

BOP Grievance Guide: A Guide to Administrative Remedy Requests at Federal Prisons

Based on P.S. 1330.18

Following all the steps helps to protect your legal rights.

You must finish all administrative steps before suing about prison conditions under federal law.

If you stop before completing the entire process, for any reason, a court may say that you have not “exhausted” your administrative remedies and dismiss your case. There are strict time limits you must follow in order to complete the grievance process.

This Guide was created by the D.C. Prisoners’ Project of the Washington Lawyers’ Committee for Civil Rights and Urban Affairs. It was last updated in June 2021. It is based on BOP Program Statement 1330.18 published January 6, 2014.

It is not an official document of the Bureau of Prisons.

It does not replace the advice of an attorney. It is not legal advice and does not create an attorney client relationship. You are responsible for meeting all necessary deadlines and requirements.

This guide will help you with the Administrative Remedy Request process.

You must finish all administrative steps before suing about prison conditions under federal law. This is because of the Prison Litigation Reform Act (PLRA), which limits the ability of incarcerated people to sue about prison conditions.

If you stop before completing the entire process, for any reason, the court may say that you have not “exhausted” your administrative remedies and dismiss your case. There are strict time limits you must follow in order to complete the grievance process.

Completing the grievance process also creates a paper trail and shows you tried to resolve the problem. It might even work.

General Tips

- The full regulation is in P.S. 1330.18. You can read it in your law library.
- Use one grievance form for each complaint, instead of writing about multiple unrelated issues on the same form.
- Describe the problem in as much detail as possible. If you run out of room, you can attach ONE extra letter-size page.
- Make at least three copies of each of your grievances. You can write out the copies by hand.
- If you miss the deadline to file a grievance, file it anyway. Explain in the grievance why you are late.
- For situations in which filing a grievance with the staff at the prison would put you in danger, you can skip Step I, the informal complaint, and send your BP-9 form straight to the Regional Director. You should write “Sensitive” on the grievance and explain why filing the grievance with staff at the prison would put you in danger.
- Keep copies of any documents you include with your grievance – you will not get them back.
- Include copies of prior grievances and responses as you move through each step (e.g., when filing a BP-10, you must include a copy of your BP-9 and the Warden’s response).

Sample Language

Review the sample language below to get an idea of how to write your own grievance. A good grievance is one that specifies why you are making the request and states exactly what you want. We have provided a good example and a bad example of two common situations.

Medical care situation:

- Bad example: *“I want an x-ray done on my knee.”*
- Good example: *“I have had sharp pain in my knee for the last 3 weeks. I would like to get an x-ray done as soon as possible to get a diagnosis of my issue. If an x-ray is not appropriate, I would like to know why not and I would like appropriate treatment.”*

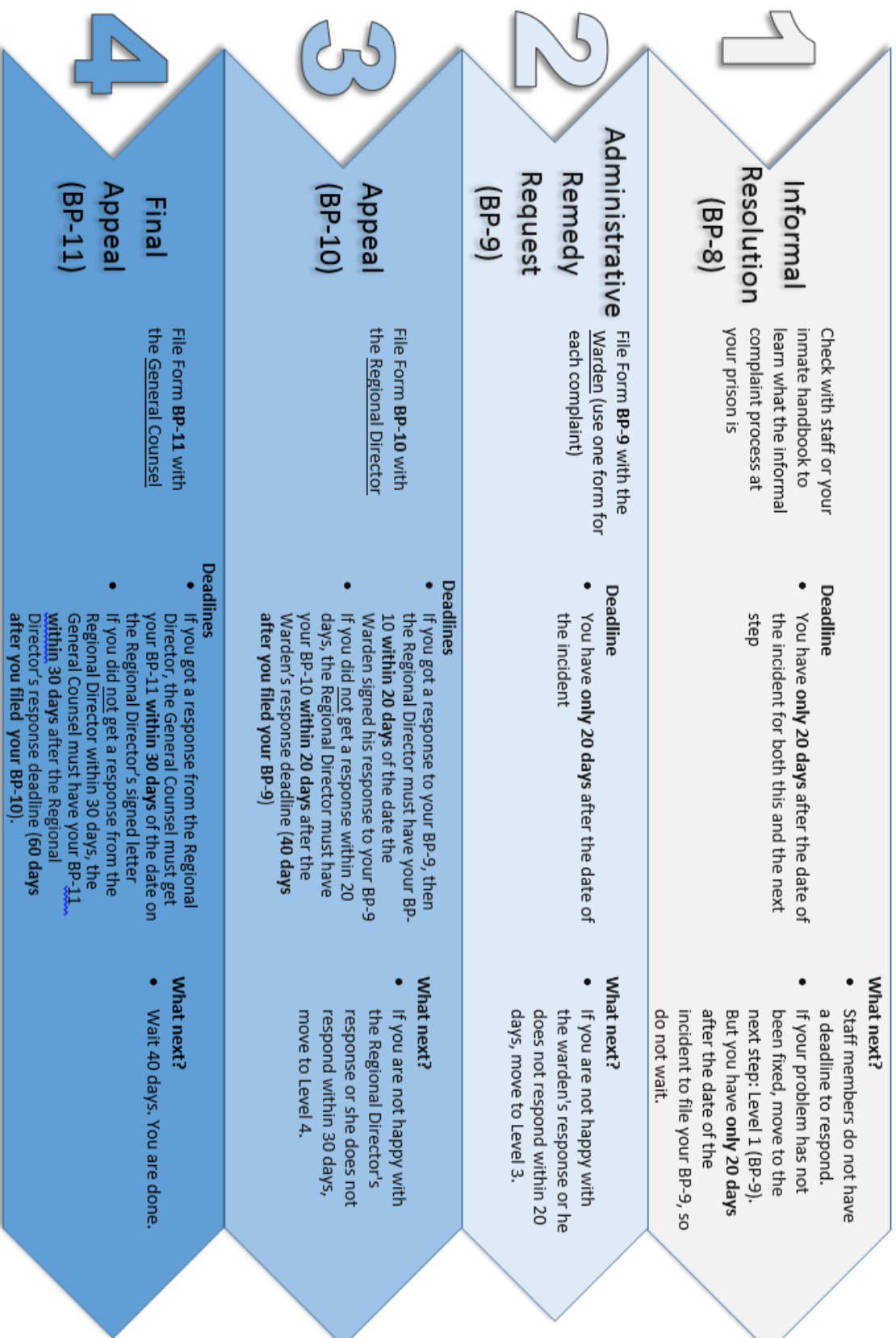
Assault situation:

- Bad example: *“I want to be moved out of my cell.”*
- Good example: *“I was assaulted by my cellmate on March 18, 2018. We have not been separated, and I fear for my safety. I would like to be separated from him immediately.”*

***Note: Complaints about sexual abuse and involving disability issues have slightly**

different procedures. If you don't have our guides to those issues, write and ask us for a copy.

Overview of the Administrative Remedy Process



ADMINISTRATIVE REMEDY REQUEST WORKSHEET

I. INFORMAL RESOLUTION

- A.** Date of Incident: _____
- B.** Add 20 days to date on line **A**: _____
This is your deadline to file your Informal Complaint and BP-9.
- C.** Date you made an Informal Complaint: _____

2. **BP-9:**

Submit the original BP-9 form with carbon copies by the date calculated on line **B**. If you use an extra page, you must submit two copies to the Warden. Keep at least one copy of your full submission at all times.

- D.** What day did you file your BP-9? _____
- E.** Add 20 days to the date on line **D**: _____
This is when you should receive a response to your BP-9. The warden has 20 days to respond.

If you receive a Continuance Form that extends the Warden's deadline, update line **E** with the new response deadline.

Did you receive a response to your BP-9?

If yes:	If no:
F. Date of Warden's response: _____	F. Date on Line E : _____
G. Add 20 days to date on line F : _____	G. Add 20 days to date on line F : _____
<i>This is your deadline to file your BP-10.</i>	<i>This is your deadline to file your BP-10.</i>

3. **BP-10:**

Submit the original BP-10 form with carbon copies by the date calculated on line **G**. If you use an extra page, you must submit three copies to the Regional Director. Keep at least one copy of your full submission at all times. You can find the address for your Regional Director on Page 6.

- H.** What day did you file your BP-10? _____
- I.** Add 30 days to the date on line **H**: _____
This is when you should receive a response to your BP-10. The Regional Director has 30 days to respond.

Did you receive a response to your BP-10?

If yes:

J. Date of Reg. Director's response: _____

K. Add 30 days to date on line **J**: _____

This is your deadline to file your BP-11. You should send it as early as possible to make sure it arrives before the deadline.

If no:

J. Date on Line **I**: _____

K. Add 30 days to date on line **J**: _____

This is your deadline to file your BP-11. You should send it as early as possible to make sure it arrives before the deadline.

4. BP-11:

*Submit the original BP-11 with carbon copies by the date calculated on line **K**. If you use an extra page, you must submit four copies of it to the Office of General Counsel. Keep at least one copy of your full submission at all times. You should send it to this address:*

*National Inmate Appeals Administrator
Office of General Counsel
320 First St., NW
Washington, DC 20534*

L. What day did you file your BP-11? _____

M. Add 40 days to the date on line **L**: _____

This is when you should receive a response to your BP-11. General Counsel has 40 days to respond.

The grievance process is now complete. This means that you have finished all of the administrative steps required before suing about prison conditions under federal law, and you are now free to sue.

***Note: If you are filing about a disability issue, remember that there is another administrative process to complete before you can go to court.**

If you do file in court, it is good to have two copies of what you submitted at each level.

Addresses of Bureau of Prisons Regional Directors

If you are in Delaware, Kentucky, Maryland, North Carolina, Tennessee, Virginia, or West Virginia:

Regional Director
Mid-Atlantic Regional Office
302 Sentinel Drive, Suite 200
Annapolis Junction, MD 20701

If you are in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, or Wisconsin:

Regional Director
North Central Regional Office
400 State Avenue, Suite 800
Kansas City, KS 66101

If you are in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, or Vermont:

Regional Director
Northeast Regional Office
U.S. Custom House, 7th Floor
200 Chestnut Street
Philadelphia, PA 19106

If you are in Arkansas, Louisiana, New Mexico, Oklahoma, or Texas:

Regional Director
South Central Regional Office
U.S. Armed Forces Reserve Complex
344 Marine Forces Drive
Grand Prairie, TX 75051

If you are in Alabama, Florida, Georgia, Mississippi, Puerto Rico, or South Carolina:

Regional Director
Southeast Regional Office
3800 Camp Creek Parkway, S.W.
Building 2000
Atlanta, Georgia 30331

If you are in Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, or Wyoming:

Regional Director
Western Regional Office
Federal Bureau of Prisons
7338 Shoreline Drive
Stockton, CA 95219