

FORMAL COMPLAINT Page 1 OF 2
ON U.C.I.
GRIEVANCE SYSTEM

TO: Inspector General, secretary Micheal Crews,
Warden Diane Andrews, OFFICE OF THE GOVERNOR

From: Ronald Wayne Clark Jr #812974
Union Correctional Institution P-6118
7819 N.W. 228th Street
RaiFord, Fl. 32026-4460

Date: June 16 2014

subject: Rendering Grievances Ineffective.

The grievance co-ordinator T-Key has responded to several of my grievances with a reckless disregard, to render the grievances ineffective. see attached as [Exhibit (A)] Formal Grievance Log #1405-213-271 dealing with the A.D.A

Florida Administrative Codes 33-103.006 Formal Grievances

(3) The following types of grievances may be filed directly with the reviewing authority as defined in subsection 33-103.002 (5) F.A.C. by-passing the informal grievance step, and may be sent in a sealed envelope through routine institutional mail channels.

(h) Grievance alleging violation of the Americans with Disability Act.

Now in [Exhibit (A)] I title this an A.D.A. Grievance and start off by letting them know there's a violation

of the Americans with a Disability Act taking place. The rules clearly, do not require me to file an informal grievance, as T-Key has stated.

Diabetics are protected under the A.D.A see case law *Rouse v. Plantier*, 997 F. SUPP. 575, 582 (D.N.J 1998) so the Federal ADA, and section 504 of the Rehabilitation Act applies to the FDOC and the assisting of individual with diabetes.

T-Key, even if he did not accept this grievance, under 33-103.006 (3)(h), should have returned it, within 72 hours as required, under 33-103.006 (3)(a) 4. Exhibit (A), shows it was received on May 28, 2014, responded to on June 5, and mailed on June 6, 2014. So his handling, of this grievance was in non-compliance of 33-F.A.C.

The longer it takes, to deal with this issue, the more my mother, and other diabetics, will remain in danger of diabetic seizures, or a diabetic coma. This issue needs to be addressed, and diabetic sandwiches, meals, ice cream and snacks, either need to be sold in the canteen visiting park's throughout the FDOC, or the diabetic needs to be authorized to bring in their own food and snacks.

This was and is a serious grievance that T-Key rendered ineffective by not following the governing rules set forth in 33-103. F.A.C. steps need to be taken to ensure this doesn't take place again. Thanks for your time and hopefully your help.

Respectfully
submitted

Ronald W. Clark

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS

REQUEST FOR ADMINISTRATIVE REMEDY OR APPEAL

EXHIBIT (A) 1

TO: Warden Assistant Warden Secretary, Florida Department of Corrections
From: Clark Ronald W. 812974 Union
Last First Middle Initial Number Institution

Part A - Inmate Grievance

ADA

The issue for which I'm grieving is a violation of the American Disability Act. My mother has diabetes when she comes to visit, she's not allowed to bring in diabetic food, nor does the canteen provide diabetic, health food to allow her to stabilize her blood sugar. The canteen either needs to sell diabetic sandwiches, meals, ice creams or, the FDOC needs to allow diabetics to bring in their own food and snacks in order to stabilize their blood sugar and protect themselves from a diabetic seizure or coma. Thank you for your time and help in correcting this ADA violation. —

[Exhibit (A) 2]

PART B - RESPONSE

<u>CLARK, RONALD</u> INMATE	<u>812974</u> NUMBER	<u>1405-213-271</u> GRIEVANCE LOG NUMBER	<u>UNION C.I.</u> CURRENT INMATE LOCATION	<u>P6118S</u> HOUSING LOCATION
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Your request for administrative remedy is in non-compliance with the Rules of the Department of Corrections, Chapter 33-103, and Inmate Grievance Procedure. The rule requires that you first submit an informal grievance at the appropriate level at the institution. You have not done so or you have not provided this office with a copy of the informal grievance, or an acceptable reason for not following the rules.

Upon receipt of this response, if you are within the allowable time frames for processing a grievance, you may resubmit an informal grievance at your current location in compliance with Chapter 33-103, Inmate Grievance Procedure.

Based on the foregoing information, your grievance is returned without action.

T. Key

S. B. Rossiter, Assistant Warden

[Signature]
SIGNATURE AND TYPED OR PRINTED NAME
OF EMPLOYEE RESPONDING

[Signature]
SIGNATURE OF WARDEN, ASST. WARDEN, OR
SECRETARY'S REPRESENTATIVE

6-5-14
DATE

COPY DISTRIBUTION - INSTITUTION / FACILITY
(2 Copies) Inmate
(1 Copy) Inmate's File
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COPY DISTRIBUTION - CENTRAL OFFICE
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MAILED
JUN 06 2014
UCI GRIEVANCE OFFICE