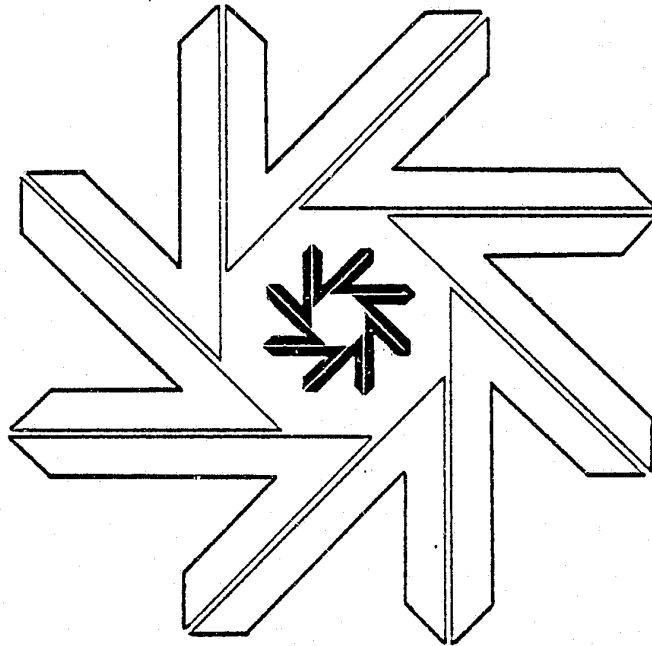


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INMATE GRIEVANCE PROCEDURE

A SURVEY OF INMATES AND STAFF



67386

DEPARTMENT OF CORRECTIONS
Research and Reporting Unit
and
Ombudsman Unit

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INTRODUCTION AND BACKGROUND

In March, 1977 the Department of Corrections revised the 1974 Inmate Grievance Procedure Guideline (Number 846) to provide inmates with an administrative method for the settlement of grievances relating to imprisonment. A grievance is a formal complaint concerning an incident, policies, or conditions within the Division. The grievance procedure has two broad objectives: 1) to give inmates a regularly available channel for the expression of their grievances and 2) to foster prompt solutions to institutional problems in a regulated, orderly fashion.

The proper channel for submission of an inmate grievance is to the Superintendent or Officer-in-Charge of the Institution or Field Unit to which he is assigned. The Superintendent or Officer-in-Charge or in his absence, a designee, has eight (8) calendar days within which to respond to the complaining inmate. If the Superintendent's decision is contrary to the remedy the inmate seeks, the inmate has the right to appeal. In all cases where a complaining inmate has appealed the Superintendent's decision, the Deputy Director of Adult Services (after reorganization of the Department, the appropriate person now is the Regional Administrator) is charged with the authority and responsibility for making the final determination. The Deputy Director (Regional Administrator) has fifteen (15) calendar days within which to reach a decision. In the event more time is required to conduct a hearing or more formal investigation, the Deputy Director (Regional Administrator), or his designee, may extend the time; however, the total time from initial submission of the grievance

until final action by the Deputy Director (Regional Administrator) should not exceed thirty (30) days. No action will be taken against any inmate as a result of his using the grievance procedures established in Guideline 846. For further elaboration of the Inmate Grievance Procedure Guideline 846, see Appendix A.

At least as early as 1977, the Deputy Director of Adult Services had urged the resolution of inmate complaints by informal means whenever possible. It was felt that some complaints could be handled more quickly and efficiently in this manner. No guideline change was made since the guideline dealt with the formal grievance procedure. According to the Ombudsman Unit, most correctional field units assigned responsibility for distributing grievance forms to counselors. The counselors were instructed to ask an inmate requesting a grievance form, if he wished to discuss the problem giving rise to the complaint. If the informal approach failed or the inmate declined the invitation to discuss the issue, the counselor was obligated to furnish the grievance form without delay. According to the Ombudsman Unit, the eleven major institutions did not collectively adopt a consistent procedure for resolving grievances informally. Several, including the two largest prisons, chose no procedure for informal resolution prior to this study.

The Ombudsman's Office of the Virginia Department of Corrections initiated a survey soliciting staff and inmate opinion of the inmate grievance procedure. The intent of this survey was to gather information which could be used to evaluate and revise the current inmate grievance procedure (DOC Guideline 846) so as to better meet the needs of the Department of Corrections, the inmates, and the employees.

In May, 1978, the Ombudsman's Office pre-tested 20 Inmate and Staff Surveys. Ten or 50% of each survey were returned and reviewed. Both surveys were revised to include additional pertinent topics and to clarify language. In the late summer of 1978 the Research and Reporting Unit was ask to assist with the handling and analysis of the data. The Research and Reporting Unit redesigned the surveys to accomodate for testing of identical questions on both surveys, to provide for direct subject response to each question on each page, and to provide for direct keypunching of data from each page of the surveys.

In September 1978 the Ombudsman's Office distributed a total of 400 inmate grievance procedure surveys, 200 to staff and 200 to inmates. Respondents were chosen randomly and remained anonymous. A stamped, addressed envelope was provided by the Ombudsman's Office for the return of the surveys. 127 or 63% of the inmate sample and *113 or 56% of the staff sample completed and returned the surveys.

The Staff Survey (see Appendix B) was comprised of 44 multiple choice and 2 open-ended discussion questions. The Inmate Survey (See Appendix C) contained the identical 44 multiple choice and 2 open-ended discussion questions, and in addition 4 other multiple choice questions. Both surveys were 12 pages in length and were designed to be self-administered.

The combined 240 Inmate and Staff Surveys received during September and October 1978 are reviewed for similiarities and differences on respondent characteristics, knowledge of the inmate grievance procedure, rating of the effectiveness of the grievance procedure and criticism of the inmate grievance procedure.

*Actually 114 Staff Surveys were returned; but one of these left almost every question blank.

CHARACTERISTICS OF THE RESPONDENTS

Sex. Of the 113 staff respondents, 100 or 88% were male, and 13 or 12% were female. Likewise among the 127 inmates responding, 125 or 98% were male and 2 or 2% were female.

Race. The majority of the staff respondents, 92 or 81%, were white; whereas, 82 or 65% of the inmate respondents were Black. A more detailed breakdown is given in Table 1.

TABLE 1

RACE OF RESPONDENTS

	<u>STAFF</u>		<u>INMATE</u>		<u>COMBINED</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Black	18	16%	82	65%	100	41%
White	92	81%	40	32%	132	55%
American Indian	2	2%	3	1%	5	2%
Other	1	1%	2	2%	3	1%
TOTAL	113	100%	127	100%	240	100%

Age. The youngest staff respondent was 20 years, the oldest was 64 years. The mean or average age of staff respondents was 37 years. The youngest inmate respondent was 18 years, the oldest was 54 years. The mean or average age of the inmate respondent was 29 years.

Education. The majority of the staff responding, 52 or 46%, had completed high school. An additional 18 or 16% had vocational or trade school training after high school, and 22 or 19% had college degrees, while 7 or 6% had graduate degrees. The majority of the inmates responding, 43 or 34%, completed the tenth grade. An additional 30 or 24% inmates completed high school, 9 or 7% had vocational or trade school after high school, and 9 or 7% had college degrees, while only 1 or 1% had a graduate degree. A more detailed breakdown is given in Table 2.

TABLE 2

EDUCATION LEVEL OF RESPONDENTS

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Below 4th grade	-	-	3	2%	3	1%
Fourth Grade	-	-	4	3%	4	2%
Seventh Grade	8	7%	19	15%	27	11%
Tenth Grade	7	6%	43	34%	50	21%
High School	52	46%	30	24%	82	34%
Voc. or Trade Plus High School	18	16%	9	7%	27	11%
College	22	19%	9	7%	31	13%
Graduate	7	6%	1	1%	8	3%
No Response	-	-	9	7%	9	4%
TOTAL	114	100%	127	100%	241	100%

Staff Specific Demographics:

Length of Time Working for Corrections. Most of the staff respondents, 46 or 40%, have worked with Corrections 18 months to 4 years. Another 30 or 26% of the staff worked for Corrections from 5 to 10 years, while 19 or 17% worked over 10 years. The remaining 17% fell into the 17 months or less category.

Type of Facility. Just over half or 52% of the staff respondents held positions at field units, 20% at maximum male custody institutions, 18% at medium male custody institutions, 3% at male work release and 2% did not respond to this question.

Position Within Facility. The overwhelming majority of respondents, 89 or 78%, held positions considered "security" within correctional facilities. Fifteen people or 13% categorized themselves as part of the treatment staff, and the remaining 10 people or 9% classified themselves as "others." Some of those who marked the "other" category included: a food service manager, a medical person, and some who are corporals and sergeants who did not perceive themselves as having a "security" function.

Inmate Specific Demographics:

Number of Times in Adult Prisons. Of the inmate respondents, 75 or 60% indicated that they had been in an adult prison once, another 44 or 35% said they had been in an adult prison 2 or 3 times including the current stay, while the remaining 5% had been in adult prisons 4 to 6 times. Forty percent of the sampled inmates were recidivists and one may assume familiar with the prison system.

Time Served in This Prison. Of the inmates sampled, 32 or 25% had served less than 6 months, 42 or 33% had served 7 months to 1 year, 30 or 24% had served 2 to 3 years, 16 or 17% had served 4 to 6 years and 7 or 6% had served more than 7 years at the prison where they were surveyed.

Time to Discharge. Only 19 or 15% of the inmates had less than 1 year before their discharge date. The plurality of inmates, 52 or 41%, had between 1 and 3 years to discharge. Of the remaining inmate respondents, 30 or 24% had between 4 and 8 years left before their discharge date, while 12 or 9% had 9 to 15 years and 3 or 10% had 16 or more years left to serve.

Custody Status. Half the inmate respondents, 63 or 50%, marked their current custody status as B-Medium. Custody status C-Maximum had the smallest proportion of inmates with 26 or 20% and A-Minimum was the next most frequently occurring custody status with 38 or 30%.

Type of Facility. The breakdown of inmates responding by type of facility is similar to that of the staff. The plurality 54 or 43% of the sampled inmates were assigned to field units, 26 or 21% were male maximum custody, 38 or 30% were male medium custody, 2 or 2% were female institutions, 5 or 4% were male work release units, and 1 or 1% was a female work release unit.

Summary Of Respondent Characteristics. In summary the two respondent groups, staff and inmate, were comprised mainly of males either employed or incarcerated at correctional field units. Since 83% of the staff had worked in corrections longer than 18 months, 75% of the inmates had served sentences of longer than 6 months, 40% of the inmates were recidivists, it could be assumed that the majority of these respondents would be familiar with the correctional system. The major differences in the two respondent samples were age, race, and education. The staff were on the average 8 years older, white, and had at least completed high school. The inmates were mainly younger, black, and had completed the 10th grade.

The next three sections will list in detail the staff and inmate response to specific items on the questionnaire. The staff response will be compared to the inmate response and when meaningful a combined staff and inmate response total for the same item will be given.

KNOWLEDGE OF INMATE GRIEVANCE PROCEDURE

A number of the items in the questionnaire were designed to determine the knowledge of the grievance procedure and the diversity in understanding of the inmate grievance procedure. Some of those "knowledge" items will be considered in this section.

Note, however, that for greater clarity of the tables and to increase their meaningfulness many of the response categories were collapsed into a smaller number of response sets. Categories were combined on the basis of conceptual similarity and according to the distribution of the responses.

Aware of Grievance Procedure. Responses to the question regarding awareness of the grievance procedure indicated that 109 or 97% of the staff and 116 or 91% of the inmates were aware prior to the survey that a grievance procedure existed. Only 4 or 3% of the staff and 11 or 9% of the inmates were unaware of the procedure. After combining staff and inmate responses, the vast majority, 225 or 94% of all respondents were aware that a grievance procedure existed and 15 or 6% were unaware that the procedure existed.

The First-Step of the Inmate Complaint Procedure. A two-step question was asked of both the staff and inmates regarding when an inmate had a complaint about something, what was he supposed to do first. This question was followed by a question which asked what the inmate was to do next, if the first-step did not solve his problem. Table 3 illustrates staff and inmate responses regarding the first-step of the inmate complaint process.

TABLE 3

STEP-ONE OF THE INMATE COMPLAINT PROCEDURE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>
Talk to Counselor	30	30%	55	46%	85	39%
Talk to Officer	47	47%	8	7%	55	25%
File Grievance	10	10%	21	18%	31	14%
Contact Official (Supt./Dir. Ad. Se.)	8	8%	20	17%	28	13%
Other	6	6%	15	13%	21	10%
Total	101	101%	119	101%	220	101%
Row percentage		46%		54%		100%

A majority of both inmates and staff selected an informal approach as the first-step in the procedure. Seventy-seven percent of the staff and 53% of the inmates felt that an inmate should talk to either a counselor or an officer. Nearly half of the officers (47%) but only a small proportion of inmates (7%) reported that an officer should be the staff member approached as the first-step. Forty-six percent of the inmates and 30% of the officers, on the other hand, felt that an inmate should talk first to a counselor. These differences of perception are statistically significant (Chi-Square = 46.751, df = 4, $p \leq .0001$).

Close to three-quarters or 74% of the staff and inmates did not cite submitting a grievance to the Superintendent or Officer-in-Charge as the first-step in the complaint process. Only 8 or 8% of the staff, 20 or 17% of the inmates and, collectively, 28 or 13% of the total respondents indicated the first-step was to contact an official like the Superintendent. It is interesting that the majority of the staff and inmates, alike, perceive the first-step as a less formal, more lets-talk-about-the-situation-approach. While the staff and inmates differed significantly in the appropriate procedure to turn to, they both indicated a less formal and less authoritarian figure like counselor or correctional officer should be approached first.

Since the majority of staff were correctional officers, it may come as no surprise that the officers felt they should be contacted first regarding complaints. The fact that inmates do not agree and indeed would choose to speak to a different category of staff (counselors) indicates perhaps some tension and antipathy between these two groups. It may also represent a difference in understanding of the location of authority. For the inmate, the officer is not considered a critical component of the complaint process, while officers held the opposite opinion. These responses also reflect the lack of uniformity, and in some places, absence of procedures for informal resolution of inmate complaints. Finally, they raise questions as to the wisdom of the informal promulgation of an informal procedure coupled with the formal establishment of a formal procedure. When asked about the second-step of the procedure, what the inmate is to do next, if the first step does not solve his problem, differences again emerge.

The Second-Step of the Inmate Complaint Procedure. Table 4 illustrates staff and inmate responses for the second step of the inmate complaint process. There was a statistically significant difference between the staff and inmate sample on the second-step in the complaint procedure (Chi-Square = 33.030, df = 4, $p \leq .0001$).

TABLE 4
STEP-TWO OF THE INMATE COMPLAINT PROCEDURE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>
Contact Superintendent (write/talk)	39	36%	29	25%	68	30%
Talk to Counselor or Officer	39	36%	16	14%	55	24%
File Grievance	19	17%	22	19%	41	18%
Write Director of Adult Services	5	5%	28	24%	33	15%
Other	8	7%	21	18%	29	13%
Total	110	101%	116	100%	226	100%
Row percentage		49%		51%		100%

Staff were divided on the appropriate second-step of the process. The two most frequent responses that staff gave were contacting (either writing or talking) the Superintendent and talking to either a counselor or officer. Inmates, who indicated the first-step was to talk to a counselor, shifted to contacting the Superintendent (25%) and an almost equal number, 24%, said write the Director of Adult Services. It is interesting

that the majority of respondents perceived contacting the Superintendent as the second step of the complaint process.

The data show that the majority of respondents felt the first-step of the complaint procedure involved trying to informally solve the grievance by talking to counselors or correctional officers; and if that failed then the second-step was perceived as formally involving the Superintendent. A higher percent of inmates than staff identified what the two expected steps of the complaint procedure were, indicating that the inmates were more familiar with the formal steps of the grievance procedure than were staff.

Method By Which Inmates Are Informed of the Grievance Procedure.

Inmates and staff were also asked the method by which inmates are informed of the grievance procedure. Most staff felt the inmates learn of the procedure through the orientation session, while the majority of inmates maintained that other inmates informed them of the grievance procedure. The exact breakdown of responses is given in Table 5.

There was a statistically significant difference between the staff and inmate sample on their perception of how an inmate is informed of the grievance procedure (Chi-Square = 40.562, df = 4, $p \leq .0001$). The statistical significance of the Chi-Square in Table 5 identifies some confusion in understanding of how inmates are informed of the grievance procedure.

TABLE 5

METHOD IN WHICH INMATES ARE INFORMED ABOUT THE
GRIEVANCE PROCEDURE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>
Orientation Session	57	52%	19	16%	76	34%
From Inmate	18	17%	55	47%	73	33%
From Officer	7	6%	15	13%	22	10%
From Superintendent or Staff	11	10%	10	9%	21	9%
From DOC Newspaper	4	4%	6	5%	10	4%
Not at All	1	1%	9	8%	10	4%
Other	11	10%	2	2%	13	6%
Totals	109	100%	116	100%	225	100%
Row percentage		48%		52%		

Staff Explain Grievance Procedure. Another question brought to light some apparent contradiction in the perception of the process by which inmates learn about the grievance procedure. When asked if staff members explain to an inmate how the grievance procedure works, 87 or 78% of the staff said "Yes"; while 97 or 77% of the inmates said "No." The complete breakdown of responses is given in Table 6.

TABLE 6

STAFF EXPLAIN GRIEVANCE PROCEDURE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>
Yes	87	78%	29	23%	116	49%
No	25	22%	97	77%	122	51%
Total	112	100%	126	100%	238	100%
Row percentage		47%		53%		

The $\Phi = .546$ for Table 6 indicates a positive association between status of the respondent and opinion regarding staff explaining the grievance procedure. According to the staff in Table 6, they explain the grievance procedure to inmates; however, inmates disagree. Indeed according to Table 5 officers are not involved in this process, although staff in Table 6 overwhelming indicate they are.

Availability of Guideline 846. Despite the importance of this document and particularly considering the confusion as represented in Tables 5 and 6, the inmates were split almost evenly on the question of the availability of the guideline. Sixty-eight or 54% of the inmates said it is at least usually available, while 58 or 46% said it is seldom available or they did not know if it was available. In contrast, the overwhelming majority of staff respondents, 108 or 95%, felt the guideline was at least usually available. Table 7 illustrates the responses in detail.

TABLE 7

AVAILABILITY OF GUIDELINE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Yes Always	91	80%	38	30%	129	54%
Usually	17	15%	30	24%	47	20%
Seldom	2	2%	13	10%	15	6%
No Never	1	1%	12	10%	13	5%
Don't Know	3	3%	33	26%	36	15%
Total	114	101%	126	100%	240	100%
Row percentage		48%		52%		

Understanding the Guideline. To the question, concerning if the guideline was easy to understand, 84 or 75% of the staff and 56 or 46% of the inmates indicated "Yes, the guideline was easy to understand." Twelve or 11% of the staff and 28 or 23% of the inmates said "No"; and 16 or 14% of the staff and 39 or 32% of the inmates said they "Didn't Know." In summary, 60% of the staff and inmates thought the guideline was easy to understand, 17% thought it was not easy and 23% said they did not know.

Grievance Form Accessibility. When asked if inmates can get the forms for submitting a grievance when they want it, 41 or 32% of the inmates indicated "Yes, Always", 55 or 43% indicated "Usually", 11 or 9% said "Seldom", 5 or 4% said "No, Never", and 15 or 12% "Didn't Know." Twice as many staff (88 or 77%) felt inmates always got the forms when they wanted them; 24 or 21% answered "Usually", 1 or 1% answered "Seldom" and 1 or 1% said "No, Never." The total 86% of the respondents thought the form was at least usually available, 8% felt it was seldom available, and 6% did not know if it was accessible.

Knowledge of How to Submit or Appeal a Grievance. Although the grievance guideline was usually available and most respondents indicated that the guideline was easy to understand, 42 or 33% of the inmates said they did not know how an inmate was supposed to submit a grievance and 42 or 33% did not know how to appeal a grievance. Conversely, all but 5 or 4% of the staff said they knew how an inmate was supposed to submit a grievance; while only 14 or 12% said they did not know how to appeal a grievance.

See Tables 8 and 9 for the exact staff and inmate replies.

Inasmuch as over one-third of the inmates indicated they did not know how to submit a grievance or how to appeal a grievance, this indicates a severe gap in knowledge regarding the grievance procedure on the part of the inmate.

TABLE 8

KNOWLEDGE OF HOW TO SUBMIT A GRIEVANCE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Yes	109	96%	85	67%	194	80%
No	5	4%	42	33%	47	20%
Total	114	100%	127	100%	241	100%
Row percentage		47%		53%		100%

TABLE 9

KNOWLEDGE OF HOW TO APPEAL A GRIEVANCE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Yes	100	88%	85	67%	185	77%
No	14	12%	42	33%	56	23%
Total	114	100%	127	100%	241	100%
Row percentage		47%		53%		100%

Of the inmates surveyed, 53 or 42% indicated that they had filed a grievance, while 73 or 58% said they had never filed a grievance. Of the staff surveyed, 68 or 60% said they had been involved in a grievance and 45 or 40% said they had never been involved in a grievance. Of the 53 inmates who had filed a grievance, 18 or 14% indicated that they had had a grievance decided in their favor; 105 or 83% of the inmates answered negatively and 4 or 3% did not give a response to the question.

Summary of Knowledge of Inmate Grievance Procedure. The data showed that the majority of staff and inmates were aware that an inmate grievance procedure existed and that the first-step of the complaint procedure involved trying to informally solve the grievance. Staff and inmates also agreed that inmates can get the forms for submitting a grievance when they want it and that guideline 846 was easy to understand. However, the analysis of the data revealed some confusion in understanding of how inmates are informed of the grievance procedure. The majority of staff thought inmates were informed of the grievance procedure in an orientation session while almost half of the inmates said they were informed by another inmate. In addition, one third of the inmates said they did not know how an inmate was supposed to submit or appeal a grievance.

Not only is there a difference of opinion between the staff and inmates regarding different aspects of the grievance procedure, but there are real differences in understanding of the system. This leads to the suspicion that the procedure as laid out in the departmental guidelines is not necessarily followed nor are the procedures which are followed used uniformly. The inference may be made that the discrepancy in response reflects discrepancy in the administration of the procedures.

RATING OF THE GRIEVANCE PROCEDURE

Grievance Procedure Effectiveness. On the general evaluative question regarding the effectiveness of the grievance procedure, the inmates and staff were split. This is in keeping with the responses to previous questions. The grievance procedure was seen by staff as being effective in resolving inmate complaints. The inmates on the other hand, regarded the grievance procedure as not effective in resolving their complaints. As Table 10 illustrates, 81% of the staff indicated the grievance procedure was effective and 68% of the inmates said the procedure was not effective. There is a significant statistical difference between the inmate and staff sample and their opinion of the grievance effectiveness (Chi-Square = 56.687, df = 1, $p \leq .0001$).

TABLE 10
GRIEVANCE EFFECTIVENESS

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Effective	92	81%	40	32%	132	55.5%
Not Effective	21	19%	85	68%	106	44.5%
Total	113	100%	125	100%	238	100%
Row percentage		47.5%		52.5%		100%

View of the Grievance Procedure. However, when respondents were asked about their view of the inmate grievance procedure, the majority of the staff and the inmates felt the grievance procedure was a good method to settle inmate complaints. Table 11 illustrates that the grievance procedure was seen by 88% of the staff and 70% of the inmates as being a good way to solve inmate complaints.

TABLE 11
VIEW OF GRIEVANCE EFFECTIVENESS PROCEDURE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Good Way	98	88%	85	70%	183	79%
Bad Way	13	12%	36	30%	49	21%
Total	111	100%	121	100%	232	100%
Row percentage		48%		52%		100%

Opinions Regarding Grievance Use and Procedure. Although the inmates rated the grievance procedure as not effective, 88 or 69% said that if they had a complaint that had not been settled by talking to staff members they would write a grievance. Thirty-five or 28% said they would not write a grievance; 4 or 3% did not respond to the question. In response to another question regarding the respondent's opinion of the grievance procedure, inmates and staff were again split on this issue. The opinion of 45% of the staff was that the grievance procedure "Improves Staff/Inmate Relations;" while, 47% of the inmates felt the grievance

procedure "Worsens Staff/Inmate Relations." An approximately equal percentage of staff and inmates alike felt the grievance procedure had "No Effect;" while 21% of the staff indicated the procedure worsened the relationship and only 18% of the inmates indicated the grievance procedure improved relationships. Table 12 illustrates the respondents' opinions of the grievance procedure.

TABLE 12

OPINION OF GRIEVANCE PROCEDURE EFFECT ON STAFF/INMATE RELATIONSHIP

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Improves Staff/Inmate Relationship	50	45%	21	17%	71	31%
No Effect on Staff/Inmate Relationship	38	34%	44	36%	82	33%
Worsens Staff/Inmate Relationship	23	21%	57	47%	80	34%
Total	111	100%	122	100%	233	100%
Row percentage		48%		52%		100%

Summary of the Rating of the Grievance Procedure. It appears that staff and inmates have different opinions regarding the effectiveness of the grievance procedure. Staff saw the procedure as effective while inmates did not. The grievance procedure itself was rated by both staff and inmates as a good way to

settle inmate complaints. The staff/inmate relationship was seen to be affected by the grievance procedure. Staff expressed the opinion that the procedure improved relationships, while inmates contradictorily expressed the opinion that it worsened relationships. Keeping the responses of questions in the previous section in mind and coupling them with those immediately above it seems that there is less of a problem with the grievance procedure or method, and more of a problem with the administration of the rules and the actors involved. This conclusion seems to be borne out by questions in which inmates and staff are asked to rate the actual operation of the grievance procedure. It is in the implementation of this process that a different picture emerges.

CRITICISM OF THE GRIEVANCE PROCEDURE

Grievance As Retaliation. Some of the items in the questionnaire present a view of the grievance procedure which deviates from the "way it is supposed to be" while also being critical of the procedure. The question regarding use of the grievance procedure as a means to get back at the staff is perhaps the best example. The majority of staff feel that grievances are used for retaliatory purposes, while the majority of inmates feel that they are rarely used in that fashion. As Table 13 illustrates, there is a statistically significant difference between the inmate and staff sample regarding the use of grievances as retaliation (Chi-Square = 70.145, df = 1, $p \leq .001$).

TABLE 13
GRIEVANCE AS RETALIATION

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col.%</u>	<u>#</u>	<u>Row %</u>
Retaliatory	88	78%	28	23%	116	49%
Rarely Retaliatory	25	22%	96	77%	121	51%
Total	113	100%	124	100%	237	100%
Row Percentage		48%		52%		100%

Legitimacy of Grievances. Similarly, there is a difference of opinion regarding the legitimacy of grievances depending upon one's status. As Table 14 shows 60% of the staff indicated that most of the grievances inmates submitted were not legitimate; however, 85% of the inmates indicated that most of the grievances submitted were legitimate. There is a statistically significant difference between staff and inmates regarding the legitimacy of grievances (Chi-Square = 48.981 df = 1, $p \leq .0001$).

TABLE 14

LEGITIMACY OF GRIEVANCES

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Legitimate	46	40%	106	85%	152	64%
Not Legitimate	68	60%	19	15%	87	36%
Total	114	100%	125	100%	239	100%
Row percentage		48%		52%		100%

The responses to these two questions indicate that the system at least from the perspective of the staff is not being used as it should be. The majority of the staff felt the inmate grievances were a retaliatory measure and that the majority of grievances submitted were not legitimate.

Staff Resolve Complaints. Both staff and inmates were asked the question how staff members at their institution felt about trying to help resolve inmate complaints. As Table 15 indicates, 87% of the staff replied that staff is willing to listen and try hard to work things out. By contrast, 68% of the inmates said staff is never willing to listen and never try hard to work things out. There is a significant difference of opinion among respondents regarding staff's willingness to listen and work things out (Chi-Square = 69.166 df = 1, $p \leq .0001$).

TABLE 15

STAFF RESOLVE INMATE COMPLAINTS

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Willing to Try	97	87%	40	32%	137	58%
Never Try	15	13%	84	68%	99	42%
Total	112	100%	124	100%	236	100%
Row percentage		47.5%		52.5%		100%

Superintendent's Support Of Inmates Complaints. The opinion of the respondents regarding whether the Superintendent thought it was important to look into inmate complaints is given in Table 16.

TABLE 16

SUPERINTENDENT'S SUPPORT OF INMATE GRIEVANCE

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Yes, Very Important	75	66%	26	22%	101	43%
Yes, Somewhat Important	35	31%	50	41%	85	36%
No, Not Important At All	3	3%	17	14%	20	9%
Do Not Care	1	1%	28	23%	29	12%
Total	114	101%	121	100%	235	100%
Row percentage		48.5%		51.5%		100%

As can be seen from Table 16 the majority of staff and inmates alike felt that the Superintendent thought it was important to look into inmate complaints. While only 4% of the staff indicated the Superintendent did not care or did not think inmate complaints were at all important, more than one-third or 37% of the inmates responded that the Superintendent at their institution did not care or did not think inmate complaints were at all important.

Correctional Officer's Support Of The Inmate Complaints. A similar question only asked of the inmates dealt with whether or not correctional officers thought it was important to look into inmate complaints. The inmate responses to this question concerning correctional officers were quite different from their responses regarding the Superintendent. Only one-third or 37% of the inmates indicated that the correctional officers thought it important to look into inmate complaints. Almost two-thirds or 63% of the inmates indicated that correctional officers did not care or did not think inmate complaints were important.

Officer Abide By Favorable Decision. A question was ask to ascertain if correctional officers carried out the decisions reached on inmate grievances when the decisions were in the inmate's favor. While 91% of the staff indicated that officers usually abided by the decision, 65% of the inmates disagreed and indicated that officers seldom abided by decisions which were in the inmates favor. As Table 17 illustrates, there is a significant difference of opinion among the inmate and staff sample regarding officers abiding by decisions made in the inmate's favor (Chi-Square = 74.736, df = 1, $p \leq .0001$).

TABLE 17

OFFICER ABIDE BY FAVORABLE DECISION

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Usually	102	91%	44	35%	146	62%
Seldom	10	9%	80	65%	90	38%
Total	112	100%	124	100%	236	100%
Row percentage		47.5%		52.5%		100%

Staff Feeling About Inmates Writing Grievances. Fifty-eight percent of the staff indicated that staff members accept and think it is right that inmates write grievances; 42% of staff indicated that in their opinion staff members dislike it. The majority of inmates also indicated that staff members disliked that inmates wrote grievances. As Table 18 illustrates, there is a significant difference between the staff and inmate sample regarding staff feelings about grievances (Chi-Square = 12.878, $df = 1$ $p \leq .0003$).

TABLE 18

STAFF FEELINGS ABOUT GRIEVANCES

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Accept It	66	58%	42	34%	108	45%
Dislike It	48	42%	82	66%	130	56%
Total	114	100%	124	100%	238	100%
Row percentage		48%		52%		100%

Fairness Of Superintendent. A significant difference was also found between staff and inmate responses regarding how fairly the Superintendent handles inmate grievances (Chi-Square = 78.820, $df = 1$, $p \leq .0001$). As Table 19 illustrates, 86% of the staff felt the Superintendent was usually fair while 73% of the inmates felt the Superintendent was seldom fair.

TABLE 19
FAIRNESS OF THE SUPERINTENENT

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Usually Fair	97	86%	33	27%	130	56%
Seldom Fair	16	14%	88	73%	104	44%
Total	113	100%	121	100%	234	100%
Row percentage		48%		52%		100%

Fairness Of Division. Staff and inmates were also asked how they thought inmate grievances were handled when they were appealed to the Division level in Richmond. The responses to this question parallel that of the previous question concerning fairness of the superintendent. The majority of staff felt the Division was usually fair; the majority of inmates indicated the Division was seldom fair. As Table 20 illustrates, there was a statistically significant difference between the respondents regarding the Division's fairness in handling of inmate complaints (Chi-Square = 48.286, $df = 1$, $p \leq .0001$).

TABLE 20
FAIRNESS OF THE DIVISION

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Usually Fair	90	81%	41	35%	131	57%
Seldom Fair	21	19%	77	65%	98	43%
Total	111	100%	118	100%	229	100%
Row percentage		48.5%		51.5%		100%

Are Inmates Afraid To File A Grievance? As one might expect inmates and staff also differed on whether inmates were afraid to file grievances. Three-quarters or 75% of the inmates said inmates were afraid to file grievances, while 81% of the staff said that inmates were not afraid to file grievances. As Table 21 illustrates, there is a statistically significant difference between the staff and inmate sample regarding the question of inmates being afraid to file a grievance (Chi-Square = 74.722, df = 1, $p \leq .0001$).

TABLE 21
ARE INMATES AFRAID TO FILE A GRIEVANCE?

	<u>STAFF</u>		<u>INMATE</u>		<u>TOTAL</u>	
	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Col. %</u>	<u>#</u>	<u>Row %</u>
Afraid	21	19%	95	75%	116	48.5%
Not Afraid	92	81%	31	25%	123	51.5%
Total	113	100%	126	100%	239	100%
Row percentage		47%		53%		100%

Summary Of The Criticism Of The Grievance Procedure. The staff and inmate responses in this last section indicate that the system, at least from the perspective of the staff, is not being used as it should be. The majority of staff felt that grievances were used for retaliatory purposes and that most of the grievances submitted were not legitimate. The majority of staff also felt that staff was willing to listen and tried hard to resolve complaints, that the Superintendent and Division were fair, that correctional officers abide by a decision favorable to an inmate, that inmates were not afraid to file grievances and that staff members accept the inmate grievance procedure.

By contrast, the majority of inmates felt that grievances were not used for retaliatory purposes and that most grievances submitted were legitimate. In addition, the majority of inmates also felt that staff never tried hard to resolve complaints, that correctional officers did not think inmate complaints were important and seldom abided by decisions in the inmate's favor, that inmates were afraid to file a grievance and that staff members disliked the grievance procedure. Inmates also tended to feel that both the Superintendent and Division staff were not fair.

The staff and inmate responses indicate a rather basic and pervasive bias of the actors in the system. That is, the staff tended to perceive organizational procedures and behavior as appropriate and correct with inmates taking advantage of the system, while inmates tended to perceive a perverted system which does not perform as intended.

ATTITUDES TOWARDS CORRECTIONS AND OTHER DISCUSSION

In addition to the questions previously reviewed, the inmate and staff questionnaires contained a series of eleven statements which were included to assess the staff and inmate attitude toward certain correctional issues. These questions were divided into three headings: Inherent Problems of Inmates, Treatment of Inmates, and Officer and Inmate Relations. The responses to these items are given in Appendix D. The last two questions on the inmate and staff surveys were open-ended discussion questions. The first question asked the respondent what, from their point of view, would make the grievance system work better and the second question solicited the respondent to write other general comments regarding the grievance system. The staff and inmate responses are given in Appendix E. A number of staff and inmate comments were written on the questionnaires. These comments are given in Appendix F.

CONCLUSIONS

The data gathered were analyzed in an effort to locate the problem points in the current inmate grievance procedure and to isolate those factors which could be changed or improved. It is noted that staff and inmates differed significantly on 22 of 25 parallel questions. It would appear that staff and inmate perceptions of the inmate grievance procedure are totally different.

The data showed that 97% of the staff and 91% of the inmates were aware prior to the survey that an inmate grievance procedure existed. A higher percent of inmates than staff identified what the two expected steps of the complaint procedure was, indicating that the inmates were more familiar with the formal steps of the grievance procedure than were staff.

The most concrete problem identified by the questionnaire concerned knowledge of the grievance procedure. The analysis of the data revealed some confusion in understanding of how inmates are informed of the grievance procedure. Apparently, there is a variability in the method of informing inmates about the procedure. Most staff felt the inmates learn of the procedure through the orientation session, while the majority of inmates maintained that other inmates inform them of the grievance procedure. Similarly, there are inmates who do not know how to use the inmate grievance process. One-third of the surveyed inmates indicated that they did not know how to submit or appeal a grievance. In conclusion, the current method of informing inmates about and use of the inmate grievance procedure needs to be reviewed and a consistent method adhered to.

According to the inmate responses, the availability of guideline #846 is a factor which might possibly be improved. It appears that at least one-third of the inmates respondents had not read the guideline, did not know if it was easy to understand, and also did not know how an inmate was supposed to submit or appeal a grievance.

Staff and inmates had different opinions regarding the effectiveness of the grievance procedure. Staff saw the procedure as effective, while inmates did not. The grievance procedure itself was rated by both staff and inmates as a good way to settle inmate complaints. Even though 68% of the inmates rated the grievance procedure as not effective, 69% said that if they had a complaint that had not been settled by talking to staff members, they would write a grievance.

The staff/inmate relationship was seen to be affected by the grievance procedure. Staff expressed the opinion that the procedure improved relationships and inmates contradictorily expressed the opinion that it worsened relationships. Another less tangible problem appears to center on the relationship between the inmates and staff. The antagonism and tension which exists between these two groups appears to be reflected in the use of the procedure and is therefore resulting in hybridizations of the intended procedure.

In summary, the staff and inmates respond positively on questions about its use and implementation. The majority of staff and inmates alike felt the grievance procedure was a good method

to settle inmate complaints. On the general evaluative question regarding the effectiveness of the grievance procedure, the inmates and staff were split. This is in keeping with the majority of the responses to the questions. The grievance procedure was seen by staff as being effective in resolving inmate complaints. The inmates regarded the grievance procedure as not effective in resolving their complaints. A rather basic difference in staff and inmate perceptions of the inmate grievance procedure was apparent throughout. Staff tended to perceive organizational procedures and behavior as appropriate and correct with inmates taking advantage of the system, while inmates tended to perceive a perverted system which does not perform as intended.

APPENDIX A



I. PURPOSE

An inmate grievance procedure is hereby established to provide inmates with an administrative method for the settlement of grievances they have relating to their imprisonment. A grievance is a formal complaint concerning an incident, policies, or conditions within individual institutions or within the Division. This grievance procedure has two broad objectives: 1) to give inmates a regularly available channel for the expression of their grievances, and 2) to foster prompt solutions to institutional problems in a regulated, orderly fashion.

It is expected that most grievances can be resolved more quickly to the benefit of all concerned by use of this guideline, which provides for direct contact with the staff responsible in the particular area of a specific grievance. Prompt attention to an inmate complaint by the staff at each institution will insure that each complaint will receive complete and immediate response, thereby contributing to the furtherance of better inmate-staff communication.

II. ADMINISTRATIVE PROCEDURE

Grievance and Appeal forms will be made available, in duplicate, to every inmate upon request. A copy of the form to be used in grievance procedures is attached to this guideline. To begin a complaint, an inmate must fill out and submit a grievance and appeal form within a reasonable time after any incident which given rise to a grievance. If the complaint involves a continuing policy or condition of the institution or Division, the grievance and appeal form may be filled out and submitted at any time. The inmate should keep one copy for his reference. The narrative of the complaint should contain a complete and specific account of the inmate's complaint, including the names of the people involved, date and location of the incident or condition complained of, and the remedy the inmate seeks. The grievance and appeal form will then be placed in a sealed envelop and submitted to the staff member responsible for the first step in this grievance procedure.

Proper Channels for Submissions of Grievances

- a. The inmate shall submit his grievance to the Superintendent, or Officer-in-Charge of the Institution or Field Unit to which he is assigned. The Superintendent or the Officer-in-Charge of the institution or field unit to which the inmate is assigned, or in their absence, a designee, will have

eight (8) calendar days within which to respond to the complaining inmate on the answer section of the grievance and appeal form.

- b. The Superintendent or his designee will have the responsibility of interviewing the inmate, determining the nature of the inmate complaint, and investigating the complaint (to include a hearing when necessary). In arriving at his decision, the Superintendent may designate an uninvolved individual to be responsible for gathering any information, conducting an investigation or holding a hearing in order to provide the Superintendent with the necessary facts upon which to base an acceptable, objective decision in each individual's case.
- c. If the decision is contrary to the remedy the inmate seeks, he will be informed of his right to appeal. If the inmate does object to the Superintendent's decision and desires to appeal to a higher authority, the inmate must so indicate by signing the objection and appeal statement located on the Grievance and Appeal form immediately below the space provided for the Superintendent's response. Once the inmate has noted his objection to the decision and his desire to appeal it, a copy of the Superintendent's decision will then be forwarded automatically to the Deputy Director of Adult Services, who is charged with the authority and responsibility for making the final determination in all cases where the complaining inmate has appealed the Superintendent's decision. The Deputy Director shall respond for the Director of Adult Services as his designee and his response shall constitute the final determination in the appeal process.
- d. A copy of any grievance submitted to the Officer-in-Charge of a correctional field unit will also be sent, but only for reference purposes, to the Superintendent of the Region. The Superintendent of the Region will not act on these grievances but will be furnished with a copy of each grievance so that he might be kept informed as to the nature of inmate complaints and institutional responses from those units under his supervision.
- e. The Superintendent will have the necessary authority to resolve inmate complaints filed pursuant to this Guideline. The dated response of the Superintendent will indicate what action has been taken and briefly state the reasons for his disposition of the case. Two copies of the Superintendent's response shall be given to the complaining inmate.

Appeal of Superintendent's Decision: Deputy Director's Action.

- a. Once the Superintendent has submitted his decision to the Deputy Director, the Deputy Director will have fifteen (15) calendar days within which to reach a decision. In arriving at his decision, the Deputy Director may interview the inmate,

determine the continuing nature of the complaint, and investigate the complaint (to include a hearing when necessary). The Deputy Director will indicate his decision and the reasons for such decision in writing to both the Superintendent of the Institution or Officer-in-Charge of the respective Field Unit and the complaining inmate. Again, the decision of the Deputy Director will be final in all respects to the grievance.

- b. In the event more time is required to conduct a hearing or a more formal investigation, the Deputy Director, or his designee may extend the time for good cause shown; however, the total time from initial submission of the grievance, until final action by the Deputy Director will not exceed thirty (30) days.
- c. In the event a hearing or an investigation is conducted, the grievance form will show that witnesses were interviewed and a brief summary of their testimony.
- d. No action will be taken against any inmate as a result of his using the grievance procedures established herein.

III. GENERAL

- a. The grievance and appeal form is to be completed by the inmate, sealed in an envelope and delivered to the Superintendent, or designated Officer-in-Charge, who is responsible for the initial investigation and appropriate action of the complaint.
- b. The inmate will be provided with a receipt when he submits his complaint to the responsible staff member. Attached is a copy of the receipt form to be used in this grievance procedure. One copy of the receipt will be given to the inmate and one copy will be forwarded with his complaint through the entire grievance procedure.
- c. A completed copy of the grievance and appeal form, to include the final decision will be filed in the inmate's record folder at the Central Records Office, and at the institution and/or field unit where he is assigned.
- d. Time computation under this guideline will be that the day of receipt of an inmate grievance form will be counted as the first day of the required answering time. Weekends are included. Prompt attention to each complaint will be the rule under this guideline.
- e. The complaining inmate will be informed of his right to appeal to the next higher step in the procedure if he is dissatisfied with the decision at a lower level. Once the complaining inmate notes an appeal, a copy of the decision rendered by the staff member will automatically be forwarded to the next step in this procedure. Each staff member

involved in this procedure is responsible for insuring that all applicable documentation is forwarded to the proper staff member in the next higher step of this procedure when the complaining inmate notes an appeal.

- f. The Deputy Director in this grievance procedure will not act upon a grievance until a staff member in the lower level of this procedure has acted on the grievance of the inmate, noted that action taken and an appeal has been noted.

IV. SUPERSESSION

This guideline supersedes Division Guideline No. 846, "Inmate Grievance Procedure" dated November 1, 1974.



Robert M. Landon
Director
Division of Adult Services

GRIEVANCE AND APPEAL FORM

NAME (LAST, FIRST, M.I.)	NUMBER	INSTITUTION
--------------------------	--------	-------------

PART I - INMATE'S STATEMENT OR REQUEST

DATE

INMATE'S SIGNATURE

PART II - INSTITUTION RESPONSE
(To be completed and returned within 8 calendar days)

DATE

SUPERINTENDENT

APPEAL: I am not satisfied with the Superintendent's response and
I am appealing my case to the Director of Adult Services.

DATE

INMATE'S SIGNATURE

PART III - DIVISION RESPONSE
(To be completed and returned within 15 calendar days)

DATE

Director of Adult Services
and/or Designee

 DIVISION OF ADULT SERVICES - RECEIPT FORM

On this date, I have received a statement from _____ (name)

_____ of _____ setting out the
(number) (institution)

following complaint: _____

_____ (signature) _____ (title) _____ (date)

 DIVISION EXTENTION OF TIME

The following statement was initially submitted on _____ by
(date)

_____ of _____
(name) (number) (institution,

_____ on _____ to the Assistant Superintendent
field unit) (date)

and/or Lieutenant and stated the following complaint: _____

This complaint will be further investigated by this office and answered
not later than _____ (not to exceed thirty (30) days from
(date)
above noted date).

_____ (signature) _____ (title) _____ (date)



COMMONWEALTH of VIRGINIA

Department of Corrections
Division of Adult Services
419 SOUTH BELVIDERE STREET

September 21, 1978

MEMORANDUM

TO: All Guideline Recipients
FROM: R. G. Spann
SUBJECT: Change 2, Division Guideline 846

The Grievance and Appeal Form of Division Guideline 846 dated November 1, 1974 will be removed and replaced with the attached form.


R. G. S.

ML:ct

Attachment

(Refer to Guideline #846 for Procedures)

NAME (last, first, m.i.)	NUMBER	INSTITUTION	LIVING UNIT
--------------------------	--------	-------------	-------------

PART I: INMATE'S STATEMENT

What is your complaint?

What action do you want?

Signature: _____ Date: _____

PART II: SUPERINTENDENT'S RESPONSE

(To be completed and returned within 8 calendar days)

Signature: _____ Date: _____

48
PART III: INMATE'S APPEAL

I am not satisfied with the Superintendent's response because:

Signature: _____ Date: _____

PART IV: DEPARTMENT'S RESPONSE
(To be completed and returned within 15 calendar days)

A. Ombudsman's Report (Optional)

Signature: _____ Date: _____

B. Regional Administrator's Response

Signature: _____ Date: _____

APPENDIX B

The Ombudsman Office
Virginia Department of Corrections

STAFF SURVEY

You and other employees of the Division of Adult Services of the Virginia Department of Corrections have been randomly selected to receive a copy of the enclosed questionnaire. We want to obtain staff input about the inmate grievance procedure in order that it may be revised to best serve the needs of the Department of Corrections, inmates and employees.

A stamped envelope has been provided for your use. We would greatly appreciate your cooperation in completing the questionnaire and mailing it back in the enclosed envelope within three (3) days of receiving it.

We urge you to be as honest as possible in your responses, and to use your own judgment instead of consulting other employees. We want to know your thoughts and feelings, not someone else's.

Please do not put your name on this questionnaire or on the envelope. In this way all answers will be kept confidential and anonymous.

Thank you for your cooperation.

Questions 1-8 are designed to gain general background information about the person responding to the questionnaire. We repeat, however, that all information given by you will be kept confidential by the Ombudsman Office. Remember, do not place your name anywhere on the questionnaire.

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
------------------------------	----------------------------------

(1) What is your sex? (Check one)

- | | |
|---|------------------------------------|
| 1 | 1. <input type="checkbox"/> Male |
| | 2. <input type="checkbox"/> Female |

(2) What is your race or ethnic group? (Check one)

- | | |
|---|---|
| 2 | 1. <input type="checkbox"/> Black |
| | 2. <input type="checkbox"/> White |
| | 3. <input type="checkbox"/> Spanish speaking, Latin |
| | 4. <input type="checkbox"/> American Indian |
| | 5. <input type="checkbox"/> Other |

Card
ColumnQuestion
Number

(3) How old are you?

3-4

_____ (Write in your exact age.)

(4) Check the educational level you have completed.

5

1. _____ 7th grade
2. _____ 10th grade
3. _____ high school
4. _____ vocational or trade school after
high school
5. _____ college
6. _____ graduate (after college)

(5) How long have you been a correctional employee? (Check one)

6

1. _____ less than 6 months
2. _____ 6-17 months
3. _____ 1 1/2-4 years
4. _____ 5-10 years
5. _____ more than 10 years

(6) What type of institution are you assigned to now? (Check one)

7

1. _____ field unit
2. _____ major institution maximum custody
(male)
3. _____ major institution medium custody
(male)
4. _____ major institution (female)
5. _____ work release (male)
6. _____ work release (female)

(7) What sort of position do you hold within the Division of Adult Services? (Check one)

8

1. _____ administrator (Assistant Superintendent or above)
 2. _____ security (correctional officer)
 3. _____ counselor or other treatment staff
 4. _____ other (please write it out)
-

Card	Question
<u>Column</u>	<u>Number</u>

Questions 8-48 are designed to tell us about inmate complaint procedures at your institution; and how you think and feel about them.

- (8) When an inmate has a complaint about something here, what is he/she supposed to do first about the problem? (Check one)

9-10

01. _____ talk to a counselor
 02. _____ hold a meeting with other inmates to talk about what's happening
 03. _____ bring it to the attention of the Inmate Advisory Committee
 04. _____ talk to the Superintendent
 05. _____ write to the Superintendent
 06. _____ talk to a correctional officer
 07. _____ write a letter to the Director of Adult Services in Richmond
 08. _____ send a letter to the newspaper
 09. _____ file a law suit
 10. _____ do something to call attention to the problem even though it may be against the rules
 12. _____ fill out a grievance form
 13. _____ other (Please explain.) _____
-
-

- (9) If the inmate's problem is not solved by the action in Question #8 above, what is he/she supposed to do next about the problem? (Check one)

11-12

01. _____ talk to a counselor
 02. _____ hold a meeting with other inmates to talk about what's happening
 03. _____ bring it to the attention of the Inmate Advisory Committee
 04. _____ talk to the Superintendent
 05. _____ write to the Superintendent
 06. _____ talk to a correctional officer
 07. _____ write a letter to the Director of Adult Services in Richmond
 08. _____ send a letter to the newspaper
 09. _____ file a lawsuit
 10. _____ do something to call attention to the problem even though it may be against the rules
 11. _____ fill out a grievance form
 12. _____ other (Please explain.) _____
-
-

Card
Column

Question
Number

(10) As things are now at your institution, about how often are complaints by inmates handled in the following ways? (Check once for each statement.)

		1 <u>Always</u>	2 <u>Frequently</u>	3 <u>Seldom</u>	4 <u>Never</u>
13	a. inmate does nothing and lets it drop	_____	_____	_____	_____
14	b. inmate talks to another inmate who straightens it out with an officer	_____	_____	_____	_____
15	c. inmate talks directly to an officer	_____	_____	_____	_____
16	d. inmates writes to the Superintendent	_____	_____	_____	_____
17	e. inmate writes to the Director of Adult Services in Richmond	_____	_____	_____	_____
18	f. inmate files formal grievance	_____	_____	_____	_____
19	g. inmate talks to a counselor	_____	_____	_____	_____
20	h. other (Please explain.)	_____	_____	_____	_____
		_____	_____	_____	_____
		_____	_____	_____	_____
		_____	_____	_____	_____

Card
Column

Question
Number

- 21 (11) Before you received this survey, were you aware that an inmate grievance procedure existed? (Check one)
1. ☐ yes
2. ☐ no
- 22 (12) How are inmates usually informed about the inmate grievance procedure? (Check one)
1. ☐ at an orientation session at the institution
2. ☐ from a correctional officer
3. ☐ from another inmate
4. ☐ from the Superintendent or his staff
5. ☐ from an institution newspaper or bulletin
6. ☐ not at all
7. ☐ other (Please explain.) _____

- 23 (13) Generally speaking, do staff members explain to an inmate how the inmate grievance procedure works? (Check one)
1. ☐ yes
2. ☐ no
- 24 (14) Is Division Guideline #846, which explains the inmate grievance procedure, available for inmates to read? (Check one)
1. ☐ yes, always
2. ☐ usually
3. ☐ seldom
4. ☐ no, never
5. ☐ don't know
- 25 (15) Is Guideline #846 easily understood? (Check one)
1. ☐ yes
2. ☐ no
3. ☐ don't know

Card
Column

Question
Number

- (16) Can inmates get the form required for submitting a grievance when they want it? (Check one)
- 26
1. ☐ yes, always
 2. ☐ usually
 3. ☐ seldom
 4. ☐ no, never
 5. ☐ don't know
- (17) Do you know how an inmate is supposed to submit a grievance at your institution? (Check one)
- 27
1. ☐ yes
 2. ☐ no
- (18) Do you know how an inmate is supposed to appeal a grievance? (Check one)
- 28
1. ☐ yes
 2. ☐ no
- (19) Have you ever been involved in an inmate grievance action? (Check one)
- 29
1. ☐ yes
 2. ☐ no
- (20) In general, how effective do you feel the inmate grievance procedure has been? (Check one)
- 30
1. ☐ very effective
 2. ☐ fairly effective
 3. ☐ seldom effective
 4. ☐ not effective at all

Card
Column

Question
Number

- 31 (21) Do you think inmates see inmate grievances as a way to get back at the staff? (Check one)
1. ☐ yes, most do
 2. ☐ yes, about half do
 3. ☐ yes, but not very many
 4. ☐ no, almost never
- 32 (22) How do staff members at your institution feel about trying to help resolve inmate complaints? (Check one)
1. ☐ they are very willing to listen and try hard to work things out
 2. ☐ they are fairly willing to listen and try hard to work things out
 3. ☐ they are seldom willing to listen, but do try hard to work things out
 4. ☐ they are willing to listen, but never try hard to work things out
 5. ☐ they are never willing to listen and never try hard to work things out
- (23) Which of the following reflects your opinion about the inmate grievance procedure? (Check one)
- 33
1. ☐ it improves staff/inmate relations
 2. ☐ it has no effect on staff/inmate relations
 3. ☐ it makes staff/inmate relations worse
- (24) Do correctional officers carry out the decisions reached on inmate grievances when the decisions are in the inmate's favor? (Check one)
- 34
1. ☐ yes, always
 2. ☐ usually
 3. ☐ seldom
 4. ☐ no, never
 5. ☐ don't know

Card
Column

Question
Number

- (25) After an inmate has filed a formal grievance, does the Superintendent or staff member generally discuss the grievance with the inmate? (Check one)
- 35
1. ☐ yes, always
 2. ☐ usually
 3. ☐ about half of the time
 4. ☐ seldom
 5. ☐ no, never
- (26) In general, how fairly do you think the Superintendent handles inmate grievances? (Check one)
- 36
1. ☐ always fairly
 2. ☐ usually fairly
 3. ☐ about half and half
 4. ☐ seldom fairly
 5. ☐ never fairly
- (27) In general, how do you think inmate grievances are handled when they are appealed to the Division level in Richmond? (Check one)
- 37
1. ☐ always fairly
 2. ☐ usually fairly
 3. ☐ about half and half
 4. ☐ seldom fairly
 5. ☐ never fairly
- (28) In your opinion, does your Superintendent think it's important to look into inmate complaints? (Check one)
- 38
1. ☐ yes, very important
 2. ☐ yes, somewhat important
 3. ☐ no, not important at all
 4. ☐ he doesn't care either way
- (29) Do you think most grievances submitted by inmates are legitimate? (Check one)
- 39
1. ☐ yes, almost always
 2. ☐ yes, frequently
 3. ☐ yes, about half are
 4. ☐ yes, but not very many
 5. ☐ no, almost never
 6. ☐ no, never

Card
Column

Question
Number

- (30) Do you think inmates are afraid of filing grievances? (Check one)
- 40
1. ☐ yes, always afraid
 2. ☐ yes, somewhat afraid
 3. ☐ about half are
 4. ☐ no, seldom afraid
 5. ☐ no, not afraid at all
- (31) In your opinion, how do staff members feel about inmates writing grievances? (Check one)
- 41
1. ☐ they encourage it
 2. ☐ they usually think it's all right
 3. ☐ they don't care one way or the other
 4. ☐ they usually don't like it, but accept it
 5. ☐ they discourage it
- (32) If an inmate feels that the staff is treating him unfairly, what kinds of actions do you think he has a right to take in order to change the situation? (Check all that you feel are appropriate.)
- 42-43 01. ☐ talk to a counselor
- 44-45 02. ☐ hold a meeting to talk about what's happening
- 46-47 03. ☐ bring it to the attention of the Inmate Advisory Committee
- 48-49 04. ☐ talk to the Superintendent
- 50-51 05. ☐ write a letter to the Superintendent
- 52-53 06. ☐ talk to a senior correctional officer
- 54-55 07. ☐ write a letter to the Director of Adult Services in Richmond
- 56-57 08. ☐ send a letter to the newspaper
- 58-59 09. ☐ file a law suit
- 60-61 10. ☐ do something to call attention to the problem even though it may be against the rules
- 62-63 11. ☐ fill out a formal grievance

Card
Column

Question
Number

- (33) Check the statement below that most closely reflects your view of the inmate grievance procedure. (Check only one)

The inmate grievance procedure is:

64

1. ☐ a good way to settle inmate complaints, since most inmate grievances have merit
2. ☐ a good way to settle inmate complaints, even though most inmate grievances do not have merit
3. ☐ a good way to settle inmate complaints, regardless of whether they have merit or not
4. ☐ a bad way to settle inmate complaints, even though most inmate grievances have merit
5. ☐ a bad way to settle inmate complaints because most complaints do not have merit
6. ☐ a bad way to settle inmate complaints regardless of whether they have merit or not

Show whether you agree or disagree with each statement below by checking the blank spaces to the right of each. Check once for each statement.

Card Column	Question Number	1 Strongly <u>Disagree</u>	2 <u>Disagree</u>	3 <u>Undecided</u>	4 <u>Agree</u>	5 Strongly <u>Agree</u>
65	(34) Most of the problems that inmates have here are caused by inmates themselves	_____	_____	_____	_____	_____
66	(35) Militant inmates here make employees' jobs more difficult	_____	_____	_____	_____	_____
67	(36) Most inmates really can't be rehabilitated	_____	_____	_____	_____	_____
68	(37) Most inmates respect correctional staff	_____	_____	_____	_____	_____
69	(38) A correctional employee must always enforce the rules to the letter, even if it angers inmates	_____	_____	_____	_____	_____
70	(39) Most inmates do not benefit from punishment	_____	_____	_____	_____	_____
71	(40) Hard prison life will keep men and women from committing crimes	_____	_____	_____	_____	_____
72	(41) If inmates go to correctional staff for help, they try to help them	_____	_____	_____	_____	_____
73	(42) Inmates are easier to work with by privately talking to the inmate leaders than by enforcing all the rules	_____	_____	_____	_____	_____
74	(43) Harsh treatment only makes the inmate more bitter	_____	_____	_____	_____	_____
75	(44) Since prisons are for punishment, inmates should have no right to complain about prison conditions	_____	_____	_____	_____	_____

(45) From your point of view, what would make the grievance system work better?

(46) Is there anything else you would like to say about the grievance system?

APPENDIX C

The Ombudsman Office
Virginia Department of Corrections

INMATE SURVEY

You and other inmates throughout Virginia have been randomly selected to receive a copy of the attached questionnaire. We would greatly appreciate your cooperation in completing the questionnaire and mailing it back in the enclosed envelope within the next three (3) days.

We will use the results of this survey to improve the grievance procedure. Please do not put your name on this questionnaire or envelope. In this way all answers will be kept confidential and anonymous.

We also urge you to be as honest as possible in your responses and to use your own judgement rather than consult other inmates. In this way you will help us to help you.

Questions 1-9 are designed to gain general background information about the person responding to the questionnaire. We repeat, however, that all information given by you will be kept confidential by the Ombudsman Office. Remember, do not place your name anywhere on the questionnaire.

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

(1) What is your sex? (Check one.)

- | | |
|---|-----------------|
| 1 | 1. _____ Male |
| | 2. _____ Female |

(2) What is your race or ethnic group?
(Check one.)

- | | |
|---|----------------------------------|
| 2 | 1. _____ Black |
| | 2. _____ White |
| | 3. _____ Spanish speaking, Latin |
| | 4. _____ American Indian |
| | 5. _____ Other |

(3) How old are you?

3-4	_____ (Write in your exact age.)
-----	----------------------------------

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

- | | |
|---|---|
| | (4) Check the educational level you have <u>completed</u> . |
| 5 | 1. ___ below 4th grade
2. ___ 4th grade
3. ___ 7th grade
4. ___ 10th grade
5. ___ high school
6. ___ vocational or trade school after high school
7. ___ college
8. ___ graduate (after college) |
| | (5) How many times have you been in an adult prison (counting this time)? (Check one.) |
| 6 | 1. ___ only this time
2. ___ 2-3 times
3. ___ 4-6 times
4. ___ 7 or more times |
| | (6) How long have you been at this prison? (Check one.) |
| 7 | 1. ___ less than 6 months
2. ___ 7 months - 1 year
3. ___ 2-3 years
4. ___ 4-6 years
5. ___ 7 or more years |
| | (7) How long is it before your discharge date? (Check one.) |
| 8 | 1. ___ less than 1 year
2. ___ 1-3 years
3. ___ 4-8 years
4. ___ 9-15 years
5. ___ 16 or more years |
| | (8) What is your present custody status? (Check one.) |
| 9 | 1. ___ A-Minimum
2. ___ B-Medium
3. ___ C-Maximum |

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

(9) What type of institution are you assigned to now? (Check one.)

- | | |
|----|--|
| 10 | 1. <input type="checkbox"/> field unit |
| | 2. <input type="checkbox"/> major institution maximum custody (male) |
| | 3. <input type="checkbox"/> major institution medium custody (male) |
| | 4. <input type="checkbox"/> major institution (female) |
| | 5. <input type="checkbox"/> work release (male) |
| | 6. <input type="checkbox"/> work release (female) |

Questions 10-50 are designed to tell us what you think and feel about the grievance system.

(10) Here is a list of some possible complaints that you might or might not have. Please check all that you feel are a problem for you.

- | | |
|-------|---|
| 11 | 1. <input type="checkbox"/> work assignment |
| 12 | 2. <input type="checkbox"/> food served |
| 13 | 3. <input type="checkbox"/> clothing issued |
| 14 | 4. <input type="checkbox"/> recreational opportunities |
| 15 | 5. <input type="checkbox"/> medical services |
| 16 | 6. <input type="checkbox"/> visitation rules |
| 17 | 7. <input type="checkbox"/> legal services |
| 18 | 8. <input type="checkbox"/> personal privacy |
| 19 | 9. <input type="checkbox"/> treatment by correctional officers |
| 20-21 | 10. <input type="checkbox"/> job training and educational opportunities |
| 22-23 | 11. <input type="checkbox"/> classification matters |
| 24-25 | 12. <input type="checkbox"/> personal property |
| 26-27 | 13. <input type="checkbox"/> treatment by other inmates |
| 28-29 | 14. <input type="checkbox"/> counseling services |
| 30-31 | 15. <input type="checkbox"/> religious problems |
| 32-33 | 16. <input type="checkbox"/> other (Write it out.) _____ |
-
-
-

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

(11) When an inmate has a complaint about something here, what is he/she supposed to do first?
(Check only one.)

34-35

- 01. ☐ talk to a counselor
 - 02. ☐ hold a meeting with other inmates to talk about what's happening
 - 03. ☐ bring it to the attention of the Inmate Advisory Committee
 - 04. ☐ talk to the Superintendent
 - 05. ☐ write to the Superintendent
 - 06. ☐ talk to a correctional officer
 - 07. ☐ write a letter to the Director of Adult Services in Richmond
 - 08. ☐ send a letter to the newspaper
 - 09. ☐ file a law suit
 - 10. ☐ do something to call attention to the problem even though it may be against rules
 - 11. ☐ fill out a grievance form
 - 12. ☐ other (please explain) _____
-

(12) If an inmate's problem is not solved by the action in Question #11 above, what is he/she supposed to do next about his/her problem?
(Check only one.)

36-37

- 01. ☐ talk to a counselor
 - 02. ☐ hold a meeting with other inmates to talk about what's happening
 - 03. ☐ bring it to the attention of the Inmate Advisory Committee
 - 04. ☐ talk to the Superintendent
 - 05. ☐ write to the Superintendent
 - 06. ☐ talk to a correctional officer
 - 07. ☐ write a letter to the Director of Adult Services in Richmond
 - 08. ☐ send a letter to the newspaper
 - 09. ☐ file a law suit
 - 10. ☐ do something to call attention to the problem even though it may be against the rules
 - 11. ☐ fill out a grievance form
 - 12. ☐ other (please explain) _____
-
-

Card Question
Column Number

(13) As things are now at your institution, about how often are complaints by inmates handled in the following ways? (Check once for each statement.)

		1 <u>Always</u>	2 <u>Frequently</u>	3 <u>Seldom</u>	4 <u>Never</u>
38	a. inmate does nothing and let it drop	_____	_____	_____	_____
39	b. inmate talks to another inmate who straightens it out with an officer	_____	_____	_____	_____
40	c. inmate talks directly to an officer	_____	_____	_____	_____
41	d. inmate writes to the Superintendent	_____	_____	_____	_____
42	e. inmate writes to the Director of Adult Services in Richmond	_____	_____	_____	_____
43	f. inmate files formal grievance	_____	_____	_____	_____
44	g. inmate talks to a counselor	_____	_____	_____	_____
45	h. other (Please explain) _____				

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
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	(14) Before you received this survey, were you aware that an inmate grievance procedure existed? (Check one.)
--	---

46	1. <input type="checkbox"/> yes 2. <input type="checkbox"/> no
----	---

	(15) How are inmates usually informed about the Inmate Grievance Procedure? (Check one.)
--	--

47	1. <input type="checkbox"/> at an orientation session for the institution 2. <input type="checkbox"/> from a correctional officer 3. <input type="checkbox"/> from another inmate 4. <input type="checkbox"/> from the Superintendent or his staff 5. <input type="checkbox"/> from an institution newspaper or bulletin 6. <input type="checkbox"/> not at all 7. <input type="checkbox"/> other (Please explain.) _____ _____ _____
----	---

	(16) Generally speaking, do staff members explain to an inmate how the grievance procedure works? (Check one.)
--	--

48	1. <input type="checkbox"/> yes 2. <input type="checkbox"/> no
----	---

	(17) Is Division Guideline #846, which explains the inmate grievance procedure, <u>available</u> for inmates to read? (Check one.)
--	--

49	1. <input type="checkbox"/> yes, always 2. <input type="checkbox"/> usually 3. <input type="checkbox"/> seldom 4. <input type="checkbox"/> no, never 5. <input type="checkbox"/> don't know
----	---

	(18) Is Guideline #846 easily understood? (Check one.)
--	--

50	1. <input type="checkbox"/> yes 2. <input type="checkbox"/> no 3. <input type="checkbox"/> don't know
----	---

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

- | | | |
|----|------|--|
| | (19) | Can inmates get the form requested for submitting a grievance when they want it? (Check one.) |
| 51 | | 1. ___ yes, always
2. ___ usually
3. ___ seldom
4. ___ no, never
5. ___ don't know |
| | (20) | Do you know how an inmate is supposed to submit a grievance at your institution? (Check one.) |
| 52 | | 1. ___ yes
2. ___ no |
| | (21) | Do you know how to appeal an inmate grievance? (Check one.) |
| 53 | | 1. ___ yes
2. ___ no |
| | (22) | Have you ever filed an inmate grievance? |
| 54 | | 1. ___ yes
2. ___ no |
| | (23) | Have you ever had a grievance decided in your favor? (Check one.) |
| 55 | | 1. ___ yes
2. ___ no |
| | (24) | In general how effective in resolving inmate complaints do you feel the grievance procedure has been? (Check one.) |
| 56 | | 1. ___ very effective
2. ___ fairly effective
3. ___ seldom effective
4. ___ not effective |
| | (25) | Do you think inmates see inmate grievances as a way to get back at the staff? (Check one.) |
| 57 | | 1. ___ yes, most do
2. ___ yes, about half do
3. ___ yes, but not very many
4. ___ no, almost never |

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
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- | | |
|----|---|
| | (26) How do staff members at your institution feel about trying to help resolve inmate complaints? (Check one.) |
| 58 | 1. <u>they are always very willing to listen and try hard to work things out</u>
2. <u>they are fairly willing to listen and try hard to work things out</u>
3. <u>they are seldom willing to listen, but do try hard to work things out</u>
4. <u>they are willing to listen, but never try hard to work things out</u>
5. <u>they are never willing to listen and never try hard to work things out</u> |
| | (27) Which of the following reflects your opinion about the inmate grievance procedure? (Check one.) |
| 59 | 1. <u>it improves staff/inmate relations</u>
2. <u>it has no effect on staff/inmate relations</u>
3. <u>it makes staff/inmate relations worse</u> |
| | (28) Do correctional officers carry out the decision reached on inmate grievances when the decisions are in the inmate's favor? (Check one.) |
| 60 | 1. <u>yes, always</u>
2. <u>yes, usually</u>
3. <u>don't know</u>
4. <u>no, seldom</u>
5. <u>no, never</u> |
| | (29) In your opinion, do most correctional officers think it's important to look into inmate complaints? (Check one.) |
| 61 | 1. <u>yes, very important</u>
2. <u>yes, somewhat important</u>
3. <u>they don't care either way</u>
4. <u>no, not important at all</u> |
| | (30) In general, how fairly do you think the Superintendent handles inmates grievances? (Check one.) |
| 62 | 1. <u>always fairly</u>
2. <u>usually fairly</u>
3. <u>about half and half</u>
4. <u>seldom fairly</u>
5. <u>never fairly</u> |

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
------------------------------	----------------------------------

- | | | |
|----|------|--|
| | (31) | In general, how do you think inmate grievances are handled when they are appealed to the Division level in Richmond? (Check one.) |
| 63 | | 1. ___ always fairly
2. ___ usually fairly
3. ___ about half and half
4. ___ seldom fairly
5. ___ never fairly |
| | (32) | In your opinion, does your Superintendent think it's important to look into inmate complaints? (Check one.) |
| 64 | | 1. ___ yes, very important
2. ___ yes, somewhat important
3. ___ no, not important at all
4. ___ he doesn't care either way |
| | (33) | Do you think most grievances submitted by inmates are legitimate? (Check one.) |
| 65 | | 1. ___ yes, almost always
2. ___ yes, frequently
3. ___ about half are
4. ___ yes, but not very many
5. ___ no, almost never
6. ___ no, never |
| | (34) | Do you think inmates are afraid of filing grievance? (Check one.) |
| 66 | | 1. ___ yes, always afraid
2. ___ yes, somewhat afraid
3. ___ about half are
4. ___ no, seldom afraid
5. ___ no, not afraid at all |
| | (35) | In your opinion, how do staff members feel about inmates writing grievances? (Check one.) |
| 67 | | 1. ___ they encourage it
2. ___ they usually think it's all right
3. ___ they don't care one way or the other
4. ___ they usually don't like it, but accept it
5. ___ they discourage it |

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
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	(36) If you had a complaint that had not been settled by talking to staff members, would you write a grievance? (Check one.)
--	--

68

1. yes
2. no (If you answered no, why not? Please explain.) _____

	(37) Check the statement below that most clearly reflects your view of the inmate grievance procedure. (Check only one.)
--	--

The inmate grievance procedure is:

69

1. a good way to settle inmate complaints, since most inmate grievances have merit
2. a good way to settle inmate complaints, even though most inmate grievances do not have merit.
3. a good way to settle inmate complaints, regardless of whether they have merit or not
4. a bad way to settle inmate complaints even though most inmate grievances have merit
5. a bad way to settle inmate complaints because most inmate grievances do not have merit
6. a bad way to settle complaints regardless of whether they have merit or not

<u>Card</u> <u>Column</u>	<u>Question</u> <u>Number</u>
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Show whether you agree or disagree with each statement below by checking the blank spaces to the right of each. Check once for each statement.

		1 Strongly <u>Disagree</u>	2 <u>Disagree</u>	3 <u>Undecided</u>	4 <u>Agree</u>	5 Strongly <u>Agree</u>
70	(38) Most of the problems inmates have here are caused by inmates themselves	—	—	—	—	—
71	(39) Militant inmates here make employees' jobs more difficult	—	—	—	—	—
72	(40) Most inmates really can't be rehabilitated	—	—	—	—	—
73	(41) Most inmates respect correctional staff	—	—	—	—	—
74	(42) A correctional employee must always enforce the rules to the letter, even if it angers inmates	—	—	—	—	—
75	(43) Most inmates do not benefit from punishment	—	—	—	—	—
76	(44) Hard prison life will keep men and women from committing crimes	—	—	—	—	—
77	(45) If inmates go to correctional staff for help, they try to help them	—	—	—	—	—
78	(46) Inmates are easier to work with by privately talking to the inmate leaders than by enforcing all the rules	—	—	—	—	—
79	(47) Harsh treatment only makes the inmate more bitter	—	—	—	—	—
80	(48) Since prisons are for punishment, inmates should have no right to complain about prison conditions.	—	—	—	—	—

<u>Card</u>	<u>Question</u>
<u>Column</u>	<u>Number</u>

(49) What would make the grievance system work better, from your point of view? (Write more on back if you wish.)

(50) Is there anything else you would like to say about the grievance system? (Write more on back if you wish.)

APPENDIX D

Attitudes Towards Corrections

Inmates and staff were asked to react to a series of eleven statements which in total reflected their attitude on correctional issues. These questions were grouped under the following headings: Inherent Problems of Inmates, Treatment of Inmates, and Officer and Inmate Relations. The responses to these items will be considered here according to those headings so that the philosophy and orientation of the respondents may be more fully understood.

Inherent Problems of Inmates

The first item asked for a response to the statement "most of the problems that inmates have here are caused by inmates themselves". The response breakdown was:

	INMATE INDUCED		
	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	17%	60%	38%
Agree	83%	40%	62%

Staff perceive that inmates create their own difficulties and by inference must take responsibility for their own actions.

In reaction to the item "most inmates really can't be rehabilitated" staff was divided on this issue.

	CAN NOT REHABILITATE		
	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	42%	64%	54%
Undecided	13%	12%	12%
Agree	45%	24%	34%

Generally, inmates felt that rehabilitation was a real possibility. Some correctional employees seemed to be undecided as to whether the goal of correctional work is rehabilitative or punitive in its consequences.

To the statement that "most inmates do not benefit from punishment" responses were:

NO BENEFIT FROM PUNISHMENT

	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	45%	29%	36%
Undecided	16%	15%	15%
Agree	39%	56%	48%

Again, the staff was ambivalent regarding the usefulness of punishment. There was almost an even split between those who agreed and those who disagreed with this item, and a good number of staff were simply undecided. Inmates, as one might expect, were somewhat more definite about the value of punishment.

There does not seem to be overwhelming support for a totally rehabilitative orientation to inmates particularly if that necessitates removing responsibility for actions from the inmate himself. It would be interesting perhaps to discover if the same staff members are responding in the negative, and if, therefore, there is a real difference among staff members according to age, length of employment or some other dimension. If so, it may result in very different behaviors and lead to differential implementation of the grievance process.

Treatment of Inmates

The items in this section focus on the method of approaching inmates and dealing with their problems.

When asked if "a correctional employee must always enforce the rules to the letter, even if it angers inmates" the response was:

EMPLOYEE ENFORCE RULES

	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	40%	50%	45%
Undecided	5%	10%	8%
Agree	55%	40%	47%

Although there is a difference of opinion here between staff and inmate responses, it is more equivocal than responses to other items.

To the statement that "hard prison life will keep men and women from committing crimes" staff and inmates overwhelmingly disagreed. Only 19% of the staff and 11% of the inmates agreed with this statement. This is a very interesting response by the staff and may be a function of their experience with recidivists. It may also reflect the opinion that the primary aim of prison is to punish not to deter crime. In a similar vein, to the statement that "harsh treatment only makes the inmate more bitter" the vast majority of inmates (85%) and most of the staff (59%) agreed. This may indicate that staff members perceive imprisonment itself as sufficient punishment. Likewise, 76% of the staff and 92% of the inmates disagreed

with the statement that "since prisons are for punishment, inmates should have no right to complain about prison conditions." This response in conjunction with the former question indicates that incarceration is justified but that additional punishments are highly questionable.

However, when staff were given specific circumstances to react to they did not appear as positive as in other items. For example, the responses to the item "inmates are easier to work with by privately talking to the inmate leaders than by enforcing all the rules" were:

TALKING PRIVATELY TO INMATES

	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	49%	37%	43%
Undecided	14%	24%	19%
Agree	37%	39%	38%

This table reflects the ambiguous feeling on the part of the staff regarding what constitutes effective action and the use of a formal versus informal procedure.

Officer and Inmate Relations

This series of questions is concerned with the consequences of interaction between these two groups. To one of the items in this category which read "militant inmates here make employees' jobs more difficult" respondents reacted:

MILITANCY INCREASES DIFFICULTIES

	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	13%	59%	32%
Undecided	7%	14%	11%
Agree	80%	36%	57%

Obviously, staff do not appreciate inmates taking matters into their own hands. In contrast, inmates are split somewhat on the question of the effects of militancy. A more docile clientele would be preferred by the staff for what would seem to be obvious reasons, and is consistent with their somewhat authoritarian and hierarchial view of the appropriate method of operation.

Among the staff and inmates, the majority of respondents agreed with the statement that "most inmates respect correctional staff." However, more inmates than staff were undecided (14% to 8%) and more inmates than staff disagreed (36% to 35%). This item response is interesting in light of the somewhat negative feelings which inmates have voiced regarding grievances and the procedures used. Apparently, inmates have not generalized their difficulties with the grievance procedure to the staff who administers the rules.

Yet in responding to the item "if inmates go to correctional staff for help, they try to help them" a different feeling emerges. The breakdown of responses were as follows:

STAFF TRIES TO HELP

	<u>Staff</u>	<u>Inmates</u>	<u>Total</u>
Disagree	4%	41%	23%
Undecided	5%	24%	15%
Agree	91%	35%	61%

As the table above indicates, there are fewer inmates who agree with this statement than there are staff. In addition, inmates are split somewhat on the question of staff tries to help inmates.

APPENDIX E

STAFF AND INMATE OPINIONS ABOUT THE INMATE GRIEVANCE PROCEDURE

At the end of the surveys recently sent to a random sample of 200 institutional staff members and 200 inmates, two open-ended questions were asked of each group: (1) "From your point of view, what would make the grievance system work better?" and (2) "Is there anything else you would like to say about the grievance system?" The answers to these questions are summarized below. Ninety-two staff members and 98 inmates responded to this portion of the questionnaire.

1. Need improvement at institutional level

A. STAFF	<u>31</u>
Things should be worked out within the institution	9
Closer communication needed between staff and inmates	11
Too much partiality toward inmates	2
"Oral" grievance procedure needed for some inmates	1
Enforce Guideline #846	2
Follow up on decisions	1
Make inmate prove allegations	1
Superintendent should listen to both sides before acting	3
Officer involved in grievance should be notified	1
B. INMATE	<u>36</u>
Staff and Superintendent do not carry out Guideline #846	3
Committee approach favored	8
Better communication needed with staff	5
Inmates feel that they are not considered human beings by staff	6
Need more impartiality toward inmates by staff	3
Afraid of reprisals	9
Want no partiality towards staff from Superintendent	2

II. Need more education for staff and inmates

A. STAFF	<u>22</u>
More education needed in grievance procedure and institutional policies	19
May reduce number of "unmerited" grievances and unreasonable complaints	3
B. INMATE	<u>12</u>
Do not understand grievance form and guidelines	9
Have never heard of grievance procedure	3

III. System works as is

A. STAFF	<u>17</u>
It works	13
Means of relieving tension for inmates	4
B. INMATE	<u>6</u>
System works as is	

IV. Need improvements at Division level

A. STAFF	<u>13</u>
Investigate types of grievances which may keep occurring	1
Regional Administrator should uphold decision of Superintendent	1
Better education of Ombudsman staff in institutional policies needed	2
Faster responses from Ombudsman staff needed	4
Cut down on paperwork	5
B. INMATE	<u>31</u>
Need more effective system	3
Responses given by Ombudsman staff should be more detailed, more explanatory	3
More thorough and active investigations are needed by the Ombudsman staff	8
Need faster responses after filing grievances	10
Guideline #846 should be changed	2
Guideline #846 needs to be easier to understand	2
Want impartial "out of the system" Ombudsman staff	3

V. Grievance Procedure not needed

A. STAFF	<u>12</u>
Grievances used to discredit and slander officers	1
"Inmates have more rights than staff"	4
Grievance procedure not needed in institutions	7
B. INMATE	<u>13</u>
Does not work	6
Corrupt, unequal	5
"Part of the system"	2

APPENDIX F

Inmate Comments

A number of the items in this survey left space for the inmate to comment on the subject of the question or add a more appropriate response. Inmates took advantage of this option and a good portion of those responses by item are listed below.

To question 10 regarding possible complaints the inmates identified:

1. Medical difficulties in receiving dental and eye care as well as the Doctor not believing their problems.
2. Poor sanitary conditions in the mess hall and the presence of roaches.
3. Location of incarceration limits the number of their visitors.
4. DOC insensitivity to inmate needs.
5. Officer harassment and beatings.
6. Private visits with wife.
7. Mail not sent out properly, diversity in items allowed in institutions by guards.
8. No re-entry activities or programs.
9. Over-pricing of items in the canteen.

Question 13 elicited a large number of comments as well as seemingly strongly held opinions. Because this is a question critical to the analysis of the grievance process, the inmates in some cases will be quoted. The comments included:

1. Two inmates stated that fear of the consequences of a grievance such as a transfer to a maximum security institution stops the inmate from filing.
2. "Most grievances are thrown away that are written here".
3. "There are no workable fair ways to deal with inmate - officer problems on this unit. The administration has no respect and condones cruel and unusual punishment".
4. "Inmates never get any help from the staff about grievances they file".
5. A number of inmates mentioned problems with having their word believed over an officers word.

Staff Comments

A number of the staff comments refer to the order or procedure which inmates should use in voicing a complaint. For question 8, five staff members specified procedures different from those listed including:

1. "If against a person, inmate should confront them first. Then file grievance if nothing can be worked out."
2. "They are to write an inmate request form stating their problems to their counselor or whoever they feel can help them."
3. "Try to resolve complaint with person directly involved."
4. "Go through the chain of command."
5. "Try to work it out with the inmate with the problem."

For question 9, which specifies the second step of the complaint process, 5 staff members listed:

1. "Chain of command."
2. "Follow procedures according to institutional set-up. Chain of command."
3. "Usually talks to whoever officer suggests counselor, sergeant, or lieutenant."
4. "01 and then 04."
5. "Request form to see chain of command."

As did the inmates, seventeen staff members made comments regarding the handling of inmate complaints. Most of those comments may be classified into two general groupings.

One group of staff responses mentions inmates using the chain of command in some fashion to deal with complaints. Some of those methods mentioned included: talking to an officer, hall officer, shift commander then counselor and on up. These responses depict a conciliatory relationship between the staff and inmates. They also imply that there is a tacit agreement among all participants regarding the rules and procedures of the institutions.

The second set of "other" responses presented a more negative view of the inmate and of inmate/staff relations, such as: "inmate talks to officer but does not tell whole story so he writes a grievance on the institution, also he thinks he can do what he wants to do" or "inmates always getting too much that is why the Department of Corrections is way out of hand" or most negative, "knock on his door, flood his cell set his cell on fire or throw human waste on the first one who pass by."

CONTINUED

1 OF 2

Essentially two contradictory views of the inmate were presented by these responses. The first portrays the inmate as not only law abiding but as subject to the same hierarchical structure as the staff. Conversely, the second set of responses presents the inmate as functioning outside of the system.

Interestingly, staff also had a varied view of how inmates are informed of the inmate grievance procedure. Some thought this information was conveyed by counselors, others by a combination of staff and inmates, while others thought it was handled at receiving, through an orientation session, or by a letter on the inmate bulletin board. The absence of consensus regarding the method of informing inmates about this procedure may indeed reflect fragmentation and diversity in its presentation. It may also be assumed that the information is not received or not uniformly received by inmates.