

Deputy Chief of Prisons Amanda Gentry
IDOC
1299 N. Orchard st., Ste. 110
Boise, ID 83706

1-31-22

Dear Deputy Chief Gentry,

After three months of patiently waiting for your response to Grievance #IM210000467, I find myself upset that the concern I presented was not the one addressed. I was simply seeking some form of proof to show our "charitable donations" are going to actual charities.

Throughout the month of December this department touted the cash donations they collected from their inmates to feed families in the community and provide them with a Christmas experience. Were no records kept of these moneys as well?

It should matter little that our year-round donations are made in the form of inmate property. The money coming from our pockets is many times that of anything done around Christmas time. Nearly every time we sign a confiscation/property disposition form, we're told we're giving to charities. Certainly you can understand how we would like some proof?

With all due respect, I feel this was an incredibly easy issue to attend to. Because I am extremely disappointed with how it has been handled, along with my previous public records requests and this communique, I will be forwarding this grievance to the Department of Justice, Civil Rights Division, as well as the Idaho Center for Fiscal Policy. These items will accompany my request that an inquiry be made into how this department chooses its charities and the reason why signatures of receipt aren't kept from those that are actively benefiting.

In friendship and incarceration,

Patrick Irving 82431
PO Box 51 (IMSI)
Boise, ID 83707
bookofirving82431.com

IDAHO DEPARTMENT OF CORRECTION
Resident Concern Form

Resident Name: Tracy IDOC Number: 87431
Institution, Housing Unit, & Cell: Unit B54 Date: 7-28-21

To: T. Young
(Address to appropriate staff. Person most directly responsible for this issue or concern)

Issue/Concern: This is a public records request for a list of all the charities IDOC has donated offender property to over the last 12 months, a description of how said charities are chosen, and a copy of at least one receipt that shows how these donations are tracked. Thank you.

(Description of the issue must be written only on the lines provided above.)

Resident signature: [Signature]
[Redacted] / 9073 Collected/Received: 7/29/21
(Signature of Staff Member Acknowledging receipt) / Associate ID # (Date collected or Received)

Reply: _____

Responding Staff Signature: _____ Associate ID #: _____ Date: _____

Pink copy to resident (after receiving staff's signature).
Original and yellow to responding staff (after completing reply, yellow copy returned to resident). Last Rev. 1/21

PRT3NCRCF

Winkelman, Jesse

From: IDOC_REPLY@idoc.idaho.gov
Sent: Thursday, July 29, 2021 1:57 PM
To: Winkelman, Jesse
Subject: IDOC Records Request
Attachments: NOTICE OF ACTION ON PUBLIC RECORDS REQUEST.pdf

Dear Patrick,

We have received your request regarding the records of donating property to charitable organizations. There are no records pertaining to this request. If you have any further questions relating to this matter, please contact your facilities' property office.

Thank you,
Idaho Department of Correction

**** DO NOT REPLY TO THIS MESSAGE. IT HAS BEEN SENT FROM AN UNMANAGED ACCOUNT. ****



NOTICE OF ACTION ON PUBLIC RECORDS REQUEST

IDAHO DEPARTMENT OF CORRECTION
1299 N. Orchard, Suite 110
Boise, Idaho 83706

Dear Patrick,

The Idaho Department of Correction received your public records request on: 7/29/2021.

Your request was denied in its entirety.

Since your request was denied in part or entirely, the Department had the opportunity to consult with, or the request was reviewed by, the deputy attorneys general who represent the Idaho Department of Corrections.

Since your request was denied in part or entirely, you have the right to appeal the denial of your request by filing a petition in conformance with the provisions of the Idaho Public Records Law, Title 74, Chapter 1, Idaho Code. Your petition must be filed in the Fourth Judicial District Court of the State of Idaho within One Hundred Eighty (180) calendar days of the date of mailing of this notice.

Pursuant to:

- | | |
|---|--|
| <input type="checkbox"/> Idaho Code 74-104(1) | <input type="checkbox"/> Health Insurance Portability and Accountability Act (HIPAA) |
| <input type="checkbox"/> 42 Code of Federal Regulations (CFR) | <input type="checkbox"/> Family Educational Rights and Privacy Act (FERPA) |
| <input type="checkbox"/> Idaho Code 74-104(2) | <input type="checkbox"/> Idaho Criminal Rule 32 |
| <input type="checkbox"/> Idaho Code 74-105(1) | <input type="checkbox"/> Idaho Code 74-105(4)(a) |
| <input type="checkbox"/> Idaho Administrative Rule (IDAPA) 06.01.01.108 | <input type="checkbox"/> Idaho Code 74-105(4)(b) |
| <input type="checkbox"/> Idaho Code 74-105(12) | <input type="checkbox"/> Idaho Code 74-105(14) |
| <input type="checkbox"/> Idaho Code 74-106(1) | <input type="checkbox"/> Idaho Code 74-106(4)(g) |
| <input type="checkbox"/> Idaho Code 74-106(4)(h) | <input type="checkbox"/> Idaho Code 74-106(13) |
| <input type="checkbox"/> Idaho Code 74-108(6) | <input type="checkbox"/> Idaho Code 74-113(3)(e) |
| <input checked="" type="checkbox"/> No Record Found | <input type="checkbox"/> Other |

Additional Comments (if any):

No documents relating to this request.

Sincerely,
Jesse Winkelman
208-658-2000
Constituent Services

Level 2 - Reviewing Authority Response

Date Forwarded:	10/05/2021	Grievance Disposition:	DENIED
Date Due Back:	10/21/2021	Level 2 Responder:	WHITE, JANEENA
Date Returned:	10/21/2021	Response sent to offender:	10/21/2021

Your grievance has been reviewed and I find:

I concur. We are not able to track each item that has been donated, who donated it, etc.

Offender Appeal

Offender Comments:

This is less a matter of IDOC's failing to track "every" donation than it is a matter of they're failing to track any. Following a public records request, this department was unable to offer any proof at all that even one charity has been donated to. If truckfulls of donations are being made then a date and a signature from the receiving organization would suffice. This is neither an "impractical" nor a "monumental" task, and the Department, open request, should be able to offer some kind of proof that inmate donations are going to charity. As of right now per public records requests, they can not

Level 3 - Appellate Authority Response

Date Appealed:	10/26/2021	Grievance Disposition:	DENIED
Date Forwarded:	10/26/2021	Level 3 Responder:	GENTRY, AMANDA
Date Due Back:	11/10/2021	Response sent to offender:	01/31/2022
Date Returned:	01/27/2022		

Your appeal has been reviewed and I find:

The property disposition sheet attached to current policy documents: Resident Name, number and date. Resident is given 3 options for disposition Donate to charitable organization, destroy, mail out at their expense, or pick up by family member with in 30days. This form is signed by both the resident and approving authority. This is adequate documentation, we don't have the capacity to track individual donations therefore this grievance is denied.