

**Idaho Department of
Juvenile Corrections
Institutional
Policy/Procedure**

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5

SUBJECT: JUVENILE GRIEVANCE

CATEGORY: JUVENILE MANAGEMENT

Policy

It is the policy of the Idaho Department of Juvenile Corrections (IDJC) to provide an administrative means for handling complaints from juveniles related to their care and confinement as well as a means for juveniles to report incidents relating to the Prison Rape Elimination Act (PREA). The juvenile grievance process is available to all juveniles placed at an IDJC facility without reprisal. All complaints receive a written, signed response within a reasonable timeframe. This policy requires problem solving without intimidation. Staff that uses acts of intimidation with juveniles in regards to this problem-solving process will be subject to disciplinary action.

Operating Procedures

I. Notification

All juveniles are advised of this grievance procedure within 24 hours of admission. When a new juvenile is admitted to the Regional facility, the intake staff explains the grievance procedure and has the juvenile read the Juvenile Grievance (671) policy/procedure. If the juvenile has difficulty reading the policy, the staff explains the policy in detail to the juvenile. The juvenile completes and signs the Juvenile Rights and Grievance Process Acknowledgement of Understanding (DJC-165) form. The juvenile acknowledges by signing the DJC-165 form, that they understand the grievance process. The intake staff also must sign and date the DJC-165 form. The completed DJC-165 is placed in the juvenile's case management file.

II. Availability of Grievance Boxes and Forms

- A. Grievance boxes are accessible in each living unit, the education area of each facility, and other areas deemed appropriate. They are maintained in good working order at all times. The grievance boxes are locked and only the, designee, has a key to the boxes.
- B. Juvenile Grievance Filing Forms (DJC-126) are made readily available to all juveniles without having to ask a staff member. Envelopes are made available to put the DJC-126 forms in when they are completed by the juvenile.

III. Filing of Grievances

- A. The juvenile completes the DJC-126 form and places it in a sealed envelope and puts it in a grievance box. If assistance is needed to complete the form, any neutral member of the treatment team, or appropriate third party, may help the juvenile.
- B. The juvenile may file the grievance, checking the "Sexual Abuse/Sexual Harassment" box on the top of the form and/or PREA on the envelope.
- C. Grievances may be filed by any juvenile or by a third party on behalf of the juvenile.
 - 1. If a grievance is filed by a third party on behalf of the juvenile, the grievance will not be handled unless the juvenile agrees to have the grievance filed on their behalf.
 - 2. If a grievance is filed by a parent or legal guardian of a juvenile on the juvenile's behalf, it will be handled regardless of whether or not the juvenile agrees to have the grievance filed on their behalf.

IV. Handling a Grievance

- A. All grievances are handled professionally. They are resolved at the lowest level, in a timely manner, and without reprisal or threat of reprisal.
 - 1. The designated staff checks each grievance box once per day.
 - 2. Any grievance marked as "Sexual Abuse/Sexual Harassment" is handled as an emergency grievance.
 - a. For PREA related circumstances involving allegations of substantial risk of imminent sexual abuse, no initial attempts of resolving through problem solving with the treatment group and/or team is necessary. The juvenile may file the grievance, checking the "Sexual Abuse/Sexual Harassment" box on the top of the form and/or on the envelope.
 - b. Any grievance envelope marked "Sexual Abuse/Sexual Harassment" is immediately delivered to the facility PREA Compliance Manager and is processed according to the emergency grievance procedures in section IV.B. Any other grievance will be routed according to the local operating procedures. If a grievance is not marked "Sexual Abuse/Sexual Harassment" on the envelope but is discovered to be marked on the grievance form, it will be routed as an emergency grievance at that point. No grievance, including those marked "Sexual Abuse/Sexual Harassment", will be referred to a staff member who is the subject of the grievance.
 - c. There is no time limit on when a juvenile may submit a grievance for allegations of sexual abuse.

3. Juveniles can utilize the grievance filing procedure as a mechanism to address juvenile complaints about health services. Responses to juvenile health services grievances are based on principals of adequate medical care.
4. Any grievance involving inappropriate use or disclosure of a juvenile's health information follows the Health Information/Privacy (843) policy/procedure.
5. The supervisor, or designee, talks with the juvenile and others involved in the grievance situation. The supervisor, or designee, completes the review and discusses the findings/resolution with the juvenile within ten calendar days of receipt of the DJC-126 form. If the grievance involves a staff from another administrative unit, the supervisor, or designee, involves the supervisor of the staff in question in the interview process.
6. If the grievance is resolved, the supervisor signs and dates the grievance form along with the juvenile and forwards the resolved grievance to the Superintendent for review.
7. If the grievance remains unresolved, this is indicated on the form and it is forwarded to the Superintendent, or designee, for resolution. The Superintendent, or designee, reviews the facts presented in the material forwarded by the Unit Manager/supervisor and may undertake further investigation as indicated. The juvenile is advised of the Superintendent's decision within ten calendar days of receipt of the grievance.
8. If necessary to fully investigate a grievance, an extension of 30 days to the above timelines is permitted, so long as the juvenile is notified of the need for the extension within ten calendar days of receipt of the grievance. The notice includes the date by which the decision shall be made.

B. Emergency Grievances

1. Any grievance envelope that is marked "Sexual Abuse/Sexual Harassment" or alleges any substantial risk of imminent sexual abuse will be treated as an emergency grievance. If the envelope or form is marked "Sexual Abuse/Sexual Harassment," the staff member picking up the grievance notifies the facility PREA Compliance Manager by e-mail prior to the end of their shift. If the facility PREA Compliance Manager is unavailable, the Duty Officer is contacted.
2. An initial response, including immediate corrective action that may be necessary, is provided within 48 hours.
3. Any additional response, and the Superintendent's final decision, is handled in the same manner as all other grievances.

4. Both the initial response and the final decision documents whether the juvenile is in substantial risk of imminent sexual abuse, and any actions taken in response to the grievance.
5. All emergency grievances are taken seriously and fully investigated. If it is found that a juvenile intentionally filed an emergency grievance where no emergency exists, an appropriate program response may be initiated.

V. Reporting

A copy of the completed grievance form is given to the juvenile upon completion by the supervisor or designee, unless they were named in the grievance, and the final is placed in the juvenile's case management file within seven days of the resolution. The Superintendent may also maintain a copy for their files in order to evaluate the effectiveness of the procedure.

VI. Evaluation

The effectiveness of the juvenile grievance procedure is assessed at least annually through Performance based Standards (PbS).

Local Operating Procedure

JCC–Lewiston

The Office Services Supervisor I, or designee, logs, dates, and forwards the grievance to the Superintendent, or designee.

JCC–Nampa

A. Notification at Intake

In addition to notification requirement indicated in operating procedures, above, at the time of intake, the juvenile is given the *JCCN Juvenile Orientation* brochure with information on the grievance process.

B. Routing

1. The designated staff picks up the DJC-126 form (grievance), assigns a grievance number, logs each grievance, and gives the grievances to the area manager or supervisor, or their designee. An electronic notification is sent to the area manager or supervisor, which includes the grievance number.
2. If the supervisor is part of the grievance, the grievance is assigned to another supervisor for resolution.
3. After reviewing a resolved grievance, the Superintendent returns it to the designated staff, who logs the outcome (resolved/unresolved), forwards

original for filing in the case management file, and makes a copy for the juvenile and stamps it juvenile copy.

- C. The grievance log is maintained in a confidential manner which includes date of receipt, juvenile name, grievance number, name of any peers involved, name of any staff involved, and a brief description of the grievance.
- D. If a juvenile asks to retract a grievance, the juvenile is asked to write the request on the grievance and sign it. The grievance is returned to the juvenile and a copy is placed in the case management file.

JCC–St. Anthony

Routing

- 1. The designated security staff checks the grievance box on a daily basis. The designated security staff dates and initials the outside of the envelope when they pick it up.
- 2. The grievance is forwarded to the Program Manager, or their designee, for review. The Program Manager will designate on the DJC-126 form the supervisor assigned to follow-up on the grievance. It is then given to the Office Services Supervisor to be logged, copied for the Superintendent's file and forwarded to the appropriate supervisor for resolution.

Reference: [Glossary of Terms and Acronyms](#)
National Commission on Correctional Health Care- Standards for Health Services in Juvenile Detention and Confinement Facilities. Standard Y-A-11

Desk Manual(s): *None*

Related Policies: [Abuse, Neglect, and/or Exploitation of Juveniles \(606\)](#)
[Ethics and Standards of Conduct 324](#)
[Observation and Assessment Intake 640](#)

Related Forms: [Juvenile Grievance Form \(DJC-126\)](#)
[Juvenile Rights and Grievance Process Acknowledgement of Understanding \(DJC-165\)](#)