

Idaho Department of Correction Grievance Form

Offender Name:

IRVING, PATRICK SEAN

Location:

IMSI

Offender Number:

82431

Number:

IM 200000170

Category:

ADMINISTRATION

Offender Grievance Information

Date Received:

03/26/2020

The problem is:

I'm facing continued retaliation for publicly presenting group issues: limits were placed on my ability to contact media, legislators, and legal advocates, and then I was denied the ability to grieve why the act occurred - despite presenting documentation that illustrates how I was singled-out at staff's direction. This is not the first time an allegation of employee misconduct has been obstructed from investigation following my attempts to address it, 2-25-20 and 3-4-20 are the dates this took place.

I have tried to solve this problem informally by:

Concern forms, grievance from 2-25-20, grievances IM 190000181, IM 190000216, II 190000578, IM 190000484, IM 200000050, II 190000285

I suggest the following solution for the problem:

Stop retaliating against me for presenting group issues. Refer this matter to SIU per policy 150.01.01.006, to consider all references included. Retrain staff and adjust policies as needed.

Level 1 - Initial Response

Date Forwarded:

03/26/2020

Date Returned:

03/26/2020

Date Due Back:

04/09/2020

Level 1 Responder:

MCKAY, JULIET

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

Reviewing your attachments there are several times when Keefe reports an "out of stock" on your receipt Keefe can only fill orders with inventory they have so an out of stock cannot be something you can grieve.

SOP 320.02.01.001 provides limit of 20 stamped envelopes from Keefe or 20 indigent envelopes provided by IDOC. Otherwise, to my knowledge there are no limitations on envelopes. You can purchase as many as you choose to provided they fit within the property limitations set by policy and presuming Keefe has envelopes to sell to you. I do not see where retaliation has occurred.

 IM 200000170

IRVING, PATRICK SEAN

82431

Level 2 - Reviewing Authority Response

Date Forwarded:

03/26/2020

Grievance Disposition:

DENIED

Date Due Back:

04/11/2020

Level 2 Responder:

HARTGROVE, GARY

Date Returned:

04/07/2020

Response sent to offender:

04/07/2020

Your grievence has been reviewed and I find:

Inmate Irving 82431 your grievance IM 200000170 is denied.

I have previously granted your grievance IM 200000050 on your ability to order envelopes from Keefe, that response follows: Your request is not outside of policy. SOP 320, and does not restrict the number of envelops you may order that are unstamped. Therefore, I have granted your grievance to the extent of my authority.

I do not have direction over Keefe as the supplier of commissary to the inmate population. Further I have no knowledge of the company's inventory nor how much of a product they are willing to supply to an individual. This type of issue would need to be answered by Keefe or the monitor of the Keefe contract.

I now see that you are attempting to assert that Keefe Commissary and staff are conspiring to restrict your access to court as retaliation. There is no evidence to support this accusation.

Offender Appeal

Offender Comments:

The materials and references provided did not received the adequate review: That other offenders matching orders for consecutive weeks were not restricted - where mine was - was not explained. Additional grievances illustrating obstruction were not referenced as requested. This isn't a mail grievance, yet it was treated as such. The responses don't address why Warden Yordy obstructed my ability to grieve staff retaliation on 2-25-20. Furthermore, while Juliet McKay states that I am not being restricted in her response on this grievance, she is either inferring otherwise in the attached communications I now provide, or demonstrating a refusal to provide adequate review of offender concerns altogether - it is now incredibly clear that policies need adjusted, staff need trained, and this grievance needs forwarded to SIU. Sidenote: It's highly unlikely to distribution specialist such as Keefe would not adjust its inventory of a nickel item after experiencing shortages every week for a year. Perhaps it's their ability to perform that needs reconsidered, also.

Level 3 - Appellate Authority Response

Date Appealed:

04/09/2020

Grievance Disposition:

DENIED

Date Forwarded:

04/09/2020

Level 3 Responder:

DAVIS, TYRELL

Date Due Back:

04/25/2020

Response sent to offender:

04/13/2020

Date Returned:

04/13/2020

Your appeal has been reviewed and I find:

I have reviewed your grievance and find that the level one and level two responses have explained the ordering processes thoroughly. There is no evidence to suggest that this issue is staff retaliating against you.

Date: 04/13/2020 16:00

Created By: taryoung