

Grievance Procedure

956.1 PURPOSE AND SCOPE

The facility administrator shall establish and implement written policy and procedures for resolving youths' grievances. This policy applies to all juvenile facility staff.

956.1.1 DEFINITION

Emergency grievance - A grievance that may be either detrimental to the youth's well-being, cause further hardship or injury, and/or require immediate attention and resolution.

956.2 AUTHORITY AND REFERENCES

- Board of State and Community Corrections Title 15 § 1361;
- Juvenile Facility Services Policies: Youth Non-Discrimination Policy, Orientation, Prison Rape Elimination Act (PREA) of 2003 & Destruction/Storage of Files, Logs, Etc.

956.3 POLICY

There shall be a process in effect at each juvenile facility whereby youth may appeal and have grievances resolved relating to any condition of confinement, including but not limited to: health care services, school, classification decisions, program participation, telephone, mail or visiting procedures, food, clothing, bedding, mistreatment, harassment, sexual abuse, sexual harassment or violations of the Juvenile Facility Services Policy: Youth Non-Discrimination Policy. There shall be no time limit on filing grievances. Youth cannot grieve their detention as ordered by the juvenile court.

956.4 YOUTH ORIENTATION

The grievance procedure shall be explained to each youth during the orientation process by the intake officer (refer to Juvenile Facility Services Policy: Orientation). Each youth shall sign the orientation documentation indicating the grievance procedure was explained by staff.

956.5 GRIEVANCE POLICY AND FORMS ACCESSIBILITY

A copy of the grievance procedure shall be posted in a conspicuous location in each living unit. Formal Grievance For Youth forms in English and Spanish (attachment) shall be made readily available in each unit and kept in a location that allows easy and immediate access by all youth.

956.6 PROCESS FOR SUBMITTING/RESOLVING A GRIEVANCE

A youth who encounters a situation involving a condition of confinement that he/she perceives to be unfair has the right to submit a grievance to any staff. The youth should be encouraged to resolve the grievance by discussing it with staff. All staff are encouraged to resolve grievances at the lowest appropriate staff level.

A youth may request help with filing a grievance from: another youth, a staff, a family member, an attorney, or an outside advocate.

Riverside County Probation Department

Policy Manual

Grievance Procedure

If the grievance cannot be resolved at the lowest appropriate staff level, or if the youth chooses not to discuss it with staff, the grievance form may be submitted to either the duty officer (DO) or a supervising probation officer (SPO) in one of the following ways:

- (a) The youth may directly submit the grievance form to the DO/SPO.
- (b) The youth may submit the form confidentially. A locked box labeled "Grievance Forms" shall be maintained in each living unit. The box shall be checked by the DO on shifts AM and PM and this shall be documented in the duty log.
- (c) The youth may deliver the grievance form to any staff, who shall forward it directly to the DO/SPO or place it in the locked grievance box.

Staff shall not discourage a youth from filing a grievance nor shall they refuse to accept a grievance from a youth. Staff shall not engage in any retaliatory act or disciplinary action against a youth as a direct result of that youth filing a grievance. The youth is to be advised that false allegations shall be dealt with in accordance with existing laws and policies.

The DO shall immediately review the grievance and, if determined to be an emergency grievance, the matter shall be immediately referred to the facility manager(s). In their absence, the DO/SPO shall act as their designee and shall immediately address the problem, arriving at an acceptable resolution. The grievance shall be forwarded to the facility manager(s) for further review. If the grieved issue is determined not to be an emergency, the grievance shall be handled through the normal procedures as indicated by this policy.

Upon receiving the grievance form, the DO/SPO shall review it with the youth. The youth shall be allowed to have a staff representative of their choice present to assist the youth in explaining their version of the grievance. The youth shall be provided an initial response to their grievance within three (3) business days.

956.7 UNRESOLVED GRIEVANCES/APPEALS

In the event that the grievance is unresolved or the youth has requested an appeal, the DO/SPO shall forward the grievance and all accompanying documentation to the facility manager(s) for review and resolution. The youth shall receive a written response to the grievance at each step.

The appeal of any grievance shall be heard by someone who was not directly involved in the circumstances which led to the grievance. A grievance shall be resolved within 10 business days of submission unless circumstances dictate a longer time frame or if it is determined to be an "emergency grievance." The youth shall be notified of any delay.

956.8 COURT REFERRED COMPLAINTS

If a youth makes a complaint through the youth's attorney concerning treatment or the conditions of confinement, any inquiry from the court arising from the complaint shall be referred directly to the facility manager(s) for follow up.

Grievance Procedure

956.9 FOOD SERVICES/ RIVERSIDE COUNTY OFFICE OF EDUCATION (RCOE)/ RIVERSIDE UNIVERSITY HEALTH SYSTEM- CORRECTIONAL HEALTH (RUHS-CH)/ RIVERSIDE UNIVERSITY HEALTH SYSTEM- BEHAVIORAL HEALTH (RUHS-BH) GRIEVANCES

Grievances concerning food service, education, health care, or behavioral health staff and/or related issues shall be reviewed and resolved by the DO/SPO. The DO/SPO shall forward a copy of the grievance to the supervisor of the grieved department, who shall review and respond to the grievance within three business days. Grievances that relate to sexual abuse, sexual harassment, health and/or safety issues shall be addressed immediately. An attempt shall be made to resolve the grievance at the lowest appropriate staff level. The DO/SPO shall act on the youth's behalf to resolve the grievance with the supervisor of the grieved department. In the event the grievance is unresolved, or the youth has requested an appeal, the DO/SPO shall forward the grievance and all accompanying documentation to the facility manager(s) for review and resolution.

956.10 REPORTING SEXUAL ABUSE AND SEXUAL HARRASSMENT

Youth may report sexual abuse and sexual harassment by any one of the internal or external methods described in Juvenile Facility Services Policy: Prison Rape Elimination Act (PREA) of 2003. This includes the submission of a grievance.

956.11 GRIEVANCES ALLEGING STAFF MISCONDUCT

Grievances alleging probation staff misconduct that, if found true, could result in disciplinary action against the subject employee shall be handled at the administrative level. When a grievance of this nature is received by the DO/SPO, it shall immediately and confidentially be forwarded to the facility manager(s) for further action.

If the CDPO for Institutions, after conferring with the Manager(s) of Probation Human Resources, determines that the alleged misconduct does not rise to the level of discipline, the grievance shall be resolved by the facility manager(s).

956.12 RESOLUTION AND DOCUMENTATION OF GRIEVANCES (NOT PERSONNEL COMPLAINTS)

When a grievance is resolved, the youth shall receive a written response from the person responsible (DO/SPO handling the matter, or the facility manager(s) handling the appeal). The response shall include the reasons for the decision. The finalized grievance form shall be sent to the facility manager(s) for review and retention. Upon final resolution of the grievance by the facility manager(s), an entry shall be made in the JAMS under the youth's detention contacts, describing the grievance and its resolution.

956.13 TRACKING AND REPORTING

All grievances and related materials shall be retained for a minimum of three years (refer to Juvenile Facility Services Policy: Destruction/Storage of Files, Logs, Etc.). The facility manager(s) shall review the grievances monthly and prepare a report from JAMS that shall be submitted to

Riverside County Probation Department

Policy Manual

Grievance Procedure

the CDPO for Institutions each quarter. The report shall contain the following: the total number of grievances filed; the number filed against probation, food service, health care, education, or behavioral health staff; general information regarding grievances related to juvenile facility services policy and procedure issues; and findings (if found in favor of the youth or not) and the resolution. The facility manager(s) shall also address to the CDPO for Institutions if there are patterns of grievances being filed against particular staff member(s), or if there are reoccurring policy and procedure issues.

Date last reviewed: 10/30/2019

Date(s) revised: 10/30/2019

07/19/2019

03/07/2016

12/07/2010

10/09/2009

06/16/2008

Created: 03/01/2000

Attachments:

- [1. Formal Grievance For Youth-English](#)
- [2. Formal Grievance For Youth-Spanish](#)



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FORMAL GRIEVANCE FOR YOUTH

(1 of 2)

Youth's name: _____ Unit: _____

GRIEVANCE

(In a few words, state your complaint)

Signature of Youth

Date/Time

Note: If the situation is not resolved by discussing it with staff, or if you choose not to discuss it with staff, you may submit a grievance form in one of the following ways: (You can expect a response within 10 business days of submission of this form.)

- To any staff member you choose.
- To a Supervising Probation Officer or the Duty Officer.
- Confidentially. A locked box is in your living unit marked "Grievance Forms".
- The box is checked daily by the Duty Officer.

GRIEVANCE TYPE

- | | | |
|--|---|---|
| <input type="checkbox"/> Probation | <input type="checkbox"/> Food Services | <input type="checkbox"/> Health Care Services |
| <input type="checkbox"/> Educational Services | <input type="checkbox"/> Behavioral Health Services | <input type="checkbox"/> Laundry Services |
| <input type="checkbox"/> Program Participation | <input type="checkbox"/> Mail | <input type="checkbox"/> Visiting Procedures |
| <input type="checkbox"/> Telephone / ICE | <input type="checkbox"/> General Info | <input type="checkbox"/> Harassment |
| <input type="checkbox"/> Classification Issues | <input type="checkbox"/> Policy & Procedure | |

RESOLVED UNRESOLVED COPIES TO: UNIT SPO

FORWARDED COPIES TO: RCOE CORRECTIONAL HEALTH BEHAVIORAL HEALTH

(CONTINUED OTHER SIDE)

FORMAL GRIEVANCE FOR YOUTH

(2 of 2)

I. Action taken by SPO/DO and statement as to evidence relied on and reasons for the decision made. Youth advised of action.

Signature of Youth

Date/Time

Signature of SPO/DO

Date/Time

Grievance Resolution:

_____ I am satisfied with the action taken.

_____ I am **NOT** satisfied with the action taken and wish to appeal.

_____ I am not satisfied with the action taken, but I **DO NOT** wish to appeal.

Signature of Youth

Date/Time

Signature of SPO/DO

Date/Time

II. Action/ Decision/ Review made by the Facility Manager.

Signature of Facility Manager

Date/Time



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DOCUMENTO DE QUEJAS FORMALES PARA JOVENES

(1 of 2)

Nombre del Joven: _____ Unidad/Ala: _____

QUEJA

(En pocas palabras describe la queja)

Firma del Joven

Fecha/Hora

Nota: Si la situación no se resuelve una vez discutida con el personal de planta, o prefieres no discutirla con el personal de planta, tú puedes presentar tu queja formal de la siguiente manera. (Espera recibir una respuesta a tu Queja Formal en 10 días hábiles máximo.)

- Al personal de tu preferencia.
- Al Supervisor Oficial de Libertad Condicional/Oficial de Servicio.
- Confidencialmente. En tu unidad encontraras una caja de seguridad marcada "Quejas Formales."
- Misma que es inspeccionada diariamente por el Oficial de Servicio.

TIPO DE GUEJA

- | | | |
|---|--|---|
| <input type="checkbox"/> Libertad Condicional | <input type="checkbox"/> Servicios de Comida | <input type="checkbox"/> Servicios de Salud |
| <input type="checkbox"/> Servicios Educativos | <input type="checkbox"/> Servicios de Salud del Comportamiento | <input type="checkbox"/> Servicios de Lavanderia |
| <input type="checkbox"/> Participación en el Programa | <input type="checkbox"/> Correo | <input type="checkbox"/> Procedimientos de Visita |
| <input type="checkbox"/> Teléfono / ICE | <input type="checkbox"/> Información General | <input type="checkbox"/> Acoso |
| <input type="checkbox"/> Cuestiones de Clasificación | <input type="checkbox"/> Política y Procedimiento | |

RESUELTO

IRRESOLUTO

COPIAS A:

UNIT SPO

REENVIADO COPIAS A:

RCOE

SALUD CORRECCIONAL

SALUD DEL COMPORTAMIENTO

(CONTINUADO AL OTRO LADO)

DOCUMENTO DE QUEJAS FORMALES PARA JOVENES

(2 of 2)

I. Medidas adoptadas por el Supervisor Oficial de Libertad Condicional/Oficial de Servicio, declaraciones invocadas en evidencia y razones que lidiaron a la decisión tomada. Notificar al joven de la decisión.

Firma del Joven

Fecha/Hora

Firma del Oficial

Fecha/Hora

Resolución de Queja:

_____ Estoy satisfecho con las medidas adoptadas.

_____ **NO** estoy satisfecho con las medidas adoptadas y deseo apelar.

_____ No estoy satisfecho con las medidas adoptadas, pero **NO** deseo apelar.

Firma del Joven

Fecha/Hora

Firma del Oficial

Fecha/Hora

II. Medidas adoptadas/Razones de la decisión/Revisión conducida por el Director o Subdirector.

Firma del Director o Subdirector

Fecha/Hora