

September 23, 2015

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-103.001

RULE TITLE: Inmates Grievance – General Policy

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the Notice of Proposed Rulemaking published in Vol. 41, No. 144 (July 27, 2015) of the Florida Administrative Register. The changes are in response to comments made by the Joint Administrative Procedures Committee in a letter dated August 5, 2014. The changes are as follows:

33-103.001 Inmate Grievances – General Policy.

(1) – (2) No change.

(3) No purported inmate grievance presented that violates the provisions of Rule 33-602.203(7), F.A.C., including any purported grievance that which presents a copyright or attempted copyright of an inmate's name, absent prior written authorization from the warden, shall be treated or processed as a grievance. Any purported inmate grievance that violates the provisions of Rule 33-602.203(7), F.A.C., shall will be treated as contraband, shall will not be processed as a grievance or returned to the inmate, is not a grievance, and shall not constitute any step of the grievance process for purposes of exhaustion. When such a purported grievance grievances is of this nature are submitted and that contains contain any serious allegation allegations of physical abuse, excessive force, or sexual abuse, or any other allegation that, if true, would put the inmate's physical well-being in jeopardy, the allegation(s) staff shall be reported report to the Office of the Inspector General the issue through the appropriate channels. Any purported grievance containing such an allegation shall, nonetheless, be treated as contraband, shall not be processed as a grievance or returned to the inmate, is not a grievance, and shall not constitute any step of the grievance process for the purposes of exhaustion.

(4) – (6) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 10-12-89, Amended 1-15-92, 12-22-92, 4-10-95, 12-7-97, Formerly 33-29.001, Amended 10-11-00, 10-28-07, 5-27-12, _____.