

BUCKS COUNTY PRISON OVERSIGHT BOARD
GRIEVANCE APPEAL POLICY AND PROCEDURES

The following policies and protocols concern the 3rd level review of grievances submitted by inmates of the Bucks County Correctional Facility (“inmates”).

1. All inmates have the right to a 3rd level grievance appeal (“grievance appeal”) to the Bucks County Prison Oversight Board (“Board”). The Board’s Grievance Subcommittee will review all grievance appeals. If a grievance did not proceed through stages 1 and 2 of the grievance process, it shall be sent back to the Department of Corrections (“DOC”) for such review.
2. A grievance appeal should adhere to the following requirements:
 - a. The grievance appeal must be in writing;
 - b. The grievance appeal should include all the previous responses in the possession of the inmate, and;
 - c. Within 10 days of receiving the DOC Director’s response to a grievance, the inmate should submit the grievance appeal to: Bucks County Prison Oversight Board; Attention: Office of the Controller; 55 E. Court St.; Doylestown PA 18901.
3. The Controller will be responsible for distributing a copy of the grievance appeal to the Chair of the Grievance Subcommittee, the Secretary of the Board, and the DOC Director.
4. The Secretary shall catalog the grievance appeal by last name and grievance number.
5. The Secretary shall distribute a copy of the grievance appeal to all Grievance Subcommittee members for review.
6. Upon receipt of a grievance appeal, the DOC Director shall forward to the Chair of the Grievance Subcommittee all investigative reports, responses, and all other documents directly related to the grievance.
7. The Subcommittee shall be authorized to review videotapes, witness statements, reports and any other documents it deems appropriate to investigate and resolve a grievance appeal. The Subcommittee shall advise the Director if additional such materials are needed and the DOC shall cooperate in such requests by the Subcommittee or the Board.
8. Any member of the Grievance Subcommittee who has a conflict of interest in reviewing a particular grievance appeal shall notify the Subcommittee upon learning of the conflict.

Thereafter, the Subcommittee member shall abstain from any review of the grievance appeal. If the Chair of the Grievance Subcommittee has a conflict of interest then the Vice-Chair (or another member of the Subcommittee if the Vice-Chair is unavailable), shall assume the Chair's responsibilities with respect to the grievance appeal.

9. The Grievance Subcommittee shall forward to the Law Department for review any grievance appeal that includes ANY of the following:
 - a. an allegation of physical or sexual assault;
 - b. an allegation of sexual harassment;
 - c. an alleged deprivation of critical or life sustaining medical care; or
 - d. a mention of actual or potential litigation against the DOC, the County of Bucks or any employees of same.
10. The District Attorney shall designate a County Detective who will be responsible for reviewing any referral from the Law Department pertaining to possible criminal conduct.
11. After the Grievance Subcommittee has reviewed the grievance appeal, the Chair shall draft a response after consulting with all other Subcommittee members (and, if necessary, with the Law Department and/or District Attorney).
12. If the Grievance Subcommittee cannot reach consensus on the draft response, the Chair will ensure that the final response has the support of a majority of the Subcommittee (with the Chair casting the deciding vote in the event of a tie).
13. The response shall be in writing, on Board letterhead, and sent to the inmate, the Secretary and the DOC Director within 45 days of receiving the grievance appeal unless, upon request by the Subcommittee, an extension is granted by the Law Department. Extensions will be approved upon a showing of just cause. Notice of an extension shall be provided to the inmate.
14. The Secretary shall place a copy of the response in the grievance file.
15. Copies of grievances, and any answer filed thereto, shall be available for inspection by the Board.