



Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN
Offender Number: 82431

Location: ISCI
Number: II 190000285
Category: CLASSIFICATION

Offender Grievance Information

Date Received: 03/27/2019

The problem is:

I have been retaliated against for filing grievances, speaking to media, organizing class action litigation and presenting complaints to (ICSS) and the IG of Texas (2/21) Disciplinary charges have been modified months after completing sanctions for an offense (11/11) that wasn't given due process or appellate consideration. I am the only inmate, of dozens sharing this DOR, whose charge has been modified. I am the only inmate with this offense returned to Idaho with 25 points.

I have tried to solve this problem informally by:

Alerting deputy chief Blades via concern form

I suggest the following solution for the problem:

Return me, my classification, and my custody level to our previous state. Give me access to all TX inmates to continue pursuing class action litigation without further obstruction. Hold all involved in this retaliation accountable

Level 1 - Initial Response

Date Forwarded: 04/05/2019 Date Returned: 04/11/2019
Date Due Back: 04/19/2019 Level 1 Responder: HANSEN, MONTE G

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

According to policy Grievance and informal resolution procedure for offenders page 5 of 19: Offenders cannot submit a Grievance for issues specific to the offender disciplinary system such as behavioral intervention and /or sanctions, infraction reports, disciplinary offense reports (DORs), actions and hearing officer , review authority, and appellate authority decisions. You may appeal the disciplinary process.

Level 2 - Reviewing Authority Response

Date Forwarded:	04/11/2019	Grievance Disposition:	DENIED
Date Due Back:	04/27/2019	Level 2 Responder:	HIGGINS, TIMOTHY
Date Returned:	04/19/2019	Response sent to offender:	04/19/2019

Your grievance has been reviewed and I find:

Mr. Hansen is correct. SOP 316.02.01.001 does not permit the grievance system to be used for issues specific to the offender disciplinary system. The disciplinary action may be appealed and if he does not agree with the decision reached, he may request and administrative review of the disciplinary action.

Offender Appeal

Offender Comments:

Appeal for 3-26-19 grievance for retaliation by staff. The grievances initial response has yet to be delivered to me. Out of concerns addressed in the grievance and due to other recent grievance responses being held past the general timeframe allowed to appeal them, I strongly feel I must submit this appeal on this day to ensure I've properly exhausted administrative remedies in the manner needed to satisfy the courts requirements in being able to consider this issue for future litigation. Not having seen the response, but knowing its there, I can positively affirm the investigation conducted into this grievance failed to consider all available information and has, therefore, been entirely insufficient. In addition, no noticeable remedies have been taken.

Level 3 - Appellate Authority Response

Date Appealed:	04/30/2019	Grievance Disposition:	DENIED
Date Forwarded:	05/02/2019	Level 3 Responder:	DONALDSON,
Date Due Back:	05/18/2019	Response sent to offender:	05/17/2019
Date Returned:	05/09/2019		

Your appeal has been reviewed and I find:

I concur with the Level 1 and 2 responders regarding the acceptable approach to the DOR process.