



Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN

Location: IMSI

Offender Number: 82431

Number: IM 200000280

Category: CONDITIONS OF

Offender Grievance Information

Date Received: 06/10/2020

The problem is:

Dec. 2019 memo stating "All inmates in Administrative Segregation will be afforded three-hours out of cell time daily...1 1/2 hours outside recreation and 1 1/2 inside structured activities8230." hasn't been honored one time, in part or in full- regarding out of cell time.

I have tried to solve this problem informally by:

concern form

I suggest the following solution for the problem:

Honor the memo, or what parts you can, and release a new memo with an acknowledgement/update.

Level 1 - Initial Response

Date Forwarded: 06/10/2020

Date Returned: 06/15/2020

Date Due Back: 06/24/2020

Level 1 Responder: LAING, CRAIG

The response from the staff member or person in charge of the area/operation being grieved:

I do not recall Inmate Irving # 82431 stating this concern to me directly, but if he did he would have been informed that the policy is not completed at this time. Once it is completed we will start letting them out of their cells 3 hours a day and complying with policy. All Inmates housed in B-Block that have inquired about the new step up program or asked about the 3 hours out of cell time have been informed that the policy is not completed at this time. I recommend that Grievance IM200000280 be dismissed at this time, due to the policy not being completed.

Level 2 - Reviewing Authority Response

Date Forwarded:	06/15/2020	Grievance Disposition:	DENIED
Date Due Back:	07/01/2020	Level 2 Responder:	HARTGROVE, GARY
Date Returned:	06/18/2020	Response sent to offender:	06/18/2020

Your grievance has been reviewed and I find:

Inmate Irving 82431 your grievance IM 20000280 is denied.

The newest revision of the Restrictive Housing Order (RHO) being used by the Idaho Department of Correction shows an update of 5/15/2018. The updated RHO coincides with a new SOP for Short Term Restrictive Housing. As of now, the new/updated Long-Term Restrictive Housing (LTRH) SOP has not been implemented. The same RHO is used for both Short and Long Term Restrictive housing. The out of cell time described in the memorandum, will become effective after physical plant modifications are completed and staffing levels are address. Headquarters will then evaluate if SOP 319 will be implemented completely.

Offender Appeal

Offender Comments:

No plant modifications are needed to extend outside rec-the cages already exist. The Department made indoor modifications to one tier to "pilot" day room access months ago, and then abandoned the effort immediately. The RHO update mentioned was done two years ago, and mentions a LTRH policy 319.02.01.003 that is still not implemented. An excessive amount of time has passed without any substantial attempt to make progress. Additionally, we are now frequently refused rec due to staffing levels and 3rd shift's refusal to do rec moves, which they'll be required to do should the department every seriously consider the offender out-of-cell time they've ben discussing but not acting upon since 2018. Immediate action is requested - in part or in full- as well as a realistic plan and timeline that should be made available to offenders and their families, while acknowledging the progress made from the time Warden Yordy's memo as issued in December.

Level 3 - Appellate Authority Response

Date Appealed:	06/22/2020	Grievance Disposition:	DENIED
Date Forwarded:	06/22/2020	Level 3 Responder:	DAVIS, TYRELL
Date Due Back:	07/08/2020	Response sent to offender:	
Date Returned:			

Your appeal has been reviewed and I find:

I have reviewed your grievance and find that I concur with the level two response. The out of cell time described in the memo will become effective after physical plant modifications are completed and staffing levels are addressed.