

GA-06.04, "Request To Staff Member,"

SCDC POLICY

NUMBER:GA-06.04

TITLE: REQUEST TO STAFF MEMBER

ISSUE DATE: June 1, 2022

RESPONSIBLE AUTHORITY: OFFICE OF GENERAL COUNSEL

POLICY MANUAL: GENERAL ADMINISTRATION

SUPERSEDES: GA-06.04 (DECEMBER 19, 2021); (SEPTEMBER 22, 2014)

RELEVANT SCDC FORMS/SUPPLIES: 19-11

ACA/CAC STANDARDS: 4-4016, 4-4344

STATE/FEDERAL STATUTES: NONE

RETENTION REQUIREMENTS: SEE AGENCY RETENTION SCHEDULE

PURPOSE: The SCDC will establish a system for inmates to communicate in writing to facility staff using an approved Automated Request To Staff Member/Request To Staff Member (ARTSM/RTSM) system. In addition to using the ARTSM/RTSM system, inmates and staff are encouraged to engage in respectful dialogue to promote the safe and secure operation of the facility. This policy establishes a system to facilitate communication between inmates and staff, thereby reducing potential misunderstandings and allowing for the exchange of information. The purpose of the ARTSM/RTSM is as follows: 1) serve as inmate's attempt at an informal resolution pursuant to the grievance process/policy; 2) available to address non-grievable issues; and 3) cover basic complaints, i.e. legal materials, cold food, law books, getting questions answered - maxout date, etc.

POLICY STATEMENT: Proper and effective communication between inmates and staff is essential to the safe, secure and orderly operation of facilities and to the successful completion of the inmate's incarceration within SCDC. Inmates and staff communicate verbally through writing, and non-verbally via manner, tone, and body language. Inmates and staff are jointly responsible for ensuring communication methods are appropriate to properly and effectively convey intended information and ideas to others. Inmates will communicate with staff in a civil and respectful tone and manner. Staff will communicate with inmates in a professional manner appropriate to the circumstances that fosters respect and confidence. Inmates are encouraged to communicate and resolve any concerns at the lowest level possible within the facility's organizational structure. If concerns can not be readily resolved using the ARTSM/RTSM system, inmates

have the option to use the Agency's internal grievance system in accordance with SCDC Policy GA-01.12, "Inmate Grievance System." (4-4016)

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1. STAFF RESPONSIBILITY:

1.1 Staff will ensure that RTSM forms are readily available in each housing unit and from unit staff. If an inmate is disabled and unable to obtain a RTSM form from the designated area, staff will ensure forms are made available.

1.2 If staff determines that the issue addressed in an ARTSM/RTSM is an emergency, the ARTSM/RTSM must receive immediate attention. An emergency will encompass, but is not limited to, situations, actions, or conditions in which any person's health, safety, or welfare is threatened or in serious danger. It is the responsibility of the inmate to demonstrate the factors creating the substantial risk of personal injury or other serious and irreparable harm. Once it is determined that the ARTSM/RTSM is an emergency, it will be forwarded immediately to the Warden, or designee, if resolution of the issue(s) is within the Warden's capability to provide. The Warden or designee will conduct whatever investigation is deemed necessary and will respond to the inmate within no more than 24 hours after receipt of the emergency ARTSM/RTSM. If an emergency ARTSM/RTSM involves the safety of an inmate, the Warden, or designee, will take immediate steps to implement the appropriate precautions or temporary actions without waiting for an investigation to be conducted. If the investigation cannot be completed within 24 hours, a preliminary response will be sent to the inmate informing him/her that the matter is being investigated and provide any preliminary response, as appropriate.

1.3 When the receiving staff member determines that an alternative communication method (such as grievance or disciplinary appeal) is more appropriate, the staff member will provide this explanation to the inmate.

1.4 No staff member will intercept, stop, destroy, delay or otherwise attempt to interfere with ARTSM/RTSM forms that comply with the Agency's ARTSM/RTSM system.

1.5 Staff, through the appropriate Division Director, may consult with Agency's General Counsel's Office concerning legal issues raised in a ARTSM/RTSM.

1.6 To the extent possible, ARTSM/RTSM received that contain sensitive (i.e. criminal allegations, PREA allegations, etc.) information will be considered confidential.

1.7 Any staff requiring training on the use of ARTSM, must submit their request to the Office of General Counsel.

2. INMATE RESPONSIBILITY:

text-align: justify; color: rgb(0, 0, 0); text-transform: none; text-indent: 0px; letter-spacing: normal; font-family: Times New Roman; font-style: normal; font-variant: normal; font-weight: 700; text-decoration: none; word-spacing: 0px; white-space: normal; orphans: 2; -webkit-text-stroke-width: 0px;" class="auto-style35">2.1 General population inmates wishing to communicate with staff in writing must use the ARTSM, except for the following issues: medical, mental health, dental, inmate medical co-pay, inmate medical records and PREA, where a RTSM maybe utilized (automated requests for these issues will also be accepted and processed in accordance with this policy). Inmates in RHU Death Row, Assisted Living Unit (ALU), Medical/Infirmary and R&E beds must use SCDC Form 19-11, "Request To Staff Member." The RTSM must be submitted to the appropriate supervisor/staff within eight (8) working days of the incident. **The RTSM must be** used for all staff/inmate correspondence other than grievances and disciplinary appeals. No other written forms shall be accepted in place of the RTSM. No attachments will be accepted.

2.1.1 Inmates understand that the Automated Request to Staff Member system is NOT compliant with the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Inmates are not required to utilize the automated system for healthcare matters, but they are allowed to do so. Use of the ARTSM by an inmate for medical, mental health, dental, inmate medicalco-pay, medical records and PREA issues waives any restrictions or confidentiality protections of the Health Insurance Portability and Accountability Act.

2.2 Inmates are only allowed to submit one issue per ARTSM/RTSM. The ARTSM must be submitted through the Inmate Kiosk for general population. SMU/MSU, Death Row, Assisted Living Unit (ALU), Medical/Infirmary and R&E beds inmates must submit SCDC Form 19-11, RTSM, which must be written legibly and must be limited to a single sheet. RTSMs will only be processed if procedures are followed. If procedures are not followed, the RTSM will be stamped REJECTED, scanned into the ARTSM system, and the original returned to the inmate.

2.3 When requested by staff, inmates may provide additional information pertaining to their questions or concerns.

2.4 Inmates are prohibited from sending duplicate or similar RTSM to multiple staff members in a manner that burdens the system.

2.5 The RTSM is intended for use by an individual inmate and therefore an inmate may not send a RTSM form from multiple inmates.

2.6 Inmate noncompliance with the requirements of this policy may result in the ARTSM/RTSM being returned unanswered to the inmate.

2.7 Inmates will not use demeaning, threatening, profane, or vulgar language.

2.8 Inmates are not allowed to share their PIN, or to communicate with other inmates through the ARTSM. Inmates can not submit a ARTSM/RTSM on behalf of another inmate.

2.9 Inmates may be subject to disciplinary action if they misuse the ARTSM/RTSM system or if they use the system to harass or abuse others. Violation of any of these procedures set forth in this policy may subject an inmate to disciplinary action, up to and including revocation of their PIN.

2.10 Any inmate requiring/needing training on the use of RTSM must submit their request to the IRC.

3. SPECIFIC PROCEDURES:

3.1 Wardens and Associate Wardens shall ensure that every inmate is made aware of the content of this policy. The Warden will assign responsible individual(s) to review ARTSM/RTSM from the facility. Division/Deputy Directors will assign contact/responsible individual(s) to review ARTSM/RTSM for their area of responsibility. (4-4344)

3.2 For general population inmates, RTSM should be entered through the Inmate Kiosk except for the following issues: medical, mental health, dental, inmate medical co-pay, inmate medical records and PREA. Inmates in SMU/MSU, Death Row, Assisted Living Unit (ALU), Medical/Infirmary and R&E beds will continue to use the SCDC Form 19-11, "Request to Staff Member" (RTSM).

3.3 The responsible area will review the issue in the ARTSM/RTSM and determine if it can be handled at the institutional level or if it needs to be forwarded to the Head Quarters' Clearing House (HQCH). Complaints alleging criminal activity by an employee will be immediately forwarded to the Office of Investigations and Intelligence's (OII) HQCH. Any complaints regarding an incident of alleged sexual abuse or sexual harassment should immediately be reported via a SCDC Form 19-29, "Incident Report," to the PREA Compliance Manager at the facility where the alleged incident occurred.

3.4 Inmates will be advised that they are only allowed to submit one issue per RTSM. The RTSM must be submitted through the Automated Request to Staff Member (ARTSM) for general population inmates. For SMU/MSU, Death Row, Assisted Living Unit (ALU), Medical/Infirmary and R&E bed inmates must submit on the SCDC Form 19-11, RTSM, written legibly and limited to a single sheet. If procedures are not followed the RTSM will be stamped REJECTED and scanned into the ARTSM system and the original will be returned to the inmate.

3.5 The Institutional Clearing House(ICH) will route SCDC Form 19-11, RTSM to appropriate area for a response. The response will then be returned to the ICH for dissemination as outlined in section 3.9 of this

policy. If the RTSM is handled at the HQCH level then the HQCH will be responsible for responding and scanning the RTSM into the ARTSM system.

3.6 All RTSM should be responded to within 45 calendar days from date of entry in the Kiosk or for SMU/MSU, Death Row, Assisted Living Unit (ALU), Medical/Infirmary and R&E beds from the date stamped received.

3.7 Any duplicate ARTSM/RTSM will be responded to as duplicate with a notation to the reference number of the ARTSM/RTSM that it duplicates.

3.8 SCDC employees should request access to the ARTSM system via the Intranet/Secure Login/Access Request System. The request must include user name, user id, workflow and level the employee needs to access. The request will be approved by the appropriate Warden, Division Director or his/her designee and the General Counsel or his/her designee.

3.9 RTSMs are authorized to be downloaded only to the ARTSM program. No RTSMs are to be downloaded to any other program. NOTE: Violation of this section could result in corrective action, up to and including termination of employment pursuant to SCDC Policy ADM-11.04, "Employee Corrective Action."

SIGNATURE ON FILE

—
s/Bryan P. Stirling, Director

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Date of Signature

