NCH//A		Effective Date	Responsible Division		
De De	Massachusetts partment of Correction STANDARD	10/14/2025	Chief of Staff		
THE TOTAL PROPERTY OF THE PARTY	OPERATING	Annual Review Date			
FAT OF COR	PROCEDURE	10/14/2025			
Policy Name		Regulation Reference:			
STANDARD OPERATING PROCEDURE TO 103 CMR 491, INMATE GRIEVANCE		M.G.L. c. 124, § 1(i) and (<u>q) and c.127, § 38E</u>		
		DOC Policy Reference: 103 CMR 491			
INFORMAL COMPLAINT PROCESS		ACA/PREA Standards:			
Attachments	Library	Applicability: Staff/In	nmates		
Yes ⊠ No □	Yes ⊠ No □				
Public Access		Location:			
Yes ⊠ No □		Department's Central Policy File			
		Each Institution's Policies Files			

PURPOSE:

The purpose of 103 CMR 491 Standard Operating Procedure is to establish rules and procedures governing the filing and resolution of informal complaints. It is the policy of the Department of Correction (Department) that every individual committed to its custody shall have access to an internal grievance mechanism that provides a forum for the fair and impartial resolution of legitimate inmate complaints. The inmate grievance process is a non-adversarial administrative process which promotes problem resolution and provides inmates with a means to address their concerns in a responsible manner, thus enhancing skills for successful reentry.

RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:

Chief of Staff

Superintendents

CANCELLATION:

103 CMR 491 cancels all previous Department or institution policy statements, bulletins, directives, orders, notices, rules, regulations, or standard operating procedures, regarding informal inmate complaints to the extent that they are inconsistent with 103 CMR 491.

SEVERABILITY CLAUSE:

If any article, section, subsection, sentence, clause or phrase of 103 CMR 491 is for any reason held to be unconstitutional, contrary to statute, in excess of the authority of the Commissioner or otherwise inoperative, such decision shall not affect the validity of any other section, subsection, sentence, clause or phrase of 103 CMR 491.

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I. <u>Informal Complaint Resolution Process</u>

- A. The informal complaint resolution process is the preferred mechanism for the resolution of inmate concerns. Effective communication between institution staff and inmates is essential. Most requests and complaints can be addressed easily and quickly through direct communication with the staff person responsible in the particular area of the problem. It is important that inmates attempt to address their issues at the lowest institutional level possible. Inmates are expected to express their concerns in a respectful, constructive manner. Staff awareness as to the need for prompt attention and response to these issues is also essential and will minimize the use of formal grievance procedures. Failure to file an Informal Complaint Form will disqualify an inmate from filing a formal grievance. However, a Step 1 Informal Complaint Form is not required for an emergency grievance, allegation of staff misconduct, or allegation of sexual assault/abuse.
- B. Communicating requests and complaints verbally should be the first step taken to address informal requests and concerns. Other avenues of informal communication include but are not limited to staff access, and correspondence submitted to the staff person responsible for the area of concern. Staff shall respond to written or verbal concerns submitted by inmates in an expedient manner.
- C. The inmate orientation program and manual shall include a component addressing the staff communication and informal complaint resolution process.
- D. The informal complaint resolution process shall include, but not be limited to, the utilization of the Informal Complaint Form (Attachment #1).
- E. While inmates are encouraged to utilize other available avenues as defined in the Informal Complaint Resolution, Standard Operating Procedures (B), for addressing complaints prior to submitting an Informal Complaint Form, they shall not be penalized for failing to do so. However, timeframes in which to file an informal complaint shall be kept in mind.
- F. The informal complaint resolution process is not a substitute for existing appeal processes, including but not limited to classification and disciplinary appeals.

II. <u>Informal Complaint Forms</u>

- A. The informal complaint resolution process shall be coordinated by a staff person designated by the Superintendent.
- B. The Superintendent shall designate areas where inmates may obtain the Informal Complaint Forms, including the inmate libraries and special housing units.

- C. Inmates shall file an Informal Complaint Form within five (5) working days of the actual incident or within five (5) working days of the inmate's becoming aware of the incident or situation, whichever is later.
- D. Informal Complaint Forms should contain a brief description of the issue and a requested remedy. If more than one (1) issue exists, inmates shall use separate forms for each issue to ensure it is referred to the appropriate staff person for response.
- E. Inmates shall address forms to the Informal Complaint Coordinator and submit them via institution mail or deposit them directly into the locked drop box designated for grievances.
- F. The institution grievance coordinator shall forward Informal Complaint Forms submitted via the locked drop box to the Informal Complaint Coordinator each business day.
- G. The Informal Complaint Coordinator shall immediately screen the incoming Informal Complaint Forms for compliance and if compliant, shall ensure they are recorded into the informal complaint resolution log within one (1) working day of receipt.
- H. Whenever an Informal Complaint Form is returned for non-compliance, the inmate shall have an additional three (3) business days from the date of receipt to file in the proper format. Reasons an Informal Complaint Form can be returned include, but are not limited to:
 - 1. Missing the inmate's signature
 - 2. No requested remedy
 - 3. Filed on behalf of another inmate or group of inmates
 - 4. Missing the date the incident occurred
 - 5. Multiple issues on one (1) Informal Complaint Form
 - 6. Use of an outdated Informal Complaint Form
- I. Within one (1) working day of logging the Informal Complaint Form, the Informal Complaint Coordinator shall forward a copy of the Informal Complaint Form to the responsible area staff person for possible resolution.
- J. The responsible area staff person shall evaluate the request or concern, including interviewing the inmate and the staff person responsible for the area where the problem occurred, if deemed appropriate.
- K. Once the responsible area staff person makes their decision, they shall take appropriate action to resolve the matter or advise the inmate of the reason for denial on the Informal Complaint Form.

- L. The responsible area staff person shall document their response on the Informal Complaint Form within ten (10) working days of receipt and return it to the Informal Complaint Coordinator.
- M. The Informal Complaint Coordinator shall document the outcome of the informal complaint resolution process into the informal complaint resolution log. The Informal Complaint Coordinator shall also maintain the completed Informal Complaint Form which shall be attached to the original on file. Inmates shall be provided with two (2) copies of the completed Informal Complaint Form.
- N. All proposed property or monetary resolutions resulting from an informal complaint are to be approved by the Superintendent on the appropriate Resolution Agreement form before offering the inmate a resolution (Attachment #2). The Informal Complaint Coordinator shall ensure that the physical description and monetary value is noted on the form prior to proposing the settlement to the Superintendent.

III. Resolution Agreement

- A. When an inmate accepts a resolution offer, the inmate shall sign the Resolution Agreement form acknowledging same. Once signed, the decision shall be considered final and may not be appealed.
- B. An inmate's refusal to sign the form shall be documented on the Resolution Agreement and the resolution offered shall be considered withdrawn.
- C. The Superintendent or designee shall review the log periodically to identify and address potential problem areas.
- D. Once the informal complaint resolution process has concluded and if the inmate is not satisfied with the informal decision rendered, the inmate shall have ten (10) working days from receipt of the informal complaint decision to file a formal grievance without being penalized.

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COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF CORRECTION INFORMAL COMPLAINT FORM

Inmate Name:	nate Name:Commitment #:				
Incident Date:	Institution: Housing Unit:				
		n is not required for an emergency grievance, allegation of e. Please file a formal grievance.			
CANTEEN F LIBRARY M PROPERTY		MENT/STATUS ☐ INMATE ACCOUNTS AL PLANT ☐ PROCEDURE ☐ PROGRAMS NST ☐ VISITS			
State completely, but l	briefly, the single issue of conce	ern:			
Requested resolution:					
	s you have taken to resolve you				
	(Use other side of pa	age if more space is needed)			
Inmate Signature:		Date:			
	ructions in preparing your reque within ten (10) business days fro	est, it can be addressed more readily. Your complaint will be om the date of receipt.			
D	OO NOT WRITE BELOW TH	IS LINE (Reserved for Staff Response)			
Received By:		Date Received:			
File a	ed Partially Granted De Formal Grievance	ECISION nied			
Comments:					
Decision By:		Date:			
* Denied informal com	plaints may be appealed to the In	Date:			

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COMMONWEALTH DE MASSACHUSETTS DEPARTAMENTO DE CORRECCIÓN FORMULARIO INFORMAL DE QUEJA

Nombre dei Reciuso:		Unidad de Vivienda:
Fecha del Incidente:	Institucion:	Unidad de Vivienda:
	n formulario de queja informal paso 1 abuso sexual. Por favor, presente una c	para una queja de emergencia, acusación de mala conducta de ueja formal.
DESPROTEGEN EL ÁREA D	E PREOCUPACIÓN (SE PERMITE U	UN PROBLEMA POR FORMULARIO)
☐ BIBLIOTECA ☐ CORREC	N 🗌 BÚSQUEDAS/INST 🔲 VISITA	CA PROCEDIMIENTO PROGRAMAS
Estado completamente, pero brev	emente, la cuestión única de preocupac	ión:
Resolución solicitada:		
Enumere los pasos anteriores que	haya tomado para resolver su inquietu	nd:
	(Utilice otro lado de página si s	e necesita más espacio)
Firma del recluso:	_	Fecha:
Nota: Si sigue las instrucciones par diez (10) días hábiles a partir de la		r más fácilmente. Su queja será revisada y responda dentro de los
NO ESC	RIBA DEBAJO DE ESTA LÍNEA (Re	servada para la respuesta del personal)
Recibido Por:	FECH	A RECIBIDA:
	DECISIO	<u>N</u>
Resolución: Concedido Pa		Resolución Alternativa Ofrecida N/A
Comentarios:		
Decisión por:		Fecha:

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^{*} Las quejas informales denegadas pueden ser apeladas ante el Coordinador de Quejas de la Institución dentro de los diez (10) días hábiles.

Resolution Agreement

Check	to indi	cate the type	of complaint t	this resoluti	ion pertai	ns to:			
	()	Informal Co	omplaint		Compla	int Date:			
	()	Inmate Grie	vance		Grievan	ce Numb	er:		
Please	e indicat	te the type of	resolution bei	ng offered:					
()	Mone	tary	() Pro	operty	(() Both	(Monetary	and Prope	erty)
I, Correctfollow		gree to resol	ve the indica	an ated compla	inmate of aint as I	of the Ma am satis	assachusett fied with	s Departn the resolu	nent of tion as
	ermore,	I release the aint.	Department o	of Correction	n and its	employe	es of all lia	ability aris	ing out
Inmat	e Signa	ture:				Da	nte:		
Witne	ess:					Da	nte:		
	INST	ITUTION O	R DEPARTN	MENT GR	IEVAN(CE MANA	AGER AP	PROVAL	<u>4</u>
I have	review	red the facts of	f this resolution	on agreeme	nt and fin	nd this ag	reement to	be approp	riate.
Signat	ture:					Da	nte:		

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