WISCONSIN Administrative Code Chapter DOC 310

## INMATE COMPLAINT APPEAL

## INSTRUCTIONS:

DOC-405 (Rev. 10/2014)

- 1. Rejected complaints can only be appealed to the appropriate Reviewing Authority. Their decision is final.
- Prepare an original and one copy of this request. Please print legibly or type.
   Submitted documentation will not be returned.
- 4. Keep the copy of this request for your records and send the original, in a sealed envelope via US Mail, to:

CORRECTIONS COMPLAINT EXAMINER DEPARTMENT OF CORRECTIONS PO BOX 7925

MADISON, WI 53707-7925	
FOR OFFICIAL INMATE COMPLAINT APPEAL USE ONLY	DOC COMPLAINT, FILE NUMBER
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NOTICE TO INMATE: The CCE will acknowledge your appeal within 5 working days of the date of rece	ipt.

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DOC 310.13 Review by corrections complaint examiner.

(1) A complainant dissatisfied with a reviewing authority decision may, within 10 calendar days after the date of the decision, appeal that decision by filing a written request for review with the corrections complaint examiner on forms supplied for that purpose. The institution shall make these forms accessible to inmates.

(2) Upon good cause, the CCE may accept for review an appeal filed later than 10 calendar days after receipt of the decision.

(3) The CCE shall not review a rejected complaint.

- (4) The CCE shall, within 5 working days after receiving an appeal, issue a written receipt of the appeal to the inmate.
- (5) The CCE shall use discretion in deciding the method best suited to determine the facts, including personal interviews, telephone calls, and document review. The CCE shall have full access to inmates, staff, physical plant, and department records. If an appeal necessitates resolution of disputed issues of fact, the CCE may require sworn statements from the principals. The CCE shall give priority to complaints dealing with health or personal safety.
- (6) The CCE shall recommend a decision to the secretary within 35 working days of receipt of the appeal. History: CR 02-038: cr. Register November 2002 No. 563, eff. 12-1-02.

DOC 310.14 Secretary's decision.

(1) The secretary shall make a decision within 10 working days following receipt of the CCE's recommendation. The secretary may extend the time for making a decision for cause and upon notice to the inmate.

(2) The secretary shall do one of the following:

- (a) Accept the recommendation of the CCE and adopt it as the decision.
- (b) Adopt the recommendation of the CCE with modifications.
- (c) Reject the recommendation of the CCE and make a decision.

(d) Return the appeal to the CCE for further investigation.

(3) If the inmate does not receive the secretary's written decision within 45 working days of the CCE's acknowledgement of receipt of the appeal, the inmate shall consider the administrative remedies to be exhausted, unless the time has been extended under sub. (1).

tory: CR 02-038: cr. Register November 2002 No. 563, eff. 12-1-02.