



# Idaho Department of Correction Grievance Form

Offender Name: IRVING, PATRICK SEAN

Location: IMSI

Offender Number: 82431

Number: IM 200000377

Category: SECURITY

### Offender Grievance Information

Date Received: 07/30/2020

The problem is:

JPay message confiscated 7-27-20 encouraged discourse to prevent violence. It also contains nothing that could be construed as an attempt to propagate disinformation, as it is clarified throughout the report that information presented has been relayed concurrently through several accounts, and the early morning 7-17-20 incident that woke many in my unit to witness most certainly did happen. Furthermore, these reports are circulated to press, legislators and legal advocates, not through IDOC prisons.

I have tried to solve this problem informally by:

Concern form.

I suggest the following solution for the problem:

Carefully deliberate for the exchange of ideas.

### Level 1 - Initial Response

Date Forwarded: 07/30/2020

Date Returned: 08/12/2020

Date Due Back: 08/13/2020

Level 1 Responder: DEVELBISS,

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

"The Jpay email that was confiscated on 7/27/2020 was because you sent a Jpay email with descriptions of violent acts in it. IDOC Policy 402.02.01.001 Mail Handling in Correctional Facilities, section 4. Prohibited Mail items, - Publications or items that encourage violence. Also, though not a reason the email was confiscated; the information contained in your email was incorrect and why you received a response from me via your concern form regarding you sending disinformation."

**Level 2 - Reviewing Authority Response**

Date Forwarded:	08/12/2020	Grievance Disposition:	GRANTED
Date Due Back:	08/28/2020	Level 2 Responder:	BAIRD, NICHOLAS
Date Returned:	08/20/2020	Response sent to offender:	08/20/2020

Your grievance has been reviewed and I find:

The JPAY message will be approved. Information describes violence but does not encourage it.

**Offender Appeal**

Offender Comments:

Please change the grievance disposition to reflect my grievance as granted. I'd also like to take this opportunity to acknowledge the event reported was initially described as taking place in June, and DeVelbiss is right to suggest the report was inaccurate, as the event actually took place in July. This error was corrected in editing. Thank you for bringing it to my attention. It should also be noted that JPay messaging does not fall under policy 402.02.01.001 (Mail Handling in Correctional Facilities). The policy staff should be referencing is 503.02.01.001 (Telephone and Electronic Communications). Please retrain staff accordingly.

**Level 3 - Appellate Authority Response**

Date Appealed:	08/24/2020	Grievance Disposition:	GRANTED
Date Forwarded:	08/24/2020	Level 3 Responder:	DAVIS, TYRELL
Date Due Back:	09/09/2020	Response sent to offender:	

Date Returned:

Your appeal has been reviewed and I find:

I have reviewed your grievance and find that the grievance was granted on 8/20/20 and it was noted on the disposition. Staff were following policy 503.02.01.001 as noted on the confiscation denial form that you received on 7/29/20.