


NH DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE DIRECTIVE Pursuant to RSA 21-H:8 (III) Internal Policies and Procedures	CHAPTER <u>General Administration</u> STATEMENT NUMBER <u>1003.00</u>
SUBJECT: CITIZEN COMPLAINT PROCEDURE PROPONENT: <u>Director Professional Standards</u> <small>Name/Title</small> <u>Commissioner's Office 271-5603</u> <small>Office Phone #</small>	EFFECTIVE DATE <u>10/14/2022</u> REVIEW DATE <u>10/14/2025</u> SUPERSEDES PPD# <u>1.26</u> DATED <u>07/01/2009</u>
ISSUING OFFICER:  Helen E. Hanks, Commissioner	DIRECTOR'S INITIALS _____ DATE: _____ APPENDIX ATTACHED: YES _____ NO _____
REFERENCE NO: See reference section on last page of PPD.	

- (a) **PURPOSE:**
 In order to ensure the provision of quality services and promote and maintain citizen confidence in the professional integrity of the department, the New Hampshire Department of Corrections (NHDOC) maintains a formal procedure to receive, document, review or investigate all citizen complaints. (NH RSA 21-H:4 V(a))
- (b) **APPLICABILITY:**
 To all Department of Corrections employees, contractors, and volunteers.
- (c) **POLICY:**
 It is the policy of the NHDOC to thoroughly review/investigate citizen complaints that involve the operations of the Department of Corrections, as well as cases which question or challenge the propriety of an employee's, contractor's, or volunteer's action.
- (d) **PROCEDURES:**
- (1) Any citizen may file a complaint against the NHDOC or any of its employees, contractors, or volunteers.
 - (2) Complaints may be filed if a citizen has information that alleges a violation of NHDOC policies, procedures, rules, state or federal rules or laws, or standards of acceptable conduct.
 - (3) Complaints must be written and signed by the complaining citizen (See Attachment A). The complaint should include:
 - i. The name of the complaining party (anonymous complaints may be accepted but the NHDOC may be unable to resolve any issue presented).
 - ii. The name or other identification about whom or the operation against which the complaint is lodged.
 - iii. The name(s) of any witnesses to an event.

- iv. The facts giving rise to the complaint, including the time, date and location/s of the alleged issues.
 - v. The signature of the complainant.
- (4) Residents wishing to make a complaint shall use the request slip or grievance procedure system as appropriate to the nature of the complaint. See N.H. Admin. R. Cor 313, *et. seq.*
 - (5) Complaints relating to fraud, waste, abuse (including physical abuse and excessive force), whistle-blower, criminal activity within the institutions, sexual misconduct (including unprofessional relationships), staff misconduct, or death which is alleged to be the result of the actions of a NHDOC employee, vendor, or volunteer shall be sent to the warden, chief investigator at a facility or through the electronic complaint form process (on NHDOC website).
 - (6) Upon receiving a complaint from a citizen alleging misconduct or negligence as described in (5) above, the complaint will be logged by the investigations unit assigned to the facility and reviewed to determine facts, or an investigation will be opened. If an investigation is initiated, the citizen making the complaint may be interviewed or asked to provide a more complete statement.
 - (7) If an internal affairs investigation is initiated, an employee who is the subject of the complaint will be notified in writing consistent with any currently effective collective bargaining agreement as applicable to that employee.
 - (8) To the extent the allegation is of a criminal nature, the complaint will be forwarded to the Director of Professional Standards for appropriate law enforcement referral.
 - (9) In cases not referred for investigation, the complainant will be contacted by the public information officer with any information that can be provided.
 - (10) If referred for investigation the complainant will be notified that an investigation has been initiated and at the close of the investigation any non-confidential findings may be presented.

REFERENCES:

Standards for the Administration of Correctional Agencies
Second Edition Standards

Standards for Adult Correctional Institutions
Fourth Edition Standards

Standards for Adult Community Residential Services
Fourth Edition Standards

Standards for Adult Probation and Parole Field Services
Third Edition Standards
3-3030

Other
RSA Laws of 2022; RSA 106-L, *et. seq.*
Administrative Rule COR - Cor 313, *et. seq.*