
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	<p>Directive Number 9.6</p>	<p>Effective Date 04/30/2021</p>	<p>Page 1 of 12</p>
<p>Approved by:</p>  <p>Commissioner Angel Quiros</p>	<p>Supersedes Inmate Administrative Remedies, dated 8/15/2013</p> <p>Title</p> <p>Inmate Administrative Remedies</p>		

1. **Policy.** The Department of Correction shall provide a means for an inmate to seek formal review of an issue relating to any aspect of an inmate's confinement that is subject to the Commissioner's authority. The Inmate Administrative Remedies Procedure enables the Department to identify individual and systemic problems, to resolve legitimate complaints in a timely manner, and to facilitate the accomplishment of its mission.
2. **Authority and Reference.**
 - a. United States Code, 42 USC 1997e and 42 USC 12101 et seq.
 - b. Code of Federal Regulations, 28 CFR 40, Standards for Inmate Grievance Procedures.
 - c. Connecticut General Statutes, Chapter 53 and Sections 18-81 and 18-81y.
 - d. Regulations of Connecticut State Agencies, Sections 4-157-1 through 4-157-17, 18-81-55 and 18-81-56.
 - e. Administrative Directives 2.17, Employee Conduct; 4.7, Records Retention; 6.10, Inmate Property; 6.14, Security Risk Groups; 8.9, Health Services Administrative Remedies; 9.2, Offender Classification; 9.4, Special Management; 9.5, Code of Penal Discipline; 9.9, Protective Management; 10.7, Inmate Communications and 10.19, Americans with Disabilities Act.
3. **Definitions.** For the purposes stated herein, the following definitions apply:
 - a. **Administrative Remedy.** The resolution of an inmate's legitimate complaint and/or request for formal review of any issue relating to an inmate's confinement that is subject to the Commissioner of Correction's authority.
 - i. Remedies related to health services decisions shall be in accordance with Administrative Directive 8.9, Health Services Administrative Remedies.
 - b. **Administrative Remedies Coordinator.** An employee of the facility designated by the Unit Administrator to coordinate the Inmate Administrative Remedies Procedure.
 - i. The facility shall designate an employee to coordinate the Health Services Review Process in accordance with Administrative Directive 8.9, Health Services Administrative Remedies.
 - c. **Appeal of Administrative Decisions.** The written request for formal reconsideration of an agency decision or action. The types of administrative decisions or actions that may be appealed are:
 - i. Classification Decisions;
 - ii. Special Management Decisions;
 - iii. Security Risk Group Member Designations;
 - iv. Disciplinary Actions;
 - v. Rejection of Religious or Educational Tapes/CDs Not Available in the Commissary;
 - vi. Decision to Reject Publication;
 - vii. Decisions to Reject Unacceptable Correspondence;
 - viii. American with Disabilities Act (ADA) Determinations.
 - d. **Denied.** The request for administrative remedy is without merit.
 - e. **Grievance.** A written request for formal reconsideration of the outcome of an informal resolution attempt.
 - i. Such request shall only relate to decisions regarding departmental policy or procedure, including conditions of confinement that are subject to the authority of the Commissioner of Correction.
 - f. **Informal Resolution.** An inmate's initial attempt at resolving any issue relating to departmental policy or procedure, including a condition of confinement that is subject to the Commissioner of Correction's authority.

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- g. Property Claim. An inmate's claim for compensation for damage to or loss of personal property.
 - h. Rejected. The request for administrative remedy fails to satisfy the procedural requirements of the particular requested remedy.
 - i. Upheld. The request for administrative remedy is granted.
 - j. Upheld in part. The request for administrative remedy has sufficient merit that some modification of the identified condition is warranted.
 - i. When this disposition is utilized, the portion which was not upheld may be subject to a Level 2 appeal.
 - k. Withdrawn. The inmate voluntarily discontinues the pursuit of an administrative remedy.
4. Administrative Remedies Coordinator. The Unit Administrator shall appoint two employees of the facility to be Administrative Remedies Coordinators, one as the primary coordinator and the other to serve as the secondary coordinator. The Unit Administrator shall arrange for the training of each Administrative Remedies Coordinator. The Administrative Remedies Coordinator shall:
- a. Ensure that notice and instruction regarding the Inmate Administrative Remedies Procedure is provided to each inmate during orientation;
 - b. Ensure that current administrative remedy forms are available in all housing units;
 - c. Ensure that the current Administrative Directive 9.6, Inmate Administrative Remedies, is available in the library and to any inmate who requests it;
 - d. Ensure that collection of administrative remedy forms is conducted each business day;
 - e. Complete and forward CN 9603, Administrative Remedy Receipt, to the inmate and place a copy of the receipt in the appropriate file;
 - f. Maintain Attachment B, Inmate Grievance Distribution Log.
 - i. This log shall be signed by inmates upon receipt of the response to their grievance.
 - g. Ensure that each CN 9602, Inmate Grievance Form- Level 1, is properly logged and routed for investigation and response in accordance with Attachment A, Administrative Remedies Routing Chart; and,
 - h. Assist the Unit Administrator in implementing the requirements of the Inmate Administrative Remedies Procedure.
5. General Provisions. The following provisions shall apply to all requests for administrative remedies:
- a. Mandatory procedure for filing a request for administrative remedy.
 - i. An inmate filling a request for administrative remedy must adhere to all procedural requirements outlined in this directive.
 - b. Notice.
 - i. Administrative Directive 9.6, Inmate Administrative Remedies, shall be published in English and Spanish. English and Spanish copies of Administrative Directive 9.6, Inmate Administrative Remedies, shall be available at each facility and available to inmates upon request.
 - ii. Each inmate shall be issued a written summary of Administrative Directive 9.6, Inmate Administrative Remedies, during orientation.
 - 1. An inmate whose primary language is Spanish shall receive a copy translated into Spanish.
 - 2. Appropriate provisions shall be made for those who do not read, speak, or understand English or Spanish.
 - 3. Inmates who are impaired or disabled shall submit a written request for assistance to the facility's ADA Coordinator.
 - a. The ADA Coordinator shall review the written request by the impaired or disabled inmate and will determine what level of assistance is required and will arrange for provision of such assistance.
 - iii. Each direct contact employee and direct contact contractor shall be issued a written summary of Administrative Directive 9.6, Inmate Administrative Remedies, upon initial hire or contact with the Department.
 - c. Filing. A request for an administrative remedy, must be filed in accordance with the following provisions:

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- i. Each request for an administrative remedy must be filed separately, in writing, on an original form, containing an original signature and date.
 - ii. The request for an administrative remedy and the action sought should be stated simply and coherently.
 - iii. The length of the request for an administrative remedy must be restricted to the space available on the face of the CN 9602, Inmate Grievance Form- Level 1, and one (1) additional 8 1/2 x 11 inch single-sided page.
 - iv. The length of the request for an administrative appeal must be restricted to the space available on the face of the CN 9604, Inmate Appeal Form- Level 2, and one (1) additional 8 1/2 x 11 inch single-sided page.
 - v. The request for an administrative remedy must be free of obscene or vulgar language or content.
 - vi. The request for an administrative remedy must be filed by an inmate who is personally affected by the subject of the request and shall not be filed by an inmate on behalf of another.
 - vii. Any repetitive request for an administrative remedy filed by the same inmate when a final response has been provided and there has been no change in any circumstances that would affect the response shall be rejected;
 - viii. Any request for an administrative remedy filed by the same inmate when the inmate's initial request for an administrative remedy is still pending shall be rejected.
- d. Access. Each inmate in the Department's custody shall have access to Administrative Directive 9.6, Inmate Administrative Remedies. Special provisions shall be made to ensure access for the impaired or disabled, illiterate or those with language barriers.
 - i. Any inmate who needs assistance in using the Inmate Administrative Remedies Procedure shall receive assistance upon request.
 - ii. Access to the Inmate Administrative Remedies Procedure shall only be limited as a result of abuse of the Inmate Administrative Remedies Procedure in accordance with Section 5 (1) of this Directive or failure to comply with the Inmate Administrative Remedies Procedure.
- e. Depositories and Collection.
 - i. All requests for Administrative Remedies shall be submitted by depositing them in a locked collection box clearly marked as 'Administrative Remedies'.
 - ii. The Unit Administrator shall ensure that an adequate number of collection boxes are accessible within the facility.
 - iii. Each facility's Restrictive Housing Unit shall have a collection box on each tier of the unit.
- f. Procedural Integrity. The Unit Administrator shall ensure that no employee who is the subject of an investigation shall investigate or participate in the resolution of an administrative remedy related to that investigation.
- g. Reprisal against Staff. No staff member who participates in the processing of an administrative remedy shall be affected negatively for participation in the resolution of any administrative remedy.
- h. Reprisal against Inmates. No inmate shall suffer negative consequences such as denial or limitation of access to any privilege, service or program offered by the facility, either formally or informally for good faith participation in the Inmate Administrative Remedies Procedure.
- i. Time limitations. All inmates shall be subject to the time limitations established within this directive. Any request for an administrative remedy that does not adhere to the time limitations set forth shall be rejected.
- j. Time Limit Extensions. With notice to the inmate filing a request for an administrative remedy, a reviewer may extend the time limit for a response up to 15 business days using CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension.
- k. Withdrawal. An inmate may withdraw a request for an administrative remedy by filing CN 9608, Inmate Administrative Remedies Withdrawal Form.
- l. Abuse.
 - i. An inmate may be deemed to be abusing the Administrative Remedies Process if any of the following conditions are met:

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1. an inmate files eight (8) or more requests for a grievance in any 60-day calendar period;
2. an inmate files repetitive requests for an administrative remedy addressing the same issue before the established time for response has elapsed;
3. an inmate files repetitive requests for an administrative remedy when a valid response has been provided and there has been no change in any circumstances that would affect the response; or
4. an inmate files harassing requests for an administrative remedy.
- ii. A CN 9617, Abuse Determination shall be generated by the Unit Administrator and shall identify the restriction(s) imposed and its duration. Restrictions may include:
 1. denial of access to the Administrative Remedies Process for a specified period of time;
 2. a limitation on the number of requests for an administrative remedy that may be filed; and/or,
 3. A restriction as to the subject matter that may be grieved or appealed.
- iii. A CN 9617, Abuse Determination may be appealed to the appropriate District Administrator by completing and depositing a CN 9606, Appeal of Administrative Decision, in the Administrative Remedies box within 15 calendar days of notification of the determination.
 1. The decision of the District Administrator shall not be subject to further appeal.
- iv. Failure to comply with the restrictions outlined within the CN 9617, Abuse Determination may result in extension and/or modification of the abuse determination and restrictions.
- m. Appropriate Review.
 - i. A request for administrative remedy about a matter that is outside the scope of the Unit Administrator's authority shall be sent to the appropriate reviewer.
 - ii. In such case, the inmate shall be notified of the review process and of the time frame for response.
- n. Departmental Administrative Remedy Disposition.
 - i. Dispositions.
 1. Each CN 9602, Inmate Grievance Form- Level 1, shall be reviewed, investigated, and decided with the outcome indicated by one of the following dispositions:
 - a. Rejected;
 - b. Denied;
 - c. Upheld in part;
 - d. Upheld; or
 - e. Withdrawn.
 2. Each disposition shall be documented on the following forms:
 - a. CN 9602, Inmate Grievance Form- Level 1
 - b. CN 9604, Inmate Grievance Appeal Form - Level 2; and
 - c. CN 9605, Inmate Grievance Appeal Form-Level 3
 - ii. Remedies.
 1. An inmate's request for an administrative remedy that is upheld shall be given an appropriate and meaningful remedy that may include, but not be limited to:
 - a. corrective action to rectify the matter;
 - b. changes in written policies and procedures or the interpretation or application of written policies and procedures;
 - c. enforcement of existing policies and procedures; or,
 - d. development of policies and procedures.
 2. An inmate's request for an administrative remedy which does not comply with the requirements of this directive shall be rejected.
- o. Record Maintenance.
 - i. General Requirements.

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1. An administrative remedy file shall be maintained and include the following:
 - a. the copy of the Administrative Remedy at each level of review,
 - b. each response, and,
 - c. any documents submitted in support of the inmate's request for the administrative remedy.
2. CN 9609, Inmate Requests for Administrative Remedies Log, shall be maintained at each level of review and shall include:
 - a. the name and number of the inmate requesting the administrative remedy;
 - b. the dates of initial receipt and of the response at that level;
 - c. a brief description of the request; and,
 - d. the disposition.
3. A monthly report shall be provided to the Unit Administrator to include:
 - a. the number of Level 1, 2 and 3 Administrative Remedies filed;
 - b. the Level 1 Administrative Remedies categorized by subject; and,
 - c. the number and type(s) of dispositions.
- ii. Retention. CN 9609, Administrative Remedies Log, shall be retained as the official record and each completed Administrative Remedy shall be maintained at the facility for five (5) years or until all related litigation is resolved, whichever comes later, in accordance with Administrative Directive 4.7, Records Retention, and Administrative Directive 6.9, Collection and Retention of Contraband and Physical Evidence.
- iii. Confidentiality.
 1. The contents of the Administrative Remedy file, Administrative Remedies log (CN 9609), and any record of an inmate's participation in any Administrative Remedies proceeding shall be confidential and access shall be restricted to authorized personnel.
 2. No copy of an Administrative Remedy or adverse reference to any Administrative Remedy shall be placed in an inmate's master file.
 3. All files shall be maintained in a locked cabinet inaccessible to any person other than the Administrative Remedies Coordinator(s) and Level 1 reviewer.
 4. The Administrative Remedies Coordinator(s) involved in the disposition of an Administrative Remedy shall have access to records and information essential to the resolution of the Administrative Remedy.
 5. Confidentiality of Administrative Remedy records shall not preclude any disciplinary action(s) that may be deemed necessary as a result of the statements made within such records.
- p. Monitoring and Evaluation.
 - i. The Unit Administrator shall evaluate the Inmate Administrative Remedies Procedure in May of each year. Inmates and employees shall be afforded an advisory role in the evaluation, which shall include:
 1. a review of both the effectiveness and integrity of the Inmate Administrative Remedies Procedure, and
 2. recommendations for revision.
 - ii. An annual report for each fiscal year shall be presented to the Commissioner by September 1 of each year. The report shall include:
 1. the findings and recommendations of the evaluation;
 2. statistical data regarding the number and type of remedies and dispositions;
 3. the level of disposition(s);
 4. sample responses from each level;
 5. remedies granted; and
 6. evidence of compliance with time limits at each level of decision.
- q. Petitions. Petitions are not an authorized method of accessing the Inmate Administrative Remedies Procedure and shall not receive a written response. Inmates

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must use the Inmate Administrative Remedies Procedure to seek formal review of an issue.

r. Inmate Transfers.

i. If an inmate transfers during any inmate administrative remedy response period, the finalized documentation shall be sent to the inmate's current facility and previous facility's administrative remedy coordinators for documentation purposes.

ii. If an inmate seeks to request a higher level of administrative remedy, the inmate may file an appeal at the new facility.

s. Connecticut Inmates Housed in Other States/Jurisdictions. Connecticut inmates housed in other states/jurisdictions must utilize and exhaust the Inmate Administrative Remedies Procedure of the receiving state/jurisdiction for an issue relating to any aspect of an inmate's confinement that is subject to the receiving state/jurisdiction's authority.

6. Administrative Remedies Procedures.

a. Inmate Grievances.

i. Informal Resolution.

1. An inmate must attempt to seek informal resolution prior to filing grievance.

2. The inmate may attempt to resolve the issue verbally with the appropriate staff member or with a supervisor/manager.

a. If the verbal communication does not resolve the issue, the inmate shall submit a written request via CN 9601, Inmate Request Form.

3. If the inmate chooses not to attempt to resolve the issue verbally the inmate shall submit a CN 9601, Inmate Request Form, to the appropriate staff member.

4. Within the CN 9601, Inmate Request Form, the inmate must complete the following requirements:

a. clearly state the problem and the action requested to remedy the issue;

b. include the date and time that the original attempt at informal resolution occurred; and

c. be free of obscene or vulgar language or content.

5. The completed CN 9601, Inmate Request Form, shall then be addressed to the appropriate staff member and deposited in the appropriate collection box.

6. The Unit Administrator shall ensure that Inmate Request Forms are collected and returned in a timely manner.

7. Inmate Request Forms shall be available in all housing units.

8. A response to the inmate shall be made within 15 business days from receipt of the written request.

9. The Unit Administrator shall post in each housing unit a list of staff members to whom inmate requests should be addressed for each of the remedy subjects.

ii. Filing a Grievance.

1. An inmate shall file a Grievance if the inmate is not satisfied with the informal resolution offered.

2. The inmate shall attach CN 9601, Inmate Request Form, containing the appropriate staff member's response, to the CN 9602, Inmate Grievance Form- Level 1.

a. If the inmate was unable to obtain a blank CN 9601, Inmate Request Form, or did not receive a timely response to the inmate request, or for a similar valid reason, the inmate shall include an explanation indicating why CN 9601, Inmate Request Form, is not attached to the CN 9602, Inmate Grievance Form- Level 1. The inmate shall include the name of the staff member whom the informal resolution was addressed and the date of the attempt.

3. The completed CN 9602, Inmate Grievance Form- Level 1, along with any relevant documents, must be submitted in accordance with the General

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Provisions of this directive and deposited in the 'Administrative Remedies' box.

4. Any CN 9602, Inmate Grievance Form- Level 1, must be filed within 30 calendar days of the occurrence or discovery of the cause of the Grievance.

b. Grievance Review Procedures

i. Level 1 Review.

1. The Level 1 decision shall be made by the Unit Administrator.
2. The Grievance shall be reviewed for compliance with sections five (5) and six (6) of this directive.
 - a. If the review is found to be in compliance with sections 5 and 6 of this directive, then the Grievance shall be processed.
 - i. If the review finds the Grievance not to be in compliance, then the Grievance shall be rejected and the inmate shall be notified.
 1. If the failure to meet the procedural requirement (s) can be corrected the inmate shall have (5) calendar days to correct, the defect (s) and resubmit a request for administrative remedy.
 2. If the resubmitted request for administrative remedy does not correct the defect (s), the request for administrative remedy shall be rejected and not subject to further appeal.
3. The response to the level 1 review shall be issued in writing within 30 business days of receipt the CN 9602, Inmate Grievance Form-Level 1.
4. The response shall include the disposition, date of the disposition, and reason for the disposition. The Level 1 Reviewer shall provide the inmate a CN 9604, Inmate Grievance Appeal Form - Level 2.
 - a. If, within 30 business days the inmate does not receive a response to the CN 9602, Inmate Grievance Form- Level 1, or the inmate is not issued a CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension, then an inmate may file a CN 9604, Inmate Grievance Appeal Form - Level 2.
 - i. If an inmate is issued a CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension, and does not receive a response in the identified time frame, the inmate may file a CN 9604, Inmate Grievance Appeal Form-Level 2, within five (5) calendar days from the date that the Administrative Remedies Coordinator identified on CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension.

ii. Level 2 Review.

1. An inmate shall request an administrative reconsideration of a Level 1 disposition by utilizing a CN 9604, Inmate Grievance Appeal Form - Level 2, within five (5) calendar days of receipt of the Level 1 decision.
2. If the inmate does not receive a response to the CN 9602, Inmate Grievance Form- Level 1, the inmate shall file a CN 9604, Inmate Grievance Appeal Form - Level 2, within 65 calendar days from the date that the initial CN 9602, Inmate Grievance Form- Level 1, was documented in the CN 9609, Administrative Remedies Log.
3. Determination of Level 2 reviews shall be made pursuant to the following provisions:
 - a. The appropriate District Administrator shall be the Level 2 reviewer for any inmate confined in a Connecticut correctional facility.
 - b. The Director of Sentence Calculation and Interstate Management shall be the Level 2 reviewer for any Connecticut inmate housed out of state.

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- c. The Director of Parole and Community Services shall be the Level 2 reviewer for any inmate supervised in the community.
 4. The response to the Level 2 review shall be issued to the inmate, in writing within 30 business days of receipt the CN 9604, Inmate Grievance Appeal Form - Level 2.
 5. The response shall include the disposition, date of the disposition, and reason for the disposition. The Level 2 Reviewer shall provide the inmate a CN 9605, Inmate Grievance Appeal Form- Level 3, if applicable.
 - a. If, within 30 business days the inmate does not receive a response to the CN 9604, Inmate Grievance Appeal Form - Level 2, or the inmate is not issued a CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension, an inmate shall file a CN 9605, Inmate Grievance Appeal Form - Level 3.
 - i. If an inmate is issued a CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension, and does not receive a response in the identified time frame, the inmate shall file a CN 9605, Inmate Grievance Appeal Form- Level 3, within five (5) calendar days from the date that the Administrative Remedies Coordinator identified on CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension.
 6. Level 2 reviews shall be the final level of review of all grievances unless the appeal meets the requirements for a Level 3 review as identified in this directive.
- iii. Level 3 Review.
 1. Level 3 review is restricted to appeals of Level 2 decisions:
 - a. That challenge Department- level policy;
 - b. That challenge the integrity of the Administrative Remedies procedure; or,
 - c. When a Level 2 response is not issued to an inmate within the required timeframe.
 2. An inmate shall file a CN 9605, Inmate Grievance Appeal Form - Level 3, within five (5) calendar days of receipt of the returned CN 9604, Inmate Grievance Appeal Form - Level 2.
 - a. Any CN 9605, Inmate Grievance Appeal Form - Level 3, submitted as a result of an inmate not receiving a response to a CN 9604, Inmate Grievance Appeal Form - Level 2 within 30 business days, must be filed within 65 calendar days of filing the CN 9604, Inmate Grievance Appeal Form - Level 2.
 3. The Level 3 review shall be made by the Commissioner or designee.
 4. The response to the CN 9605, Inmate Grievance Appeal Form - Level 3, shall be issued in writing within 30 business days of receipt of the CN 9605, Inmate Grievance Appeal Form - Level 3.
 5. Level 3 review shall be the final level of review of all grievances that meet the requirements of this section.
7. Appeals of Administrative Decisions. The Inmate Appeals Procedure for Administrative Decisions shall be the administrative remedy for formal reconsideration of an agency decision or action.
 - a. Filing an Appeal.
 - i. The inmate shall complete a CN 9606, Appeal of an Administrative Decisions Form, and identify which specific department action or decision is being appealed.
 - ii. The CN 9606, Appeal of an Administrative Decisions Form, must be submitted in accordance with the General Provisions outlined in this directive and deposited in the Administrative Remedies box.
 - iii. Any submitted CN 9606, Appeal of an Administrative Decisions Form must be completed, and deposited in the Administrative Remedies box within 15 calendar days of the receipt of the decision being appealed.

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1. Any CN 9606, Appeal of an Administrative Decisions Form, that is not submitted within the 15 calendar days shall be rejected.
- iv. Matters that are subject to the departmental appeal procedure are limited to:

1. Classification Decisions.

- a. the following classification decisions are subject to appeal:
 - i. Risk Level decisions;
 - ii. Needs Level decisions;
 - iii. Job Removal decisions;
 - iv. Program Assignments decisions; and
 - v. Special Monitoring Status decisions.
 1. Inmate placement on Special Monitoring Status following the completion of special management (i.e. Administrative Segregation, Chronic Discipline, Security Risk Group Member Program or Special Needs Management) shall not be subject to appeal.
- b. an appeal of a Classification decision made by facility staff shall be reviewed and decided by the Unit Administrator.
- c. an appeal of a Classification decision made by the OCPM Unit shall be reviewed and decided by the Director of OCPM, with the exception of Special Management decisions.
- d. the Unit Administrator or the Director of OCPM shall respond in writing within 15 business days of receipt of the appeal.
 - i. The decision of the Unit Administrator or the Director of OCPM shall not be subject to further appeal.
- e. an appeal of a Special Monitoring placement that did not result from completion of a special management status shall be decided by the appropriate District Administrator within 15 business days of receipt of the appeal.
 - i. The decision of the District Administrator shall not be subject to further appeal.
- f. discretionary release denials under the authority of the Commissioner of Correction or designee shall not be subject to appeal, Administrative Remedy, or Administrative Remedies.

2. Special Management Decision.

- a. Initial Special Management decisions regarding the following are subject to appeal:
 - i. Administrative Segregation;
 - ii. Special Needs Management;
 - iii. High Security;
 - iv. Chronic Discipline; and
 - v. Protective Custody.
- b. The Deputy Commissioner of Operations and Rehabilitative Services shall respond in writing within 15 business days of receipt of the appeal.
 - i. The decision of the Deputy Commissioner of Operations and Rehabilitative Services shall not be subject to further appeal.

3. Security Risk Group Member Designation.

- a. Security Risk Group Member designations are subject to appeal.
- b. In reviewing an inmate's appeal, the appropriate District Administrator shall consult with the Director of Security prior to changing an inmate's Security Risk Group Member designation.
- c. The District Administrator shall respond in writing within 15 business days of receipt of the appeal.
 - i. The decision of the District Administrator shall not be subject to further appeal.

4. Disciplinary Action Decision.

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- a. Disciplinary Action resulting from a guilty plea shall not be subject to an appeal. A guilty finding received at a disciplinary hearing is subject to appeal.
 - b. The appeal shall be reviewed by the District Administrator who oversees the adjudicating Disciplinary Hearing Officer. The District Administrator shall not delegate the authority to respond to any disciplinary appeal.
 - c. The District Administrator shall respond in writing to any appeal within 15 business days of the receipt of the appeal.
 - i. If, upon review of the appeal, The District Administrator determines that modification of the disciplinary action is warranted, such modification shall be made in accordance with correctional objectives of the State of Connecticut.
 - ii. The decision of the District Administrator shall not be subject to further appeal.
5. Decision to Reject Religious or Educational Tapes/CDs Not Available in the Commissary.
 - a. A facility decision to reject tapes/CDs that are religious or educational in nature and are not available in the commissary is subject to appeal.
 - b. The Unit Administrator shall respond in writing within 15 business days of receipt of the appeal.
 - i. The decision of the Unit Administrator shall not be subject to further appeal.
6. Decision to Reject Publication.
 - a. A decision to reject a publication, in whole or in part, is subject to appeal.
 - i. The inmate must attach the originally issued CN 100702, Publication Rejection Notice, to the CN 9606, Appeal of Administrative Decision.
 - b. The Director of Security shall respond in writing within 15 business days of receipt of the appeal.
 - i. The decision of the Director of Security shall not be subject to further appeal.
7. Decision to Reject Correspondence.
 - a. A decision to reject correspondence is subject to appeal.
 - b. The District Administrator shall respond in writing within 15 business days of receipt of the appeal for non-Security Risk Group correspondence.
 - i. The decision of the District Administrator shall not be subject to further appeal.
 - c. The Director of Security shall respond in writing within 15 business days of receipt of the appeal of a decision to reject Security Risk Group correspondence.
 - i. The decision of the Director of Security shall not be subject to further appeal.
8. Americans with Disabilities Act (ADA) Decision.
 - a. After meeting with the Unit ADA Coordinator, the ADA decision is subject to appeal.
 - i. The Department ADA Coordinator, in consultation with the appropriate District Administrator, shall respond in writing within 15 business days of receipt of the appeal.
 1. The decision of the Department ADA Coordinator shall not be subject to further appeal.
9. Determination of Grievance Process Abuse.
 - a. A determination of Grievance Process Abuse may be appealed.
 - b. The appeal shall be reviewed by the District Administrator of the district where the determination of Grievance Process Abuse occurred.

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- i. The District Administrator shall not delegate the authority to respond to any appeal of a Grievance Process Abuse determination.
 - c. The District Administrator shall respond in writing to any appeal within 15 business days of receipt of the appeal.
 - i. The decision of the District Administrator shall not be subject to further appeal.
- 8. PREA Investigation Decision. Complaints alleging sexual abuse or sexual harassment must be reported in accordance with Administrative Directive 6.12, Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention, and shall be investigated by the PREA Investigation Unit. Any PREA Investigation issued by the Director of the PREA Investigation Unit is not subject to further department appeal. Complaints alleging sexual abuse or sexual harassment do not follow the Administrative Remedies Procedure outlined in this Directive.
 - a. Complaints alleging retaliation or misconduct other than sexual abuse or sexual harassment must follow the Administrative Remedies Procedure outlined in this Directive.
- 9. Property Claim. The Department's Lost Property Board shall hear and determine any claim by an inmate in a correctional facility who seeks compensation not exceeding three thousand five hundred dollars (\$3,500.00) for lost or damaged personal property. Denied property claims exceeding three thousand five hundred dollars (\$3,500.00) or property claims filed by inmates not in a Connecticut correctional facility must be filed with the State Claims Commissioner in accordance with Section 9(F) of this Directive.
 - a. Composition of Lost Property Board. Lost Property Board members shall be appointed by the Deputy Commissioner of Operations and Rehabilitative Services.
 - b. Property Claim Procedure. If an inmate contends the Department is responsible for the loss of or damage to, any of the inmate's personal property, the inmate shall follow the Property Claims procedure. Property claims must be filed within one (1) year of when the inmate knew or should have known of the loss or damage. The Property Claim filing procedure shall be as follows.
 - i. The inmate shall complete and deposit CN 9610, Lost/Damaged Property Investigation Form, in the Administrative Remedies box. Form CN 9610, Lost/Damaged Property Investigation Form, shall be available in all housing units. The inmate shall attach CN 9601, Inmate Request Form, to CN 9610, Lost/Damaged Property Investigation Form, indicating that the inmate has attempted to resolve the property issue informally in accordance with Administrative Directive 6.10, Inmate Property. If the property issue is resolved at this level, the inmate shall complete and submit CN 9611, Property Investigation Withdrawal, to the Administrative Remedies Coordinator to indicate that the issue has been resolved.
 - ii. If the issue is still unresolved after submitting the CN 9610, Lost/Damaged Property Investigation Form, the inmate may elect to continue pursuing resolution by completing CN 9612, Property Claim.
 - iii. The inmate shall mail the completed and notarized CN 9612, Property Claim form, along with any related documents, to the attention of the Lost Property Board at 24 Wolcott Hill Road, Wethersfield, Connecticut 06109.
 - c. Submission of Documentation. Upon request from the Lost Property Board, the Administrative Remedies Coordinator shall provide the Lost Property Board with a written report on the claim, to include a copy of CN 9612, Property Claim, along with all applicable documentation within 30 calendar days of request of an investigation.
 - i. When a Property Claim is resolved at the facility level, the original CN 9611, Property Investigation Withdrawal, shall be placed in the inmate's central property file at the facility. If, after a Property Claim has been filed, the issue is resolved prior to the conclusion of the Lost Property Board's investigation, CN 9614, Property Claim Settlement, shall be completed. The original CN 9614, Property Claim Settlement, shall be placed in the claim file and a copy shall be placed in the inmate's central property file.

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- d. Claim Fees. A \$25.00 filing fee shall be required for all claims filed with the Lost Property Board. Fees may be waived for good cause by the Department's Claims Office. If the inmate has insufficient funds to pay the filing fee, the inmate may submit CN 9613, Application for Deferment of Filing Fee. Payment of the fee may either be waived or an obligation may be established on the inmate's trust fund account. If an obligation is established on the trust fund account, twenty percent (20%) of all subsequent funds received by the inmate shall be credited against the obligation until the obligation is satisfied.
 - e. Decision. The Lost Property Board shall review all documents related to the claim and decide the claim on its merits. If, upon review of the documents presented, the Lost Property Board determines that the claim has merit as presented, it shall award appropriate damages to the inmate. Otherwise, the Lost Property Board shall hold a hearing to determine whether or not the Department is liable for the loss and the appropriate damages. If the Lost Property Board determines that a hearing shall be held, the inmate shall be given at least 24 hours' notice utilizing CN 9615, Property Claim Hearing Notification, and an opportunity to be heard at the hearing. The inmate may present witness testimony in the form of written statements.
 - i. The Lost Property Board shall have up to one (1) year from the date the inmate's Property Claim is received to review, investigate and render a decision. The one (1) year limit may be extended when justified by good cause. Extensions to the one (1) year limit shall be documented on CN 9614, Property Claim Hearing Notification.
 - f. Filing a Claim with the State's Claims Commissioner. If the Lost Property Board denies a claim in whole or in part, the inmate may, not later than 60 calendar days after such decision, present the claim to the Office of the Claims Commissioner by forwarding the same CN 9612, Property Claim, along with any relevant documents, to the attention of the State Claims Commissioner at 450 Columbus Boulevard, North Tower, Suite 203, Hartford, Connecticut, 06103.
10. Health Services Administrative Remedy. Any inmate requesting to file a Health Services Administrative Remedy shall only file such remedy in accordance with Administrative Directive 8.9, Health Services Administrative Remedies.
- a. Any inmate's attempt to utilize the administrative remedy review process stated in Administrative Directive 9.6, Inmate Administrative Remedies, for the purpose of appealing a health services related issue shall be rejected and not subject to appeal under Administrative Directive 9.6, Inmate Administrative Remedy Procedure.
 - i. Within the disposition, the inmate shall be referred to the processes outlined in Administrative Directive 8.9, Health Services Administrative Remedies.
11. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for their intended function:
- a. CN 9601, Inmate Request Form;
 - b. CN 9602, Inmate Grievance Form - Level 1;
 - c. CN 9603, Administrative Remedy Receipt;
 - d. CN 9604, Inmate Grievance Appeal Form - Level 2;
 - e. CN 9605, Inmate Grievance Appeal Form- Level 3;
 - f. CN 9606, Appeal of Administrative Decisions;
 - g. CN 9607, Inmate Administrative Remedies Procedure - Notice of Time Extension;
 - h. CN 9608, Inmate Administrative Remedies Withdrawal Form;
 - i. CN 9609, Administrative Remedies Log;
 - j. CN 9610, Lost/Damaged Property Investigation Form;
 - k. CN 9611, Property Investigation Withdrawal;
 - l. CN 9612, Property Claim;
 - m. CN 9613, Application for Deferment of Filing Fee;
 - n. CN 9614, Property Claim Settlement;
 - o. CN 9615, Property Claim Hearing Notification;
 - p. CN 9616, Agency Findings;
 - q. CN 9617, Abuse Determination;
 - r. Attachment A, Administrative Remedies Routing Chart;
 - s. Attachment B, Inmate Administrative Remedy Inmate Distribution Log.

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12.Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.