



# Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN

Location: IMSI

Offender Number: 82431

Number: IM 200000411

Category: SECURITY

### Offender Grievance Information

Date Received: 08/18/2020

The problem is:

JPay message censored 7-28-20 for "containing information regarding crime, sentence, or identity of offenders or inmate" didn't contain any such information. This message was also dramatically different then the 7-27-20 message that was confiscated for different reasons. It is a separate issue from that being grieved already.

I have tried to solve this problem informally by:

Requested explanation via concern form to Investigations.

I suggest the following solution for the problem:

Release the JPay message forward it to the recipient.

### Level 1 - Initial Response

Date Forwarded: 08/18/2020

Date Returned:

08/31/2020

Date Due Back: 09/01/2020

Level 1 Responder:

DEVELBISS,

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

The information contained in the email was in regard to an incident that could potentially give information about the identity of another offender and therefore falls under the guideline for confiscation as per SOP 503.02.01.001 Telephone and Electronic Communications: Inmate. It states "information related to the crime or identity of another offender."

**Level 2 - Reviewing Authority Response**

Date Forwarded:	08/31/2020	Grievance Disposition:	DENIED
Date Due Back:	09/16/2020	Level 2 Responder:	BAIRD, NICHOLAS
Date Returned:	09/15/2020	Response sent to offender:	09/15/2020

Your grievance has been reviewed and I find:

I concur with investigations response.

**Offender Appeal**

Offender Comments:

There is no way to surmise the crime or identity of the offender treated to a beating by staff unless one were to conduct a formal investigation. And nothing in the policy referenced prevents discussing events that could "potentially give information." The policy is very clear in that no specific information shall be given regarding the crime or identity of another offender. To even suggest inmates aren't allowed to report staff-on-inmate violence for such a reason surely requires immediate oversight attention. It is worth noting that Nicholas Baird already approved the same content in grievance IM 20000377, in a decision which was upheld by Warden Davis. The article was also allowed to pass through JPay on 7-17-20 and again on 7-29-20. Which only proves that, even if I'm wrong, whoever is censoring messages requires more training.

**Level 3 - Appellate Authority Response**

Date Appealed:	09/21/2020	Grievance Disposition:	MODIFIED
Date Forwarded:	09/21/2020	Level 3 Responder:	DAVIS, TYRELL
Date Due Back:	10/07/2020	Response sent to offender:	

Date Returned:

Your appeal has been reviewed and I find:

I have reviewed the grievance and find that we conduct formal investigations on situations where there is staff misconduct. Depending on the outcome of the investigation and if warranted there is accountability for the staff involved, we do not however share those outcomes with the offender population. As it pertains to the J-Pay message mentioned in the grievance I concur with investigations response.