



State of Vermont  
Department of Corrections  
103 South Main Street  
Waterbury, VT 05671-1001  
www.doc.state.vt.us

[phone] 802-241-2442  
[fax] 802-241-2565

Agency of Human Services

TO: All Staff  
FROM: Andrew Pallito, Commissioner *Pallito*  
SUBJECT: INTERIM REVISION MEMO ON 320.01 INMATE GRIEVANCES  
DATE: September 23, 2014

The following Interim Revision Memo on administrative directive #320.01 Inmate Grievances is now in effect. The sections cited below are additions to Section 14: Allegations of Staff Misconduct.

**NEW LANGUAGE:**

Sexual Abuse: The use of debt, threats of physical harm, peer pressure, deceit, personal favors, or positional authority to force or cajole sexual favors from a person, including inmate-on-inmate or staff-on-inmate sexually abusive contacts, sexually abusive penetration, or sexual harassment.

14.a – Allegations of Sexual Abuse

Inmates can report allegations of sexual abuse through filing a formal grievance. Inmates should report sexual abuse as soon as possible. However, there is no time limit on when an inmate can report or file a formal grievance on an allegation of sexual abuse. A third party can assist inmates in filing a formal grievance on allegations of sexual abuse, and shall be permitted to file formal grievances on allegations of sexual abuse on behalf of the inmates. Third party filings will require consent of the alleged victim to process the request.

An inmate that wishes to file an allegation of sexual abuse through filing a formal grievance should fill out the appropriate grievance form and give it to any staff member. If the inmate is reporting staff sexual abuse the inmate should give the grievance form to any staff member that is not the staff member allegedly involved in the abuse. Staff receiving a formal grievance that alleges sexual abuse will immediately forward it to their supervisor or another supervisor who is not the subject of the alleged abuse. The Supervisor will immediately forward it to the Superintendent/District Manager/OOS Supplemental Housing Manager, with copies to the Grievance Coordinator, the Department's Hearings Administrator, and the Facility PREA Coordinator. The Department's Hearings Administrator will forward the grievance to the

Agency of Human Services Personnel Administrator for their review and any necessary action. The Facility PREA Coordinator will notify the Director of PREA who will coordinate an investigation as appropriate.

The PREA Director's investigation report will act as the Department's response to any formal grievance alleging sexual abuse with a final decision within 90 days. The Department may extend the time to respond by 70 days if the normal time period for a response is insufficient to make an appropriate decision. The Department will notify the complainant in writing of any extension and provide a date by which a decision will be made.

#### 14b. Emergency Grievance on Substantial Risk of Imminent Sexual Abuse

An inmate who believes that they are subject to substantial risk of imminent sexual abuse shall file an emergency grievance as outlined in section 9 of this directive. Inmates who have filed an emergency grievance on alleged sexual abuse will receive an initial response within 8 hours, and if it is a verified emergency they will receive a final Department decision within 5 calendar days.