

Sixth District Department of Correctional Services POLICY	Issue Date 02/06/15	Effective Date 07/10/17	Policy Number 2357-17
Subject APPEALS (ANCHOR Residential)		Review Month December	Author 0253 (MST)
Rescinds 2357-15	References WR/OWI 38		

POLICY:

Residents may appeal the findings, process or outcomes of the disciplinary process.

DEFINITION:

1. Appeal - Written statement of resident disagreement with findings or procedures of the residential facility disciplinary hearing which occur during the course of the disciplinary process.

PROCEDURE:

1. The resident completes the Appeal (2357A), furnished by staff.
2. The resident submits the completed Appeal to staff, in writing, within twenty-four (24) hours of the time the disciplinary hearing ended. If a resident fails to meet the time deadline, just cause needs to be shown for the delay and why the appeal should not be denied.
3. The staff member who receives the Appeal initials, dates, and notes the time on the form and routes to the Residential Supervisor who supervises Residential Officers.
4. The Residential Supervisor provides a written response to the resident within seven (7) working days of receipt of the Appeal selecting from the following options:
 - A. Affirm the appeal;
 - B. Deny the appeal;
 - C. Order a re-hearing;
 - D. Modify the hearing decision;
 - E. Defer a response pending further investigation. (If further investigation is needed the resident notified);
 - F. Impose sanctions that the Disciplinary Committee failed to do, that are clearly spelled out in policy for a particular violation.
5. If not satisfied, the resident may further appeal to the Clinical Services Director. The appeal must be in writing and submitted within twenty-four (24) hours of receiving the first appeal response.

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PROCEDURE: (continued)

6. If the nature of the appeal involves the Residential Supervisor or Clinical Services Director, the appeal may be forwarded to the Assistant Director.
7. In addition to, or after having exhausted all Facility/Departmental or State appeal/grievance procedures, residents may contact the Ombudsman's Office for assistance in resolving problems and complaints. The office address and phone number is: Office of Ombudsman, 1112 E. Grand Avenue, Des Moines, IA 50319. The telephone number is 1-888-426-6283.

BY ORDER OF:

Bruce Vander Sanden, District Director