

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 20-cv-21457-KMW

ANTHONY SWAIN, *et al.*,
Plaintiffs,

v.

DANIEL JUNIOR, *in his official capacity as
Director of the Miami-Dade Corrections and
Rehabilitation Department*, and
MIAMI-DADE COUNTY,
Defendants.

**DEFENDANTS' MOTION TO DISMISS COUNT I OF THE COMPLAINT
FOR FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES**

Daniel Junior, in his official capacity as Director of the Miami-Dade Corrections and Rehabilitation Department (MDCR), and Miami-Dade County move under Federal Rule of Civil Procedure 12(b) to dismiss Count I of the Complaint [ECF No. 1] for failure to exhaust administrative remedies as required by 42 U.S.C. § 1997e(a) of the Prison Litigation Reform Act (PLRA).

BACKGROUND

The Plaintiffs are seven pretrial detainees who are currently confined in three units at MDCR's Metro West Detention Center. Compl. ¶¶ 9-15. They bring this prospective class action on behalf of inmates housed at Metro West, alleging unrealized health risks posed by the COVID-19 pandemic. They seek two remedies: (1) declaratory and injunctive relief under 42 U.S.C. § 1983 for violations of their Eighth and Fourteenth Amendment rights (Count I); and (2) entry of a writ of habeas corpus under 28 U.S.C. § 2241¹ effecting the immediate release of all members of what they have called the "Medically Vulnerable Subclass" of detainees (Count II). *Id.* ¶¶ 82-83, 112-26.

Because this suit concerns prison life, because the suit asserts a claim pursuant to

¹ Section 2241 has its own requirement that a habeas petitioner first exhaust all available state court remedies for consideration of his constitutional claim. *See Braden v. 30th Judicial Cir. Ct. of Ky.*, 410 U.S. 484, 489-92 (1973); *Skinner v. Wiley*, 355 F.3d 1293, 1295 (11th Cir. 2004). As the Defendants discuss in their supplemental brief on habeas relief [ECF No. 35] and the response to the motion for preliminary injunction filed contemporaneously with this motion, the Plaintiffs have not exhausted those remedies.

federal statute, and because each of the seven Plaintiffs was confined at Metro West when it was filed, it is subject to the limitations and restrictions of the PLRA. The relevant limitation is the PLRA's requirement that an inmate exhaust available administrative remedies before filing suit. 42 U.S.C. § 1997e(a). Not one of the seven Plaintiffs has satisfied that requirement, so Count I must be dismissed with prejudice.

ARGUMENT

“There is no question that exhaustion is mandatory under the PLRA and that unexhausted claims cannot be brought in court.” *Jones v. Bock*, 549 U.S. 199, 211 (2007). The PLRA's exhaustion requirement reads: “No action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail . . . until such administrative remedies as are available are exhausted.” 42 U.S.C. § 1997e(a). This requirement “applies to all inmate suits about prison life, whether they involve general circumstances or particular episodes, [] and whether they allege excessive force or some other wrong,” *Porter v. Nussle*, 534 U.S. 516, 532 (2002), and regardless of the relief sought, *Booth v. Churner*, 532 U.S. 731, 741 (2001). *See Farmer v. Brennan*, 511 U.S. 825, 847 (1994) (advising that in cases seeking injunctive relief to address “current” prison conditions, inmates are not “free to bypass adequate internal prison procedures and bring their health and safety concerns directly to court”).

“[T]he PLRA's text suggests no limits on an inmate's obligation to exhaust,” except that he need only exhaust those remedies that are “available” to him. *Ross v. Blake*, 136 S. Ct. 1850, 1856 (2016). A court has no discretion to excuse an inmate's failure to exhaust, “even to take special circumstances into account.” *Id.* at 1856-57 (cleaned up); *see Nellson v. Barnhart*, No. 20-0756, 2020 WL 1890670, at *3-5 (D. Colo. Apr. 16, 2020) (denying motion for temporary restraining order alleging COVID-19 concerns because inmate failed to exhaust under the PLRA before filing suit).

Failure to exhaust is an affirmative defense that the Eleventh Circuit explicitly directs defendants to raise in a motion to dismiss. *Whatley v. Warden, Ware State Prison*, 802 F.3d 1205, 1209 (11th Cir. 2015); *see Bryant v. Rich*, 530 F.3d 1368, 1374-75 (11th Cir. 2008) (“[A]n exhaustion defense . . . is not ordinarily the proper subject for a summary judgment; instead, it should be raised in a motion to dismiss, or be treated as such if raised in a motion for summary judgment.” (cleaned up)). Once the defense is raised, it “should be treated as a matter in abatement,” meaning that “procedurally the defense is treated ‘like a defense

for lack of jurisdiction,’ although it is not a jurisdictional matter.” *Turner v. Burnside*, 541 F.3d 1077, 1082 (11th Cir. 2008) (quoting *Bryant*, 530 F.3d at 1374). Critically, “[t]he question of exhaustion is a threshold matter,” *Oliver v. Warden*, 761 F. App’x 960, 963 (11th Cir. 2019), that a court “must address” before it may consider the merits of a case, *Chandler v. Crosby*, 379 F.3d 1278, 1286 (11th Cir. 2004).

A two-step framework governs the analysis of a motion to dismiss for failure to exhaust administrative remedies. *See Turner*, 541 F.3d at 1082-83. At step one, a district court accepts as true the plaintiff’s alleged facts relating to his exhaustion of administrative remedies. *Id.* at 1082. If the plaintiff’s version of the facts entitles the defendant to dismissal, the court may dismiss the complaint at that step. *Id.* If it doesn’t, the court proceeds to step two, where it must consider the evidence presented and make specific factual findings on the exhaustion question, resolving any factual disputes between the parties’ versions. *Id.* The court must then decide, based on the specific factual findings it made, whether the plaintiff exhausted his available administrative remedies. *Id.* at 1083.²

A. To exhaust MDCR’s available administrative procedures under the PLRA, an inmate must timely file a grievance and timely appeal that grievance if it is rejected.

“The PLRA ‘requires proper exhaustion’ of ‘critical procedural rules’ governing the grievance process,” *Dimanche v. Brown*, 783 F.3d 1204, 1210 (11th Cir. 2015) (quoting *Woodford v. Ngo*, 548 U.S. 81, 95 (2006)), and demands that “prisoners must ‘properly take each step within the [prison’s] administrative process,’” *Bryant*, 530 F.3d at 1372 (quoting *Johnson v. Meadows*, 418 F.3d 1152, 1158 (11th Cir. 2005))). MDCR’s “critical procedural rules” take the form of an “established[,] multi-step grievance procedure—applicable to all inmates, regardless of their status—that allows inmates to complain about the conditions of confinement.” *Myles v. Green*, 557 F. App’x 901, 903 (11th Cir. 2014). The procedure is outlined in the Department’s Standard Operating Procedure No. 15-001, attached as **Exhibit I**. The section dealing with inmate access to the grievance process provides:

Inmate Grievance forms shall be accessible to inmates in all housing areas. The forms are available in English, Spanish, and Creole. Inmates seeking to grieve an issue shall:

² Considering that this is a proposed class action, the County notes Eleventh Circuit law that “a class of prisoner-plaintiffs certified under Rule 23(b)(2) satisfies the PLRA’s administrative exhaustion requirement through ‘vicarious exhaustion.’” *Chandler*, 379 F.3d at 1287. In other words, “when one or more class members has exhausted his administrative remedies with respect to each claim raised by the class,” that exhaustion is imputed to the entire class. *Id.* (cleaned up). That said, no class has been certified. What’s more, the County will show that no Plaintiff has exhausted, meaning there’s nothing to impute.

- A. Complete the Inmate Grievance form;
- B. Place the completed Inmate Grievance form into any inmate request drop box within 10 calendar days from the date of the incident.

DSOP 15-001 § V, at 2.

Staff are required to provide an inmate with a grievance form upon request and assist the inmate with filling it out, if needed. *Id.* § VII(A), at 3. Once submitted, a grievance is forwarded to a counselor for review who must input it into MDCR's system. *Id.* § VII(B), at 3-4. After the facility responds to a grievance, a dissatisfied inmate may appeal within two days of his receipt of the response:

Inmates have the right to appeal a grievance response; however, an inmate that has signed and accepted a grievance resolution cannot appeal the response at a later date.

Inmate Grievance Response Appeal forms are accessible to inmates in all housing units. Inmates shall complete an Inmate Grievance Response Appeal form and place it into an inmate request drop box within two calendar days from receipt of the grievance response. Assistance shall be provided to inmates in preparing the appeal

The respective Division Chief or the IMP [Inmate Medical Provider] Director shall provide a response to the inmate grievance appeal within seven calendar days of receiving the Inmate Grievance Response Appeal form.

The decision of the Division Chief or IMP Director is final and there shall be no further appeal.

Id. § XIII, at 6-7. The MDCR Inmate Handbook outlines these procedures, as well:

You can file a general grievance without filing a complaint. To file a general grievance, you must fill out an Inmate Grievance Form. The forms are available in all housing areas. If you need help writing your grievance, ask a counselor, officer, or any staff for. Give the completed grievance form to a counselor, officer, or staff within 10 workdays from when the situation/incident happened. If your complaint is about a staff member, give the form to any other staff member or your counselor. . . .

If you do not agree with the result [of a grievance], you may reject it and/or request an appeal. You must then sign the form indicating your decision. If you do not sign the form, the grievance process will end. . . .

If you want to appeal, you must fill out a MDCR Inmate Grievance Appeal Form within 2 workdays after you receive the grievance resolution. You will receive the appeal response within 7 workdays. The grievance appeal decision is final.

Inmate Handbook 7, attached as *Exhibit 2*.

The DSOP also provides an emergency grievance procedure, designating several categories of "emergency complaints/grievances" that require "immediate resolution." DSOP

15-001 § VIII, at 4. These categories include “[e]mergent medical, dental, and/or mental health issues” and “[i]mmminent safety issues.” *Id.* When a staff member receives an emergency complaint or grievance from an inmate, that staff member shall “immediately” deliver a copy of the grievance to the Inmate Medical Provider (for medical, dental, or mental health grievances) or the Shift Supervisor/Commander (for all other grievances) for resolution. *Id.* § VIII(A)(1). Then, the burden falls to the Facility/Bureau Supervisor or IMP/Director of Patient Care Services to investigate and prepare the written response within seven calendar days. *Id.* § VIII(C)-(D), at 4-5; *see also* Inmate Handbook 7-8 (“Emergency complaints or grievances that will be responded to *immediately* include: . . . Immediate medical and/or mental health issues” and “Safety issues . . .” (emphasis added)).

In short, to exhaust MDCR’s available administrative remedies for purposes of satisfying the PLRA, an inmate must timely file a grievance, and then timely appeal the resolution of that grievance. This procedure has been upheld time and again by the Eleventh Circuit and courts in this District disposing of complaints for failing to exhaust. *See, e.g., Myles*, 557 F. App’x at 903; *Bure v. Miami-Dade Corr. Dep’t*, 507 F. App’x 904 (11th Cir. 2013); *Wilson v. Greaves*, No. 16-20651, 2016 WL 11643979, at *1 (S.D. Fla. Dec. 30, 2016); *Ordunez v. Miami-Dade Corr. & Rehab. Dep’t*, No. 14-23816, 2016 WL 11047148, at *7 (S.D. Fla. Jan. 8, 2016), *report and recommendation adopted*, 2016 WL 11047149 (S.D. Fla. Feb. 22, 2016); *Francis v. Miami-Dade Dep’t of Corr.*, No. 07-21817, 2007 WL 3406764, at *1 (S.D. Fla. Nov. 13, 2007).

B. *The Plaintiffs did not exhaust administrative remedies because grievances were available, and the Plaintiffs didn’t file any.*

I. Supreme Court precedent bars one of the Plaintiffs’ proffered excuses for not exhausting; the other excuse is equivocal at best.

At step one of *Turner*’s two-step framework, the Plaintiffs concede that they did not complete MDCR’s grievance process. They contend, however, that they should be relieved of the obligation to exhausts because MDCR’s administrative remedies were “unavailable.” Compl. ¶ 105. First, they allege that they “repeatedly asked for grievance forms” but “[j]ail employees denied their requests by explaining that paper grievance forms were unavailable.” *Id.* They admit that “a small amount of forms became available on” April 4, the day before the Complaint was filed, but “many” Plaintiffs “were not able to access them, and no one was able to access enough of them to submit a grievance on each issue.” *Id.* Second, they allege some number of them were able to file a grievance a day earlier, on April 3, but

“the typical grievance procedure would take too long to result in any changes to [their] confinement that could protect them from imminent bodily injury and death.” *Id.*

a. The latter excuse is invalid on its face, so the County addresses that one first. The Supreme Court, in its most recent excursion on the issue of PLRA exhaustion, explained that “the only limit to § 1997e(a)’s mandate is the one baked into its text: An inmate need exhaust only such administrative remedies as are ‘available.’” *Ross*, 136 S. Ct. at 1858. With that as the jumping-off point, the Court identified three limited circumstances in which a grievance procedure could be deemed “unavailable”: (1) where officials are “unable or consistently unwilling to provide any relief to aggrieved inmates”; (2) where the jail’s procedures are “so confusing that no reasonable prisoner can use them”; and (3) where officials “thwart” inmates from invoking the grievance procedure “through machination, misrepresentation, or intimidation.” *Id.* at 1859-60.

The list ends at three; there is no fourth circumstance. *See Pearson v. Taylor*, 665 F. App’x 858, 868 (11th Cir. 2016) (rejecting plaintiff’s unavailability arguments because they “do not appear to fall within any of [Ross’s] three ‘exceptions’ to exhaustion”). So, claiming “the typical grievance procedure would take too long,” Compl. ¶ 105, is not a valid excuse that obviates the mandatory exhaustion requirement. This excuse sounds awfully close to advocating for a futility exception, which this Circuit’s law foreclosed long before *Ross*. *See Higginbottom v. Carter*, 223 F.3d 1259, 1261 (11th Cir. 2000) (exhaustion “cannot be waived based upon the prisoner’s belief that pursuing administrative procedures would be futile”).

The Plaintiffs’ fears of “imminent danger of serious injury or death,” Compl. ¶ 106, do not grant them a ticket to sail past exhaustion. Quite the opposite, the Eleventh Circuit has ruled. *See Bracero v. Sec’y, Fla. Dep’t of Corr.*, 748 F. App’x 200, 204 (11th Cir. 2018), *cert. denied sub nom. Bracero v. Inch*, 139 S. Ct. 1631 (2019). The plaintiff in *Bracero* argued that his complaint “should not have been dismissed because he alleged imminent danger.” *Id.* The court deemed this effort to overcome exhaustion “unavailing”: “exhaustion is a prerequisite for any prisoner suit.” *Id.* The grievance process was available to the plaintiff and the plaintiff did not follow it, so his complaint was properly dismissed for failing to exhaust administrative remedies. *Id.* “Any prisoner suit” means *any prisoner suit*—including this one. If a plaintiff’s claim that an administrative procedure was not capable of use can’t be squared with one of the “three kinds of circumstances” enumerated in *Ross*, then

as far as the PLRA is concerned, it's not worth the paper it's written on.

Both cases the Plaintiffs cite in support of this nonexistent excuse, *Fletcher v. Menard Corr. Ctr.*, 623 F.3d 1171 (7th Cir. 2010), and *Fuqua v. Ryan*, 890 F.3d 838 (9th Cir. 2018), are inapposite. The Plaintiffs correctly report *Fletcher's* language that “administrative remedies that offer no possible relief in time to prevent [] imminent danger from becoming an actual harm can't be thought available.” 623 F.3d at 1173. Two problems for them with that, though. For one thing, the continued viability of that passage is doubtful post-*Ross*, whose exhaustive list did not include an imminent-danger exception. But even if *Fletcher* survives intact, its actual holding—that the plaintiff failed to exhaust—undermines the Plaintiffs' reliance on it. Granted, the Seventh Circuit recognized an imminent-danger exception, but it explained that that “does not excuse a prisoner from exhausting remedies tailored to imminent dangers.” *Id.* at 1175. The plaintiff had such a remedy—an emergency grievance procedure for prisoners with an urgent need of medical attention. *Id.* at 1174. The court saw “no reason to think that the [emergency] grievance procedure would take longer than judicial procedure,” so the imminent danger “did not excuse the plaintiff's failure to exhaust.” *Id.* at 1175. MDCR too has an emergency grievance procedure (that the Plaintiffs didn't use), *see supra*, at 4-5, so *Fletcher* wouldn't salvage the Plaintiffs' excuse anyway.

The Plaintiffs' reliance on *Fuqua* is based on failing to read until the end of the decision. The Ninth Circuit didn't hold that the administrative procedure was unavailable because “it required 30-day notice but unconstitutional requirement would occur in 72 hours.” Compl. ¶ 106 (citing *Fuqua*, 890 F.3d at 848). Its holding wasn't based on the timing at all. Rather, two pages later, in a section titled “**Only Available Remedies Must Be Exhausted**,” the court, invoking *Ross's* second exception, held that the procedure at issue was “precisely the sort of ‘*essentially unknowable*’ procedure that the *Ross* Court had in mind.” *Fuqua*, 890 F.3d at 850 (emphasis added).

The Plaintiffs muster no authority to support creation of this excuse. No matter which way you slice it, the first excuse fails to overcome the exhaustion requirement.

b. Even accepting as true the Plaintiffs' alternative excuse—that their repeated requests for grievance forms were denied on the grounds that there were no forms available—would not necessarily relieve them of the obligation to exhaust. The Plaintiffs allege, “To the extent a small amount of forms became available on the day before this filing, many

Petitioners/Plaintiffs were not able to access them, and no one was able to access enough of them to submit a grievance on each issue.” Compl. ¶ 105. This allegation concedes an important point: Some number of Plaintiffs did have access to blank forms on April 4, which would have allowed those Plaintiffs to grieve at least some issues. But the Plaintiffs don’t allege that any of them filed a grievance on April 4. All they can do to attempt to justify why that is, is loop back to their defunct “imminent danger” excuse.

To the extent the Plaintiffs claim that some of them were able to file grievances on April 3, that still wouldn’t solve their no-exhaustion problem. The PLRA “requires proper exhaustion” of an issue before bringing suit, which “means using all steps that the [facility] holds out, and doing so *properly*,” to allow the facility an opportunity to address the issue on the merits. *Woodford*, 548 U.S. at 90, 93 (emphasis added) (cleaned up). Even the Plaintiffs who allegedly filed grievances on April 3 did not properly use all of MDCR’s provided steps. They didn’t wait for the facility’s response to whatever grievances they filed. And, if that response was a denial, they didn’t appeal it. Put simply, no Plaintiff used all the steps MDCR holds out—properly or otherwise—so there is no vicarious exhaustion to impute to the putative class. All Plaintiffs, therefore, have failed to satisfy the exhaustion requirement, so Count I should be dismissed at *Turner* step one.

Charitably, however, if the Court believes that the allegations of denials of requests for grievances for lack of blank grievance forms could lead to a finding that the grievance process was not available under the third circumstance described in *Ross*, *see* 136 S. Ct. at 1859-60, dismissal at step one would not be appropriate.

2. The County’s evidence reveals that the Plaintiffs’ convenient, conclusory allegations are not credible.

Should the Plaintiffs’ allegations not entitle the County to dismissal at step one, the Court must proceed to step two, where it resolves credibility issues and makes factual findings based on the evidence. *See Bryant*, 530 F.3d at 1377-78. The County’s evidence unequivocally shows that none of the seven Plaintiffs filed a single grievance regarding their conditions of confinement or Metro West’s alleged inaction in response to the threat of COVID-19. The Plaintiffs’ unsworn allegations are not credible. They failed to start—much less complete—MDCR’s established administrative process and necessarily failed to exhaust under the PLRA.

A plaintiff who claims that “prison officials prevent[ed] them from exhausting . . . must have some *supporting proof* of [their] assertions.” *Kingcade v. Parker*, 949 F. Supp. 2d

1232, 1239 (S.D. Fla. 2013) (emphasis added) (cleaned up). Yet the Complaint offers no proof. The Defendants' evidence relating to exhaustion, on the other hand, shows that grievance forms were, in fact, available, but the Plaintiffs never filed any.

First off, the Plaintiffs cannot feign ignorance of the grievance process. Each one signed an Inmate Orientation Statement upon his arrival at Metro West, confirming, among other things, that he received a copy of the Inmate Handbook and that he understood he was to comply with its rules and regulations—including those governing grievances. See Inmate Orientation Statements (Composite), attached as *Exhibit 3*.

Plaintiffs' unsubstantiated claim that there were no grievance forms available is refuted handily by declarations, sworn to under penalty of perjury, from two MDCR employees: Reentry Program Services Bureau Inmate Services Administrator Reynaldo Romero, and Metro West Correctional Counselor Supervisor Terrence Mathews. See Declaration of Reynaldo L. Romero, attached as *Exhibit 4*; Declaration of Terrence Mathews, attached as *Exhibit 5*. Romero's declaration attaches an Inmate Grievance Report, which shows all grievances filed across MDCR's multiple facilities between the first of the year and April 10, five days after the Plaintiffs filed this suit. Romero Decl. ¶ 4 & Ex. A. As summarized in the table on the next page, this report reveals that in the two weeks before this litigation began (March 22 through April 5), twenty-two Metro West inmates filed a total of twenty-nine grievances—with at least one grievance filed every day except April 4:

<i>Date</i>	<i>Inmate Name</i>	<i>Grievance Type</i>
3/22/2020	Terrance Byrd	complaint against mental health staff
3/23/2020	Brandon Pop	personal property
3/23/2020	Alex Brown	staff complaints
3/24/2020	Mark Welch	food services
3/25/2020	Amaury Perez-Gonzalez	emergency grievance for dental care
3/26/2020	Sosthene Louis	sanitation/cleanliness
3/27/2020	Nicholas Garcia	staff complaints
3/27/2020	Enrique Lexte-Vidal	personal property
3/28/2020	Antoinette March	facility operations
3/28/2020	Arlene Antoine	facility operations
3/28/2020	Mark Welch	food services
3/29/2020	Clinton Bingham	staff complaints
3/30/2020	Justin Earnshaw	food services
3/31/2020	Rudolph Gonzalez	personal property
4/1/2020	Dashera Davis	emergency grievance for sexual abuse/harassment
4/1/2020	Arlene Antoine	facility operations

<i>Date (cont'd)</i>	<i>Inmate Name (cont'd)</i>	<i>Grievance Type (cont'd)</i>
4/1/2020	Carlos Escutary	inmate finance
4/1/2020	Carlos Escutary	inmate finance
4/1/2020	Mike Neal	legal
4/1/2020	Mike Neal	sanitation/cleanliness
4/2/2020	Tiwa Owonibi	emergency grievance for medical care
4/3/2020	Luis Montalvan	personal property
4/3/2020	Sherman Douglas	mail
4/3/2020	Samuel Thomas	food services
4/3/2020	Jimmie Evans	sanitation/cleanliness
4/3/2020	William Earnshaw	facility operations
4/3/2020	Mike Neal	staff complaints
4/3/2020	Mike Neal	staff complaints
4/5/2020	Mike Neal	staff complaints

See Romero Decl. Ex. A., at 15-18. Romero’s declaration and this report also show that the Plaintiffs’ allegation that some of them “were able to file a grievance on April 3, 2020” (Compl. ¶ 105) lacks merit. He attests that none of the seven Plaintiffs filed a grievance between January 1 and April 10. Romero Decl. ¶ 6.

Next up is Mathews, who declares under penalty of perjury that blank grievance forms are, and always have been, available to inmates at Metro West. Mathews Decl. ¶ 3. He explains that each housing unit at Metro West contains a box of blank grievance forms that are regularly restocked by counselors. *Id.* ¶ 5. Each correctional officer and counselor also carries blank forms that an inmate can ask for at any time. *Id.* ¶ 6. If a counselor has no copies on his or her person and the box is empty, she can print a new blank form to give to an inmate upon request. *Id.* ¶ 7. It is part of Mathews’s duties to periodically check the number of blank forms available at the facility and, when supplies are running low, to go to MDCR headquarters to pick up a new batch. *Id.* ¶ 8. As a matter of fact, supplies were recently getting low, so on or around April 3, he brought a box containing approximately **2,000** blank grievance forms from headquarters to Metro West. *Id.* ¶ 9.

These declarations stand in stark contrast to the Plaintiffs’ self-serving allegations that they have set forth “no details whatsoever to support,” such as when they requested grievance forms or the name of any Metro West official who denied a request. *Teran v. Johns*, No. 17-0009, 2017 WL 4678220, at *4 (S.D. Ga. Oct. 17, 2017), *report and recommendation adopted*, 2017 WL 6028400 (S.D. Ga. Dec. 5, 2017). The court in *Teran* dismissed the plaintiff’s complaint for failure to exhaust because he didn’t shore up his “bald[] state[ment] that ‘prison officials’ failed to provide him grievance forms,” *id.*—a statement oddly remi-

niscent of the Plaintiffs’ “[j]ail employees denied their requests,” Compl. ¶ 105. *See also, e.g., Louis-Charles v. Baker*, No. 16-1417, 2018 WL 5728054, at *6 (N.D.N.Y. July 30, 2018) (“[P]laintiff has not introduced evidence that grievance forms were unavailable throughout [the facility], nor has plaintiff specified who informed him that there were no grievances in the cell block or that corrections officers were not permitted to issue the forms absent supervisor approval, or when these statements were made.” (cleaned up)), *report and recommendation adopted*, 2018 WL 4299982 (N.D.N.Y. Sept. 10, 2018).

Closer to home, just last month a court in the Middle District of Florida saw right through allegations as transparent as the Plaintiffs’. *See Filmore v. Cooper*, 18-0955, 2020 WL 1275385, at *6 (M.D. Fla. Mar. 17, 2020) (“Plaintiff’s contention that he was unable to obtain formal grievance forms is not only conclusory but is not credible.”). The plaintiff provided no factual detail explaining the steps he took to obtain grievance forms, “such as who he asked, how many times he asked, or whether he took other measures to obtain the forms.” *Id.* And while the court thought it plausible that one or a few employees may have declined to physically hand the plaintiff a grievance form, it found implausible the plaintiff’s statements “that absolutely no grievance forms were available throughout the prison,” or “that multiple employees would have refused Plaintiff grievance forms given employees are subject to discipline for such conduct.” *Id.*

The same results from *Teran* and *Filmore* should obtain here. Every detail those plaintiffs neglected to provide are details the Plaintiffs too have not provided. Further, MDCR counselors, like the employees in *Filmore*, would be subject to discipline for refusing to hand over grievance forms, as Mathews attests. Mathews Decl. ¶¶ 10-11. It defies belief to imply, as the Plaintiffs do, that counselors would be willing to risk discipline and jeopardize the security of their jobs—at a time of rampant unemployment, no less—over something as trivial as handing an inmate a grievance form.

As incredible as the allegations in these cases were, one would have to multiply the incredulity by seven to approach the absurdity of the Plaintiffs’ allegations. Without one nonconclusory factual detail, they expect the Court to believe that Metro West employees in three different units thwarted every one of all seven Plaintiffs’ attempts to file grievances by refusing them forms because the facility had none available—*plus* no way to print any new ones. In short, these are nothing more than “bald assertions that attempts at exhaustion were thwarted by jail staff,” which courts find “insufficient to overcome evidence of

lack of exhaustion.” *Kingcade*, 949 F. Supp. 2d at 1239.

The Plaintiffs’ claims of unavailability “readily wither when subjected to the crucible of examination the second *Turner* step requires.” *Teran*, 2017 WL 4678220, at *4. In the light of the evidence the County has provided, the Court should make two factual findings. One, the administrative process was fully available to the Plaintiffs. And two, no Plaintiff filed a grievance complaining about COVID-19 or his conditions of confinement prior to the filing of this lawsuit. Those factual findings will lead to one inexorable conclusion: the Plaintiffs failed to exhaust available administrative remedies.

CONCLUSION

Seven Plaintiffs filed zero grievances and then filed a class action lawsuit in federal court. That is the opposite of what Congress had in mind when it enacted the PLRA. Accordingly, the Court should dismiss Count I of the Complaint for failure to exhaust administrative remedies. And as “[t]here is no question . . . that unexhausted claims cannot be brought in court,” *Jones*, 549 U.S. at 211, the dismissal should be with prejudice.

Dated: April 21, 2020.

Respectfully submitted,
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CERTIFICATE OF SERVICE

On April 21, 2020, I electronically filed this document with the Clerk of Court via CM/ECF and served a copy on all counsel of record via CM/ECF.

/s/ Zach Vosseler
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MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

	EFFECTIVE DATE: January 06, 2020
	SUPERSEDES: October 1, 2016
	MODIFICATIONS: All pages
	ANNUAL REVIEW:

I. POLICY

It is the policy of the Miami-Dade Corrections and Rehabilitation Department (MDCR) to provide a process for all inmates to have their complaints and/or grievances addressed in a fair and timely manner. Inmates shall not be subject to mistreatment or retaliation for filing a complaint and/or a grievance. The information gathered from the inmate grievance process shall be analyzed and used to improve MDCR operations. Staff shall never interfere with the inmate grievance process.

II. DEFINITIONS

[Calendar Days](#), [Emergency Complaint/Grievance](#), [Emergent](#), [Frivolous](#), [Grievance](#), [Grievance Clerk](#), [Informal Complaint](#), [Inmate Medical Provider](#), [Staff Misconduct](#), [Substantiated](#), [Unsubstantiated](#)

III. COMPLAINTS/GRIEVANCES

Inmates may use the following processes to resolve concerns and issues:

- A. Informal Complaint;
- B. Grievance.

The Intake and Release Bureau Classification Unit staff shall provide:

- A. Orientation to all inmates;
- B. The [Inmate Handbook](#) to all inmates after the first court appearance. The Inmate Handbook includes but is not limited to the following information:
 - 1. Inmate’s rights and responsibilities;
 - 2. Services and programs;
 - 3. Procedures, rules, regulations, violations, and sanctions;
 - 4. Complaint and grievance process.
- C. Auxiliary aids and qualified sign language interpreters, when necessary, to communicate with hearing, vision, or speech impaired inmates;
- D. Translation assistance for inmates with Limited English Proficiency (LEP).

Inmates shall sign the [Inmate Orientation Statement](#) form acknowledging receipt and understanding of the information provided.

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

IV. INFORMAL COMPLAINT PROCESS

Inmates may submit an [Inmate Request](#) form or verbally make an informal complaint, e.g., mail, recreation, to staff at any time. Inmates may choose to skip the informal complaint process and immediately utilize the formal grievance process.

A. Staff receiving an informal complaint shall:

1. Discuss the concerns/issues with the inmate;
2. Attempt to resolve the concerns/issues with the inmate within a calendar day;
3. Document the action taken on the Inmate Request form or identify the entity to provide resolution;
4. Place the form in the inmate request drop box for the Counselor to process.

B. The Counselor shall:

1. Collect the Inmate Request form from the drop box and within a calendar day:
 - a. Upload the form in the Inmate Request System and close the request in the system if a resolution was already provided; or
 - b. Input the Inmate Request into the Inmate Request System if the request is received and is unresolved, and upload the form in the system. The Inmate Request shall then be referred to the entity responsible to provide resolution;
2. Print the completed form and present it to the inmate within three calendar days once the entity responsible for providing a resolution updates the Inmate Request System. Once the Inmate Request has been signed by the inmate, it shall be uploaded and closed out in the system.

If an inmate rejects an informal resolution or no resolution is provided by staff, the inmate may choose to submit an [Inmate Grievance](#) form regarding the same concern/issue.

V. ACCESS TO THE GRIEVANCE PROCESS

Inmate Grievance forms shall be accessible to inmates in all housing areas. The forms are available in English, Spanish, and Creole. Inmates seeking to grieve an issue shall:

- A. Complete the Inmate Grievance form;
- B. Place the completed Inmate Grievance form into any inmate request drop box within 10 calendar days from the date of the incident. There is no time limit for inmates to submit a grievance for alleged sexual battery, sexual abuse, and/or sexual harassment. Inmate request drop boxes are secured and maintained by MDCR.

Note: Inmate health information is legally protected and shall remain confidential and disclosed only to authorized staff in accordance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and DSOP 14-001 "Inmate Health Care Services."

VI. RETURNED INMATE GRIEVANCES

The Counselor may return Inmate Grievance forms to inmates for any of the following reasons:

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

- A. Non-grievable concerns/issues:
 - 1. State and federal court decisions;
 - 2. Local, state, and federal laws/regulations;
 - 3. Circumstances beyond the control of MDCR;
 - 4. MDCR procedures that have an appeal process, e.g., classification level, disciplinary decision;
 - 5. An incident older than 10 calendar days, with the exception of an allegation of sexual battery, sexual abuse, and/or sexual harassment;
 - 6. Duplicate of a grievance already submitted regarding the same set of facts/circumstances.
- B. Incomplete form;
- C. More than one complaint/issue and/or grievant (inmate name) on the form;
- D. Offensive language or frivolous complaint (e.g. complaints which are beyond MDCR scope of resolution, previously resolved complaints which add no new information).

VII. PROCESSING GRIEVANCES

Inmates may obtain assistance from other inmates, staff, or attorneys, when preparing the grievance form; however, only the involved inmate shall submit the grievance.

- A. Staff shall provide assistance to inmates requesting a formal grievance as follows:
 - 1. Ensure inmates can file and access grievances confidentially without the intervention of a correctional officer;
 - 2. Instruct inmates to place the completed Inmate Grievance forms into an inmate request drop box if inmates attempt to give forms to staff, unless the Inmate Grievance is an emergency (refer to Section VIII);
 - 3. Assist inmates unable to complete the form due to:
 - c. Illiteracy;
 - d. Mental health/physical reasons, etc.
 - 4. Provide translation assistance for inmates with LEP in accordance with DSOP 17-005 “Limited English Proficiency”;
 - 5. Provide auxiliary aids and qualified sign language interpreters when necessary to communicate with hearing, vision, or speech impaired inmates.
- B. The Counselor shall:
 - 1. Collect Inmate Grievance forms from the inmate request drop boxes daily, Monday through Friday, excluding holidays;
 - 2. Sort grievance requests;

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

3. Take the original and a copy of medical/dental/mental health grievance forms to the Inmate Medical Provider (IMP)/Associate Nurse Manager (ANM)/Charge Nurse to:
 - a. Classify the request (e.g., medical, dental, mental health services);
 - b. Determine if the request is emergent or non-emergent;
 - c. Stamp date and time upon receipt (copy of the grievances are kept by the IMP and originals by the Counselor).
 4. Input inmate grievance information into the IGS. The IGS generates a control number for each grievance. Refer to [Inmate Grievance Process](#) guidelines for staff responsibilities and instructions on the IGS.
- C. The Reentry Program Services Bureau (RPSB) Supervisor shall ensure the collection, analysis, coordination, and management of the inmate grievance process to include:
1. Following up with the IMP/Director of Patient Care Services for medical/dental/mental health grievance responses not presented to inmates within seven calendar days from the date received;
 2. Following up with the Facility/Bureau Supervisor for non-medical/dental/mental health grievance responses not served to the inmates within 20 calendar days from the date received.

VIII. EMERGENCY COMPLAINT/GRIEVANCE

An emergency complaint/grievance includes, but is not limited to the following:

- A. Emergent medical, dental, or mental health issues;
- B. Sexual battery, sexual abuse, and/or sexual harassment;
- C. Imminent safety issues;
- D. Spoiled food;
- E. Missing meals;
- F. Excessive/inappropriate use of force by staff.

An emergency complaint/grievance shall be processed as follows:

- A. Staff receiving an emergency complaint/grievance shall:
 1. Immediately deliver a copy of the grievance to the IMP (medical/dental/mental health grievances) or Shift Supervisor/Commander (all non-medical/dental/mental health grievances) for resolution;
 2. Document on the original grievance form the name of the staff who received it and place the form into an inmate request drop box for processing if other than a Counselor.
- B. The Counselor shall collect and input the Inmate Grievance form in the IGS to include the name of the staff who received the emergency grievance;
- C. The Facility/Bureau Supervisor or IMP/Director of Patient Care Services (when applicable) shall investigate and prepare the response;

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

- D. The inmate shall be presented with the written response to the emergency grievance within seven calendar days.

Note: MDCR/IMP staff receiving an inmate grievance regarding an inmate subject to a substantial risk of imminent sexual abuse, shall take immediate action to protect the inmate and notify the Shift Supervisor/Commander immediately (refer to IP-001 "Inmate Sexual Battery/Abuse/Harassment Prevention and Response" for additional information). The inmate shall be presented with an initial response within 48 hours, and a final response within five calendar days.

IX. WRITTEN GRIEVANCE RESPONSE

When responding to grievances in the IGS, the Administrative Sergeant or the IMP/Nurse Manager shall:

- A. Restate or summarize the concern or issue;
- B. Cite policies, procedures, standards, etc.;
- C. Determine if evidence is provided by the inmate to support the grievance;
- D. Provide a detailed response. The grievance resolution shall address all aspects of the concern or issue. The tone of the response shall be professional and courteous;
- E. Determine the grievance "Substantiated" if there is evidence or proof that the grievance was valid for the period or circumstances at the time indicated on the request; otherwise, "Unsubstantiated" shall be selected.

Note: Documentation of "Substantiated" or Unsubstantiated" is only used for internal analysis and tracking purposes in the IGS and shall not be included in the response to the grievant.

X. TRACKING SUBSEQUENT ACTIONS

Grievances requiring subsequent action (e.g. referral to a medical specialist, consultation, arranging for special equipment, investigations) shall be processed as follows:

A. SECURITY AND INTERNAL AFFAIRS BUREAU (SIAB) INVESTIGATION

The RPSB Supervisor shall:

- 1. Update the IGS with the Internal Affairs case number issued by SIAB;
- 2. Conduct a weekly review of the IGS for grievances referred to SIAB and update all grievance records with the SIAB case number.

B. IMP FOLLOW-UP

The IMP/Director of Patient Care Services:

- 1. Monitors the outstanding subsequent actions on a monthly basis; and
- 2. Ensures the IGS is updated upon completion of any subsequent action.

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

XI. REPORTING SEXUAL BATTERY/ABUSE/HARASSMENT

The Shift Supervisor/Commander shall be immediately notified of any complaints/grievances alleging sexual battery, sexual abuse, and/or sexual harassment. Inmates may report any incident of sexual battery, sexual abuse, and/or sexual harassment anonymously, or through third parties as follows:

- A. Informal complaint to MDCR/IMP staff (verbally or in writing);
- B. Formal grievance process;
- C. Calling the Rape Crisis Hotline telephone number posted in all housing areas.

The following applies to grievances for alleged sexual battery, sexual abuse, and/or sexual harassment:

- A. There is no time limit for inmates to submit a grievance;
- B. Inmates may submit grievances to any staff member. Inmates shall not be required to submit inmate grievance forms to the staff member who is the subject of the complaint;
- C. Grievances shall not be referred for response to staff who is the subject of the complaint;
- D. Inmates may be disciplined for filing a grievance related to alleged sexual battery, sexual abuse, and/or sexual harassment if an investigation determines that the inmate filed the grievance with intent to deceive the process.

Reports of sexual battery, sexual abuse, and/or sexual harassment shall be accepted, documented, and investigated in accordance with Interagency Policy (IP)-001 "Inmate Sexual Battery/Abuse/Harassment Prevention and Response."

XII. INMATE COMPLAINT/GRIEVANCE AGAINST STAFF, CONTRACTORS, OR VOLUNTEERS

Inmate complaints or grievances alleging staff, contractor, or volunteer misconduct shall be immediately reported to the Facility/Bureau Supervisor for investigation in accordance with DSOP 4-015 "Complaints, Investigations and Dispositions."

Cases involving allegations of sexual battery, sexual abuse, or use of force shall immediately be forwarded to the IMP/Director of Patient Care Services, Facility/Bureau Supervisor, and SIAB, and shall be processed as follows:

- A. The IMP assesses the inmate and updates the IGS;
- B. The Facility/Bureau Supervisor shall investigate the allegation, update the IGS, and refer the allegation to SIAB in accordance to DSOP 4-015 "Complaints, Investigations and Dispositions";
- C. SIAB shall investigate referred cases in accordance with DSOP 4-015 "Complaints, Investigations and Dispositions."

Refer to DSOP 4-015 "Complaints, Investigations and Dispositions," DSOP 11-041 "Response to Resistance," and IP-001 "Inmate Sexual Battery/Abuse/Harassment Prevention and Response" for additional information.

XIII. INMATE GRIEVANCE RESPONSE APPEAL

Inmates have the right to appeal a grievance response; however, an inmate that has signed and accepted a grievance resolution cannot appeal the response at a later date.

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

[Inmate Grievance Response Appeal](#) forms are accessible to inmates in all housing units. Inmates shall complete an Inmate Grievance Response Appeal form and place it into an inmate request drop box within two calendar days from receipt of the grievance response. Assistance shall be provided to inmates in preparing the appeal as described in Section VII.A.

The respective Division Chief or the IMP Director shall provide a response to the inmate grievance appeal within seven calendar days of receiving the Inmate Grievance Response Appeal form.

The decision of the Division Chief or IMP Director is final and there shall be no further appeal. Refer to the [Inmate Grievance Response Appeal Process](#) for additional information.

XIV. RECORDS

The Grievance Clerk/IGS Administrator and the Trend Analysis and Action Planning Unit Supervisor shall use the IGS for record keeping and retrieval functions to:

- A. Maintain records of all inmate grievances/appeals;
- B. Categorize and document each inmate grievance/appeal;
- C. Update and create reports (e.g., MDCR Inmate Grievance Report);
- D. Follow-up with the bureau/entity on open grievances to ensure the grievance process is completed and a written response is provided to inmates within the established time frame;
- E. Ensure records are available to staff with appropriate clearance.

These records shall be used by the RPSB to compile statistical data, conduct trend analysis, and prepare departmental reports (e.g., Quarterly Self-Audit Report).

XV. AUDITING

The inmate grievance process is monitored as follows:

- A. The Grievance Task Force, composed of MDCR and IMP staff, shall meet on a monthly basis. The meeting agenda includes, but is not limited to, data analysis of monthly random audits conducted of the inmate grievance process, e.g., response to the requests, response time frames, subsequent actions, number of grievances; medical, dental, and mental health concerns; identifying trends. Findings and recommendations, including changes to policies and training curriculum, shall be presented at the monthly Medical and Corrections (MAC) meetings and the quarterly IMP/Clinical Quality Improvement review.
- B. The Facility/Bureau Supervisors shall review the IGS quarterly to identify trends and systemic areas of concern, and submit plans to correct any deficiencies. Results of reviews, to include corrective action, shall be forwarded to the Compliance, Inspection, and Auditing Bureau.

XVI. TRAINING

Staff responsible for the process/resolution of grievances/appeals shall receive a two-hour training overview of the IGS. The training includes, but is not limited to:

- A. Navigating through IGS;
- B. Entering grievances;

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

- C. Providing responses;
- D. Tracking;
- E. Entering appeals;
- F. Generating reports.

Refer to the [Inmate Grievance System \(IGS\) Training Manual](#) for additional information.

XVII. CROSS REFERENCES

- DSOP 4-003 “News Media and Public Relations”
- DSOP 4-015 “Complaints, Investigations and Dispositions”
- DSOP 4-017 “Early Warning and Intervention System”
- DSOP 4-018 “Quality Assurance”
- DSOP 6-029 “Discrimination, Harassment, and Retaliation”
- DSOP 11-021 “Overview of Supervisory Duties and Responsibilities”
- DSOP 11-041 “Response to Resistance”
- DSOP 14-001 “Inmate Health Care Services”
- DSOP 15-006 “Inmate Marriages”
- DSOP 16-001 “Inmate Disciplinary Procedures”
- DSOP 17-002 “Inmate Mail”
- DSOP 17-005 “Limited English Proficiency”
- DSOP 18-017 “Transgender Inmates”
- DSOP 19-006 “Subsistence Fee”
- DSOP 25-001 “Food Services Operation”
- IP-001 “Inmate Sexual Battery/Abuse/Harassment Prevention and Response”

XVIII. RELATED REFERENCES

- CHS-011 “Health Care Grievances”
- Florida Administrative Code Rules 33-103.001 thru 019
- Florida Statutes 112.533(2)(a); 119; 944.09(a)(d); 944.331
- Health Insurance Portability and Accountability Act of 1996 (HIPAA)

MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

VOLUME: 15	DSOP: 15-001	YEAR: 2020	VERSION: 2
SUBJECT:	INMATE COMPLAINT/GRIEVANCE PROCESS		

United States Department of Justice, 42 U.S.C. s. 1997e

XIX. STANDARDS

PREA	115.51 (a), 115.52 (b)(1), (c)(1-2), (f) (1-2) (g), 115.54, 115.61 (a)
FMJS	2.10 (f), 3.2(d)
ACA	1-ABC-3D-08; 2-CO-3C-01; 4-ALDF-2A-27; 4-ALDF-4C-01; 4-ALDF-4D-24; 4-ALDF-6B-01
FCAC	11.14
NCCHC	J-A-11

XX. REVOICATIONS

Any language in a DSOP, Procedural Directive, Standard Operating Procedure, Post Order, and/or written correspondence that conflicts with this policy is hereby revoked.

FORMS/SUPPORTING DOCUMENTS

- [Inmate Grievance](#)
- [Inmate Grievance Process](#)
- [Inmate Grievance Response Appeal](#)
- [Inmate Grievance Response Appeal Process](#)
- [Inmate Grievance System \(IGS\) Training Manual](#)
- [Inmate Handbook](#)
- [Inmate Orientation Statement](#)
- [Inmate Request](#)

DEFINITIONS

DSOP 15-001 "Inmate Complaint/Grievance Process"

Calendar Days

All days in a month including weekends and holidays.

Emergency Complaint/Grievance

A complaint that includes but is not limited to the following: sexual battery, sexual abuse, and/or sexual harassment; emergent medical, dental, or mental health issues; imminent safety issues; food spoilage; missing meals and excessive/inappropriate use of force.

Emergent

A medical or mental health condition which, in the absence of immediate treatment, could result in serious harm.

Frivolous

Lacking in substance. Claim which has no basis in fact.

Grievance

A formal written complaint submitted by the affected inmate regarding an unresolved issue.

Grievance Clerk

An employee designated by the Reentry Program Services Bureau (RPSB) Supervisor in each facility/bureau who assists in the processing of complaints/grievances and serves as the custodian of such records.

Informal Complaint

A verbal and/or written communication with staff for informal resolution of an issue.

Inmate Medical Provider

A professional entity that provides medical services to the inmate population on behalf of MDCR.

Staff Misconduct

Actions performed by staff that is unethical, against established departmental guidelines, unconstitutional, or criminal in nature.

Substantiated

A ruling rendered supporting a complaint due to proof and/or evidence obtained concerning a formal written complaint/grievance.

Unsubstantiated

A ruling rendered not supporting a complaint due to lack of proof and/or evidence concerning a formal written complaint/grievance.

Miami-Dade County
Corrections and Rehabilitation

Inmate Handbook



Here is What You Can Expect

You are in the custody of the Miami-Dade Corrections and Rehabilitation Department (MDCR). MDCR is committed to providing safe, secure and humane detention during your incarceration. We hope that you will take advantage of the opportunities, programs, and services available to you.



Information from this Handbook and the Inmate Orientation Video will help you become familiar with MDCR. It provides important information about available services, your rights, your responsibilities, and the rules you must follow while in jail. The purpose of this information is to not only keep you safe but protect the safety of visitors, the public and the staff.

Please remember that you must respect the rights of other inmates, staff, volunteers, and visitors. If you do not follow the Department's rules, the directions of the corrections staff, or your actions become a threat to the safety and well-being of others, you may face disciplinary action and/or criminal charges.

MDCR does not permit discrimination because of race, color, national origin, gender, sexual orientation, or disability.

If you do not understand anything in the Handbook and need help, or if you have a problem/concern, please feel free to ask any member of MDCR for assistance.

Thank you,

Miami-Dade Corrections and Rehabilitation Department

MIAMI-DADE COUNTY

Corrections and Rehabilitation Department

Miami-Dade County Mission Statement

Delivering excellent public services that address our community's needs and enhance our quality of life.

MDCR Mission Statement

We, the Miami-Dade County Corrections and Rehabilitation Department, serve our community by providing safe, secure and humane detention of individuals in our custody while preparing them for a successful return to the community.

The information described within this handbook may change from time to time with or without notice.

Table of Contents

Directory – MDCR Entities	v
Directory – Other Entities	vi
Directory – Inmate Speed Dial Numbers	vii
I. General Information	1
II. Inmate Rights (RI) and Responsibilities (RE).....	1
III. Prison Rape Elimination Act.....	2
A. Zero-Tolerance Policy	2
B. Prohibited Acts	2
C. Protecting Yourself from Sexual Abuse and Harassment	3
D. Reporting Sexual Acts	3
E. Treatment.....	4
IV. The Americans with Disabilities Act	4
V. Limited English Proficiency (LEP)	4
VI. Processes	5
A. Booking	5
B. Intake	5
C. Inmate Classification	5
D. Release.....	6
E. Foreign Nationals	6
VII. Inmate Complaint and Grievance Processes	6
A. Sexual Abuse/Battery/Harassment	6
B. Informal Complaints.....	6
C. Grievances	7
D. Things You Cannot Grieve.....	7
E. Emergency Complaints/Grievances	7
VIII. Internal Affairs Complaints and Investigations.....	8
IX. Health Care Services	8
A. Sick Call.....	8
B. Medication	8
C. Co-Payments/Fees.....	9
D. Post-Release Medication	10
X. Headcount	10
XI. Authorized Property	10
XII. Contraband.....	10
XIII. Confiscated Items.....	11
XIV. Shakedown/Searches	11
XV. Emergency Procedures and Evacuation Drills.....	11
XVI. Housekeeping	11
A. Things You Cannot Do	12
B. Personal Hygiene.....	12
C. County Property.....	13
D. Clothing, Uniform, Bedding and Linen	13
E. Dress Code	13
F. Meals.....	14

XVII. Bail Bonds	14
XVIII. Attorneys, Public Defenders and Regional Counsel.....	14
XIX. Legal Research Services.....	15
XX. Programs and Services.....	15
A. Recreation	15
B. Faith-Based Services.....	15
C. Reentry Program	15
D. Pretrial Release Program	16
E. Veterans Justice Outreach (VJO) Program.....	16
F. Inmate Gain Time.....	16
G. Credit Time Served	16
XXI. Inmate Worker Status	17
XXII. Inmate Mail	17
A. General Guidelines.....	17
B. Privileged Mail	18
C. Personal Correspondence.....	18
XXIII. Inmate Telephone Use	19
XXIV. Family Emergency	19
XXV. Visitation	20
A. Master Visitation List.....	20
B. General Guidelines.....	20
C. Rules and Regulations for Visitors	20
D. Things You Cannot Do	21
E. Attorney Visits.....	21
XXVI. Inmate Financial Accounts	22
A. Deposits.....	22
B. Indigent Inmates	22
C. One-Time Processing Fee.....	22
D. Daily Inmate Subsistence Fee.....	22
E. Exempt Inmates	23
F. Inmate Commissary	23
G. Account Discrepancy.....	24
XXVII. Inmate Money Release Authorization.....	24
XXVIII. Suicide Prevention	24
XXIX. Inmate Disciplinary Process.....	25
A. Informal Discipline	25
B. Formal Discipline	25
C. Appeal Process.....	26
D. Criminal Prosecution.....	26
XXX. Violations and Sanctions	26
A. Category I	26
B. Category II	27
C. Category III	28
D. Category IV.....	29
XXXI. Confinement.....	30
A. Administrative.....	30
B. Disciplinary.....	30

DIRECTORY — MDCR ENTITIES

BOOT CAMP PROGRAM

6950 NW 41 Street
Miami, FL 33166
(786) 263-5810

CENTRALIZED INTAKE CENTER

7000 NW 41 Street
Miami, FL 33166
(786) 263-5305

CORRECTIONS HEALTH SERVICES

Medical/Mental Health
(786) 263-4131

COMMISSARY UNIT

6950 NW 41 Street
Miami, FL 33166
(786) 263-5700

FAITH-BASED SERVICES

13850 NW 41 Street
Doral, FL 33178
(786) 263-4929 (MWDC & TTC)
(786) 263-5392 (PTDC, TGK, Boot Camp)

FOOD SERVICES BUREAU

3595 NW 72 Avenue
Miami, FL 33122
(786) 263-6350

INMATE FINANCE UNIT

Inmate Accounts

2525 NW 62 Street, Suite 2117
Miami, FL 33147
(786) 263-5413, 5414, 6140

MDCR HEADQUARTERS

2525 NW 62 Street, Suite 2000
Miami, FL 33147
(786) 263-6000

MDCR PREA COORDINATOR

(786) 263-6318

METRO WEST DETENTION CENTER (MWDC)

13850 NW 41 Street
Doral, FL 33178
(786) 263-5110

MONITORED RELEASE UNIT

1401 NW 7 Avenue
Miami, FL 33136
(786) 263-4899

PRE-TRIAL DETENTION CENTER (PTDC)

1321 NW 13 Street
Miami, FL 33125
(786) 263-4110, 4111

PRETRIAL SERVICES BUREAU

1401 NW 7 Avenue
Miami, FL 33136
(786) 263-5450 (TGK)
(786) 263-6700

REENTRY PROGRAM SERVICES BUREAU

2525 NW 62 Street, Suite 2000
Miami, FL 33147
(786) 263-6070

SECURITY & INTERNAL AFFAIRS BUREAU

601 NW 1 Court, 17th Floor
Miami, FL 33126
(786) 263-6500

TRAINING AND TREATMENT CENTER (TTC) (Temporarily Closed)

6950 NW 41 Street
Miami, FL 33166
(786) 263-5710, 5711

TURNER GUILFORD KNIGHT CORRECTIONAL CENTER (TGK)

7000 NW 41 Street
Miami, FL 33166
(786) 263-5341
(786) 263-5600 (Info Desk)

MIAMI-DADE COUNTY

Corrections and Rehabilitation Department

DIRECTORY — OTHER ENTITIES

ARAMARK CORRECTIONAL SERVICES

(Commissary)
TouchPay/Inmate Deposit Service
1-800-777-7090
info@aramarkcorrections.com

GLOBAL TEL-LINK (GTL)

(Telephone System)
Customer Service
(866) 230-7761

MIAMI-DADE OFFICE OF THE STATE ATTORNEY

(305) 547-0100

MIAMI-DADE CLERK OF COURTS

(305) 275-1155

MIAMI-DADE COUNTY GOVERNMENT SERVICES WEBSITE

www.miamidade.gov

MIAMI-DADE CONTACT CENTER

311

MIAMI-DADE COUNTY DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS – CUSTOMER SERVICE

Office Hours:
Monday-Friday 7 a.m. to 8 p.m.
Saturday 8 a.m. to 5 p.m.

English/Spanish Translation
(305) 770-3131

For trip planning
(305) 770-3131 (Option 1)

If you live south of SW 216 Street
(305) 891-3131

TTY Users (DEAF/Hard of Hearing)
(305) 468-5402

TOUCHPAY KIOSK

www.touchpayonline.com

HOMELESS TRUST HOTLINE

(877) 994-4357

PUBLIC DEFENDER'S OFFICE County Court Division

Misdemeanor and Traffic Cases
(305) 545-3348

Domestic Representation Unit
(Domestic Violence Cases)
(305) 349-5780

Felony Division

Bond Hearing Unit
(305) 324-0747 (Inmate)
(305) 545-1600 (Family/Friend)

Early Representation Unit
(305) 324-0747 (Inmate)
(305) 545-1600 (Family/Friend)

Post Arraignment

Felony Division Information
(305) 324-0747 (Inmate)
(305) 545-1600 (Family/Friend)

OFFICE OF REGIONAL COUNSEL

401 NW 2 Avenue
Miami, Florida 33128
(305) 679-6550, (305) 679-6590

RAPE CRISIS HOTLINE

(305) 585-7273

DIRECTORY —INMATE SPEED DIAL NUMBERS (TOLL FREE FROM INMATES' PHONES)

You may use the Inmate Telephone System's Speed Dial Numbers to contact these agencies to obtain assistance in planning for your release from jail. There is no cost for making these calls from inside any Miami-Dade Corrections and Rehabilitation Department jail cell.

To make a call, enter the * sign and the four-digit speed dial code followed by the # sign. The call will be connected as a traditional telephone call.

Speed Dial #	Agency	Service Provided
*9010#	United States Citizenship and Immigration Services	Assistance with Immigration Services and Issues
*9011#	United States Department of Justice	Information Regarding Immigration Court
*9012#	Florida Coalition Against Sexual Violence	Report Domestic Violence and Sexual Abuse Activities
*9013#	Miami-Dade Crime Stoppers	Report Information on Criminal Activity
*9014#	Florida Department of Law Enforcement	Report Security Concerns or Threats
*9016#	Social Security Administration	Social Security Card and Disability Assistance
*9018#	Florida Relay Service	Assistance for Hearing Impaired Individuals
*9019#	Substance Abuse and Mental Health Services	Treatment Referral Service
*9020#	National Call Center for Homeless Veterans	Assistance for Veterans
*9021#	Miami-Dade County Homeless Trust	Emergency Shelter
*9022#	Rape Crisis Hotline	Rape Treatment Center

I. General Information

You were given a jail number when you were booked. This information is on your copy of the Complaint/Arrest Affidavit (A-Form) and the Inmate Property Receipt. Remember your jail number to request assistance and services.

You may be housed in a unit where officers work inside the unit (direct supervision) or in a housing unit where officers and other staff work outside the unit (indirect supervision).

A counselor will be available to assist you while you are in jail. If you need an Inmate Request Form, Inmate Request for Health Services Form, Inmate Classification Appeal Form, Grievance Form, etc., that is not available in your housing area, tell your counselor during their daily rounds, or ask an officer.

You are encouraged to report any concern to staff immediately and allow them an opportunity to address those concerns. For example:

- Need for emergency medical, mental health, and/or dental care;
- Any illegal activities you hear about or see happening;
- If you are requested by another inmate to do something that you don't want to do; or,
- Any problem with your housing area, such as plumbing, lighting, etc.

II. Inmate Rights (RI) and Inmate Responsibilities (RE)

A. (RI) You have the right to be treated fairly and with respect.

(RE) You must respect MDCR staff, visitors and other inmates.

B. (RI) You have the right to be informed of the rules, procedures and schedules regarding some of the operations of MDCR facilities.

(RE) You must become familiar with, and follow the rules of MDCR.

C. (RI) You have the right to practice the religion/faith of your choice. You may attend services and practice your religion/faith, as long as it will not interfere with the facility's security, safety or internal order.

(RE) You must respect other people's right to practice their faith.

D. (RI) You have the right to basic healthcare services such as dental, medical, mental, and vision. You also have the right to meals, personal hygiene items, water, laundry, mattress and pillow, shower, proper ventilation, and exercise.

(RE) You must keep yourself and your housing area clean. You must also take care of the items provided to you.

E. (RI) You have the right to visitation from family and friends, unless the visits interfere with the facility security, safety or internal order. You and your visitors must follow MDCR rules and visitation schedules at all times.

(RE) You must conduct yourself properly during visits.

F. (RI) If you are a pre-trial inmate, you have the right to legal assistance. A contracted vendor provides legal research services.

(RE) You must make your request according to established guidelines and schedules.

G. (RI) You have the right to be protected from sexual abuse, sexual battery, sexual harassment, and sexual misconduct. There is no such thing as mutual sexual activity between inmates, or between staff and inmates.

(RE) MDCR has zero-tolerance for any type of sexual activity. You are encouraged to report any of these acts immediately to an officer, counselor, Internal Affairs, or other staff.

III. Prison Rape Elimination Act

It is against federal, state, and local laws to have sexual activity while in MDCR custody. MDCR rules prohibit inmates from performing a sexual act with another inmate, MDCR employee, volunteer or contractor. Violators will be guilty of sexual misconduct. Offenders may face criminal prosecution and administrative action. Prohibited sexual acts include, but are not limited to: rape, sexual abuse, sexual battery, sexual harassment, and sexual misconduct. A video will be shown on personal safety that talks about your right to be free from sexual abuse/harassment. The video also outlines policies and how to report any incidents if you see them happening, or if they happen to you.

A. Zero-Tolerance Policy

MDCR has a “Zero-Tolerance” policy for sexual abuse and sexual harassment. MDCR has established standards to monitor, detect, and prevent these acts. MDCR will:

- Report all complaints of sexual abuse and sexual harassment to local and federal authorities immediately;
- Train staff to recognize and respond to the signs and symptoms of abuse and harassment;
- Make sure that no inmate is retaliated against by other inmates or staff for reporting such acts, or cooperating with investigators; or,
- Hold all staff, contractors, volunteers, and inmates (adult or juvenile) accountable to the greatest extent possible.

B. Prohibited Acts

The following acts are **ALWAYS PROHIBITED** (cannot be done with an inmate), are **NOT TOLERATED**, and should be reported immediately:

- Any sexual/obscene activity or act by gesture (including masturbation), in writing or spoken with or against staff, volunteers, contractors, or inmates (even if the inmate agrees);
- Any sexual activity, including being touched or being forced to do something sexual to someone;
- Any oral, anal, or vaginal penetration by an object or in union with the sexual organ of someone else;

- Any sexual advance or sexual comment to someone, or any attempt to touch someone's genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, humiliate, harass, degrade, arouse, or gratify;
- Any sexual contact with or by someone in exchange for gifts or protection;
- Failure to respect an inmate's limited privacy right in order to sexually harass or sexually intimidate the inmate, such as gawking at someone in the shower;
- Influencing or threatening an inmate's safety, custody, privacy, housing, privileges, work detail, or program status in exchange for sexual favors; or,
- Retaliation against an inmate who reports a prohibited sexual act.

Report any of these acts or other sexual acts that involve you or others. By speaking up, you are protecting yourself and other inmates. You will also be making your stay safer.

C. Protecting Yourself from Sexual Abuse and Harassment

There are steps that you can take to protect yourself from becoming a victim:

- You should immediately report any sexual harassment or threat of sexual abuse. If you have a fear/concern about your personal safety; tell any MDCR staff, chaplain, volunteer, teacher, supervisor, medical staff, mental health staff, or professional visitor, etc.
- Place yourself in the housing area where staff can see you;
- Avoid areas where no staff is present;
- Have a confident body language;
- Do not talk about sexual topics, family relationships, sexual experiences, etc.;
- Do not gamble or become in debt to anyone who may want your debt paid with sexual favors;
- Do not accept commissary items, gifts, or favors from other inmates;
- Do not buy a lot of commissary items or say that you have money available because you may be approached to pay for protection, etc.;
- Be aware that physically stronger inmates may look for victims who appear weaker (either physically or mentally).

D. Reporting Sexual Acts

All reported sexual acts will be taken seriously and will be investigated. If you think you were sexually harassed, abused, or threatened while in custody, you should report it to MDCR staff immediately. You may also:

- Report it to anyone you feel comfortable with such as a chaplain, teacher, volunteer, counselor, medical or mental health staff, friend or loved one who can report it for you;
- Call the Rape Crisis Hotline at *9022# or (305) 585-RAPE (7273) 24 hours a day, 7 days a week. The call is free and confidential. Other important telephone numbers are listed in the Directory section of this handbook and on the Sexual Abuse Awareness posters in housing areas. If you call the hotline for counseling, you must give their counselor approval to contact MDCR and file a report for you;

BREAK the Silence!

***REPORT SEXUAL ABUSE & ASSAULT TO
 STAFF OR CALL (305) 585-7273 OR *9022#
 IT IS FREE AND CONFIDENTIAL!***

END THE ABUSE

- Write or call the Security and Internal Affairs Bureau. Their telephone number is also located in the Directory section; or,
- File a grievance.

E. Treatment

If you are sexually abused or assaulted, you may need to have a medical exam for collection of evidence, so do not: shower, clean yourself, use the toilet, brush your teeth, change clothes, drink or eat until you are cleared by medical staff.

- The local police department will be contacted to start an investigation.
- You and the offender will be moved to different housing assignments during the investigation.
- An advocate will consult with you. You may receive a referral to a mental health specialist.
- You will receive medicine to prevent a sexually transmitted disease (This is one of the reasons why you should tell someone about the incident immediately). You will receive follow-up examinations. If you are a female, you will receive a pregnancy test, if needed.
- You will be provided counseling services, crisis counseling, coping skills, suicide prevention, and mental health counseling.

IV. The Americans with Disabilities Act

MDCR complies with the Americans with Disabilities Act (ADA). We do not discriminate against any inmate on the basis of a disability. If you have a disability, you may attend programs, services and activities for which you qualify. If you are deaf, hard of hearing, blind, visually-impaired, need a wheelchair, etc., you must notify staff so they may help you function while you are in jail.

- If you need assistance, fill out the Inmate Request Form. Give the form to your counselor when they visit the unit, or to an officer.
- If you need help with reading or writing a document, let your counselor or an officer know.
- If you have a disability, you will be housed in “general population” unless such housing jeopardizes your safety, the safety of staff or other inmates. If you believe you need special housing because of your disability, your request will be reviewed by an Inmate Medical Provider, who will assess your medical needs.
- If you are blind or visually-impaired, a person will read documents to you or give you large copy texts, based on your needs and availability. If you are deaf or hearing-impaired, at your or your family’s request, a sign language interpreter will be provided. If a family member or anyone linked to your case is deaf or hearing-impaired, you will have access to a Telecommunication Device for the Deaf (TDD/TTY) to communicate with them.
- You will be provided with dental, medical, and mental health care, if needed. If you need crutches, wheelchair, hearing aid, glasses, etc., you must fill out an Inmate Request for Health Services Form. You must give the form to medical staff. You will be medically evaluated. If it is determined that you need the item, it will be provided.

V. Limited English Proficiency (LEP)

If you have a limited ability to read, speak, write, or understand English, ask an officer or any

staff member for help. A Point Book with pictures is available to assist you in communicating your needs. MDCR may use bilingual staff to communicate with you or we will contact our interpreting services for assistance. The interpreting services are available to help access programs and information. The interpreting services may also help you understand MDCR rules, medical and mental health care, gain eligibility for treatment programs, and/or housing assignments based on your classification.

VI. Processes

Each inmate goes through a booking, intake and classification process.

A. Booking

The jail number given to you during booking is used to identify you while in jail. It is used for all transactions, such as commissary, inmate financial account, mail, medical, visitation, etc.

B. Intake

During the intake and booking process, a detailed receipt of your personal property was provided to you. This includes your clothes and/or money. Your money will be placed in an inmate financial account. Your other personal property will be kept in storage while you are in jail. If you prefer, you may provide a notarized statement that authorizes MDCR to dispose of your personal property or release it to a friend or relative. Your counselor can notarize the statement for you. Any unauthorized personal property and/or money found on you after this process is considered contraband and will be taken. The money will be placed in the Inmate Welfare Fund for the benefit of all inmates, not into your inmate financial account. Personal property will be disposed of according to our contraband policy. You must pick up your stored property within 30 days from your release date or it will be discarded.

During the intake process, you may have been asked for your social security number (SSN). It will be used for official reasons such as identification, verification of identity, criminal records checks, veteran status, etc.

A medical and mental health screening was provided to you. If you think something was missed during the screenings, such as any medical/mental/disability assistance issue, alcohol or drug addiction, prescription drugs that you have taken, etc., you must report it immediately. You also received information on reporting sexual abuse and sexual harassment. If you do not want to tell a staff member, write the information on an Inmate Request Form and give it to a counselor or officer.

C. Inmate Classification

If you stay in custody after your first court appearance, a classification officer will evaluate you to determine your classification. Your classification will determine your housing area based on any disabilities, protective custody status, facility security risk, seriousness of current charges/convictions, serious offense history, escape history, previous disciplinary history, or prior felony convictions.

The Classification Unit will review your classification at least every 90 days. Your classification may change because of:

1. Added charges
2. Changes to your sentence or your case is closed, or
3. Changes in your behavior.

A change in your classification may result in a change in your housing assignment. You have the right to appeal your classification once every 30 days. To appeal, you must fill out an Inmate Classification Appeal Form that you may request from an officer or counselor.

D. Release

Inmates who are released from jail could expect the release process to take an average of 8-10 hours. However, in some cases, the release process could take longer.

E. Foreign Nationals

If you are not a United States citizen or have dual citizenship with the United States and another country, you must tell us. In addition:

- You are entitled to let your consulate/embassy know that you are in custody. It is your right to communicate with them regardless of your visa or immigration status.
- You may ask staff to let your consulate know that you are in custody. Depending on your country, they may be informed by MDCR even if you do not ask.

VII. Inmate Complaint and Grievance Processes

A complaint and grievance process is available to you so you may properly dispute your custody conditions (general complaint), such as facility operations, procedures, etc. The process for reporting sexual abuse, battery, or harassment is handled differently than general complaints. No one will retaliate against you for using the complaint or inmate grievance process.

A. Sexual Abuse/Battery/Harassment

When you have an issue regarding sexual abuse, battery or harassment, it will be accepted, documented, and investigated. You may make this type of complaint by talking to any MDCR staff or by putting it in writing. You do not need to write it on a specific form. You do not have to tell us who you are. You can have someone report the complaint for you. There is no time limit to file this type of complaint, although it helps the investigation when you report it immediately.

B. Informal Complaints

When you have a complaint about general issues, you should tell an officer or counselor in your housing area. Staff will discuss the issue with you and try to resolve it. If you do not agree with our resolution, you may use an Inmate Request Form to write and file your informal complaint. You must turn in the form within 5 workdays from when the situation/incident occurred.

C. Grievances

1. You can file a grievance without filing a complaint. To file a grievance, you must fill out an Inmate Grievance Form. The forms are available in all housing areas. If you need help writing your grievance, ask a counselor, officer, or any staff for help. Give the completed grievance form to a counselor, officer, or staff within 10 workdays from when the situation/incident happened. If your complaint is about a staff member, give the form to any other staff member or your counselor.
2. The grievance will be returned to you if:
 - The form is incomplete;
 - The form has more than 1 complaint (issue);
 - The form has more than 1 grievant (inmate filling the complaint);
 - The grievance is written offensively, e.g. profanity, threats;
 - The grievance has no basis in fact; or,
 - The form contains an issue that cannot be grieved.
3. If your grievance form is returned, you may fill out a new form. You must return the grievance form to staff within 2 workdays, unless the issue cannot be grieved.
4. You will be notified in writing that your grievance is being processed. You will receive a response/resolution:
 - Within 20 calendar days, if it is non-medically-related, or
 - Within 7 calendar days, if it is an emergency or medically-related.If the grievance is sent to Internal Affairs for investigation, you will be told in writing that the grievance is closed, and an investigation will begin. If the grievance is sent to Risk Management for a loss property grievance, you will be told in writing.
5. If you do not agree with the result, you may reject it and/or request an appeal. You must then sign the form indicating your decision. If you do not sign the form, the grievance process will end.
6. If you want to appeal, you must fill out a MDCR Inmate Grievance Appeal Form within 2 workdays after you receive the grievance resolution. You will receive the appeal response within 7 workdays. The grievance appeal decision is final.

D. Things You Cannot Grieve

1. State and federal court decisions;
2. Local, state, and federal laws/regulations;
3. Issues that are beyond MDCR's authority; and,
4. Anything that you can appeal, such as your classification level, disciplinary findings, etc.

E. Emergency Complaints/Grievances

Emergency complaints or grievances that will be responded to immediately include:

1. Sexual assault, battery, misconduct, abuse, or harassment;
2. Immediate medical and/or mental health issues;
3. Disability issues;
4. Safety issues;

5. Spoiled food;
6. Missing meals; and,
7. Too much or inappropriate use of force by staff.

VIII. Internal Affairs Complaints and Investigations

When the Security and Internal Affairs Bureau (SIAB) receives a complaint that involves inmate sexual abuse or misconduct by staff (excessive use of force, harassment, etc.), SIAB may notify the State Attorney's Office, as appropriate.

- If you file a complaint and you are released before the investigation is completed, the results will be sent to you by certified mail, once the investigation is over.
- If your complaint is sent by U.S. Mail, a certified letter will be sent telling you that an Internal Affairs investigator will contact you. Please ensure that you have an up-to-date address and valid telephone number listed on your complaint.
- If you make a complaint after you are released, but did not make it in person, an investigator will ask you to report to SIAB to give a sworn statement. Bring any supporting documents/witnesses to assist in investigating the incident.
- If you are still in our custody, an investigator may come to you to take a sworn statement.

IX. Health Care Services

Medical staff will provide necessary medical, dental, and mental health care.

A. Sick Call

If you are sick and need non-emergency medical, dental or mental health care, you must fill out an Inmate Request for Health Services Form. Medical staff will be available daily in your housing area to take your request form.

You must give the form to a nurse or other medical staff. Keep the pink copy of the form for your records. If you can't fill out the form, ask a nurse while he/she is in your housing area and he/she will help you.

If you feel that you need help and can't wait to fill out the form, notify any staff member. A health professional will evaluate your need immediately. If the health professional does not think it is urgent, they may ask you to fill out the Inmate Request for Health Services Form.

B. Medication

If you need medication, qualified licensed medical staff will prescribe it, if appropriate. A nurse will give it to you. You may also buy some over-the-counter medications from the Commissary. You should not share any medications with anyone else, as this is a rule violation and may result in disciplinary action.

A nurse will give you prescribed medication in your housing unit. If you are not sure you are getting the correct medication, tell the nurse.

You must swallow the medication in front of the nurse and the officer. You will be asked to open your mouth, hands and lift your tongue to ensure that you have swallowed the medicine. It is a rule violation if the nurse is not allowed to check your mouth and hands. The rule violation may result in disciplinary action.

To get your medication, you must wear your uniform shirt and pants.

C. Co-Payments/Fees

Your account will be charged when you receive medical services. Once services are rendered, you will receive a receipt for each medical service charged to your account. If you do not have funds in your account, we will still provide all necessary care and medication, but a deduction will be made when money is deposited into your account.

Co-payments/fees* are:

- Medical sick call..... \$5.00
- Nurse sick call..... \$3.00
- Dentist sick call..... \$5.00
- Dental Assistant sick call \$3.00
- Prescription fee (each Rx) \$5.00
- Diagnostic services \$2.00

**Outside providers may charge additional fees.*

You may use the complaint/grievance process if there are any discrepancies with any charges made to your account.

You will not be charged for the following treatment initiated by medical/mental health providers:

- Admission health screening (medical, dental, and mental health) or any required follow-up to the screening;
- Mental health care, including drug abuse and addiction treatment;
- Required health assessments;
- Emergency care;
- Hospitalization;
- Infirmary care;
- Prenatal care;
- Lab tests that may be done in the jail;
- Diagnosis and treatment of contagious diseases;
- Appointments or services, including follow-up appointments and referral visits that are initiated by medical staff.

D. Post-Release Medication

If you have a scheduled release, we will give you up to a 7-day supply of medication used to treat a serious or chronic illness. We will also refer you to a doctor in the community, if needed.

If you have an unscheduled release and do not get medications or a referral, please call the CHS Medication Hotline at (305) 585-6330 within 24 hours. If you are eligible, the Hotline will let you know how to get your medication.

X. Headcount

Headcount, the process of identifying and counting inmates, is done 3 times a day to ensure inmates are safe and where they are supposed to be. During headcount, you are not allowed to talk or move without permission from MDCR staff. If you interfere with headcount procedures, you may be charged with a rule violation and face disciplinary action.

XI. Authorized Property

If you are not released after your first court appearance, you may be given:

Uniform	Uniform Shorts	T-shirts	Bras & Panties (F) or Briefs (M)	Shower Slides	Sneakers (for Inmate Workers)	Socks
1	2	2	2	1 pair	1 pair	2 pairs

Blanket	Sheets	Towels and Washcloths	Pillowcase	Laundry Bag	Clear Inventory Bag	Welcome Kit
1	2	2	1	1	1	1

You may buy more clothing items from the inmate commissary, but you may not have more than the amount below.*

T-shirts	Bras (Females Only)	Panties (Females Only)	Briefs (Males Only)	Socks	Sneakers	Shower Slides	Sweatshirt and Sweatpants
4	4	7	4	4 pairs	1 pair	2 pairs	1

*Extra clothing item(s) will be taken from you. You must keep clothing and commissary items inside your clear inventory bag.

XII. Contraband

Contraband is anything inside a jail, on the property of a facility, or in your possession after intake that was not issued to you or approved by MDCR. Contraband is also considered any item that:

- Presents a threat to the security or order of the facility/MDCR;

- Was not bought from the commissary or approved methods;
- Was changed from its original condition or shape, for example, a toothbrush that has been sharpened into a knife or “shank”; or,
- You have more than the quantity MDCR allows, such as 5 T-shirts.

It is against the law to have, make, or hide contraband in a county detention facility. If you violate this law, you may face administrative, disciplinary and criminal charges.

XIII. Confiscated Items

If contraband is found in your possession, it will be taken.

- A. If you are found with cash or coins, it will be placed into the Inmate Welfare Fund for the benefit of all inmates.
- B. If you are found with unauthorized or excessive personal property, it may be placed in our Property Room for storage or destruction.
- C. If you are found with any other contraband during a search, you will be charged with a rule violation. The rule violation may result in an administrative or criminal case against you.

XIV. Shakedowns/Searches

MDCR staff will conduct shakedowns (security searches, including searches for unauthorized items) without letting you know in advance. You must allow staff to search you, your property, and the housing area at any time to ensure a safe and secure facility. Additionally, trained dogs may be used to help conduct the search.

XV. Emergency Procedures and Evacuation Drills

You may have to participate in emergency/evacuation drills. During drills and/or actual emergencies, you must stay quiet and follow all of the instructions from MDCR staff.

XVI. Housekeeping

You must keep your cell, immediate living area, and common housing areas clean at all times. Cleaning supplies will be provided such as detergent, mops, etc. You must also:

- Make your bed when you get up in the morning. If you are not lying on the bed, it must stay made;
- Put items away before any housing unit activities such as watching television, playing games or recreational events can take place;
- Eat your meals within one hour from when they are served. You are not allowed to save any food item from your tray unless you are diabetic, pregnant or have been medically approved by the Inmate Medical Provider. You must keep food items that you buy from the commissary closed and stored in your clear inventory bag;
- Ask for a storage box for legal documents that cannot fit in your inventory bag; and,
- Report broken items such as tables, sink, toilet, etc., to staff immediately.

A. Things You CANNOT Do

- Bring blankets, sheets, towels or pillows to the dayrooms;
- Hang blankets, sheets, pillowcases, towels, clothing items, etc., from bunks, doorways, or handrails;
- Make clotheslines or hang your laundry;
- Place anything in, on, or between bars, doors, windows, windowsills, air vents, walls, or activity areas;
- Cover or block surveillance cameras;
- Cover or block cell lights, air vents, bars, or doors;
- Draw or write on walls, doors, or windows;
- Bang or beat on glass, bunks, bars, or doors;
- Store anything (cups, bowls, books, etc.) on empty bunks;
- Sit on top of tables;
- Spit on the floor;
- Throw trash on catwalks or corridors; or,
- Accumulate excessive papers - you should not have more than 3 books and 3 magazines, or a combination of 6 periodicals, and no more than twenty-five (25) pictures.

B. Personal Hygiene

You will be living with other inmates. You must keep good personal hygiene to avoid catching and/or spreading any contagious diseases and to keep a healthy environment. Basic items to keep you clean will be provided. You may buy more items from the inmate commissary. Also:

- During the intake process, you were issued a Welcome Kit that contained a toothbrush, toothpaste, deodorant, and a comb. Future kits may be received, free of charge, if you are considered indigent by MDCR;
- You must wash your hands with soap and water after using the bathroom; before and after eating, recreational activities, work details, and using cleaning chemicals;
- You have the opportunity to shower every day, but you must shower with soap and water, at least twice a week. You must shower when you come back from recreation or work detail;
- Do not share your personal things (soap, sheets, towel, etc.);
- You will have the opportunity to stay well-groomed (facial hair, hair, nails):
 - Your facial hair (beards, goatees, etc.) must be neat and clean;
 - You can fill out an Inmate Request Form if you need hair clippers. The schedule for use of hair clippers is posted in each unit. After using a shaving razor or hair clippers, you must clean them with cleaning solution before they are returned;
 - You must keep your nails clean and neatly cut. Your nails cannot be longer than $\frac{1}{4}$ " from the end of your fingertip.

CUT AT END OF
FINGERTIP



C. County Property

Criminal charges may be filed against you for destroying, tampering with or stealing Miami-Dade County property, including all things in the housing areas, facility, vehicles, etc. You must return items given to you in reasonable condition, when you are released. These items include the clear inventory bag, uniform, blanket, sheets, pillowcase, towel, or any other County property.

D. Clothing, Uniform, Bedding and Linen

A laundry schedule is posted in your housing area that tells you when your personal clothes, uniform, blanket, sheets, pillowcase, and towels will be washed; you are not allowed to wash those items yourself. Uniforms will be exchanged twice a week; Metro West Detention Center uniforms will be exchanged once a week with two (2) uniforms issued during the exchange. Sheets, pillowcases, and towels will be exchanged once a week. Blankets will be exchanged once a month. Laundry service for your personal clothes is available at least twice a week. Your personal clothes must be placed in the laundry bag given to you before being washed.

When going to court, you must put all your sheets, blanket, pillowcase, towels and personal items in the clear inventory bag, and give it to the officer in your housing area for safe storage.

E. Dress Code

1. You must wear your uniform.
2. You must keep your uniform clean.
3. You must not make any changes (cut, write, design, etc.) to your uniform or clothes you buy from the commissary.
4. You must wear your uniform properly; for example your pants should not be under your waistline and you cannot tie your shirt around your head.
5. You must wear a uniform shirt and pants when leaving your housing area.
6. You can wear faith-based (religious) prayer shawls and head coverings, with the approval of the chaplain when observing your religious holiday or involved in a faith-based activity. When not in use, you must, in most cases, keep these items in the Chapel's storage or other designated area.
7. You must wear tennis shoes or shower slides when you are not in bed. Tennis shoes should only be worn for recreation or work-related activities. Shower slides can be worn when you are not in bed (in the units, to attend court or for any other activities that are not work-related).
8. You will be allowed to wear sweatshirts that you buy from the commissary to court, underneath your uniform, when the temperature is lower than 65 degrees outside.
9. You may be authorized to wear regular clothes to attend your trial. Trial clothing shall be provided during your trial proceeding by your attorney or family and returned to them by the end of each trial day. Under no circumstances will trial clothing be brought to the facility.
10. You cannot wear sweatpants or recreational shorts to court.

F. Meals

All meals served (general population, vegetarian, medical, special management) meet requirements for most faith-based diets and are free of pork, trans-fat, alcohol, and shellfish. If you believe your faith requires a different meal, please contact the chaplain.

You will be served 3 meals a day. Meals are prepared every day from menus that a registered nutritionist or dietitian approves. The menu and time you will receive your meals are posted in your housing area. If you only eat vegetarian meals, fill out an Inmate Request Form and give it to your counselor.

When medically necessary, you may be approved for a medical (therapeutic) diet. If you create a safety or security concern, a “special management meal” may be ordered for you.

If food items that you did not eat are found in your housing area 1 hour after meal service, it will be considered contraband, thrown away, and may result in disciplinary action. Fruit and medically authorized snacks for diabetics and pregnant inmates must be eaten before the next scheduled meal is delivered.

XVII. Bail Bonds

You may contact a bail bonding agency to post a bond. A list of agency telephone numbers is posted in the Intake and Release and housing areas. Our staff is not allowed to give you recommendations or information on bail bond agents.

XVIII. Attorneys, Public Defenders and Regional Counsel

Our staff is not allowed to give you any legal advice. If you need to know your court date, you can fill out an Inmate Request Form and give it to your counselor.

All inmates are required to attend court proceedings. Inmates cannot refuse to attend court. Attendance is imperative, as missed court dates create a backlog and may delay the criminal justice process. Any inmate who refuses to attend court may be disciplined and/or a “no refusal” court order may be entered against you to ensure you attend court.

You have the right to hire or have an attorney appointed to you by the courts. A private attorney, Public Defender, or Regional Counsel is the best source of information regarding all your legal matters. The Regional Counselor represents defendants whose case conflicts with the Public Defender’s Office.

If you are a *pro se* inmate, that means you want to represent yourself in court, you will have limited, but reasonable, access to legal materials to help you in filing most legal actions within the jurisdiction of the Florida courts.

XIX. Legal Research Services

You will have reasonable access to legal materials to help you in filing most types of legal actions within the jurisdiction of the Florida courts. An outside vendor provides the legal research services. When you have a legal question, require legal forms, or want legal research materials, you must fill out and return a Legal Information Request Form to your counselor. The vendor will respond to all requests within 3 workdays from the date they received your form. Inmates are limited to a maximum of 1 request with up to 3 items listed on the Legal Information Request Form per month except *pro-se* inmates.

All inmates granted *pro se* status by the courts are limited to a maximum of 1 request with up to 3 items listed on the Legal Information Request Form per week. MDCR reserves the right to adjust the amount of requests and items requested by the inmate. If you need a legal document notarized, you can fill out an Inmate Request Form and give it to your counselor.

XX. Programs and Services

Each newly admitted inmate must attend orientation. During the orientation, you will be informed of programs and services that are offered at your facility and how you can participate in them, if you are eligible. You must obey the rules and regulations of each program/service. If you violate the rules and regulations, you may not be able to continue participating in the programs/services.

A. Recreation

You will have an opportunity to exercise outside a minimum of 3 hours each week. While in the recreation area, you must wear uniform shorts and shirt. Horseplay (rough or loud playing, pranks, etc.) is not allowed. You may not be able to participate in outdoor recreation based on your health condition, weather, security issues, or disciplinary action. You have daily access to indoor activities such as board games, card games, television, etc.

B. Faith-Based Services

Faith-based services, study, and counseling will be available. Staff, volunteers and other authorized representatives conduct services on a daily or weekly basis. The schedules are posted in your housing area. If you want to attend service or have a special request about a particular faith or religious matter, you must fill out an Inmate Request Form and give it to your counselor or other MDCR staff.

C. Reentry Program

If you want to participate in a program that you qualify for, fill out an Inmate Request Form and give it to a MDCR staff. Availability of programs may change. To find out about current programs that you may participate in, ask your counselor. Programs offered include:

1. General counseling, reentry assistance, drug and alcohol referrals such as Alcoholics Anonymous and Narcotics Anonymous. Additionally, referrals to other community service agencies are available. Miami-Dade County Public Schools (MDCPS) and community based organizations, companies, businesses, etc. can offer programs that will help you make a successful return to the community;

2. Adult Basic Education (ABE), English for Speakers of Other Languages (ESOL), and General Educational Development (GED). Programs may be offered for Limited English Proficiency inmates. Americans with Disabilities Act inmates will have the same access to available programs. If you are a juvenile, you must enroll in the Alternative High School or GED program while in jail. Educational programs are offered to adult inmates depending on their security classification and how much space is available;
3. Life skills, self-betterment skills, vocational skills, carpentry, cabinet making, cosmetology, PREA education, yoga, *Thinking for a Change*, and *Children of Inmates*. All County inmates who are sentenced to 364 days or less may enroll in vocational programs. Each facility may have different programs.

D. Pre-Trial Release Program

Only inmates who are charged with nonviolent bondable offenses and meet certain conditions are eligible for the Pre-Trial Release (PTR) Program. Before your first appearance in court, a Pre-Trial Services Officer will interview you. The Pre-Trial Services Officer will use the information you give to make a release recommendation to the judge. If you are accepted into the program, you must obey its rules and regulations, including any special conditions set by the judge. If you do not obey all of the conditions, you may be removed from the program and returned to jail.

E. Veterans Justice Outreach (VJO) Program

If you are an incarcerated veteran in MDCR, you may be eligible for the Veterans Justice Outreach (VJO) Program. VJO provides incarcerated Veterans with access to Veterans Health Administration (VHA), mental health, substance abuse services, homelessness prevention and other Veterans Administration (VA) services. If you would like to learn more about Support for Incarcerated Veterans in Miami, Florida, call *9020#.

F. Inmate Gain Time

“Statutory Gain Time” is a reduction from your County sentence of 364 days or less. This is determined by how many days you are sentenced and the time you have already served. If you are eligible, it will be credited monthly.

MDCR may award you “Incentive Gain Time” to reduce the time of your County sentence for your hard work, and to encourage good behavior and your participation in programs, training, and other positive activities. Incentive Gain Time is not a right, it is based on a recommendation.

MDCR may award you “Meritorious Gain Time” for doing a great deed and/or giving great service that deserves a reduction from your County sentence.

G. Credit Time Served

Before your judge sentences you, he/she may award “Credit Time Served” to reduce the amount of time you would have to spend in jail.

XXI. Inmate Worker Status

Sentenced inmates must work. Once cleared by medical staff to work inside or outside of a MDCR facility, staff may grant gain time when you become an inmate worker. If you refuse to work, it may result in disciplinary action.

If you are in a court ordered program or have a medical and/or mental health condition, you may not have to work. If you are not sentenced, you may volunteer to work as an inmate worker after a classification review.

XXII. Inmate Mail

For security purposes, MDCR opens and inspects mail that is sent to you, unless it is legal or privileged mail. Legal or privileged mail will be opened and inspected in front of you. When someone sends you mail, it may be returned if the envelope is not properly addressed. Your facility's contact information is located in the Directory section of this handbook. Please consult the diagram below:

(Return Address)

First and Last Name of Sender
Address of Sender
City, State and Zip Code

(Addressee)

The Full Name You Were Booked Under
Jail number and Unit or Cell Number
for example, MW3A2
Facility Name
Address of Facility
City, State and Zip Code

A. General Guidelines

- Mail that presents a threat to the safety, security, or internal order of a facility may be rejected, delayed or investigated.
- You can buy stamped envelopes from the inmate commissary. If you cannot afford one, place an order through the inmate commissary for an Indigent Kit, if eligible.
- When you send mail, do not seal the envelope because it may have to be inspected.
- You may not write to or receive mail from another inmate who is in a MDCR jail or another agency's custody without authorization.
- If anyone sends you something in the mail that is not authorized, it will be returned to the sender.
- If for any reason mail is rejected, you will be told in writing the reason it was returned.
- You cannot receive cash, checks, or money orders by mail. If cash is found in your mail, it will be considered contraband, and it will be placed in the Inmate Welfare Fund – not in your Inmate Financial Account. Checks or money orders will be returned to the person who sent them.

B. Privileged Mail

All mail to and from a federal, state or local government official; embassy; consulate; news media; etc.; may be considered privileged mail. Privileged mail also includes legal mail to and from municipal, county, state, and federal courts; attorneys; judges; legal aid organizations; agency clerks; etc.

When you receive privileged mail, it will be opened and checked for contraband in your presence. The signature and letterhead may be read for verification purposes; any other portion of the mail will not be read.

When you need to send mail, you may give it to the officer in your housing area or the mail clerk. Outgoing privileged mail may be held for 1 business day; excluding weekends and holidays. This allows MDCR to verify that the mail is going to an attorney; federal, state or local government official; judge; court; embassy; or consulate.

C. Personal Correspondence

It is encouraged that you keep in contact with family and friends. However, any contraband items that you receive or send in the mail will be confiscated and appropriately handled.

1. Types of Mail You May Receive

You may receive magazines, newspapers and paperback books directly from the publisher, distributor, bookstore, or authorized vendor, as long as the U.S. Postal Service delivers them.

2. Types of Mail You May Not Receive

You cannot receive hardcover books (even if you subscribed to it, bought it directly from the publisher or purchased it through an authorized vendor). Additionally, you may not receive any of the following: radios, pens/pencils, stamps, personal hygiene items, chewing gum, candy, edible food, liquids, gang-related material, instant-film type photos with backing attached, mail with stickers, buttons, feathers, telephone cards, plastic cards, musical cards, jewelry, perfume, flowers, credit cards, hair pieces, hair extensions, etc.

Other items that you may not receive include bus schedules, directions, maps, personal checks, bank statements, homemade artwork, glue, adhesives, pictures, materials that depict sexual acts, obscenity, or nudity (partial/full). This includes subscriptions to magazines such as *Playboy*, *Playgirl*, *Hustler*, *Maxim*, *Smooth*, *XXL*, etc.

3. Subscriptions

If you want to subscribe to a publication, you must fill out an Inmate Request Form and return it to your counselor or the officer in your housing area. If this is not done, the mailroom staff will return the publication to the sender. The subscription must be ordered directly from a publisher, distributor, bookstore, or authorized vendor; delivered by the U.S. Postal Service;

and labeled with the sender's information, your name, jail number, cell number, and the name and address of your facility.

XXIII. Inmate Telephone Use

You cannot receive incoming calls at MDCR; you may only make outgoing calls. There is a 30-minute limit for telephone calls. Before you reach the 30-minute limit, a 60-second and 10-second courtesy warning will be given. Once you have reached 30 minutes, the call will disconnect. However, time will be extended for inmates using the TTY or video telephone.

You may call the Homeless Trust Hotline, Public Defender's Office, Office of Regional Counsel, most embassies, and the Rape Crisis Hotline for free.

You may make collect and prepaid calls through Global Tel-Link (GTL), MDCR's inmate telephone service provider. Your calls will be monitored. Calls to the Rape Crisis Hotline, the Public Defender's Office, or an attorney whose information is on the DO NOT RECORD list will not be monitored. Your attorney must call the Security and Internal Affairs Bureau to add his/her information to the DO NOT RECORD list.

Using the telephone is a privilege that you may not abuse. Abuse of telephone privileges includes, but is not limited to:

- Damaging, destroying, or making changes to telephone equipment;
- Making harassing, unwelcoming, threatening, or obscene calls;
- Making calls that violate any state or federal law, or telephone company/MDCR rules and regulations;
- Making 3-way calls; or,
- Using the telephone for illegal purposes.

If you abuse your telephone privileges, you may not be able to use the telephone. You will be charged with a rule violation and face disciplinary action, if found guilty. Also, criminal charges may be filed against you and anyone who helps you break the law.

Any housing area where fraudulent calls are made will lose telephone privileges and may result in disciplinary action.

XXIV. Family Emergency

In case of an emergency such as death in an inmate's family, a family member or someone close to you may call to notify the Shift Supervisor/Commander and/or Chaplain. After verification of the emergency, MDCR staff will inform you concerning the nature of the emergency as soon as possible.

XXV. Visitation

Visits with your family and friends are encouraged. The visitation schedule is posted in your housing area. Your family and friends should consult with the MDCR website for the schedule and visitation rules they must follow. The MDCR website is www.miamidade.gov/corrections/visitation-guidelines.asp. They may also call the facility directly to ask about visiting schedules and rules.

A. Master Visitation List

During the classification process, you should have completed a Master Visitation List. The names of your possible visitors must be on that list. You may list up to 6 visitors at a time. With the kiosk system located at Metro West and TGK, you may change your visitation list at your own discretion, as long as there are only 6 names on the list. At the Pre-Trial Detention Center, which does not have kiosks, the list can be changed every 30 days. A visitor "PASS" will not be given to anyone who is not on the approved list.

B. General Guidelines

1. You may have a maximum of 2 visits per week, unless you lose your visitation privileges as a result of disciplinary or administrative action.
2. You may have up to 4 visitors at the same time if they are signed-in together.
3. All visitors must be approved prior to their visit.
4. You may refuse to see any visitor.
5. MDCR does not allow contact visits. The Facility Supervisor is the only one who can authorize such visits, and only under special conditions.
6. MDCR staff may discontinue visitation at any time during a facility lockdown, unit lockdown, or emergencies.
7. MDCR will not allow someone to visit you if there is a "Stay Away" order in place between you and that person.
8. Visitors with open warrants will not be allowed in the facility and can be arrested.
9. If your visitor does not follow the rules, the visit will end.
10. Your future visitation privileges may be suspended and may result in disciplinary action against you if you violate visitation rules.

C. Rules and Regulations for Visitors

A visitor who does not comply with these instructions will not be allowed into the secure areas of the facility.

1. Visitors must provide current and valid government issued picture ID, such as a driver's license, state ID, military ID, passport, etc. The Shift Supervisor/Commander has the authority to approve the use of other types of identification.
2. Visitors under the age of 18 must come with and stay with a parent or legal guardian, at all times, while on the grounds of, or inside of, a MDCR facility. The parent or legal guardian must present legal documentation to prove custodial responsibility such as a birth certificate, adoption papers, documentation from the courts indicating custodial responsibility,

etc. If the visitor is legally married to you, he or she must show his/her marriage certificate and a valid ID such as a driver's license, state identification card, etc.

3. Visitors must comply with MDCR security measures, such as passing through metal detectors, being subject to a frisk search, and having their possessions searched by staff and/or trained dogs.
4. Visitors with medical or religious claims that they cannot be exposed to metal detector devices must provide medical documentation, if applicable. They must consent to a frisk search. A supervisor will review all medical/religious claims and must be present during the frisk search.
5. Visitors are encouraged not to wear footwear, garments including underwire bras, jewelry, hairpins, etc., or other items that may contain metal because they may cause the metal detector to give an alert signal. All metal items must be removed prior to walking through the metal detector. If the metal detector gives an alert signal, the visitor will be frisk searched.
6. Visitors must not be, or appear to be, under the influence of alcohol or drugs.
7. Visitors must not pose a clear and present danger to the security of the facility.
8. Visitors must dress properly, wear covered shoes (no sandals or flip-flops), and remain fully dressed.
9. Visitors must check-in at the visitor entrance.
10. Visitors and their belongings may be searched. Failure to submit to a search will result in the visit being denied.
11. Visitors must not eat, chew gum, or drink inside the facility.
12. Visitors cannot carry any metal object, camera, laptop, portable computer, firearm, explosives, or similar object inside the facility.
13. Visitors cannot bring a briefcase, any bag (purse, diaper bags, etc.) pager, or cell phone inside the facility.
14. Visitors cannot bring alcohol, drugs or tobacco products (cigarettes, cigar, lighter, matches, etc.) inside the facility.
15. Visitors cannot have physical contact with inmates.

D. Things You CANNOT Do

You will not be able to meet your visitors unless you are wearing your inmate uniform and shower slides. Also:

1. You cannot accept anything from, or give anything to, your visitor;
2. You or your visitor cannot talk loud, shout, or behave improperly during the visit;
3. You or your visitor cannot leave the visiting area or your visit will end.

Bringing contraband into a MDCR facility or on facility grounds is a felony in the third degree punishable by a term of up to 5 years in prison and/or a fine that is not more than \$5,000.

E. Attorney Visits

Authorized legal representatives may visit 24 hours a day, 7 days a week, except under certain circumstances, such as when the MDCR facility is doing headcount, facility lockdown or

during emergency situations. A legal representative's visit is a professional visit and may be a contact or non-contact visit. Your attorney can call the Shift Commander's desk to get more information. Your facility's contact number is located in the Directory section of this handbook.

XXVI. Inmate Financial Accounts

While you are incarcerated, you may have to pay for fees from your Inmate Financial Account.

A. Deposits

Deposits into your Inmate Financial Account may be made by family and friends online, by telephone, or by using one of the TouchPay kiosk machines (24 hours a day, 7 days a week) located in the lobby of the facility. Deposits can also be initiated on the TouchPay website from a computer or smart phone and then paid in cash at a walk-in retail store. The person making the deposit must have the name you are booked under, MDCR number (Facility #233101), and jail number.

1. TouchPay

TouchPay is available online or by telephone with a credit card or debit card. A convenience fee for these transactions will apply.

2. TouchPay Lobby Kiosks

TouchPay machines are located at the Pre-Trial Detention Center, Metro West Detention Center and Turner Guilford Knight Correctional Center.

B. Indigent Inmates

All inmates will be provided with basic hygiene items such as soap and feminine products upon request, regardless of indigent status. You are considered indigent if you do not have more than \$2.00 in your Inmate Financial Account, at any time for 30 straight days. If you are considered indigent, you must fill out a Commissary Menu Form every week to receive a free Indigent Kit on the next commissary delivery day. This may include: toothpaste, deodorant, paper, a stamped envelope, writing instrument, and other items, depending on the type of Indigent Kit ordered.

C. One-Time Processing Fee

You are required to pay a \$25 processing fee each time you are booked into MDCR's custody. The fee is not refundable. The fee will be deducted from your Inmate Financial Account on the day you are booked.

D. Daily Inmate Subsistence Fee

You are required to pay a \$2.00 daily subsistence fee to offset the cost of your incarceration.

1. If you have money in your Inmate Financial Account at the time you were booked, any uncollected fees you owe MDCR from previous times in jail will be deducted prior to MDCR collecting the daily subsistence fee.
2. If you do not have enough money to pay for your fees, whenever you get an Inmate Financial Account deposit, after initial intake, 50% of such deposit will be deducted for uncollected fees. If you cannot pay for your fees upon release, your account shall be considered "delin-

quent” after ninety (90) days of your release date. A civil restitution lien may be placed against your financial account or personal property, for a period of 3 years. Court-ordered liens against your money for child support, restitution, court fees, etc., will be collected before MDCR fees. The inmate grievance process may be used to present reasons against the lien only while in custody.

3. If the disposition of your case is “Acquittal on All Charges,” “Nolle Pros,” or “All Charges Dropped,” you may request to have the money you paid refunded. To get a refund, you must give a certified copy of the Clerk of Courts’ final case disposition document to the Property Room (Release Window). After the request is reviewed and verified, a check will be mailed to you at the last address on file, unless you provided a new address. The check will be mailed no later than 90 days from the date you submitted the final court disposition.

E. Exempt Inmates

You will not have to pay subsistence fees if you are:

1. Sentenced to the Boot Camp Program;
2. Assigned as an inmate worker;
3. Ordered and placed into the Monitored Release Program;
4. Being held on an Immigration and Custom Enforcement (ICE) warrant, with no local charges; or,
5. Being held for the U.S. Marshal, regardless of having local charges.

F. Inmate Commissary

You may buy food, stamped envelopes, over-the-counter medicines, and other items from the inmate commissary. Commissary orders are delivered once a week. A list of prices is posted in your housing area.

You may not exchange, gamble or negotiate with your commissary items. Commissary is a privilege that will be suspended, limited or canceled if you are found guilty of violating MDCR rules.

You cannot return items that you buy from the commissary. Several items on the commissary order list may not be available in every facility. For example, commissary items that need hot water to prepare are only available in facilities that have direct staff supervision and have enough electrical equipment/units for hot water.

If you want to check your commissary balance, fill out an Inmate Request Form and give it to your counselor. If you want to order from the commissary, you have to fill out a Commissary Menu Form and return it to MDCR staff. You may only purchase items up to the amount you have available in your account, not to exceed \$150.00 weekly. If you are in a safety cell, the limit is \$50.00 weekly. In some facilities, you may order your commissary items directly from a kiosk.

It is important that you keep copies of all your commissary invoices. Before you sign your commissary receipt, check for errors or missing items. If there is a problem with your order, tell the delivery person immediately. They will:

- Verify the information;
- Document the problem on your invoice; and,
- Take necessary action.

G. Account Discrepancy

If there is a problem with your Inmate Financial Account, you should fill out an Inmate Financial Inquiry Form and give it to your counselor. You may request a receipt from your counselor that shows all transactions for your Inmate Financial Account. If you find an error on the report, speak to your counselor.

XXVII. Inmate Money Release Authorization

Within the first 30 days of being booked, you may release your money to anyone you choose, other than another in-custody inmate. You may make one Money Release Authorization (MRA) request for any money that was taken from you during the initial intake after your commissary orders, medical fees, etc., have been paid:

- You must request a MRA form from your counselor and fill it out;
- You must sign the form in front of MDCR staff;
- MRA requests are subject to administrative review and approval. Additional information may be requested for review;
- Any exception may be authorized by the Budget and Finance Bureau Commander or assigned staff.

XXVIII. Suicide Prevention

When you are in jail, you may feel anxious, sad, depressed and/or desperate. If not treated, these feelings may get worse and put you at risk of hurting yourself. Your well-being matters to us, so please tell a staff member immediately if you:

- Have tried to commit suicide in the past;
- Have received bad news from home;
- Have been sentenced by a court and are feeling overwhelmed;
- Have thoughts about hurting yourself and have an idea of how you would do it;
- Gave up on yourself and feel hopeless about your future;
- Lost interest in the things that used to be fun for you;
- Feel worthless or feel like a failure;
- Feel sad and depressed. Depression and/or thoughts of suicide are nothing to be ashamed of. You will not be punished or retaliated against because of the way that you feel;
- Feel as though there is no way out of your situation;
- Have given away things that once were important to you;
- Feel guilty and ashamed;
- Worry about your problems to the point that you cannot do anything or think about anything else; or,
- Cannot stop crying and are not interested in life anymore.

If you or someone you know shows any of these signs, tell a counselor, officer, medical staff, mental health staff or other MDCR staff immediately.

XXIX. Inmate Disciplinary Process

You must obey all rules and regulations, and respect all staff, volunteers, contractors, visitors, and other inmates. Criminal acts within our facilities will not be tolerated. If you violate MDCR rules, you will be subject to MDCR disciplinary sanctions. These sanctions include losing your privileges up to being criminally prosecuted to the fullest extent of the law, depending on the violation. Privileges are benefits that are available to you for obeying rules and regulations. Privileges include visitation (other than attorneys and clergy), telephone use, commissary, and educational programs.

MDCR has an informal and formal discipline process:

A. Informal Discipline

Informal discipline will be used to correct non-compliant behavior, and for minor rule (Category IV) violations. Minor rule violations may result in a suspension of your privileges and/or confinement to your housing area for up to 2 hours. Informal discipline will not be used against you more than 2 times in a 7-day period. When an officer uses informal discipline against you, you will get food, clothes, and have visitation. Also, the discipline must finish at the end of the shift it started.

B. Formal Discipline

If you violate a rule or regulation that may require discipline, you will be given an Inmate Disciplinary Report. You will have the right to a disciplinary hearing. A Disciplinary Hearing Officer will handle minor rule (Category IV) violations. A Disciplinary Committee will handle major rule (Categories I through III) violations. Staff will be available to make sure you understand the charges during the hearing. You will be allowed to call witnesses as long as safety and security will not be jeopardized.

The Disciplinary Hearing Officer or Disciplinary Committee will make sure your hearing is processed within 7 workdays of the incident, but no more than 10 workdays of the incident. If you need assistance because of a disability or language barrier, let your counselor know.

The Disciplinary Hearing Officer or Disciplinary Committee will:

1. Explain the hearing procedure and possible sanctions to you;
 2. Read the charges to you; and,
 3. Find out if you understand the charges, and if you need help from staff during the hearing.
- You will have to enter a plea of "Guilty" or "Not Guilty."
- If you plead "Guilty," you will be notified of the sanctions.
 - If you plead "Not Guilty," you can provide information for your defense, testify on your behalf, and/or call witnesses. The Disciplinary Hearing Officer or Disciplinary Committee will make

a determination. You will be notified of the decision and the reason for the “Guilty” or “Not Guilty” finding, in writing.

C. Appeal Process

To appeal a decision rendered by the Disciplinary Committee, you must fill out an Inmate Disciplinary Appeal Form and give it to staff within two workdays from the date that you received the hearing decision. The form will be forwarded to the Inmate Disciplinary Coordinator who will provide a response to the appeal within 7 work days of receiving it. The decision of the Inmate Disciplinary Committee is final and there shall be no further appeal.

D. Criminal Prosecution

If you commit a crime in any MDCR facility (e.g. assault, battery, fighting, threats, indecent exposure, tampering with or blocking surveillance devices, etc.), Miami-Dade Police Department will investigate and submit the case to the State Attorney’s Office for criminal prosecution.

XXX. Violations and Sanctions

Below is a list of violations and sanctions. Category I is the most serious and Category IV is the least serious.

A. Category I

- 1.1 Battery on a staff member;
- 1.2 Aggravated battery;
- 1.3 Attempting sexual battery or sexual battery;
- 1.4 Setting a fire;
- 1.5 Possessing or introducing an explosive or ammunition into a detention facility;
- 1.6 Possessing or introducing a gun, weapon, sharpened instrument, knife, telephone, or other unauthorized tool;
- 1.7 Participating in a riot;
- 1.8 Throwing, tossing or expelling bodily, hazardous or chemical fluids/material.

If you are found guilty of any Category I violation, you may face any combination of these disciplinary sanctions:

- Criminal prosecution;
- Disciplinary confinement of up to 60 days for all violations rising out of 1 incident;
- Recommended loss of up to 60 days of gain time earned or earned but not credited as of the hearing date;
- Loss of 1 or more privileges for up to 30 days;
- Loss of gain time; and/or,
- Pay restitution.

B. Category II

- 2.1 Battery on a person other than MDCR staff;
- 2.2 Extorting, blackmailing, demanding or receiving money or anything of value in return for protection against others to avoid bodily harm or under threat of informing;
- 2.3 Possessing, introducing, or trafficking of drug paraphernalia or unauthorized drugs;
- 2.4 Inciting a riot, work strike, or mutinous disturbance;
- 2.5 Conveying any inflammatory or mutinous communication by voice, writing, sign, symbol, or gesture;
- 2.6 Possession of tobacco products, smoking materials or smoking any substance;
- 2.7 Bribery or attempted bribery;
- 2.8 Fighting;
- 2.9 Wearing a disguise or mask;
- 2.10 Tampering with or blocking any locking device;
- 2.11 Counterfeiting, forging or reproducing unauthorized documents, articles of identification, money, security, or official papers;
- 2.12 Flagrant failure to follow safety or sanitation regulations;
- 2.13 Exhibiting conduct that disrupts or interferes with the security or orderly running of the detention facility;
- 2.14 Destroying, altering, damaging or defacing government property, to include graffiti or damaging the property of another person;
- 2.15 Possessing any staff clothing;
- 2.16 Entering another inmate's room, taking things from an inmate's clear inventory bag or personal property;
- 2.17 Failing to stand for headcount or interfering with headcount;
- 2.18 Being in an unauthorized area;
- 2.19 Threatening a MDCR staff, contractor, visitor, volunteer, etc., with bodily harm or any offense against another person or property (this includes making sexual proposals or threats);
- 2.20 Subjecting MDCR staff, contractors, visitors, or volunteers to obscene acts, such as indecent exposure, lewd exhibitionism, and/or masturbation;
- 2.21 Aggravated refusal to follow written or verbal order from staff;
- 2.22 Unauthorized Program Leave – Monitored Release Program, Boot Camp/Work Release House Arrest Program, or inmate not at a job/interview/assignment or appointment;
- 2.23 Using unauthorized drugs, as evidenced by positive results from urinalysis test or observable behavior;
- 2.24 Refusing to submit to substance abuse testing;
- 2.25 Possessing gang-related documents;
- 2.26 Recruiting another inmate to a gang-related and/or disruptive group;
- 2.27 Use of alcohol, as evidenced by positive results from urinalysis test or observable behavior;
- 2.28 Attempting to commit or assist in any Category I or Category II violations;
- 2.29 Repeating Category III violations.

If you are found guilty of any Category II violation, you may face any combination of these disciplinary sanctions:

- Criminal prosecution;
- Disciplinary confinement of up to 30 days;
- Confinement to housing area for a maximum of 14 days;
- Recommended loss of up to 30 days of gain time earned or earned but not credited as of the date of the hearing;
- Loss of 1 or more privileges for up to 30 days;
- Loss of gain time; and/or,
- Pay restitution.

C. Category III

- 3.1 Assaulting or threatening another inmate with bodily harm or any offense against their property (this includes making sexual proposals or threats);
- 3.2 Engaging in sexual acts not involving threat or force;
- 3.3 Misusing authorized medication;
- 3.4 Possessing money, currency, or other unauthorized negotiable items such as checks, money orders, debit cards, or credit cards;
- 3.5 Loaning of property or anything of value for profit or increased return;
- 3.6 Stealing (theft);
- 3.7 Possessing stolen property or possession of someone else's property;
- 3.8 Possessing any contraband (anything not authorized for retention or receipt by the inmate and not issued to him through regular detention facility channels);
- 3.9 Possessing unauthorized clothing (not provided by MDCR or purchased from the inmate commissary);
- 3.10 Destroying or altering clothing issued by the detention facility;
- 3.11 Possessing or manufacturing unauthorized beverages;
- 3.12 Adulterating any food or drink;
- 3.13 Refusing to work;
- 3.14 Having an unexcused absence from work or any other assignment;
- 3.15 Failing to follow written or verbal order from staff;
- 3.16 Insolence (disrespect towards MDCR staff);
- 3.17 Lying or providing a false statement to MDCR staff;
- 3.18 Violating visitation rules and regulations;
- 3.19 Participating in an unauthorized meeting or gathering;
- 3.20 Using any equipment or machinery that is not specifically authorized;
- 3.21 Using equipment or machinery contrary to instructions or posted safety standards;
- 3.22 Giving or accepting money or anything of value from another inmate, a member of his/her family or his/her friend;
- 3.23 Violating mail, telephone, property, or commissary regulations;

- 3.24 Disrupting religious, medical or food services or any other detention facility activity/program;
- 3.25 Failing to perform work as instructed by MDCR staff;
- 3.26 Tattooing or self-mutilating;
- 3.27 Misusing Inmate Financial Account;
- 3.28 Failing to follow Monitored Release Program Boot Camp/Work Release rules and regulation, and/or court mandated conditions;
- 3.29 Violating recreations rules and regulations;
- 3.30 Making unnecessary noise such as arguing, shouting, whistling, rattling/pounding on doors or windows;
- 3.31 Attempting to commit or assist in any Category III violations;
- 3.32 Repeating Category IV violations.

If you are found guilty of any Category III violation, you may face any combination of these disciplinary sanctions:

- Criminal prosecution;
- Disciplinary confinement of up to 20 days;
- Confinement to housing area for a maximum of 7 days;
- Recommended loss of up to 20 days of gain time earned, but not credited, as of the date of the hearing;
- Loss of 1 or more privileges for up to 20 days;
- Loss of gain time; and/or,
- Pay restitution.

D. Category IV

- 4.1 Misusing or losing County/MDCR property;
- 4.2 Wasting food;
- 4.3 Being unsanitary or untidy, failing to keep yourself and your housing area in accordance with established standards;
- 4.4 Using abusive/obscene language or gestures;
- 4.5 Malingering, feigning (faking) an illness;
- 4.6 Failing to follow safety or sanitation regulations;
- 4.7 Gambling or preparing/conducting a gambling pool;
- 4.8 Making unauthorized contact with the public;
- 4.9 Participating in disorderly conduct;
- 4.10 Loud talking or unnecessary noise after lockdown;
- 4.11 Horseplaying, teasing or verbally harassing another inmate.

If you are found guilty of any Category IV violation, you may face any combination of these disciplinary sanctions:

- Loss of 1 or more privileges for up to 7 days;

- Confinement to housing area for a maximum of 3 days; and/or,
- Pay restitution.

XXXI. Confinement

When you are in confinement, you will be separated from the general population. You may be housed in a single cell if your presence may become a serious threat to staff, other inmates, yourself, property, or the security and/or daily operations of a MDCR facility. You may be placed in confinement for administrative or disciplinary reasons.

While in administrative confinement, several visual checks and mental health evaluations will be conducted. You will be provided with similar privileges as inmates in general population, unless security or safety considerations dictate otherwise. Inmates who are in mental distress are treated by Mental Health Treatment Staff (MHTS) and cannot be housed in a confinement cell.

A. Administrative

You can fill out and submit to your counselor an Inmate Classification Appeal Form to request that you be released from administrative confinement. You may be placed in administrative confinement:

1. If you requested “protective custody” on an Inmate Request Form to prevent being victimized by other inmates;
2. If you are a high profile inmate;
3. If court ordered;
4. Depending on your criminal charges or gender, which may expose you to possible harm if housed in general population;
5. Depending on your assessment status as a possible PREA victim or abuser;
6. To prevent possible victimization of others;
7. While you are waiting for an investigation to finish;
8. Based on the recommendation of the Intake and Release Bureau or Classification Unit; or,
9. For facility security reasons.

B. Disciplinary

When you are found guilty of a major rule violation, you may be placed in disciplinary confinement. Disciplinary confinement may be imposed when other methods are unsuccessful in correcting non-complaint behavior.

Miami-Dade County



Carlos A. Gimenez
Mayor

Board of County Commissioners

Jean Monestime
Chairman

Esteban Bovo, Jr.
Vice Chairman

Barbara J. Jordan
District 1

Daniella Levine Cava
District 8

Jean Monestime
District 2

Dennis C. Moss
District 9

Audrey M. Edmonson
District 3

Senator Javier D. Souto
District 10

Sally A. Heyman
District 4

Juan C. Zapata
District 11

Bruno A. Barreiro
District 5

José "Pepe" Díaz
District 12

Rebeca Sosa
District 6

Esteban Bovo, Jr.
District 13

Xavier L. Suarez
District 7

Harvey Ruvin
Clerk of Courts

Pedro J. Garcia
Property Appraiser

Abigail Price-Williams
County Attorney

Daniel Junior
Interim Director
Corrections and Rehabilitation

Miami-Dade County provides equal access and equal opportunity in employment and services and does not discriminate on the basis of disability.

It is the policy of Miami-Dade County to comply with all of the requirements of the Americans with Disabilities Act.



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT



Inmate Orientation Statement

Inmate Last Name: <u>Cruz</u>	Inmate First Name: <u>Bayardo</u>
Jail Number: <u>19-141786</u>	Facility: <u>TGKCC</u>

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. B. C
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.

Bayardo Cruz
Inmate Signature

05/24/2019

Date

OFFICER W. EVANS #7395
Classification Officer Name/Badge#

W. Evans
Signature

05/24/2019

Date



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT



Inmate Orientation Statement

Inmate Last Name: <u>Hill</u>	Inmate First Name: <u>Winfred</u>
Jail Number: <u>20-129-026</u>	Facility: <u>Yok</u>

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. WH
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.

Winfred Hill
Inmate Signature

3/10/2020
Date

C. THOMPSON 16943
Classification Officer Name/Badge#

[Signature]
Signature

3/10/2020
Date



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT



Inmate Orientation Statement

Inmate Last Name: Bernal	Inmate First Name: Peter
Jail Number: 20-124662	Facility: TGKCC

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. PMB
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.

Peter M Bernal
Inmate Signature

02/05/2020

Date

OFFICER W. EVANS #7395
Classification Officer Name/Badge#

W. Evans
Signature

02/05/2020

Date



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT

Inmate Orientation Statement



Inmate Last Name: WILLIS	Inmate First Name: DEONDRE
Jail Number: 18-173925	Facility: TAKCC

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. DW
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.

Deondre Willis
Inmate Signature

L. Fults 5957
Classification Officer Name/Badge#

[Signature]
Signature

8/13/19
Date

8/13/19
Date

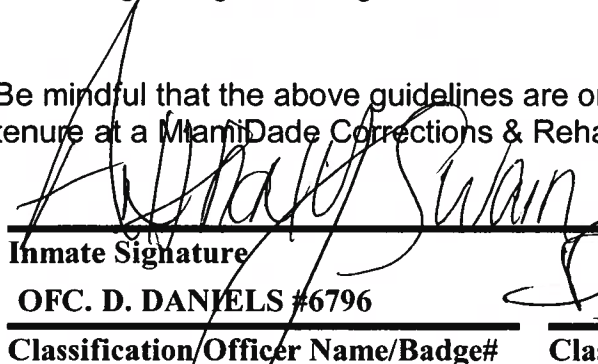
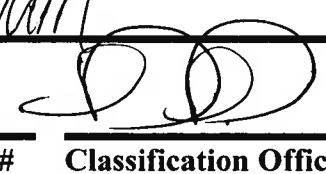
**MIAMIDADE CORRECTION AND REHABILITATION DEPARTMENT
INMATE ORIENTATION**

Last Name: SWAIN, ANTHONY V	First Name:
Jail Number: 160124800	Facility: T.G.K

You are now an inmate at a Miami-Dade Correction & Rehabilitation Department Facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's office. Your private attorney can request phone number(s) to be placed on a Do Not Record List at the MDCR Professional Compliance Division
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at the MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility .
9. You can be criminally prosecuted or receive a disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the inmate Hand Book and Sexual Abuse/Sexual Assault handout. You are to comply with the rules and regulations included in these documents.
15. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
16. You must immediately notify staff or someone whenever you are having or aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a Miami-Dade Corrections & Rehabilitation Department's detention facility.

	<u>02/07/2016</u>
Inmate Signature	Date
OFC. D. DANIELS #6796	<u>02/07/2016</u>
Classification Officer Name/Badge#	Date
	Classification Officer Signature



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT



Inmate Orientation Statement

Inmate Last Name: BLAND	Inmate First Name: ALLEN
Jail Number: 140172052	Facility: TGKCC

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. AB
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.

AB
Inmate Signature

H. Ingraham 7132
Classification Officer Name/Badge#

[Signature]
Signature

12/30/17
Date

12/30/19
Date



MIAMI-DADE CORRECTIONS AND REHABILITATION DEPARTMENT




Inmate Orientation Statement

Inmate Last Name: Martinez-Flores	Inmate First Name: Roniel
Jail Number: 200121543	Facility: TGCC

You are now an inmate at a Miami-Dade Corrections and Rehabilitation Department (MDCR) detention facility. Listed below are some of the rules of conduct you are required to follow:

1. You were assigned a jail number and it is your responsibility to know your jail number.
2. You must take a shower upon entering your assigned cell/unit after classification.
3. You have been given the opportunity to make a telephone call.
4. Your telephone calls can be subject to monitoring and/or recording, except those made to the Public Defender's Office. Your private attorney can request their phone number be placed on a Do Not Record List at the MDCR Security and Internal Affairs Bureau.
5. Your incoming mail can be inspected upon reasonable suspicion in which you will be present when it is opened. Checks and money orders will be removed for your signature, and deposited into your financial account.
6. You have been given the opportunity to complete a Master Visitation List.
7. You have been provided information of the available programs and services at MDCR.
8. You are required to obey all rules and regulations of the MDCR detention facility.
9. You can be criminally prosecuted or receive disciplinary sanctions for the destruction or theft of Miami-Dade County property.
10. You are to comply with instructions given by MDCR personnel, and respect all staff, inmates, and the public.
11. You shall not introduce contraband into any MDCR facility.
12. You must keep your sleeping area clean at all times, and assist in keeping the common areas of the cell and bathroom clean.
13. You are to notify staff immediately when you sustain an injury or have problems within the cell.
14. You have received a copy of the Inmate Handbook and Sexual Battery/Abuse/Harassment Awareness pamphlet. You are to comply with the rules and regulations included in these documents.
15. You have viewed the Inmate Orientation and PREA Inmate Education videos. R.M.
Inmate Initial
16. You understand all of the written information given to you at this interview. If not, this information has been explained to you and you have been informed that an interpreter's service is available upon request.
17. You must immediately notify staff or someone whenever you are having or are aware of anyone having feelings or thoughts of suicide.

Be mindful that the above guidelines are only some of the rules that you must follow during your tenure at a MDCR detention facility.



 Inmate Signature
(pl. S. Edmond / 6760)

 Classification Officer Name/Badge#



 Signature

1.12.2020

 Date
1/15/20

 Date

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 20-cv-21457-KMW

ANTHONY SWAIN, *et al.*,
Plaintiffs,

v.

DANIEL JUNIOR, *in his official capacity as
Director of the Miami-Dade Corrections and
Rehabilitation Department, and
MIAMI-DADE COUNTY,*
Defendants.

DECLARATION OF REYNALDO L. ROMERO

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that:

1. My name is Reynaldo L. Romero. I am over 18 years of age and have personal knowledge of the facts set forth in this declaration.
2. I am an Inmate Services Administrator for the Reentry Program Services Bureau of the Miami-Dade Corrections and Rehabilitation Department's ("MDCR").
3. MDCR tracks and maintains a record of all grievances submitted by inmates at MDCR facilities.
4. Attached as *Exhibit A* to this declaration is an Inmate Grievance Report that lists all grievances filed system-wide between January 1 and April 10, 2020.
5. As part of my employment, I have accessed and reviewed the grievance records for Plaintiffs Anthony Swain, Peter Bernal, Ronniel Flores, Winfred Hill, Alen Blanco, Bayardo Cruz and Deondre Willis.
6. My review of the grievance records reveals that none of these Plaintiffs filed a grievance between January 1 and April 10, 2020.

I declare under penalty of perjury that the forgoing is true and correct.

Executed this day, April 20, 2020.


REYNALDO L. ROMERO

EXHIBIT A



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
MWDC	MW20-01001	727383	NEAL, MIKE	M142	Yes	Facility Operations				Yes	1/2/2020
	MW20-01002	927278	ROBERTS, AUDREY	M145	Yes	Facility Operations				No	1/1/2020
	MW20-01004	1112656	BARNES, SEAN	M3B1	No	Staff Complaints	Other			No	1/4/2020
	MW20-01005	1108368	HURT, CHRISTINA	M2D4	Pen	Food Services				No	1/2/2020
	MW20-01006	809305	MARINA, PAULINE	M2D4	Pen	Food Services				No	1/2/2020
	MW20-01007	1222462	MCBRIDE, ANTHONY	M3D1	No	Personal Property				No	1/7/2020
	MW20-01008	714106	STLOUIS, CARLINTS	M3D1	Yes	Personal Property				No	1/8/2020
	MW20-01009	364091	CARBALLEIRA, CARLOS	M3D4	Yes	Dental Care	Request for Services			No	1/6/2020
	MW20-01010	1211743	ANTOINE, ARLENE	M2D1	No	Facility Operations				No	1/8/2020
	MW20-01011	1085189	GONZALEZ, REINEL	M3B1	Yes	Dental Care	Request for Services	Immediate health issues		No	1/6/2020
	MW20-01012	324530	MADRIGAL, GUSTAVO	M3B1	No	Facility Operations				No	1/4/2020
	MW20-01013	877971	ALFONSO, ERNESTO	M3A2	No	Recreation				No	1/9/2020
	MW20-01014	1151390	COLON, CHRISTIAN	M3A2	No	Recreation				No	1/9/2020
	MW20-01015	1175623	WALKER, KEVIN	M3A2	No	Recreation				No	1/9/2020
	MW20-01016	574796	MARTINEZ, WILLIAM	M3A2	No	Recreation				No	1/9/2020
	MW20-01017	1034030	ZAPATA, MORRIS	M3C3	Yes	Personal Property				No	1/8/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-01018	1086824	MALDONADO, JOSEPH	M2B2	No	Personal Property				No	1/1/2020
	MW20-01035	727383	NEAL, MIKE	M145	No	Inmate Finance				No	1/13/2020
	MW20-01036	1215611	LEVY, GEORGE	M3B4	No	Medical Care	Medical Illness	Immediate health issues		No	1/10/2020
	MW20-01037	972954	RAGAN, ANTHAWN	M129	No	Medical Care	Medical Illness	Immediate health issues		No	1/15/2020
	MW20-01038	972954	RAGAN, ANTHAWN	M129	No	Medical Care	Other			No	1/8/2020
	MW20-01039	926038	BRALEY, AMANDA	M2D3	No	Medical Care	Medication			No	1/13/2020
	MW20-01040	708754	DEJESUS, ANGEL	M3B4	Yes	Staff Complaints	Other			No	1/13/2020
	MW20-01041	859371	DELATORRE, RODRIGO	M3B4	Yes	Maintenance				No	1/15/2020
	MW20-01042	1162521	KIRKCONNELL, DAWN	M2D3	No	Medical Care	Medication			No	1/13/2020
	MW20-01043	926038	BRALEY, AMANDA	M2D3	Yes	Commissary				No	1/13/2020
	MW20-01044	926038	BRALEY, AMANDA	M2D3	Yes	Sanitation/Cleanliness				No	1/13/2020
	MW20-01046	865798	MOJICA, CARLOS	M3B1	No	Staff Complaints	Other			No	1/8/2020
	MW20-01047	1222290	DAVIS, MICHAEL	M3C4	No	Medical Care	Medical Diet			No	1/15/2020
	MW20-01048	1218708	JAMES, MICHELLE	M2D3	No	Medical Care	Medication			No	1/15/2020
	MW20-01049	1198132	KURZYM, JEFFREY	M3D4	No	Medical Care	Medication			No	1/14/2020
	MW20-01050	499307	WILLIAMS, CLARENCE	M2B3	No	Sanitation/Cleanliness				No	1/17/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-01051	198221	HOLLINGSWORTH, LEO	M3C2	Yes	Food Services		Food spoilage		No	1/17/2020
	MW20-01052	996644	ZAMOR, VLADIMIR	M3C4	No	Personal Property				No	1/17/2020
	MW20-01053	1178657	JONES, ALKIRA	M2D2	No	Personal Property				No	1/15/2020
	MW20-01054	434914	LANIER, GUS	M127	No	Facility Operations				No	1/9/2020
	MW20-01055	1112656	BARNES, SEAN	M3B1	Yes	Maintenance				No	1/22/2020
	MW20-01056	727383	NEAL, MIKE	M145	No	Staff Complaints	Other			Yes	1/17/2020
	MW20-01057	391498	THOMAS, RANDY	M135	No	Staff Complaints	Other			Yes	1/15/2020
	MW20-01058	391498	THOMAS, RANDY	M135	Pen	Staff Complaints	Other			No	1/15/2020
	MW20-01059	414614	RAMOS, ORLANDO	M3A1	No	Medical Care	Sick Call	Immediate health issues		No	1/23/2020
	MW20-01060	1214345	PEREZ, DOMINICK	M3A4	Yes	Medical Care	Special Passes/Reque			No	1/23/2020
	MW20-01061	1160039	CALERO, JOSE	M3C4	No	Medical Care	Special Passes/Reque	Immediate health issues		No	1/23/2020
	MW20-01062	391498	THOMAS, RANDY	M135	No	Staff misconduct		Imminent safety issues		Yes	1/15/2020
	MW20-01063	508882	WIMES, MICHAEL	M125	Yes	Medical Care	Complaints Against Medical Staff			No	1/22/2020
	MW20-01065	391498	THOMAS, RANDY	M135	Pen	Medical Care	Complaints Against Medical Staff			No	1/15/2020
	MW20-01066	1069131	JONES, FRANKEYSHA	M110	No	Classification/Co nfinement				No	1/15/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-01067	1085995	FULTON, JAMEISHA	M111	No	Classification/Confinement				No	1/15/2020
	MW20-01068	1000892	BENDROSS, DENICIA	M105	No	Classification/Confinement				No	1/15/2020
	MW20-01069	604451	POLITE, JUSTIN	M2B3	No	Personal Property				No	1/25/2020
	MW20-01070	391498	THOMAS, RANDY	M135	No	Staff Complaints	Other			Yes	1/15/2020
	MW20-01071	1206965	CORRAL, RAINEY	M2D3	No	Staff Complaints	Other			No	1/20/2020
	MW20-01072	1100263	FINCH, ALEXIS	M2D1	No	Staff Complaints	Other			No	1/18/2020
	MW20-01073	1222065	SALDANA, LUZ	M2D1	No	Staff Complaints	Other			No	1/17/2020
	MW20-01074	364091	CARBALLEIRA, CARLOS	M3D4	Yes	Facility Operations				No	1/28/2020
	MW20-01075	1116525	LOPEZ DE QUERALTA,	M3B1	No	Medical Care	Medical Illness	Immediate health issues		No	1/24/2020
	MW20-01076	1116525	LOPEZ DE QUERALTA,	M3B1	Yes	Medical Care	Medication			No	1/24/2020
	MW20-01077	1211743	ANTOINE, ARLENE	M2D1	No	Medical Care	Sick Call			No	1/22/2020
	MW20-01078	1218708	JAMES, MICHELLE	M2D3	No	Medical Care	Sick Call	Immediate health issues		No	1/22/2020
	MW20-01079	760038	JOSEPH, JERRY	M3D1	No	Staff misconduct		Imminent safety issues		No	1/23/2020
	MW20-01080	1075884	HERNANDEZ, MIGUEL	M3D1	No	Staff Complaints	Other			No	1/23/2020
	MW20-01081	1162521	KIRKCONNELL, DAWN	M2D3	Yes	Program Assignment				No	1/17/2020
	MW20-01082	1060008	ORDONESMARTINEZ, LAZARO	M3B3	No	Dental Care	Request for Services	Immediate health issues		No	1/25/2020



Miami-Dade Corrections and Rehabilitation Department

INMATE GRIEVANCE REPORT

FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-01083	508882	WIMES, MICHAEL	M125	No	Medical Care	Complaints Against Medical Staff			Yes	1/28/2020
	MW20-01084	756063	BURCH, WADSHUN	M2C3	No	Medical Care	Sick Call	Immediate health issues		No	1/31/2020
	MW20-01085	1131853	TOLBERT, RICHARD	M2A2	Pen	Transfer/Movements				No	1/28/2020
	MW20-01021	668923	DIAZJIMENEZ, ORLANDO	M2C2	Yes	Maintenance				No	1/7/2020
	MW20-01022	1189021	MARQUEZ, MAIKLER	M2C2	Yes	Maintenance				No	1/7/2020
	MW20-01024	1217798	MARTINEZ, BRANDON	M2C2	Yes	Maintenance				No	1/7/2020
	MW20-01025	1182672	PEREZ, LUIS	M2C2	Yes	Maintenance				No	1/7/2020
	MW20-01026	807529	VASALLO, LAZARO	M2B4	No	Medical Care	Medication			No	1/2/2020
	MW20-01027	1222290	DAVIS, MICHAEL	M3C4	Yes	Medical Care	Chest Pain	Immediate health issues		No	1/9/2020
	MW20-01028	613156	FLORENCE, LADONNA	M110	Pen	Staff Complaints	Other			No	1/9/2020
	MW20-01029	727383	NEAL, MIKE	M142	No	Commissary				Yes	1/3/2020
	MW20-01030	1108368	HURT, CHRISTINA	M2D4	Yes	Food Services				No	1/9/2020
	MW20-01031	727383	NEAL, MIKE	M145	No	Staff Complaints	Other			No	1/10/2020
	MW20-01032	727383	NEAL, MIKE	M145	No	Staff Complaints	Other			No	1/10/2020
	MW20-01087	1216968	DAWSON, ASHLEY	M2D4	No	Visitation				Yes	1/29/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02001	365688	MOORE, JOE	M3A4	Yes	Maintenance				No	2/4/2020
	MW20-02002	1172271	PEREZ, ASHLEY	M2D1	No	Dental Care	Delay in Care			No	2/3/2020
	MW20-02003	1043625	VAL, DANIEL	M142	No	Medical Care	Medication - Renewal/Expired			No	1/29/2020
	MW20-02004	1043625	VAL, DANIEL	M142	No	Staff misconduct		Imminent safety issues		No	1/29/2020
	MW20-02005	1043625	VAL, DANIEL	M142	No	PREA	PREA Staff/Inmate	Sexual abuse/harrassment		No	1/29/2020
	MW20-02006	409880	BORN, WILLIAM	M1D3	No	Food Services				No	2/2/2020
	MW20-02007	434914	LANIER, GUS	M148	Pen	Legal				No	2/5/2020
	MW20-02008	434914	LANIER, GUS	M148	No	Staff Complaints	Other			No	2/4/2020
	MW20-02010	215972	RODRIGUEZ, OMAR	M2C1	Pen	Staff Complaints	Other			No	2/5/2020
	MW20-02011	215972	RODRIGUEZ, OMAR	M2C1	Pen	Staff Complaints	Other			No	2/5/2020
	MW20-02012	384372	JOHNSON, JAMES	M1D2	No	Food Services				No	1/29/2020
	MW20-02013	745629	BENN, ERIC	M2B2	Yes	Sanitation/Cleanliness				No	2/10/2020
	MW20-02014	1190782	BAILEY, JABARI	M2B3	Yes	Personal Property				No	2/10/2020
	MW20-02015	729890	SIERRA, ALBERTO	M3B1	No	Staff Complaints	Other			No	2/6/2020
	MW20-02016	1200674	CORRALES-MOREJON,	M3A4	No	Staff Complaints	Other			No	2/11/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02017	1035412	VALDES, YOANKLE	M3A4	No	Staff Complaints	Other			No	2/11/2020
	MW20-02018	1048172	REYES-CABRERA, ALNALDO	M3A4	No	Staff Complaints	Other			No	2/11/2020
	MW20-02019	898559	RIBEIRO, MICHAEL	M3A4	Pen	Staff Complaints	Other			No	2/11/2020
	MW20-02020	1223685	WELCH, MARK	M3A4	No	Staff Complaints	Other			No	2/11/2020
	MW20-02021	1223685	WELCH, MARK	M3A4	No	Sanitation/Cleanliness				No	2/11/2020
	MW20-02022	1223685	WELCH, MARK	M3A4	Pen	Food Services				No	2/11/2020
	MW20-02023	703602	EICHEMENDIA, RAFAEL	M3A2	No	PREA	PREA Staff/Inmate	Sexual abuse/harrassment		No	2/11/2020
	MW20-02024	1041942	JOHNEKINS, MYKECE	M1D2	No	Staff Complaints	Other			No	2/10/2020
	MW20-02025	1133955	FONDIN, ROXANA	M2D4	No	Medical Care	Sick Call			No	2/10/2020
	MW20-02026	920341	PEREZ-GONZALEZ, AMAURY	M3A2	No	Dental Care	Request for Services	Immediate health issues		No	2/11/2020
	MW20-02027	1201989	COSTASOSA, LUIS	M3A1	No	Medical Care	Special Passes/Reque			No	2/11/2020
	MW20-02028	920341	PEREZ-GONZALEZ, AMAURY	M3A2	No	Medical Care	Medical Diet			No	2/11/2020
	MW20-02029	727383	NEAL, MIKE	M130	No	Mental Health Care	Complaint Against Mental Health Staff			No	2/9/2020
	MW20-02030	409880	BORN, WILLIAM	M1D3	Yes	Dental Care	Request for Services	Immediate health issues		No	2/7/2020
	MW20-02031	727383	NEAL, MIKE	M130	Pen	Classification/Confinement				No	2/8/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02032	1121472	TORRES, CHRISTOPHER	M2B3	No	Personal Property				No	2/12/2020
	MW20-02033	1205903	EARNSHAW, JUSTIN	M3B1	Yes	Personal Hygiene				No	2/11/2020
	MW20-02034	1208252	BATTISTONE, ZACHARY	M1D3	No	Food Services				No	2/5/2020
	MW20-02035	752647	BROWN, KEITH	M3A4	No	Classification/Confinement				No	2/13/2020
	MW20-02036	1190782	BAILEY, JABARI	M2B3	No	Food Services				No	2/12/2020
	MW20-02037	1039090	POWELL, JACQUELYN	M2D1	No	Staff Complaints	Other			No	2/12/2020
	MW20-02038	1172271	PEREZ, ASHLEY	M2D1	No	Staff Complaints	Other			No	2/14/2020
	MW20-02039	945442	MUGICA, JACQUELINE	M2D1	No	Staff Complaints	Other			No	2/14/2020
	MW20-02040	982560	ARGUETA, RONALD	M2C1	No	Medical Care	Sick Call	Immediate health issues		No	2/18/2020
	MW20-02041	968647	RICHARD, WILLIAM	M3C4	No	Medical Care	Medical Illness			No	2/17/2020
	MW20-02042	304631	DUPONT, RANDY	M3C4	No	Medical Care	Special Passes/Request	Immediate health issues		No	2/14/2020
	MW20-02043	1123486	RUIZ LOBO, MIGUEL	M3C1	Yes	Medical Care	Medical Illness	Immediate health issues		No	2/17/2020
	MW20-02044	1117418	RILEY, DEONTAE	M3C2	Yes	Other				No	2/18/2020
	MW20-02045	949968	SULET, LEMAY	M3C2	Pen	Religious Activities/Meals				No	2/19/2020
	MW20-02046	1208252	BATTISTONE, ZACHARY	M1D3	No	Mail				No	2/18/2020
	MW20-02047	419433	WIGGINS, AIRON	M125	Yes	Maintenance				No	2/19/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02048	1221974	REESE, JASON	M1D3	Pen	Mail				No	2/19/2020
	MW20-02049	215972	RODRIGUEZ, OMAR	M2C1	Pen	Staff Complaints	Other			No	2/18/2020
	MW20-02050	215972	RODRIGUEZ, OMAR	M2C1	Pen	Staff Complaints	Other			No	2/18/2020
	MW20-02051	1034286	DUKES, WILLIS	M3A1	No	Staff Complaints	Other			No	2/20/2020
	MW20-02052	898559	RIBEIRO, MICHAEL	M3A4	Pen	Staff Complaints	Other			No	2/20/2020
	MW20-02053	1167015	RIVERO-ZERTUCHE, JESUS	M3A4	No	Staff Complaints	Other			No	2/20/2020
	MW20-02054	419433	WIGGINS, AIRON	M122	Yes	Dental Care	Request for Services	Immediate health issues		No	2/18/2020
	MW20-02055	1190782	BAILEY, JABARI	M2B3	No	Mail				Yes	2/20/2020
	MW20-02056	688784	BYRD, TERRANCE	M3D2	No	Staff Complaints	Other			No	2/13/2020
	MW20-02057	727383	NEAL, MIKE	M2C3	No	Medical Care	Sick Call			No	2/17/2020
	MW20-02058	727383	NEAL, MIKE	M2C3	No	Mental Health Care	Complaint Against Mental Health Staff			No	2/17/2020
	MW20-02059	698936	CORCHO, LIZ	M2D1	No	Medical Care	Sick Call			No	2/16/2020
	MW20-02060	1211743	ANTOINE, ARLENE	M2D1	Yes	Medical Care	Medication			No	2/18/2020
	MW20-02061	926038	BRALEY, AMANDA	M2D3	Yes	Medical Care	Complaints Against Medical Staff			No	2/19/2020



Miami-Dade Corrections and Rehabilitation Department

INMATE GRIEVANCE REPORT

FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02062	1148896	STRICKLAND, DESIRAY	M2D1	No	Medical Care	Complaints Against Medical Staff			No	2/19/2020
	MW20-02063	698936	CORCHO, LIZ	M2D1	Yes	Sanitation/Cleanliness				No	2/18/2020
	MW20-02064	698936	CORCHO, LIZ	M2D1	Pen	Commissary				No	2/20/2020
	MW20-02065	575318	HUDSON, BERNARD	M3C3	No	Dental Care	Request for Services	Immediate health issues		No	2/21/2020
	MW20-02066	1174171	TODD, JONATHAN	M3C2	Yes	Miscellaneous				No	2/20/2020
	MW20-02067	711603	TOWNSEND, LARICA	M2D2	No	Food Services		Food spoilage		No	2/20/2020
	MW20-02068	627728	GAVARRETE, CRISTINO	M3B2	No	Miscellaneous				No	2/19/2020
	MW20-02069	219635	BINGHAM, CLINTON	M3D3	Pen	Personal Property				No	2/19/2020
	MW20-02070	427389	FARINAS, EUGENIO	M3D2	No	Dental Care	Request for Services			No	2/14/2020
	MW20-02071	364091	CARBALLEIRA, CARLOS	M3D4	No	Food Services				No	2/22/2020
	MW20-02072	652869	ROBINSON, SHAUN	M3A2	Yes	Maintenance				No	2/25/2020
	MW20-02073	574796	MARTINEZ, WILLIAM	M3A2	Yes	Maintenance				No	2/25/2020
	MW20-02074	1167515	RATLIFF, DAVEY	M3A2	Yes	Maintenance				No	2/25/2020
	MW20-02075	1147481	RENTE, LEANDRO	M3A3	Yes	Commissary				No	2/25/2020
	MW20-02076	592049	ESPINAL, MARCOS	M3A2	Yes	Maintenance				No	2/25/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-02077	1196061	EARNSHAW, WILLIAM	M3A4	Pen	Personal Property				No	2/25/2020
	MW20-02078	1220524	MANNING, JESSICA	M2D3	Yes	Medical Care	Medication			No	2/21/2020
	MW20-02079	1116525	LOPEZ DE QUERALTA,	M3B1	No	Medical Care	Medical Illness	Immediate health issues		No	2/19/2020
	MW20-02080	926038	BRALEY, AMANDA	M2D3	Pen	Medical Care	Complaints Against Medical Staff			No	2/24/2020
	MW20-02081	413299	GARCIA, EFRAIN	M3A1	No	Personal Property				No	2/26/2020
	MW20-02082	1142468	SOTELO, ALEXIS	M2B3	No	Personal Property				No	2/24/2020
	MW20-02083	1217589	GREGGS, EDWARDS	M3D4	No	Staff Complaints	Other			No	2/24/2020
	MW20-02084	837504	ANDERSON, CHRISTOPHER	M3D4	No	Staff Complaints	Other			No	2/24/2020
	MW20-02085	582593	KING, TAMERA	M2D2	No	Facility Operations				No	2/24/2020
	MW20-02086	1220524	MANNING, JESSICA	M2D3	Yes	Maintenance				No	2/23/2020
	MW20-02087	304631	DUPONT, RANDY	M3C4	No	Medical Care	Sick Call			No	2/24/2020
	MW20-02088	304631	DUPONT, RANDY	M3C4	No	Medical Care	Sick Call			No	2/24/2020
	MW20-02089	945929	POP, BRANDON	M2C2	Yes	Facility Operations				No	2/23/2020
	MW20-02090	1071075	ZAPATA, DYSTANY	M2D4	No	Food Services				No	2/26/2020
	MW20-02091	880305	REED, LATRAVIA	M2D4	No	Staff misconduct		Imminent safety issues		No	2/27/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-03001	1175154	EWERS, DALE	M3C4	No	Medical Care	Special Passes/Reque			No	2/28/2020
	MW20-03002	688784	BYRD, TERRANCE	M3D2	No	Staff Complaints	Other			No	2/13/2020
	MW20-03003	1149775	WILLIAMS, JEREMIAH	M150	Pen	Grievance Process				No	2/28/2020
	MW20-03004	650760	EVANS, JIMMIE	M123	No	Staff Complaints	Other			No	3/3/2020
	MW20-03005	1215718	HALL, KRISTIAN	M3D4	No	Medical Care	Complaints Against Medical Staff			No	2/29/2020
	MW20-03006	347700	SMITH, CARL	M3D1	No	Medical Care	Complaints Against Medical Staff			No	2/27/2020
	MW20-03007	757409	RAMOS, JULIO	M2B1	No	Personal Property				Yes	2/29/2020
	MW20-03008	403267	JIMENEZ, DAMIAN	M3C2	No	Food Services				No	3/5/2020
	MW20-03009	1220524	MANNING, JESSICA	M2D3	Yes	Facility Operations				No	3/5/2020
	MW20-03011	727383	NEAL, MIKE	M3A1	Pen	Staff Complaints	Other			No	3/9/2020
	MW20-03012	727383	NEAL, MIKE	M3A1	Pen	Staff Complaints	RTR			No	3/9/2020
	MW20-03013	727383	NEAL, MIKE	M3A1	No	Staff Complaints	Other			No	3/9/2020
	MW20-03014	1205903	EARNSHAW, JUSTIN	M3B1	No	Facility Operations				No	3/9/2020
	MW20-03015	958716	TURNAGE, MELVIN	M3B4	No	Facility Operations				No	3/6/2020
	MW20-03016	1057519	JIMENEZ, JOSE	M3B4	No	Facility Operations				No	3/5/2020



Miami-Dade Corrections and Rehabilitation Department

INMATE GRIEVANCE REPORT

FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-03017	740962	BALBIN, MANUEL	M3D2	No	Commissary				No	3/6/2020
	MW20-03018	453494	DONALDSON, ROBIN	M2D1	No	Facility Operations				No	3/8/2020
	MW20-03019	1211743	ANTOINE, ARLENE	M2D2	No	Facility Operations				Yes	3/7/2020
	MW20-03020	926038	BRALEY, AMANDA	M2D3	No	Sanitation/Cleanliness				No	3/9/2020
	MW20-03021	1211743	ANTOINE, ARLENE	M2D2	No	Staff Complaints	Other			Yes	3/7/2020
	MW20-03022	1188636	BELL, MAIA	M2D3	No	Facility Operations				Yes	3/6/2020
	MW20-03023	823052	TABLADA, JOSE	M2C2	Pen	Personal Property				No	3/10/2020
	MW20-03024	1205104	CASTILLO, JAIRO	M2C1	No	Staff Complaints	Other			No	3/10/2020
	MW20-03025	1020451	CYRIUS, JOHNSMITH	M137	No	Religious Activities/Meals				No	3/9/2020
	MW20-03026	304631	DUPONT, RANDY	M3C4	Pen	Medical Care	Medical Illness	Immediate health issues		No	3/10/2020
	MW20-03027	1143839	SANDS, ISAIH	M3C1	No	Medical Care	Medication - Not Received			No	3/8/2020
	MW20-03028	1205905	BILLINGS, CAMERON	M2D1	Yes	Medical Care	Sick Call			No	3/8/2020
	MW20-03029	628416	WILLIAMS, LISA	M2D2	No	Staff Complaints	Other			No	3/9/2020
	MW20-03030	688784	BYRD, TERRANCE	M3D2	No	Dental Care	Delay in Care	Immediate health issues		No	3/10/2020
	MW20-03031	863893	LEXTE-VIDAL, ENRIQUE	M2B1	No	Personal Property				No	3/3/2020
	MW20-03032	959975	CASTRO-ARROYO, ONELIO	M2B2	Yes	Personal Property				No	3/11/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-03033	1196061	EARNSHAW, WILLIAM	M3A4	No	Food Services				No	3/13/2020
	MW20-03034	1048256	RICALLS, ASHANA E	M2D4	Yes	Personal Property				No	3/8/2020
	MW20-03035	1108368	HURT, CHRISTINA	M2D4	No	Sanitation/Cleanliness				No	3/10/2020
	MW20-03036	427389	FARINAS, EUGENIO	M3D2	Pen	Staff misconduct		Imminent safety issues		No	3/4/2020
	MW20-03037	994230	JUNCO, JULIAN	M3D2	Yes	Maintenance				No	3/15/2020
	MW20-03038	324436	DOUGLAS, SHERMAN	M3C3	No	Inmate Finance				Yes	3/17/2020
	MW20-03039	364091	CARBALLEIRA, CARLOS	M3B2	Yes	Medical Care	Medication - Not Received			No	3/12/2020
	MW20-03040	1034286	DUKES, WILLIS	M3B1	Yes	Maintenance				No	3/9/2020
	MW20-03041	1215611	LEVY, GEORGE	M3B4	No	Religious Activities/Meals				No	3/14/2020
	MW20-03042	1178954	NATAREN, CARLOS	M3D2	Yes	Maintenance				No	3/15/2020
	MW20-03043	578308	FLORES, MIGUEL	M3A1	Yes	ADA				No	3/18/2020
	MW20-03044	1115900	GARCIA, NICHOLAS	M3A2	Pen	Personal Property				No	3/18/2020
	MW20-03045	1204484	BECK, BERNARD	M3A1	No	Sanitation/Cleanliness				Yes	3/18/2020
	MW20-03047	727383	NEAL, MIKE	M3A1	No	Staff Complaints	RTR			No	3/18/2020
	MW20-03048	727383	NEAL, MIKE	M3A1	No	Staff Complaints	Other			No	3/18/2020
	MW20-03049	319135	SANJURJO, JOSE	M3A4	No	Food Services				No	3/18/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-03050	588033	WILLIAMS, TERRANCE	M3A3	Yes	Facility Operations				No	3/18/2020
	MW20-03051	1212015	WESBY, OMANDO	M2C3	No	Food Services				No	3/16/2020
	MW20-03052	820749	WILLIAMS, NATHAN	M2C3	Pen	Miscellaneous				No	3/18/2020
	MW20-03053	748011	DAVIS, RASHAD	M3D1	No	Medical Care	Sick Call	Immediate health issues		No	3/18/2020
	MW20-03054	1121155	WILLIAMS, TAMARA	M2D1	No	Medical Care	Sick Call	Immediate health issues		No	3/18/2020
	MW20-03055	688784	BYRD, TERRANCE	M3D2	No	Medical Care	Complaints Against Medical Staff			No	3/21/2020
	MW20-03056	688784	BYRD, TERRANCE	M3D2	Pen	Mental Health Care	Complaint Against Mental Health Staff			No	3/22/2020
	MW20-03057	996644	ZAMOR, VLADIMIR	M2C3	No	Staff Complaints	Other			No	3/18/2020
	MW20-03058	820749	WILLIAMS, NATHAN	M2C3	Yes	Miscellaneous				No	3/19/2020
	MW20-03059	945929	POP, BRANDON	M2C2	Yes	Personal Property				No	3/23/2020
	MW20-03060	727383	NEAL, MIKE	M3A1	No	Other				No	3/18/2020
	MW20-03061	920341	PEREZ-GONZALEZ, AMAURY	M3A2	No	Dental Care	Request for Services	Immediate health issues		No	3/25/2020
	MW20-03062	274301	ROBINSON, KEITH	M2B1	No	Personal Property				Yes	3/20/2020
	MW20-03063	1223086	ALSTON, FAITH	M2D4	No	Personal Property				No	3/21/2020
	MW20-03064	1122791	GUERRA, JORGE	M3B1	No	Personal Property				No	3/20/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
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CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-03065	1223685	WELCH, MARK	M3D3	No	Food Services				Yes	3/24/2020
	MW20-03066	853878	BROWN, ALEX	M3D2	No	Staff Complaints	Other			No	3/23/2020
	MW20-03067	1115900	GARCIA, NICHOLAS	M3A2	No	Staff Complaints	Other			No	3/27/2020
	MW20-03068	863893	LEXTE-VIDAL, ENRIQUE	M2B1	No	Personal Property				No	3/27/2020
	MW20-03069	545261	LOUIS, SOSTHENE	M2B1	No	Sanitation/Cleanliness				No	3/26/2020
	MW20-03070	1096280	MARCH, ANTOINETTE	M2D2	Yes	Facility Operations				No	3/28/2020
	MW20-03071	1211743	ANTOINE, ARLENE	M2D2	Pen	Facility Operations				No	3/28/2020
	MW20-04001	727383	NEAL, MIKE	M3A1	Pen	Staff Complaints	RTR	Imminent safety issues		No	4/1/2020
	MW20-04002	1167332	LOPEZ, JOHNATHON	M3A1	No	Staff Complaints	Other			No	4/1/2020
	MW20-04003	1198474	HERNANDEZMEDINA, ENRIQUE	M3A1	No	Staff Complaints	Other			No	4/1/2020
	MW20-04004	219635	BINGHAM, CLINTON	M3D3	No	Staff Complaints	Other			No	3/29/2020
	MW20-04005	1223685	WELCH, MARK	M3D3	Pen	Food Services				No	3/28/2020
	MW20-04006	688784	BYRD, TERRANCE	M3D2	No	PREA	PREA Staff/Inmate	Sexual abuse/harrassment		No	4/1/2020
	MW20-04007	937880	GONZALEZ, RUDOLPH	M2B1	Yes	Personal Property				No	3/31/2020
	MW20-04008	1118424	DOPICO, OMAR	M3B2	No	Medical Care	Medical Illness			No	4/1/2020



Miami-Dade Corrections and Rehabilitation Department
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	MW20-04009	1205903	EARNSHAW, JUSTIN	M3B1	No	Food Services				No	3/30/2020
	MW20-04010	1190820	DAVIS, DASHERA	M2D1	No	PREA	PREA Staff/Inmate	Sexual abuse/harrassment		No	4/1/2020
	MW20-04011	1162217	MONTALVAN, LUIS	M3A2	Pen	Personal Property				No	4/3/2020
	MW20-04012	1210157	OWONIBI, TIWA	M2D2	No	Medical Care	Sick Call	Immediate health issues		No	4/2/2020
	MW20-04013	324436	DOUGLAS, SHERMAN	M3D1	No	Mail				No	4/3/2020
	MW20-04014	334712	THOMAS, SAMUEL	M3B1	No	Food Services				No	4/3/2020
	MW20-04015	650760	EVANS, JIMMIE	M123	Pen	Sanitation/Cleanliness				No	4/3/2020
	MW20-04016	1071075	ZAPATA, DYSTANY	M2D4	Pen	Sanitation/Cleanliness				No	4/7/2020
	MW20-04017	1211743	ANTOINE, ARLENE	M2D2	Pen	Facility Operations				No	4/1/2020
	MW20-04018	553937	ESCATARY, CARLOS	M1D2	No	Inmate Finance				No	4/1/2020
	MW20-04019	553937	ESCATARY, CARLOS	M1D2	Pen	Inmate Finance				No	4/1/2020
	MW20-04020	727383	NEAL, MIKE	M3A1	Pen	Legal				No	4/1/2020
	MW20-04021	727383	NEAL, MIKE	M3A1	Pen	Sanitation/Cleanliness				No	4/1/2020
	MW20-04022	1196061	EARNSHAW, WILLIAM	M3A4	Pen	Facility Operations				No	4/3/2020
	MW20-04023	727383	NEAL, MIKE	M132	Pen	Medical Care	Medical Illness	Immediate health issues		No	4/9/2020



Miami-Dade Corrections and Rehabilitation Department
INMATE GRIEVANCE REPORT
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CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
	MW20-04024	727383	NEAL, MIKE	M132	Pen	Staff Complaints	Other			No	4/5/2020
	MW20-04025	727383	NEAL, MIKE	M135	Pen	Staff Complaints	Other			No	4/3/2020
	MW20-04026	727383	NEAL, MIKE	M132	Pen	Staff Complaints	Other			No	4/8/2020
	MW20-04027	727383	NEAL, MIKE	M132	Pen	Staff Complaints	Other			No	4/8/2020
	MW20-04028	727383	NEAL, MIKE	M132	Pen	Staff Complaints	Other			No	4/8/2020
	MW20-04029	727383	NEAL, MIKE	M132	Pen	Staff Complaints	Other			No	4/3/2020
METRO WEST DETENTION CENTER TOTAL GRIEVANCES: 266											
PTDC	MW20-01020	532230	MARTINEZ, EIXINHOWER	P3A4	No	Personal Property				No	1/9/2020
PRE-TRIAL DETENTION CENTER TOTAL GRIEVANCES: 1											
TGK	MW20-03010	1220524	MANNING, JESSICA	K22	No	Mail				No	3/4/2020
	MW20-02009	434914	LANIER, GUS	K24	No	Staff Complaints	Other			No	2/5/2020
	MW20-01033	727383	NEAL, MIKE	K41	No	Staff Complaints	Other			No	1/13/2020
	MW20-01034	727383	NEAL, MIKE	K41	No	Staff Complaints	Other			No	1/13/2020
	MW20-01086	1057795	BARAHONA, CARMEN	K22	No	Staff Complaints	Other			No	1/25/2020
	MW20-01064	727383	NEAL, MIKE	K41	No	Medical Care	Complaints Against Medical Staff	Immediate health issues		No	1/17/2020
	MW20-01019	499307	WILLIAMS, CLARENCE	K24	No	Food Services				No	1/9/2020



Miami-Dade Corrections and Rehabilitation Department

INMATE GRIEVANCE REPORT

FROM: 1/1/2020 TO: 4/10/2020



CURRENT FACILITY	CONTROL NUMBER	CIN	INMATE NAME	CURR CELL	SUBST	GRIEV TYPE	GRIEV SUBTYPE	EMRG	IA	APPL	GRIEV DATE
TURNER GUILFORD KNIGHT CORRECTIONAL CENTER TOTAL GRIEVANCES: 7											
TOTAL # of Grievances: 274											

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 20-cv-21457-KMW

**ANTHONY SWAIN, *et al.*,
Plaintiffs,**

v.

**DANIEL JUNIOR, *in his official capacity as
Director of the Miami-Dade Corrections and
Rehabilitation Department*, and
MIAMI-DADE COUNTY,
Defendants.**

DECLARATION OF TERRENCE MATHEWS

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that:

1. My name is Terrence Mathews. I am over 18 years of age and have personal knowledge of the facts set forth in this declaration.
2. I am the supervisor of correctional counselors at Miami-Dade Corrections and Rehabilitation Department's (MDCR) Metro West Detention Center. I have held this position for approximately a year and a half. I have been employed by MDCR as a correctional counselor for eighteen years.
3. During my time as correctional counselor supervisor at Metro West, I have never known Metro West to both be out of blank grievance forms and have no ability to print new copies.
4. Per MDCR policy, inmates can access grievance forms in multiple ways.
5. Each housing unit contains a box of blank grievance forms that are regularly restocked by the correctional counselor assigned to that unit.
6. Sometimes an inmate in a unit will hoard grievance forms from the box. In the event that occurs and the box has not been restocked, each correctional officer and correctional counselor carries blank grievance forms that an inmate can ask for at any time.
7. Even assuming a situation where an inmate has hoarded grievance forms from the box, and every correctional officer and correctional counselor in the unit did

not have a grievance form on their person, a correctional counselor can print a new blank grievance form to give to an inmate upon request.

8. It is part of my duties to periodically check the number of blank grievance forms available and, in the event supplies are running low, go to MDCR headquarters to restock them.

9. On or around April 3, 2020, I personally brought a box containing approximately 2,000 blank grievance forms from headquarters to Metro West.

10. Counselors do not refuse to give inmates grievance forms when they are requested.

11. A counselor who refuses to do so would be in violation of MDCR rules and could be subject to disciplinary action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this day, April 20, 2020.



TERRENCE MATHEWS