. Upon completion of the Inmate
Grievance Form, sworn personnel will collect inmate
grievances, Monday through Friday, in sealed grievance
envelopes. These sealed envelopes will be delivered to the
CRW in the respective division.

An independent appeal panel will review the inmate's
appeal of the grievance findings.

1. If an inmate wishes to appeal the grievance
decision, he/she may seek review directly from the
Appeal Panel within fourteen (14) days of his/her
receipt of the decision. Such requests for appeal
should be made by contacting the CRW or by
forwarding the request to the sworn personnel
during the grievance collection process.
2. The Appeal Panel will investigate each grievance
as well as review the inmate's basis for an appeal. The
Appeal Panel will accept or deny the appeal
request and notate a response. If the appeal
request is declined, the grievance process for the
stated issue is completed. If the appeal request
is accepted, the recommendation will be forwarded
to the Executive Director/Designee for approval,
denial and/or action. The Appeal Board's response
will be forwarded to the inmate within the
appeal review date.

It should be noted that grievances cannot be initiated
regarding findings of the Disciplinary Hearing Board
including restitution amounts. An appeal of the Board's
findings regarding imposed discipline will be made to
the division Superintendent/Designee. All
administrative decisions that effect the inmate's
welfare can be grieved, with the exception of
Disciplinary Hearing Board decisions.

Please be reminded and assured that when the grievance
is received in a sealed envelope during the collection
process, the procedure is confidential, and the
authorized person to receive, process and forward
the grievance is the CRW assigned to the division
inmate is housed.

Emergency Grievances are those involving an immediate threat to the welfare or safety of an inmate. All emergency grievances placed in a sealed envelope must be clearly labeled "EMERGENCY GRIEVANCE". The Correctional Officer assigned to the living unit will contact a Supervisor/Shift Commander who will deliver the grievance to a CRW for review and processing.

Program, Services and Information "Request" Procedure

The programs and services described below are available to all inmates of the CCDOC except where indicated. In most instances an Inmate Request Form indicating a request for information or to participate in these programs should be filled out by the inmate and given to the Correctional Officer assigned to the living unit. The inmate may also submit the request form to the CRW. The CRW will refer each request to the appropriate Department.

Please note: Request for Medical, Dental and Mental Health related services should be on the Health Care Request Form and not the CCDOC request form.

Health Services

Cennak Health Services of Cook County, an affiliate of the Cook County Department of Health Services, provides on site medical, dental and mental health services, Hospitalization and specialized medical services are arranged with other Bureau affiliates (Stroger, Oak Forest and Provident Hospitals). Cermak Health Services will provide medical services for inmates on intake.

Inmate can fill out a Health Services Request Form to request healthcare services. This form is available from the Cermak personnel or it can be found in the housing area on the wall mounted black painted container marked "Health Request Box." After the form is filled out it is to be put inside this container.

Social Services

Correctional Rehabilitation Workers (CRWs) are available to aid in requests for information, process referrals and seek resolution of inmate complaints, grievances, and ongoing concerns. CRW's are assigned in each division and will provide information/services Monday thru Friday, excluding government holidays. They also act as the inmate's link with families, friends and other various outside agencies. CRWs may assist in arranging emergency phone calls. Pre-paid stamped envelopes may be given to indigent inmates when available. Issues regarding money, the release of personal property and documents requiring an inmate's signature will also be handled by the CRW.

Law Library Services

All inmates housed in the CCDOC will have access to legal information related to their case(s). Law libraries located throughout the Department are made available for this purpose.

Law Library Services are available twice daily, Monday thru Friday for researching criminal and civil matters. Law Library sessions will be, at minimum, one hour and a half. Inmate Request Forms must be utilized for accessing each session. Access requests will be limited to

one session per day, once per week. The request forms will be forwarded to the Law Library for scheduling.

1. Inmates with court orders that stipulate Library access, and those inmates who act as their own attorney, will be allowed access according to the provisions of the court order.
2. Inmates that have pending court dates; with the closest upcoming court date will be allowed access.

Photocopies and assistance with postage for legal mail is available to the inmate; however if the inmate is indigent these services will be provided without cost. Please see the Law Library personnel for guidelines and limitations.

Religious Services

Religious volunteers provide spiritual guidance, bible studies, Holy Day observation programs and worship services for many denominations on a regular basis. In addition, chaplains provide individual counseling.

Educational Programs

Eligible inmates from 17 to 21 years of age may enroll in the Chicago Public School/York Alternative High School. Inmates may work toward achieving a G.E.D. and/or classroom credits. This program is available to all inmates in every security classification. If more information is needed, please submit an Inmate Request Form. The CRW will refer all requests directly to the designated school representative.

Programmed Activities for Correctional Education (PACE) is a non-profit educational program available to inmates of any age. This program offers literacy education, volunteer tutorials and G.E.D. preparations. In addition, individual and group educational counseling is available. This program is not open to all inmates, more information to obtain from the CRW.

City Colleges of Chicago provides G.E.D: preparation instruction to inmates 22 years of age and older, program is not open to all inmates; more information can be obtained from the CRW.

Substance Abuse Treatment

Inmates who desire to begin a treatment program, substance abuse should complete an Inmate Request Form. All requests will be forwarded to a Drug Use Coordinator for review, and consideration. Participation in this program is limited to space availability and classification requirements.

Sheriff's Female Furlough Program (SFFP)

SFFP combines the use of electronic monitoring and components of daytime programming to provide selected participants with a maximum level of freedom; as well as the opportunity to participate in life programming.

Administrative Manager Furlough (AMI)

When the AMF program is being utilized, automatically screened for eligibility. Inmate eligibility requirements may be released or incarceration or case information has changed, inmates can submit a request for

Will forward this request to the Classification Department for review and consideration.

Electronic Monitoring (EMI)
Upon entry into the CCDOC, all inmates are automatically screened for eligibility. Inmates that meet eligibility

requirements may be released on EM. If incarceration or case information has changed after intake, inmates can submit a request for reconsideration. The CRW will forward this request to DCSI for review and/or response.

Department of Community Intervention and Supervision (DCSII/Day Reporting)
Inmates participating in the EM program are automatically screened for eligibility. Inmates that meet requirements may be released on Day Reporting.

Chicago Legal Aid to Incarcerated Mothers (CLAIM[^])
A non-profit agency that provides free legal services to incarcerated mothers to help benefit their children and families.

My Sister's Keeper
A complete after-care program that assists women who have been recently released from the correctional system in the following areas: educational referral, shelter care, self-esteem and family/individual counseling.

Veterans Assistance
A representative from the Veterans Administration is available to provide information and assistance to inmates regarding healthcare, housing, education and many ongoing basic needs.

Central Library
Facilities for general reading and participation in the Clarence Darrovv Art Program are available to inmates. For additional information, please submit an Inmate Request Form to the CRW.

Marriages
Inmates may get married while in CCDOC custody. A presiding judge from the Criminal Courts will establish the marriage date(s) and notify the CCDOC and inmates accordingly. CCDOC Program Services personnel will assist the inmate and fiancée with procedural information and required documentation. Additional information can be obtained by submitting an Inmate Request Form to the CRW.

Voter Registration and Absentee Balloting
Pre-trial inmates who are residents of Cook County will be able to register to vote and cast absentee ballots in elections while they are incarcerated. The Chicago Board of Elections and/or the Cook County Board of Elections will make eligibility requirements available. All elections are held under the supervision of a representative of the Board of Election Commissioners.

Minors
Individuals who are under the age of 17 and incarcerated in the CCDOC should immediately notify sworn personnel or the CRW. The CCDOC will begin an age \^cation and/or custody transfer process.

Personal Hygiene
All inmates are expected to maintain personal body cleanliness. Showers are located in the housing areas for inmate use. Upon intake, inmates will be issued a uniform, soap, toothpaste, toothbrush and linens. Personal care and hygiene items are available through the commissary.

Laundry
Inmates will be given the opportunity to exchange linen and uniforms on a weekly basis.

Barber/Beauty Shop
All inmates have routine access to barber/beauty shop services that are provided and scheduled in each division.

Meals
The CCDOC serves three (3) meals a day. Special diets may be approved upon written request, and are available.

Commissary
Sells a variety of food and personal hygiene products to inmates that have unencumbered funds in their trust account. Commissary is available weekly according to schedules posted in each division. The weekly spending limit is \$100.00. The Executive Director/designee will determine adjustments to this amount.

Trust Department
Holds funds for inmates while they are incarcerated at the CCDOC. Any money in the possession of the inmate when they enter the CCDOC is deposited in an account bearing the name and identification number of the inmate. After arrival, the only authorized means of receiving funds from the outside is in the form of money orders, cashier's check and certified checks, and must be sent by mail. Personal checks are not accepted. All money orders, etc., must bear the inmate's name and identification number and not exceed \$100.00 at any one (1) time. Ten (10) business days are required before these funds can be used for any purpose other than commissary. Western Union and Money Gram can be utilized to transfer funds to the CCDOC. Please contact the CRW for information.

Mail
Inmates will be permitted to receive mail while incarcerated, provided that, at the time of admission to the Department, each inmate had given their consent for designated CCDOC personnel to open and inspect incoming mail in accordance with CCDOC regulations and relevant laws. If an inmate does not give their consent to such inspection, all mail addressed to the individual will be returned to the Post Office unopened and marked "Refused[^]". Outgoing mail may be opened, read or censored. Any incoming mail that does not clearly identify the addressee (including the complete and correct inmate number) will be returned. All incoming and outgoing mail must have complete information from sender and addressee.

Outgoing mail should have the following information in the return address corner:

Inmate[^]'s Name _____
Division _____ Wing/Cell[^] _____
P.O. Box 089002 Chicago,
Illinois 60608

Incoming mail should have the following information:

Sender's Full Name
Sender's Full Address :
Sender's Zip Code

Inmates Name ID#
Division _____ .Wing/Cell.
P.O. Box 089002
Chicago, Illinois 60608

Telephones

Telephones are located in living units. Inmates will share the use of telephones in the living unit. Telephones will not accept incoming calls. Telephone privileges will begin after the living unit passes daily inspection. Inmates are permitted to use the telephone whenever they are in the dayroom. Outgoing telephone calls will be billed as collect calls. If the person being called accepts the call, they will be charged for the call. Telephone calls will have a time frame being a minimum of five (5) minutes and a maximum of fifteen (15) minutes per call. After 15 minutes, the call will be cut off by the telephone system. Abuse or illegal use of the telephone privileges may result in the loss of privileges, disciplinary action or criminal charges. .

Personal Property

At discharge the inmate shall present himself or herself to the Property Office with valid picture identification. The Property Office remains open 24 hours a day. No money can be given without picture identification. Release of funds cannot be processed until the Commissary Department confirms all payments have been cleared. No cash payouts will be made. Checks will be issued for remaining account balances. Upon the request of an inmate, CRW's will assist in the release of money to another individual or agency. The receiving party must have picture identification and the inmate's property receipt. Items on receipt will be stored for a maximum of ninety (90) days from the discharge date. All property not returned to the inmate or released to another individual within the ninety (90) days from the discharge date will be disposed of. Upon the request of the inmate, CRW's will assist in the release of personal property to another individual or agency. The inmate will sign a release form identifying the name and address of the person authorized to receive the property. The receiving party must have picture identification.

Bonding Office

The Bond Office is open from 9:00 a.m. - 9:00 p.m., three hundred and sixty-five (365) days per year and accepts payment by cash, cashier's check, certified checks or credit card. The bond clerk must verify cashier and certified checks with the bank. Checks are to be made payable to: Clerk of the Circuit Court. Credit Cards will be accepted in accordance with the guidelines set by the Circuit Court of Cook County.

Internal Investigations

Internal Affairs Department (IAD) will investigate any threat of harm committed against inmates, or CCDOC personnel or any criminal offenses, disturbances or threats to the order and welfare of the CCDOC thoroughly and confidentially.

Fire Drills.

Fire drills are conducted periodically. Inmates are expected to move promptly in an orderly fashion during such drills and to follow the directives of sworn personnel. In the event of a Department evacuation or emergency, ^, follow all directions by sworn personnel while maintaining (silence and order. Exit ^ signs are located throughout the Department to assist in the evacuation of personnel and inmates during an emergency.

Family Contact Information

Inmate's next of kin or other designated individual(s) shall be notified in case of death or serious illness. This information shall be obtained from the inmate at the time of admission and maintained in the inmate's central file.

Wake Orders

Wake Orders for inmates will be executed according to Departmental policy and procedures. Any costs incurred by the Department for the wake order may be deducted from the inmate's Trust Account. If the inmate is indigent the costs may be deducted from the Inmate Welfare Fund.

Visitation

All persons entering or exiting the CCDOC will be required to produce one (1) valid government picture identification which will include: Driver's License, State Identification card, Passport, etc. If a government ID is not available, a combination of the following are acceptable: Public Aid card accompanied by Medical card and/or Voter's Registration card. No one under the age of 17 years of age will be allowed to enter unless accompanied by an adult; •All bags and containers will be searched for contraband before the visitor is permitted to enter the CCDOC. All visitors will be subject to search under existing (Departmental guidelines.

Any visitor attempting to introduce contraband into the CCDOC will be subject to criminal prosecution under existing Illinois Compiled Statutes Code 720.ILCS 5/31 A.I.

For inmate information regarding the visitation schedule and visitation procedures, please call 1-773-869-5245.

Department Location

The Cook County Department of Corrections is accessible by several bus lines operated by the Chicago Transit Authority. Persons interested in transportation-information and/or directions to the CCDOC can contact the Regional Transportation Authority for specific routes and schedule times.

The Cook County Department of Corrections is located at 2700 S. California Avenue, Chicago, Illinois 60608 in the County of Cook.

NOTE: All of the above rules and regulations are subject to change to ensure the safety and security of the Department as determined by the Sheriff of Cook County or Designee.

AUTHC

 7/27/07

EXECUTIVE DIRECTOR ALVADOR GODINEZ. - DATE



COOK COUNTY DEPARTMENT
OF CORRECTIONS
GENERAL ORDERS

DISTRIBUTION
A

EFFECTIVE
DATE
01/29/07

GENERAL
ORDER NO.
9.7

CHAPTER:

Security and Control

AMENDS:

None

RESCINDS:
9.7-10/02/87,
9.7A-11/01/91,
9.8-10/02/87

SUBJECT:

Departmental Search Procedures

PAGE (S):
1 of 9

ACA REFERENCE:

4-ALDF-2C-01, 4-ALDF-2C-03-06, 4-ALDF-6C-19

ILCS REFERENCE:

701.140

I. POLICY

In order to ensure the safety and security of the Cook County Department of Corrections (CCDOC) searches shall be conducted of all sworn personnel, civilians, inmates, living units and other areas of the Department. These searches are conducted to detect and prevent the introduction or transfer of contraband within the CCDOC and to prevent escapes.

II. DEFINITIONS

- A. Body Cavity Search - An internal visual, manual, or instrument inspection of the anal or vaginal cavity.
- B. Civilian - All persons who do not hold Peace Officer status (i.e. employees and volunteers of the Board of Education, P.A.C.E., chaplains, tours, visitors, etc.).
- C. Frisk Search - A thorough search of an inmate's clothing, head area, and all items in their possession while the inmate is still clothed.
- D. Housing Unit/ Cell/ Room Search - A thorough inspection of "a housing unit, cell, dayrooms, shower area, water closets, or other areas that inmates may occupy.
- E. Major Line - A line of five (5) inmates or more.
- F. Pat Down - A search using the hands to check the body of sworn personnel and civilian and a thorough search of all items on their person.
- G. Sworn Personnel ~ All persons that hold Peace Officer status within the Department.
- H. Random Line Searches - Searches of major lines that are unannounced.

^DEFENDANT'S
EXHIBIT

Procedures listed in "Appendix A^" of this General Order, Sections 1 through 3 are to be strictly adhered to.

Authorized By:

Executive Director - Salvador Godinez

Date

GENERAL ORDER 9.7
DEPARTMENTAL SEARCH PROCEDURES

APPENDIX A

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|--|------------|
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Section #1 - Searches of all Sworn Personnel and Civilians

I. PROCEDURES

A. Sworn Personnel and Civilian Searches

1. All sworn personnel and civilians shall be searched if they leave a secured area and then re-enter.
2. An Officer or civilian may also be searched at any time during his/her tour of duty, if there is reasonable suspicion that warrants a more extensive search due to a breach of security or introduction of contraband into the Department. These searches are conducted with the permission of the Executive Director, First Assistant Executive Director, Assistant Executive Director of Operations, Assistant Executive Director of Programs, and Chief Investigator of Internal Affairs Department (IAD).
3. All lockers, desks, cabinets or any containers may be searched at any time to ensure the security of the Department. If such searches are conducted, the sworn personnel or civilian should be present during the search. If the employee is not present, only the Executive Director, First Assistant Executive Director, Assistant Executive Director of Operations, Assistant Executive Director of Programs or Chief Investigator of IAD can authorize the search. The employee must be notified of the search as soon as possible upon returning to work. All personal property that is not confiscated and is not a part of the investigation, shall be turned over to that employee at the earliest possible date.
5. Sworn and civilian personnel may be required to submit to fingerprinting, Breathalyzer and medical tests to determine if the safety and security of the Department has been compromised.
6. In all cases where drugs are suspected, actions will be taken in accordance with G.O. # 3.26+A&B (DRUG FREE WORKPLACE).

Section ^#2 - Searches of Inmates and Various Locations

I. PROCEDURES

A. Searching Inmates

1. Inmate Search: There are two (2) basic types of inmate searches: frisk search (clothed) and strip search (unclothed). An Officer of the same sex of the inmate conducts the search. Only in an emergency situation can a male Officer/Supervisor conduct a frisk search on a female inmate with the back of his hands, and only with approval of the Shift Commander.

2. Frisk Search

Frisk Search is most often used in the daily regimen of the Department. It should be conducted by sworn personnel of the same sex as the inmate and performed prior to departure from and entrance to the division/unit. It should also be employed before putting restraints on an inmate. Clothing and items in their possession shall also be thoroughly searched.

3. Strip Searches

The body can serve as a hiding place for contraband. For that reason, at various times it may be necessary to strip search an inmate of their clothing and search the body (i.e. on admission to the Department, upon admission to Administrative Segregation or Disciplinary Segregation, when suspected of possessing contraband, when apprehended from an escape or attempt to escape, or after participating in any type of internal disturbances). When an inmate is suspected of a new crime within the Department, a strip search may be conducted with prior authorization from the Shift Commander.

Note: All Strip Searches of inmates shall be conducted by Officers the same sex with dignity and professionalism.

4. Body Cavity Searches

Manual or instrument inspection of body cavities are conducted only when there is just cause and authorized by the Executive Director, Fir^j^ Assistant Executive Director, Assistant Executive Director of Operator or Assistant Executive Director of Programs. In cases where the Department Administrator or designee request a body cavity search oij inmate, the inmate is taken to the approved medical facility where trained personnel perform the exam in private. An Officer of the samj sex will be present during the exam. A copy of the exam will go in th{ medical file of the inmate. In cases where contraband is found, the

Officer assigned to the inmate at the time of the exam, will submit an Incident Report along with the contraband in an Evidence Bag to his/her immediate Supervisor. The Supervisor will submit the Incident Report using the Chain Of Command.

B. Housing Unit Search

1. Searches of living units, cells or rooms shall be performed unannounced and frequent. If the cell is unoccupied, the Officer must search the cell before he/she assigns it to an inmate. A housing unit search will be conducted by a minimum of two (2) Officers and a Supervisor at all times. All inmates are to exit the living unit cell/room that is being searched. The inmates will also be frisk searched upon exiting the area. To do an effective search, the Officers shall:
 - a. Probe holes and cracks in the walls, floors and ceilings
 - b. Check for tampering with light fixture faceplates
 - c. Inspects the washbowl, plumbing housing and toilet. Check to see if caulking has been removed where fixtures attach to the wall
 - d. Inspect under and around bed/bunk. Examine all bedding. Check for tears or any openings that have been re-sewn, paying special attention to seams. Roll mattresses and pillows and squeeze their corners
 - e. Leaf through books, magazines and mail
 - f. Check for false bottoms on boxes and cups
 - g. Examine windows, window frames and vents
 - h. Check doors and grooves in doorframes and on sliding doors
 - i. Check all locks, lock plates for loose and/or missing screws
 - j. Examine rolls of toilet paper by squeezing them and checking the hollow centers
 - k. Check all clothing items that are double layered and inserts of shoes as well as soles and heels
 - l. Check all containers (i.e. baby powder, lotions, etc.)
 - m. Check for loose bricks/missing bricks and any signs of tampered mortar
 - n. Remove any pictures, magazine pages, etc. affixed to walls or cell doors
2. A room should be left as close as possible to the way it was found. Inmate's personal property shall be respected and not willfully discarded, broken or misplaced.

C. General Area Search

The general search area of the Department includes work areas, recreation areas, corridors, classrooms, elevators, storage areas, dayrooms, shower areas, program areas, medical areas, kitchen, laundry, visiting rooms and person dining rooms. This may be done as necessary with the knowledge of the SI Commander. After searching, all required logbooks should be

completed. When contraband is found, Incident reports shall be completed and assessed by the Shift Commander.

D. Court Movement Searches

All inmates must be frisk searched upon leaving their living units for court. Upon re-entry to the division/unit from court, inmates will be strip-searched.

E. Visitor Search

Officers assigned to the visiting area must be exceptionally alert to the introduction of contraband. For those divisions/units where lockers are provided for visitor use, personal items (i.e. jackets, handbags, totes, diaper bags, briefcases, etc.) will be prohibited from the visiting area. Additionally, all visitors should walk through all detectors before entering. If there is a strong suspicion that a visitor possesses contraband, the immediate Supervisor will be notified and the approval of the Shift Commander will be required for any further searches to be conducted.

F. Visiting Area Search

Immediately before and after visiting hours, Officer(s) assigned to this area must conduct a thorough search to ascertain the presence of any contraband and/or any possible areas that contraband may be passed. Visitors and inmates are not permitted in areas being searched until the search is completed. Officers assigned to this area must be especially attentive to possible passing of contraband from visitor to inmate during visits. All inmates I shall be frisk searched at the conclusion of their visit. If the inmate is suspected of obtaining contraband during a visit, a strip search will be conducted with the approval of the Shift Commander.

G. Perimeter Searches

Areas outside the Department must also be searched for possible contraband. Parking areas, recreational areas and inmate receiving and discharging areas must be searched frequently and diligently.

H. Supplies and Food Stocks

All supplies and food stocks delivered to the Department must be locked in secured storage areas and inspected thoroughly by sworn personnel before being issued to inmates.

I. Inmate Workers

All inmate workers shall be supervised continually and searched before and after all work details. The areas they are assigned to work must be thoroughly searched.

J. Mechanical Detection Devices

Mechanical detection devices (i.e. hand-held metal detectors, ION detector, scan-ray machines, etc.) will be used at the entrances of gates, sally ports and divisions/units.

K. Disposition of Contraband

Any items of contraband found that would be used in a Disciplinary Hearing shall be photocopied and attached to the Disciplinary report and then placed in the contraband can for disposal. Any items of contraband found that would be used in a criminal investigation shall be placed in an Evidence Bag and handled in accordance with General Order 9.7.1 (Contraband), Section #2.

L. Transportation Searches

Transportation Officers are to conduct four (4) frisk searches of the inmates. These searches will take place as follows:

- a. Inmates are to be frisk searched and scanned with a "hand held" metal detector prior to boarding the transportation vehicle leaving the Department for court call.
- b. Upon arrival at the courthouse and prior to relinquishing custody to the Court Deputies, the inmates are to be frisk searched again.
- c. Inmates are to be frisk searched prior to boarding the transporting vehicle leaving the courthouse returning to the CCDOC.
- d. Upon arrival at the CCDOC and prior to entering the Receiving, Classification, Diagnostic Center (R.C.D.C.) inmates are to be frisk searched again.
- e. Female Transportation Officers are to conduct the frisk searches of female inmates. Only in an emergency situation can a male Officer] conduct a frisk search on a female inmate with the back, of his hands, and only with approval of the Shift Commander.

Section #3 - Random Line Searches

I. PROCEDURE

A. Random Line Search Procedures

The Shift Commander of each division shall be responsible for initiating at least one (1) random line search each day. Searches shall be unannounced, on varying shift and lines, and conducted in such a manner that inmates cannot anticipate the searches.

1. The searches shall occur during major line movement when the line is between its point of origin and destination.
2. If contraband is found on any inmate, it shall be confiscated and contraband shall be processed in accordance with General Order #9.7.1 (Contraband). In addition, inmates shall be issued a Disciplinary report with all charges related to the found contraband.
3. Random line searches shall be documented daily and a report to the Assistant Executive Director of Operations will be submitted on a weekly basis. This report shall include:
 - a. The identity of the line searched (court line, recreation line, etc.).
 - b. Time of the search
 - c. Where the line was searched
 - d. A list of the contraband found
 - e. Name of the employee supervising the search
 - f. Number of inmates searched



COOK COUNTY DEPARTMENT
OF CORRECTIONS

GENERAL ORDERS

DISTRIBUTION

A

EFFECTIVE
DATE

07/27/07

GENERAL
ORDER NO.

14.7

CHAPTER:

Inmates Rights and Welfare

AMENDS:

None

RESCINDS:
G.O.# 14.7-eff.
06/16/06

SUBJECT:

Rules and Regulations for Inmates

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ILCS REFERENCE:
701.50, 701.190

I. POLICY

It is the policy of the Cook County Department of Corrections (CCDOC) to specify acts prohibited within the Department. In order to maintain an orderly environment with clear expectations of behavior and a system of accountability, penalties have been set forth for various degrees of violations.

II. RULES AND REGULATIONS

A. Orientation

1. Upon arrival to the CCDOC, each inmate will receive a written copy of the Inmate Rules and Regulations Handbook and an oral explanation of it. The CCDOC will also provide a written copy of the Inmate Rules and Regulations Handbook in any language used by a significant portion of the Department's inmate population.
2. A copy of the Inmate Rules and Regulations Handbook will also be posted in areas where inmates are throughout the Department.

B. General Rules

1. Inmates must pick up immediately when so ordered.
2. Inmates must be fully clothed when outside their cells.
3. Inmates may not wear or display any type of gang sign or symbol.
4. Inmates must sweep cells, make beds and remove garbage from cells before each morning inspection.
5. Inmates must wet mop cells at least every other day before morning inspection.
6. Inmates may not attach objects to cell, living area walls, doors, windows or lights. Doorways must be free from obstruction.
7. Inmates may not display nude pictures or photographs.

^" DEFENDAJ
EXHIBII

8. Privileges begin when living unit and cells pass morning inspections.
9. Inmates will be held responsible for any damage(s) they cause to CCDOC property.
10. Inmates must keep dayroom area clean.
11. Inmates must have permission to enter the exercise area or multipurpose room.
12. Inmates may enter the visiting booth only when they have a visit.
13. Inmates will not be loud, boisterous or disruptive.
14. Inmates must comply with orders and directives given by Correctional personnel.
15. Inmates will remain silent when moved throughout the Department.
16. Inmates will not sit on stairs or tables in the living areas.
17. Inmates are required to maintain a level of personal hygiene consistent with group living.
18. Inmates will use the dayroom in accordance with the Living Unit Rotation Schedule.

C. Rights and Responsibilities of CCDOC Inmates

1. Expect that as a human being, personnel will treat you respectfully, impartially and fairly.
2. Be informed of the rules and schedules concerning the operation of the Department.
3. Freedom of religious affiliation and voluntary religious worship.
4. Health care which includes nutritious meals, the opportunity to shower regularly, proper ventilation, a regular exercise period, toilet articles, medical and dental treatment.
5. Confidential access to the courts.
6. The right to consult with legal counsel by mail, telephone or personal interview.
7. Participate in the use of law library reference materials to assist in resolving legal problems.
8. Right to receive help when it is available at the law library.
9. Clean and sanitary living conditions.

D. Prevention/Self Protection from Sexual Abuse/Assault .

You may avoid an attack by keeping the following safety guidelines in mind:

1. Position yourself in " Safe Zone" areas where you can see personnel and personnel can see you. If you are being pressured for sex, report it to personnel immediately
2. Be aware of situations that make you feel uncomfortable. Trust your instincts. IF IT FEELS WRONG, LEAVE, GET HELP OR CALL FOR PERSONNEL
3. Don't let your manners or pride get in the way of keeping yourself safe. Don't be afraid to say ^"NO" or ^"STOP IT NOW"

4. Walk and stand with confidence. Many predators choose victims who look like they won't fight back or are emotionally weak.

£. Reporting Sexual Abuse/Assault

Get to a safe place. REPORT THE ATTACK TO PERSONNEL IMMEDIATELY. The longer you wait, the more difficult it is to obtain the evidence necessary for a criminal and/or administrative investigation. Request immediate medical attention, you may have serious injuries that you are not aware of and any sexual contact can expose you to sexually transmitted diseases. Do not shower, brush your teeth (if assault/abuse was oral), use the restroom or change your clothes. You may destroy important evidence.

F. Treatment and Counseling for Sexual Abuse/Assault Victims

Victims of sexual abuse/assault will be given evaluations and treatment by medical personnel for any injuries inflicted by the abuse/assault. Victims may also receive counseling by psychiatric personnel.

G. Disciplinary Procedures

1. Any inmate charged with the commission of any act(s), where an inmate may be subject to disciplinary segregation, is entitled to due process procedures. Inmates will receive a copy of the four (4) part Inmate Disciplinary Report form stating the specific prohibited act(s) they are charged with and a brief statement of facts. Inmates will be entitled to a hearing and decision within seven (7) days excluding weekends and holidays. When an inmate is placed in Disciplinary Segregation before a disciplinary hearing is conducted, the Disciplinary Hearing Board will ensure that a hearing is completed within seventy-two (72) hours, including weekends and holidays. The Executive Director/designee may place an inmate in "Administrative Segregation" pending a disciplinary hearing for further instructions. Any time spent in pre-hearing detention will be credited against any subsequent disciplinary detention imposed.
2. An inmate charged with a rule violation will have the opportunity to be present (but is not required), make a statement, present documentary evidence and call witnesses on their behalf when such witnesses are reasonably available and their presence is not deemed by the Board to be unduly hazardous to the Department's safety. The Disciplinary Hearing Board is empowered to impose appropriate sanctions when a charge is substantiated by information obtained in the hearing process.
3. Inmates have the right to appeal any decision of the Disciplinary Hearing Board by filing a written request with the Superintendent of the division/unit in which the infraction took place. This appeal must be made within ten (10) working days from the date of being advised of the decision.

4. The divisional Superintendent/Unit head may affirm or reverse the decision outright, return the decision back to the Disciplinary Hearing Board for further proceedings, or modifications, but not increase the sanction imposed. A decision will be made within five (5) days, and a written copy of the decision will be provided to the inmate. The inmate will sign and date, indicating they have received notification of the appeal decision.

THE CCDOC DOES NOT TOLERATE CRIMINAL ACTIVITIES OF ANY KIND. THE POSSESSION OF CONTRABAND, ASSAULTS AGAINST PERSONNEL OR OTHER INMATES AND DAMAGED TO COUNTY PROPERTY WILL BE REFERRED TO THE COOK COUNTY STATE'S ATTORNEY FOR CRIMINAL PROSECUTION.

H. Contraband

Items in your possession that have not been provided or approved by the CCDOC will be considered contraband, confiscated and a Disciplinary Report will be completed.

I. Discipline Categories and Penalties

If you are found guilty of any of the acts listed below by a Disciplinary Hearing Board, you may receive one (1) or more of the following penalties: loss of work assignment, loss of good time, loss of commissary privileges, loss of visitation privileges, increase in security classification, financial restitution, or any combination of the above. When the charge of "Damaging or Altering Government Property" is sustained, the Disciplinary Hearing Board may reduce or increase the infraction category/charge depending on the amount of restitution that is required. For all other infractions the Disciplinary Hearing Board may reduce the category/charge during their deliberations, however the category/charge may not be increased.

| Category | Penalties |
|----------|--|
| I | Verbal warning |
| II | Verbal warning to 4 days in Disciplinary Segregation |
| III | 5 to 9 days in Disciplinary Segregation |
| IV | 10 to 14 days in Disciplinary Segregation |
| V | 15 to 19 days in Disciplinary Segregation |
| VI | 20 to 24 days in Disciplinary Segregation |
| | 25 to 60 days in Disciplinary Segregation |

CATEGORY I

- 101 Possession of excess clothing and/or bedding.
- 102 Failure to keep cell clean.
- 103 Tattooing/possession of tattooing instruments.
- 104 Littering.
- 105 Affixing items to walls, light fixtures, or windows.

- 106 Wearing headbands or head coverings without authorization.
- 107 Violation of dress code.
- 108 Storing drinks or foods other than those packaged foods purchased through commissary.
- 109 Failure to remain silent during inmate movement through the Department.
- 110 Verbally or physically demonstrating disrespect to personnel.
- 111 Possession of contraband.
- 112 Damaging or altering CCDOC property (restitution .01-50.00).

CATEGORY II

- 201 Use of obscene language to personnel and/or visitors.
- 202 Being in an unauthorized area.
- 203 Presenting false information to sworn personnel.
- 204 Violations of safety or sanitation regulations.
- 205 Engaging in inappropriate physical conduct.
- 206 Making sexual threats, proposals or gestures.
- 207 Committing any act that disrupts the orderly operation of the CCDOC.
- 208 Verbal threats to another person.
- 209 Possession of unauthorized medication.
- 210 Misuse of authorized medication.
- 211 Indecent expo sure.
- 212 Possession and/or manufacture of unauthorized beverages (i.e. ^"hooch").
- 213 Possession of unauthorized monetary items (i.e. credit cards, money, checks, etc.).
- 214 Failure to stand for count or interfering with the taking of the count.
- 215 Violation of visiting regulations.
- 216 Violation of telephone or mail regulations.
- 217 Gambling.
- 218 Smoking.
- 219 Failure to comply with the Intake process.
- 220 Failure to follow the direction of Court Service Deputies while being escorted to/from or during judicial proceedings.
- 221 Possession of any tobacco or any tobacco related products (i.e. cigarettes, cigarette papers, lighters, matches, chewing tobacco and any other related materials).
- 222 Damaging or altering CCDOC property (restitution 50.01-100.00).

CATEGORY III

- 300 Fighting
- 301 Refusing an order to lock-up.
- 302 Committing any act(s) that necessitates a security search by sworn personnel.
- 303 Damaging or altering CCDOC property (restitution 100.01-150.00).
- 304 Possession of stolen property.
- 305 Disobeying verbal or written orders from sworn personnel.
- 306 Sexual misconduct (voluntary).

CATEGORY IV

- 400 Possession of unauthorized clothing.
- 401 Committing any act(s) that disrupts a judicial proceeding.
- 402 Throwing or projecting any items or substance.
- 403 Damaging or altering CCDOC property (restitution 150.01-200.00).

CATEGORY V

- 500 Theft.
- 501 Committing any act(s) that requires personnel to use force against an inmate.
- 502 Possession of counterfeit identification.
- 503 Committing any act(s) that requires the use of force by Court Service Deputies while being escorted to/from, or during a judicial proceeding.
- 504 Unauthorized possession of sworn personnel uniform(s) or equipment.
- 505 Damaging or altering CCDOC property (restitution 200.01-250.00).
- 506 Gang activity, participating in gang-related activity or communication.

CATEGORY VI

- 600 Murder.
- 601 Assaulting any person.
- 602 Sexual abuse/assault.
- 603 Arson.
- 604 Possessing, manufacturing, introducing any weapon, ammunition, explosive caustic substance, dangerous chemicals, sharpened instruments or unauthorized tools, intoxicants, narcotics, paraphernalia or drugs not prescribed for the individual, or any other dangerous or deadly weapon or substance (i.e. homemade weapons or any sharp instruments such as scissors, fingernail files and all items identified as contraband).
- 605 Participating in major disturbances/riots.
- 606 Escape/escape attempt.
- 607 Battery.
- 608 Intimidation, extortion, blackmail, threats by words, action or any other behavior.
- 609 Gang recruitment.
- 610 Attempting to commit any act(s) listed in Category VI, aiding and abetting any person in their commissions, planning to commit or soliciting to commit any offense will be considered the same commission as the act itself.
- 611 Participating in a disturbance requiring deployment of specialized units (i.e. K-9, ERT, etc.).
- 612 Damaging or altering CCDOC property (restitution 250.01 and above).
- 613 Assault with a weapon on any person.

J. Repeat Violations and Criminal Charges

Second or subsequent violations may be subject to the maximum number of days in the next highest category. Depending on the severity of the violation, criminal charges may be imposed pursuant to Illinois or Federal Laws.

K. Restitution

1. Inmates are held responsible for CCDOC property damaged and/or destroyed while in custody of the Sheriff of Cook County. Inmates are required to pay from their trust accounts for the repair, replacement and/or restoration of CCDOC property and/or any cost incurred by the Department (i.e. ambulance runs, overtime worked for sworn personnel, etc.) when it is determined by the Department's Disciplinary Hearing Board that the inmate is responsible for the damage.
2. Upon a finding of GUILTY by the Disciplinary Hearing Board, the replacement cost of destroyed/damaged property and/or any cost incurred by the Department will be deducted from the inmate's trust account. In the event the funds in these accounts are not adequate to satisfy the replacement cost(s), an encumbrance will be placed on future monies received by the inmate until the final obligation is satisfied.
3. Satisfaction of all claims will remain on file for seven (7) years, after the date of property destruction or damage. In the event an inmate is released with an encumbrance and subsequently re-incarcerated, required payment of the debt will remain active until satisfied.

L. Grievance Guidelines

Inmates housed in the CCDOC may initiate written grievances regarding circumstances or action, which they feel may be discriminatory, oppressive or unjust. The following reasons are to be used as guidelines when determining when to file a grievance:

1. Alleged violations of civil, constitutional or statutory rights
2. Alleged criminal or prohibited acts by personnel
3. Alleged violation of Departmental policy and procedures regarding the inmate's general welfare or safety
4. To resolve concerns within the Department that creates unsafe or unsanitary living conditions
5. To resolve issues related to an inmate's money, property, education and medical needs

- M. Detainee Grievance Forms will be available in all housing units. When forms are unavailable, grievances can be submitted on plain paper. Upon completion of the Detainee Grievance Form, sworn personnel will collect grievances, Monday through Friday, in sealed envelopes. These sealed envelopes will be

delivered to the Correctional Rehabilitation Workers (CRW) in the respective division.

An independent Appeal Panel will review the inmate's appeal of the grievance findings.

1. If an inmate wishes to appeal the grievance decision, they may seek review directly from the Appeal Panel within fourteen (14) days of their receipt of the decision. Such requests for appeal should be made by contacting the CRW or by forwarding the request to sworn personnel during the grievance collection process.
 2. The Appeal Panel will investigate each grievance as well as review the inmate's basis for an appeal. The Appeal Panel will accept or deny the appeal request and notate a response. If the appeal request is declined[^],[^] the grievance process for the stated issue is complete. If the appeal request is accepted, the recommendation will be forwarded to the Executive Director/designee for approval, denial and/or action. The Appeal Board's response will be forwarded to the inmate within ten (10) days of the appeal review date.
 3. It should be noted that grievances will not be initiated regarding findings of the Disciplinary Hearing Board, including restitution amounts. An appeal of the Board's findings regarding imposed discipline will be made directly to the division Superintendent/designee. All administrative decisions that effect the inmate's rights and welfare can be grieved, with the exception of Disciplinary Hearing Board decisions.
 4. Please be reminded and assured that when the grievance is received in a sealed envelope during the collection process, the procedure is confidential, and the only authorized person to receive, process and forward the grievance is the CRW assigned to the division where the inmate is housed.
- N. Emergency Grievances are those involving an immediate threat to the welfare or safety of an inmate. All emergency grievances placed in sealed envelope must be clearly labeled "Emergency Grievance[^]". The Correctional Officer assigned to the living unit will contact a Supervisor/Shift Commander who will deliver the grievance to a CRW for review and processing.
- O. Program, Services and Information "Request" Procedure

The programs and services below are available to all inmates of the CCDOC, except where indicated. In most instances, a Detainee Request Form indicating a request for information or to participate in these programs should be filed out by the inmate and given to the Correctional Officer assigned to the living unit. The inmate may also submit the request to the appropriate department.

Please note: Request for Medical, Dental and Mental Health related services should be on the Health Care Request form and not the CCDOC request form.

P. Health Services

Cermak Health Services or Cook County, and affiliate of the Cook County Bureau of Health Services, provides on-site medical, dental and mental health services. Hospitalization and specialized medical services are arranged with other Bureau affiliates (Stroger, Oak Forest and Provident Hospitals).

Q. Social Services

CRW's are available to aid in requests for information, process referrals and seek resolution of inmate complaints, grievances and ongoing concerns. CRW's are assigned in each division and will provide information/services Monday through Friday, excluding government holidays. They also act as the inmate's link with families, friends and other various outside agencies. CRW's may assist in arranging emergency phone calls. Pre-paid stamped envelopes may be given to indigent inmate when available. Issues regarding money, the release of personal property and documents requiring an inmate's signature will also be handled by the CRW.

R. Law Library Services

1. All inmates housed in the CCDOC will have access to legal information related to their case(s). Law Libraries located throughout the Department are made available by the CRW.
2. Law Library Services are available twice daily, Monday through Friday for researching criminal and civil matters. Law Library sessions will be, at minimum, one (1) hour and a half. Detainee Request Forms must be utilized for accessing each session. Access requests will be limited to one (1) session per week. The request forms will be forwarded to the Law Library for scheduling.
 - a. Inmates with court orders that stipulate Law Library access, and those inmates who act as their own attorney, will be allowed access according to the provisions of the court order.
 - b. Inmates that have pending court dates; with the closest upcoming court date will be allowed access.
3. Photocopies and assistance with postage for legal mail are available to inmates; however, if the inmate is indigent these services will be provided without cost. Please see the Law Library personnel for guidelines and limitations.

S. Religious Services

Religious volunteers provide spiritual guidance, bible studies, Holy Day observation programs and worship services for many denominations on a regular basis. In addition, chaplains provided individual counseling.

T. Educational Programs

1. Eligible inmates from 17 to 21 years of age may enroll in the Chicago Public School/York Alternative High School. Inmates may work toward achieving a General Equivalency Diploma (GED) and/or classroom credits. This program is available to all inmates in every security classification. If more information is needed, please submit a Detainee Request Form. The CRW will refer all requests directly to the designated school representative.
2. Programmed Activities for Correctional Education (PACE) is a non-profit educational program available to inmates of any age. This program offers literacy education, volunteer tutorials and GED preparations. In addition, individual and group educational counseling is available. This program is not open to all inmates; more information can be obtained from the CRW.
3. City Colleges of Chicago provides GED preparation instruction to inmates twenty-two (22) years of age and older. This program is not open to all inmates; more information can be obtained from the CRW.

U. Substance Abuse Treatment

Inmates who desire to begin a treatment program for substance abuse should complete a Detainee Request Form. All requests will be forwarded to a Drug Unit Coordinator for review and consideration. Participation in this program is limited to space availability and security classification requirements.

V. Sheriff's Female Furlough Program (SFFP)

SFFP combines the use of electronic monitoring devices and components of daytime programming to provide selected participants with a maximum level of supervision as well as the opportunity to participate in life skills programming.

W. Administrative Mandatory Furlough (AMF)

When the AMF program is being utilized, inmates are automatically screened for eligibility. Inmates that meet eligibility requirements may be released on AMF. If incarceration or case information has changed after intake, inmates can submit a request for reconsideration. The CRW will forward this request to the Classification Department for review and consideration.

X. Electronic Monitoring (EM)

Upon entry into the CCDOC, all inmates are automatically screened for eligibility. Inmates that meet eligibility requirements may be release on EM. If incarceration of case information has changed after intake, inmates can submit a request for reconsideration. The CRW will forward this request to Department of Community Supervision and Intervention (DCSI) for review and/or response.

Y. Department of Community Supervision and Intervention (DCSI)/Day Reporting

Inmates participating in the EM program are automatically screened for eligibility. Inmates that meet requirements may be released on Day Reporting.

Z. Chicago Legal Aid to Incarcerated Mothers (CLAIM)

A non-profit agency that provides free legal services to incarcerated mothers to help benefit their children and families.

AA. My Sister's Keeper

A complete after-care program that assists women who have been recently released from the correctional system in the following areas: educational referral, shelter care, self-esteem and family/individual counseling.

BB. Veteran Assistance

A representative from the Veteran Administration is available to provide information and assistance to inmates regarding healthcare, housing, education and many outgoing basic needs.

CC. General Library

Facilities for general reading and participation in the Clarence Darrow Art Program are available to inmates. For additional information, please submit a Detainee Request Form, to the CRW.

DD. Marriages

Inmates may get married while in CCDOC custody. A presiding judge from the Criminal Courts will establish the marriage date(s) and notify the CCDOC and inmates accordingly. CCDOC Program Services personnel will assist the inmate and fiancée with procedural information and required documentation. Additional information can be obtained by submitting a Detainee Request Form to the CRW.

EE. Voter Registrations and Absentee Balloting

Pre-trial inmates who are residents of Cook County will be able to register to vote and cast absentee ballots in all elections while they are incarcerated. The Chicago Board of Elections and/or the Cook County Board of Elections will make eligibility requirements available. All elections are held under the supervision of a representative from the Board of Election Commissioners.

FF. Minors

Individuals who are under the age of seventeen (17) and incarcerated in the CCDOC should immediately notify sworn personnel and/or a CRW. The CCDOC will begin an age verification and/or custody transfer process.

6G. Personal H^ygiene

All inmates are expected to maintain personal body cleanliness. Showers are located in the living units for inmate use. Upon intake, inmates will be issued a uniform, soap, toothpaste, toothbrush and bed linens[^]: Personal care and hygiene items are available through the commissary.

HH. Laundry

Inmates will be given the opportunity to exchange linen and uniforms on a weekly basis.

II. Barber/Beauty Shop

All inmates have routine access to barber/beauty shop services that are provided and scheduled in each division.

JJ. Meals

The CCDOC serves three (3) meals a day. Special diets may be approved upon written request and availability.

KK. Commissary

Commissary is available weekly according to schedules posted in each division and sells a variety of food and personal hygiene products to inmates that have unencumbered funds in their Trust Account. The weekly spending limit is \$100.00. The Executive Director/designee will determine adjustments to this amount.

LL. Trust Department

The Trust Department holds funds for inmates while they are incarcerated at the CCDOC. Any money in the possession of the inmate when they enter the CCDOC is deposited in an account bearing the name and identification number

of the inmate. After arrival, the only authorized means of receiving funds for an inmate is in the form of money orders, cashier's checks and certified checks, which must be sent by mail. Personnel checks are not accepted. All money orders, etc., must bear the inmate's name and identification number and not exceed \$100.00 at any one (1) time. Ten (10) business days are required before these funds can be used for any purpose other than Commissary. Western Union and Money Gram can be utilized to transfer funds to the CCDOC. Please contact the CRW for information.

MM. Mail

1. Outgoing Mail

When the inmate bears the mailing cost, there is no limit on the volume of letters an inmate will be permitted to send. Writing supplies and stamps are available through the Commissary.

- a. All outgoing mail shall be clearly marked with the inmate's name, complete and correct identification number and Department address.

Mail not addressed as shown below shall be returned to the inmate, provided inmate is known. If the inmate is unknown, the mail shall be disposed of.

| | |
|-------------------|--------------|
| Inmate's Name | I.D.# |
| Division _____ | Living Unit. |
| P.O. Box 089002 | |
| Chicago, IL 60608 | |

Addressee's Full Name
 Addressee's Address _
 City, State Zip Code__

- b. Inmates shall submit all non-privileged mail in unsealed envelopes.
- c. Outgoing non-privileged mail may be reproduced or withheld from delivery if it presents a threat to the security or safety of the Department.
- d. Inmates shall be notified in writing of any outgoing mail that has been withheld.
- e. Inmates will not be allowed to correspond with members of their immediate family who are incarcerated in other correctional institutions if those institutions refuse to allow such correspondence.

Inmates of this Department may send and receive mail from residents of other institutions when joint prior approval is obtained from the administration of both institutions.

- f. Sworn personnel shall collect all outgoing mail on a daily basis from inmates.
- g. Outgoing mail shall be picked up from the divisions/units and delivered to the U.S. Postal Service by mailroom personnel (Monday - Friday).

2. Incoming Mail

Inmates shall be permitted to receive an unlimited number of letters. Any incoming mail that does not clearly identify the sender will be destroyed. Any incoming mail that does not clearly identify the addressee (including the complete and correct inmate number) will be returned to the sender. Incoming mail addressed to inmates must contain the following information:

| | |
|-----------------------------|-------------|
| Inmate Name | LD. # |
| Division _____ | Living Unit |
| P.O. Box 089002 Chicago, IL | |
| 60608 | |

- a. All incoming non-privileged mail shall be opened and examined for contraband prior to leaving the mailroom and delivery to the divisions/units by mailroom personnel.
- b. An inmate will not be allowed to open, read, pick-up or deliver another inmate's mail.

NN. Telephone

Telephones are located in the living units. Inmates will share the use of telephones in the living units. Telephones will not accept incoming calls. Telephone privileges will begin after the living unit passes daily inspection. Inmates are permitted to use the telephone whenever they are in the dayroom. Outgoing telephone calls will be billed as collect. If the person being called accepts the call, they will be charged for the call. Telephone calls will have a time frame of a minimum of five (5) minutes and a maximum of fifteen (15) minutes per call. After fifteen (15) minutes, the call will be cut off by the telephone system. Abuse or illegal use of the telephone privileges may result in the loss of privileges, disciplinary action and/or criminal charges. Telephone calls may be monitored; a disclaimer is posted in each living unit.

OO. Personal Property

At discharge, the inmate shall present a valid picture identification card to the Property Officer. The Property Office remains open twenty-four (24) hours a day. No money will be released without picture identification. Release of funds cannot be processed until the Commissary Department confirms all payments have been cleared. No cash payouts will be made. Checks will be issued for remaining account balances. Upon the request of the inmate, CRW's will assist in the release of funds to another individual or agency. The receiving party must have a picture identification and the inmate's property receipt. Items on receipt will be stored for a maximum of ninety (90) days from the discharge date. All property not returned to the discharged inmate or released to another individual within ninety (90) days from the discharge date will be disposed of. Upon the request of the inmate, CRW's will assist in the release of personal property to another individual or agency. The inmate will sign a release form identifying the name and address of the person authorized to receive the property. The receiving party must have picture identification.

PP. Bond Office

The Bond Office is open from 9:00 a.m. - 9:00 p.m., three hundred and sixty-five (365) days per year and accepts payment by cash, cashier's check, certified checks or credit card. The Bond Clerk must verify cashier and certified checks with the bank. Checks are to be made payable to: Clerk of the Circuit Court. Credit cards will be accepted in accordance with the guidelines set by the Circuit Court of Cook County.

QQ. Internal Investigations

Internal Affairs Department (IAD) will investigate any threat of harm committed against inmates or CCDOC personnel or any criminal offenses, disturbances or threats to the order and welfare of the CCDOC thoroughly and confidentially.

RR. Fire Drills

Fire drills are conducted periodically. Inmates are expected to move promptly in an orderly fashion during such drills and to follow the directives of the correctional personnel. In the event of a Department evacuation or emergency, follow all directions by correctional personnel while maintaining silence and order. Exit signs are located throughout the Department to assist in the evacuation of personnel and inmates during an emergency.

SS. Family Contact Information

Inmate's next of kin or other designated individual(s) shall be notified in case of death or serious illness. This information shall be obtained from the inmate at the time of in-take processing and maintained in the inmate's central file.

TT. Wake Orders

Wake Orders for inmates will be executed according to Departmental policy and procedures. Any costs incurred by the Department for the wake order may be deducted from the inmate's Trust Account. If the inmate is indigent the costs may be deducted from the Inmate Welfare Fund.

UU. Visitation

All persons entering or exiting the CCDOC will be required to produce one (1) valid government picture identification (i.e. Driver's License, State Identification Card, Passport, etc). If a government ID is not available, a combination of the following is acceptable: Public Aid Card accompanied by Medical Card and/or Voter's Registration Card. No one under the age of seventeen (17) will be allowed to enter unless accompanied by an adult. All bags and containers will be searched for contraband before the visitor is permitted to enter the CCDOC. All visitors will be subject to search under existing Departmental guidelines.

Any visitor attempting to introduce contraband into the CCDOC will be subject to criminal prosecution under existing Illinois Compiled Statutes code 720.ILCS 5/31 A.1.

For inmate information regarding the visitation schedule and visitation procedures, please call 1-773-869-5245 (JAIL).

W. Location

The CCDOC is accessible by several bus lines operated by the Chicago Transit Authority. Persons interested in transportation information and/or directions to the CCDOC can contact the Regional Transportation Authority for specific routes and schedule times.

The CCDOC is located at 2700 South California Avenue, Chicago, Illinois 60608 in the County of Cook.

NOTE: All of the above rules and regulations are subject to change to ensure the safety and security of the Department as determined by the Sheriff of Cook County/designee.

AUTHORIZED BY:

Executive Director - Salvador Godinez

Date



COOK COUNTY DEPARTMENT
OF CORRECTIONS

GENERAL ORDER

DISTRIBUTION

KEY
MANUAL
HOLDERS

EFFECTIVE
DATE

02/21/97

GENERAL ORDER
NO.

14.5

CHAPTER
Inmate Rights and
Welfare

AMENDS

None

RESCINDS G.0.14.5,
Eff. 4-01-84 and all
amendments

SUBJECT

DETAINEE GRIEVANCE PROCEDURE

PAGE(S)
1 of 5

I. POLICY

It is the policy of the Cook County Department of Corrections (CCDOC) to provide detainees an internal grievance mechanism for resolving complaints arising from institutional matters, so as to reduce the need for litigation and afford staff the opportunity to improve departmental operations.

II. PROCEDURE

A. Purpose

The purpose of this General Order is to establish written policy and procedure that describes the grievance procedure that is available to all CCDOC detainees.

B. Applicability

This General Order is applicable to all divisions and operational units within the CCDOC. All key manual holders shall familiarize themselves with the contents of this directive, review the contents of this order with all employees under their supervision as appropriate, and ensure the provisions as outlined are strictly adhered to.

C. Internal Audits

An internal audit of this General Order shall be conducted, at least annually, according to the established audit schedule.

D. Authority

Illinois Compiled Statutes (ILCS)

**DEFENDANT'S
EXHIBIT**

E. Definitions

1. Grievance

When a condition or action considered to be improper, unjust or discriminatory and grounds for detainee complaint exists, a grievance may be processed.

Grievances shall include complaints regarding policies, procedures, practices, conditions, acts or omissions of the Cook County Department of Corrections and its employees. A grievance may be initiated for any one of the following reasons:

- a. alleged violations of civil, constitutional or statutory rights;
- b. alleged criminal or prohibited acts by a staff members;
- c. to resolve concerns within the facility that create unsafe or unsanitary living conditions;

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- d. to resolve issues related to a detainee's money, property, education or medical needs;
 - e. alleged violation of departmental policy regarding a detainee's general welfare or safety.
2. Correctional Rehabilitation Worker (CRW)

Correctional Rehabilitation Workers shall be the initial contact for detainees utilizing the established Grievance Procedure. When possible, the grievance shall be resolved at the divisional level by the CRW. Those grievances that cannot be resolved at the divisional level will be forwarded to the Program Services Administrator or designee.

III. REQUIREMENTS

The detainee grievance procedure is an internal administrative means for resolving complaints and identifying potentially problematic areas that involve detainee rights and welfare.

// Is noted that decisions of Disciplinary Hearing Boards cannot be appealed through the Grievance Procedure. Such written appeals will be submitted directly to the divisional Superintendent or designee. All administrative decision^s that affect the detainee's rights and/or welfare are grievable, with the exception of Disciplinary Hearing Board decisions.

A grievance may be filed by any detainee regardless of disciplinary status or classification level. Where a detainee requires assistance in completing the grievance form because of physical or mental handicap or language deficiency, the Correctional Rehabilitation Worker will provide the necessary assistance. All divisional CRW's will ensure that detainee grievance forms are kept in adequate supply on all living units and/or delivered to inmates upon verbal or written request.

A. Filing of De^tainee Grievances

A de^tainee may file a grievance at any time that affects those areas outlined in Article II, E, 1, (a -e) of this General Order. A detainee may file a grievance only for him/herself and may assist another detainee in filing a grievance.

1. Only one grievance may be filed at any time regarding a single incident or item of-concem.
2. A detainee may withdraw a previously filed grievance at any time.
3. No staff member may retaliate against a detainee filing or withdrawing a grievance.
4. An inappropriately filed grievance or one that concerns a non-grievable issue will be returned to the detainee. "

B. Processing of Detainee Grievances

1. A detainee wishing to file a grievance shall fill out the Inmate Grievance Form. If forms are not available blank writing paper is acceptable.
2. The grievance will be placed in the designated locked box located on each living unit within fifteen (15) days after the alleged grievable event has occurred. Grievances from more than one detainee involving an issue that affects multiple detainees, may be written on a single grievance form. Written responses to grievances so consolidated shall be made to each named detainee.
3. Written grievances shall be collected Monday through Friday by the Correctional Rehabilitation Worker. Special procedures for the collection of emergency grievances are set forth under Article III, E of this General Order.

4. Within 48 hours (not including weekends) after the grievance is collected, the CRW will obtain an assigned Grievance Case Number. This document case control number, will be written on all filed grievances, and will serve as the mechanism by which the grievance resolution is tracked.
5. Any employee that knowingly denies a detainee of their rights regarding the filing of grievances will be subject to disciplinary action.
6. All CRW's with divisional assignments shall make a copy of the written grievance for the divisional file, and be held responsible for the maintenance of the Grievance Divisional Tracking Log (attached).
7. The CRW shall log the grievance in the Grievance Divisional Tracking Log. The following information shall be documented in each divisional log:
 - a. Detainee Name
 - b. CCDOC CIMIS number
 - c. Division/Living Unit
 - d. Date Grievance Received
 - e. Date Grievance Forwarded
 - f. Grievance Case Number
 - g. Date Grievance is returned to CRW
 - h. Date Grievance is returned to detainee
8. Within five (5) days of receipt of the resolved grievance, the CRW will provide a written copy of the findings to the detainee. The CRW will ensure that the detainee signs and dates a copy of the grievance to indicate he/she has received written notification of the decision.
9. All resolved grievances, complete with dates, times and signatures will be kept on file at the divisional level, at minimum, for 5 years.
10. If the grievance is not resolved in a timely fashion (not to exceed 30 days from the date the grievance was filed), the CRW will notify the divisional Superintendent for status review.
11. If a grievance cannot be resolved within the time period allotted because of the complex nature of the complaint or fact finding, the CRW shall notify the detainee in writing of the status of the case, and will include the following information:
 - a. grievance case number
 - b. name of the person the grievance was forwarded to
 - c. a reason why the grievance is not yet resolved

In all cases, status updates on all grievances will be provided to detainees at minimum bi-monthly (from the date the initial was filed), until written resolution is received in writing to the affected detainee.

12. The CRW shall exhaust all available resources in his/her attempt to respond to the grievance.

C. Appeals of Grievance Decisions

1. " If a detainee wishes to appeal the grievance decision, the detainee will have five (5) working days from receipt of the decision, to appeal to the Administrator of Program Services or designee. Such requests for appeal shall be placed in the same designated locked boxes as the initial grievance.

2. The Administrator of Program Services or designee will have ten (10) working days to review the grievance appeal and to reply to the detainee, except in disciplinary cases. The reply will be in writing, and the detainee will date and sign to indicate he or she has received notification of the appeal decision.

All appeal decisions rendered by the person(s) reviewing the grievance appeal will be final.

E. Emergencies

Emergency grievances are those involving an immediate threat to the welfare or safety of a detainee.

1. If a detainee deems that the grievance is an emergency, the supervising Correctional Officer assigned to the living unit, will contact a CRW, or in the CRW's absence, the Shift Commander.
2. Processing for emergency grievances will begin with the initial determination by the receiving CRW, or Shift Commander that the issue raised is an emergency.
3. Responses and decisions to emergency grievances shall occur no later than 48 hours from receipt and sooner if warranted. In the absence of the Administrator of Program Services or designee the Shift Commander will forward a written response to the detainee within the time frame.
4. Emergency grievances that cannot be resolved at the divisional level will be forwarded without delay through the chain of command until reaching a level where a decision can be made and the appropriate action can be taken.
5. Detainees will be immediately notified of any decision to deny an emergency grievance for reasons that there is no emergency. The grievance shall then be processed as a standard grievance to be processed as outlined in this general order.

F. Record Keeping and Confidentiality

1. All original grievances and findings of fact shall be forwarded to the Program Services Department upon resolution of the grievance, where they shall be kept on file for a period of five (5) years.
2. A Monthly Grievance Statistical Summary Report of all departmental grievance activity will be prepared by the Administrator of Program Services or designee. This report will be reviewed each month in order to ascertain patterns of problem areas in the institution and to facilitate intervention in those areas. The grievances will be placed in the following categories:
 - a. number of grievances filed in each division
 - b. number of grievances answered during the month
 - c. percentages of grievances answered
 - c. number of grievances unanswered and outstanding
 - d. total number of CCDOC grievances filed during the calendar year
 - e. percentages of CCDOC grievances in all of the above categories
3. The report will be distributed to all Superintendents or Unit Heads no later than the 15th of the following month.
4. All written grievances will be considered to be confidential in nature; copies of grievance documents will be released only upon authorization of the Administrator of Program Services or designee.

G. Grievance Information Availability

Upon arrival to the CCDOC, each detainee shall receive a written copy of the grievance procedure and/or oral explanation of the grievance procedure. The CCDOC shall also provide a written copy of the grievance procedure in any language used by a significant portion of the department's detainee population.

In all cases, a copy of the grievance procedure will be posted on all living units, in prominent locations in each division.

H. Supervisory Responsibility

In all cases, it is the responsibility of the divisional Superintendent or Unit Head to ensure that the grievance procedure is coordinated, followed and strictly adhered to in their respective divisions, as outlined in this general order.

It is the responsibility of the Administrator of Program Services to ensure that all CRWs receive the necessary materials and training in the departmental grievance procedure and policy, and will ensure that appropriate record keeping and follow-up is maintained in the central office. All requests from the divisional Superintendent to the Program Services Administrator regarding detainee grievances will be expedited in a timely manner.

^*****^*****^*****^*****^*****^*****^*****^*****

AUTHORIZED BY:

^** ^Ernesto Velasco - Executive Director



Cook County Sheriff
Correctional Department
Memorandum

| | | |
|----------|---|-------------------|
| TO: | LAROYWA3RREN
2008 | JX&TEi 21 OCTOBER |
| *FROM: | TsKE IMG AL ©JB TICE | |
| CASE: | 08 C 5037 | |
| Subject: | ELANCHARD, ANTONIO I.D. # 2008-0009406 Booked on 2-8-08 | |

We have received -pending litigation concerning the above^subjected case. Please forward to the Legal Office January 1, 2008, which may fall under your control 10 the attention of Qfc. Q^?.Brien. Ext (3719), Fax (39P^I)^, Your response is needed as soon as possible!!!

LOGBOOK (S).

VISITING REGISTER

GRIEVANCE REPORTS ^VANV AN^B AT^T.
OTHER _____

SIGNATURE

IF NO

**NOTION IS
HAS BEEN FOUND**

SIGNATURE

DATE

2/2/08

INFORMED

NOTHING

SIGN

**DEFENDANT'S
EXHIBIT**

12/21/09 ⁵ 88C

