

# The Grievance Process

**Note:** You may *not* file a grievance concerning classification or disciplinary decisions, transfers, Alaska Parole Board procedures or decisions, or court procedures or decisions. These matters may only be raised through an appeal of a classification or disciplinary action, or a court action.

## Basic Information

- A grievance must be filed within 30 days of the date the incident occurred or from the date you had knowledge of the incident. Filing a form for informal resolution does not satisfy this requirement.
- If you can, make copies of all grievance forms you file and keep a detailed record of when you filed the grievance.
- To file grievances and grievance appeals, you must give the appropriate forms to the Grievance Coordinator (“GC”) or place the forms in the locked box located in the housing unit.
- An emergency grievance may be made by notifying the GC, the superintendent, or the Shift Supervisor orally or in writing. Emergency grievances involve issues that threaten life or the security of the facility or may cause harm to any individual.
- There are four (4) steps to the grievance process. All four must be completed before can take any action in court.

## Step-by-Step

### 1. INFORMAL RESOLUTION

You must first try to resolve the grievance informally by filling out and filing a Request for Interview Form (Form 808.11A). Go to step two if you are not satisfied with the results of this informal resolution.

**Note:** A grievance must be filed within 30 days of the date the incident occurred or from the date you had knowledge of the incident. Filing a form for informal resolution does not satisfy this requirement.

### 2. FILING A GRIEVANCE

Fill out a Prisoner Grievance Form (Form 808.03C), attach it to the response to your Request for Interview Form and file it in the locked box. You must file this form within 30 days from the date of the action you are complaining about or the date when you have knowledge of the action.

The Grievance Coordinator (“GC”) will decide if your grievance should be screened (denied because of a technicality such as the form not being filled out clearly or because the complaint is about something that cannot be resolved through filing a grievance), resolved easily, or assigned to an investigator. Go to step three if the GC assigns an investigator. Otherwise, see below:

- a. **Screened:** If your grievance is screened, you will receive a Grievance Screening Form (Form 808.03A). If you can correct the deficiency that caused the screening, you may appeal the decision and re-submit the grievance within 2 working days of receiving the screening form. To appeal the screening decision, you must fill out the Request For Interview Form (Form 808.11A) again and state on that form why the decision was wrong. Attach the new Request For Interview Form (Form 808.11A) to the Grievance Form (Form 808.03C) and the Screening Form (Form 808.03A) and resubmit them to the Grievance Coordinator.

**Note:** There is no set time frame for DOC to respond to your appeal. If you do not receive a response within ten (10) working days after you filed it, consider your appeal denied.

If you lose the appeal of the screening, there is no further step. If you win the appeal, go to step 3. If you believe your grievance was screened improperly, you can file a separate grievance about the screening process.

- b. **Easily Resolved:** If you and the Grievance Coordinator determine that your concerns can be easily resolved, you and the GC must fill out a Resolved Filed Grievance Form (Form 808.03B).

### 3. APPEAL OF A GRIEVANCE DECISION

You will receive a written decision concerning your grievance from the Superintendent or Deputy Director. You should receive this decision within fifteen (15) working days of filing your grievance. If you do not receive a response within this time frame, you should consider your appeal denied.

You may appeal the decision by filling out the Prisoner Grievance Appeal Statement Form (Form 808.03D) and the “Prisoner Response” section on page 2 of the Prisoner Grievance Form (Form 808.03C). You must file your appeal within 2 working days. If you file an appeal, go to step four.

### 4. GRIEVANCE AND COMPLIANCE ADMINISTRATOR REVIEW

You will receive another written decision from the Superintendent or Deputy Director within 15 working days. If you do not receive a response within this time frame, you should consider your appeal denied. If you disagree with this decision, you may appeal to the DOC Grievance and Compliance Administrator (“GCA”). There is no form to fill out; you may request review by writing a letter directly to the GSA within 30 days after you receive the decision on your appeal. The GCA will respond to your request within 30 days.

If you do not agree with the GCA’s decision, you may file a compliance motion in state court under the *Cleary* Final Settlement Agreement (FSA) or you may file a lawsuit in state or federal court. You may only file a compliance motion under the *Cleary* FSA if your grievance is an issue addressed in the *Cleary* FSA and it involves a violation of a state or federal right. A copy of the *Cleary* FSA must be made available in the prison’s law library. It is important to remember that you must first complete all 4 steps of the grievance process before filing a motion under *Cleary* or before filing a lawsuit.