

Washtenaw County Sheriff's Office

Procedural Guideline

Inmate Rights

Reference Number: **5.29 PG**



Jerry L. Clayton, Sheriff

Subject:	Inmate Rights
Chapter:	Health, Safety, Security
Status:	Reviewed, No Change
Compliance:	Class 2
Supersedes:	All Previous Directives
Standards Reference:	DOC R 791.718; ACA 1983 2-5302
Prepared by:	Eric Kunath, Corrections Commander
Reviewed by:	Eric Kunath, Corrections Commander
Issued by:	Mark Ptaszek, Undersheriff
Issuing Authority:	Jerry L. Clayton, Sheriff
Date of Issue:	01-01-2009
Public Facing:	Yes

I. PURPOSE

- A. To provide for the protection of the rights of inmates of the Washtenaw County Correctional Facility, including but not limited to: personal abuse, corporal punishment, personal injury, disease, property damage, and harassment.
- B. To provide for the creation of a formal complaint process for an inmate who believes that their rights have been violated.
 - 1. Commentary: Inmate rights are derived from a combination of constitutional rights, legislative protections and case law.

II. SCOPE

- A. This policy applies to all personnel working in the Washtenaw County Sheriff's Correctional Facility, to include security and non-security personnel.

III. POLICY

- A. The Washtenaw County Sheriff's Correctional Facility shall establish and maintain written policies that will protect the rights of inmates while incarcerated.
- B. Employees shall not mistreat persons who are in their custody.
- C. Employees shall perform their duties related to persons in custody in accordance with the law and Sheriff's Office procedures.

Public Safety – Quality Service – Strong Communities

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1. Mistreatment of persons in custody can include non-physical acts such as withholding a privilege or right that is guaranteed to the inmate without due process.
 2. Discipline of persons in custody shall be in accordance with rules of due process.
 3. A written record of all discipline shall be maintained.
 4. An inmate shall receive a copy of all discipline against him/her and be informed of his/her right to appeal through a higher-ranking supervisor.
- D. An inmate may file a grievance by written communication through a duty sergeant or lieutenant detailing his/her complaint. That supervisor shall review the grievance and establish whether a hearing is required. If law does not require a hearing, that supervisor shall follow up on the complaint to attempt resolution. If resolution is not possible through this means, a hearing may ultimately be required.
- E. The Sheriff's Office will establish a formal procedure for an inmate to grieve discipline and other problems.
1. The procedure will be published in the Inmate Rulebook.
 2. The procedure will provide for the Inmate to readily file a grievance through use of a Kite or other written document.
 3. The procedure will provide for at least one level of appeal, and a hearing board as necessary.
 4. The procedure will provide for written notice to the inmate of the disposition or findings of the grievance.

IV. MODIFICATION

- A. The Sheriff, Under Sheriff, Chief Deputy, or Division Commander may modify the provisions of this special operating order.

V. COMPLIANCE

- A. All employees shall comply with all provisions of this procedural guideline. A violation of any section is a Class 2 offense and may result in corrective discipline.

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- B. A violation may also be a violation of other Sheriff's Office professional conduct standards which may result in corrective disciplinary action up to and including discharge.