



# Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN

Location: IMSI

Offender Number: 82431

Number: IM 200000025

Category: POLICY OR SOP

### Offender Grievance Information

Date Received: 01/14/2020

The problem is:

SOP 319.02.01.003 for long term restrictive housing doesn't exist, as suggested by SOP 319.02.01.001, following its revision in July 2018. This leaves staff and inmates alike unable to reference the suggested protocol concerning RHU's daily operations.

I have tried to solve this problem informally by:

Informing staff and the Warden

I suggest the following solution for the problem:

Release a memo acknowledge this issue and provide in it suggestions of how to address policy concerns for a policy that doesn't yet exist. Also, create the policy and make it available.

### Level 1 - Initial Response

Date Forwarded: 01/14/2020

Date Returned:

01/21/2020

Date Due Back: 01/28/2020

Level 1 Responder:

SOUTHWICK,

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

You'll need to contact Deputy Chief Gentry or Chief Page about that. I don't have the authority to issue a Division of Prisons memo. What I can tell you is that they are very close to being done with the Long Term Restrictive Housing SOP and should be releasing it soon.

### Level 2 - Reviewing Authority Response

Date Forwarded: 01/22/2020

Grievance Disposition:

MODIFIED

Date Due Back: 02/07/2020

Level 2 Responder:

HARTGROVE, GARY

Date Returned: 02/04/2020

Response sent to offender:

02/04/2020

Your grievance has been reviewed and I find:

Inmate Irving 82431 your grievance IM 200000025 is partially granted.

SOP 319.02.01.01.001 Long Term Restrictive Housing was scheduled for implementation last year. However, serious issues arose in the ability of the institutions to provide the requirements addressed in the policy. Issues included the physical plant modifications to allow inmates three hours out of cell time and the staffing to provide for the programs to be offered were not in place. Therefore, IDOC withheld full implementation of the SOP and moved forward with an incremental roll out. The creation of the HARC, placement criteria, review of placement and required documentation were put into place. The other portions of the SOP will be put into place when the required resources have been

established.

Any questions concerning approved portions of SOP 319 policy can be addressed with a concern forms for clarification.

### Offender Appeal

Offender Comments:

Mr. Hartgrove cites 319.02.01.001 as the Longterm Restrictive Housing Policy, but .001 specifically notes the Longterm Restrictive Housing policy has been changed to 319.02.01.003. While issues may have arose with the Short-term and Transit requirements addressed in .001, none were ever addressed in .003, due to it having never been created. Therefore it is impossible to send a concern form and receive clarification for any portion of this policy, as zero can't be divided into fractions. Additionally, how would we know you weren't just making stuff up? A memo to the offender population is clearly needed for clarification. This is not an unreasonable request.

### Level 3 - Appellate Authority Response

Date Appealed:	02/05/2020	Grievance Disposition:	DENIED
Date Forwarded:	02/05/2020	Level 3 Responder:	YORDY, HOWARD
Date Due Back:	02/21/2020	Response sent to offender:	02/20/2020
Date Returned:	02/20/2020		

Your appeal has been reviewed and I find:

Current SOP 319 is still the policy for long-term segregation. It addresses conditions of confinement, placement and Restrictive Housing Committee. The draft policy you refer to for long-term segregation was never implemented. I understand some inmates have seen a copy of it and believe it's what we're following but it isn't approved or in place. The Short-Term Segregation policy is just that, short term and has nothing to do with how the state may or may not eventually manage long-term segregation. I also am aware of a portion of the Short-Term Segregation policy that refers to a step-up program in the restrictive housing order but we are not doing that at this time. Two months ago, I wrote two memo's to offenders outlining current practice and long-term plans for implementation. You are welcome to address your concerns and grievances using policy 319 and the memo's if you wish.

Warden Yordy