

## Inmate Grievances: Grievable and Non-grievable issues<sup>25</sup>

### Grievable issues:

- Department policies/procedures, directives, or conditions which directly affect the inmate
- Actions of a staff member toward the inmate
- Actions of an inmate against the inmate
- Inmate property complaints
- Disciplinary hearing actions to appeal a conviction following a not guilty plea, or to appeal a sentence when the sanction imposed was allegedly not proportionate to the rules violation
- Any classification decision that directly affects the inmate's custody level
- Calculation of sentence-related credits

### Non-grievable issues:

- Classification issues, such as institutional and security assignments made at Reception and Evaluation Centers; institutional job assignments, unless there are extenuating medical circumstances involved; cell, dormitory, or cubicle assignments, unless there are extenuating medical circumstances or criminal activity involved; and inmates who waive their right to be present for classification hearings cannot grieve the decision made
- Administrative transfers which do not result in a custody reduction
- The disposition of any disciplinary proceeding, which resulted from a guilty plea by the inmate, or if the inmate accepted an informal or administrative resolution, unless the sanction imposed was excessive in relationship to the rule violation
- Any issue outside of the control of the Department, such as state and federal court decisions or laws and regulations; parole board decisions; or if the inmate is sentenced to a court ordered credit loss
- Unprocessed grievance(s) or against an IGC for un-processing a grievance
- The disposition on another grievance or status of a pending grievance;
- Matters pending before a state or federal court

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<sup>25</sup> S.C. House of Representatives, House Legislative Oversight Committee, "Agency Presentation – Legal and Compliance Unit (October 1, 2019)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Corrections, Department of," and under "Meetings," [https://scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/Corrections/SCDC%20Legal%20and%20Compliance%20Presentation%20\(10.01.19\).pdf](https://scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/Corrections/SCDC%20Legal%20and%20Compliance%20Presentation%20(10.01.19).pdf) (accessed October 18, 2019), slide 23. Hereinafter "Legal Presentation."