

ACTS CONSTITUTING RULE VIOLATION

Class X

- X-1 Banding together for purposes of inciting others in a course of disorderly conduct (e.g., demonstration; work stoppage; hunger strike; to commit or facilitate commission of a felony or misdemeanor; to prevent or coerce official action; when the actor or any other participant to the knowledge of the actor uses or plans to use a firearm or other deadly weapon; involvement in writing, circulating, or signing a petition that poses a threat to the security of the facility).
- X-2 Riot or taking over a part of the physical plant. May only be used when the director declares an emergency status in writing.
- X-3 Killing another person(s) or participating in an activity that directly results in the intentional death of another person. Includes any attempt to cause grave injury to another person rendering that person brain dead or left with the loss of a limb or organ.
- X-4 Inmate-on-staff/civilian assaults with serious injury to staff/civilian - required urgent and immediate medical treatment and restricted the person's usual activity and/or required medical treatment beyond first aid. Examples of treatment beyond first aid include stitches, setting of broken bones, treatment of concussion, loss of consciousness, etc. (PBMS III.2.1.)
- X-5 Inmate-on-staff/civilian completed non-consensual sexual acts – includes one or more of the following: (a) Contact between the penis and vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Contact between the mouth and the penis, vagina or anus. (c) Penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.4.1.)
- X-6 Inmate-on-staff/civilian attempted non-consensual sexual acts – includes one or more of the following: (a) Attempted contact between the penis and vagina or the penis and the anus. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Attempted contact between the mouth and the penis, vagina or anus. (c) Attempted penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.4.2.)
- X-7 Kidnapping or taking another person as a hostage.
- X-8 Inmate-on-Inmate completed non-consensual sexual acts – includes one or more of the following: (a) Contact between the penis and vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Contact between the mouth and the penis, vagina or anus. (c) Penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.3.1.)

- X-9 Inmate-on-inmate assault/fight with serious injury and/or assault with a weapon – required urgent and immediate medical treatment and restricted the inmate/victim’s usual activity and required medical treatment beyond first aid. Examples of treatment beyond first aid include stitches, setting of broken bones, treatment of concussion, loss of consciousness, etc. (PBMS III.1.1.)
- X-10 Possession/introduction/attempt to introduce any explosive, combustible substance, fireworks, gun, firearm, weapon, ammunition, knife, sharpened instrument, Class A tool, keys or security equipment.
- X-11 Maximum or Medium Custody Escape, or a documented attempt to escape (e.g., possession of maps, staff uniforms), or aiding or abetting an escape for any period of time from the custody of the Department of Corrections while housed at a maximum or medium security facility.
- X-12 Inmate-on-staff/civilian assaults that did not involve serious injury - assault did not result in injuries requiring medical treatment beyond first aid (for example, application of bandages to wounds). Note: Excludes all verbal assaults and assaults by throwing liquid, waste, chemicals or urine. (PBMS III.2.3.)
- X-13 Inmate-on-staff/civilian assaults and attempts by throwing substances - includes assaults by throwing or spitting liquid, blood, waste, chemicals, urine, etc., that did not result in non-serious or serious injury. (PBMS III.2.4.)
- X-14 Inmate-on-staff/civilian abusive sexual contact - includes one or more of the following: (a) Sexual contact without consent or when the victim was unable to consent or refuse. (b) Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of the victim. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (PBMS III.4.3.)
- X-15 Inmate-on-inmate attempted non-consensual sexual acts – includes one or more of the following: (a) Attempted contact between the penis and vagina or the penis and the anus. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Attempted contact between the mouth and the penis, vagina or anus. (c) Attempted penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.3.2.)
- X-16 Minimum Custody Escape or Community Corrections Walk Away, or a documented attempt to escape/walkaway (e.g., possession of maps, staff uniforms), or aiding or abetting an escape/walkaway for any period of time from the custody of the Department of Corrections while housed at a minimum security facility or Community Corrections Center, Community Work Center, Halfway House, or Community Corrections Program (GPS). This does not include itinerary violations.
- X17 Setting a fire.
- X-18 Tampering with or blocking any lock, locking device, fire suppression equipment or other security equipment.

- X-19 Selling, trading, bartering, receiving or giving prescribed medication/drugs to another person. Possession/introduction or attempt to introduce/manufacture or attempt to manufacture any intoxicant/drug/illegal substance or possession of any drug paraphernalia.
- X-20 Possession/utilization/attempt to introduce a cell phone, cell phone paraphernalia, electronic communication device, computer, camera or video equipment or engaging in electronic communication (e.g., texting, accessing or posting to an internet site) while incarcerated at a minimum, medium or maximum security facility or contracted county jails.
- X-21 Adulteration of any foods or drinks.
- X-22 Violation of State or Federal law (does not require conviction in a state or federal court).
- X-23 Running from or resisting apprehension, refusal to submit to restraints or removing restraints within facility, to include hiding within the facility to avoid detection or with the intent to escape.
- X-24 Inmate-on-inmate abusive sexual contact – includes one or more of the following: (a) Sexual contact without consent or when the victim was unable to consent or refuse. (b) Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of the victim. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (PBMS III.3.4.)
- X-25 Inmate on staff/civilian sexual harassment, menacing or stalking. Includes verbal statements, questions or comments of a sexual nature. May include profane or obscene language or gestures of a sexual nature. Physical or verbal threatening, intimidation, bullying or menacing.

Class A

- A-1 Work, school or program misconduct. Includes, but is not limited to, unexcused absence, quitting without prior approval, getting fired/expelled/removed, tardiness, shirking of duties, failure to notify staff when too ill to work, refusal to participate, cheating on tests or possession/passing of stolen tests or answer keys.
- A-2 Inmate-on-inmate assault/fight without serious injury – assault did not result in injuries requiring medical treatment beyond first aid (for example, application of bandages to wounds). Note: Excludes all verbal assaults, assaults by throwing liquid, waste, chemicals or urine. (PBMS III.1.3.)
- A-3 Inmate-on-inmate assaults and attempts by throwing substances – includes assaults by throwing or spitting liquid, blood, waste, chemicals, urine, etc., that did not result in serious injury. (PBMS III.1.5.)
- A-4 Destruction of evidence. Includes but is not limited to flushing or swallowing evidence.
- A-5 Physical or verbal threatening, intimidation, bullying or menacing of another inmate.

- A-6 Demanding/receiving money or favors or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- A-7 Fraternizing with staff or carrying out any action designed to coerce administration with the exception of sexual activity.
- A-8 Inmate-on-inmate sexual harassment. Includes verbal statements or comments of a sexual nature. May include profane or obscene language or gestures when clearly of a sexual nature.
- A-9 Engaging in sexual activity with another consenting inmate. Indecent exposure, to include urinating or defecating in any location other than a toilet, or masturbating in view of others.
- A-10 Bestiality.
- A-11 Outside defined boundaries of a facility as defined by facility or present in a restricted area.
- A-12 Under the influence of and/or any use of illegal drugs, alcohol, intoxicating substances and/or refusal to submit to substance abuse testing and/or an attempt to alter or destroy a substance abuse testing specimen. Testing is not mandatory when it is evident the inmate has used an intoxicating substance. If the inmate alleges inability to produce a specimen, a two hour delay under observation will be allowed. Includes use of any medication in an unauthorized manner and/or misrepresenting to staff that medication was taken as ordered (e.g., cheeking, palming).
- A-13 Possession or attempt/use/introduction of any tobacco, tobacco-like products, electronic cigarette, matches or lighter at a maximum, medium or minimum security facility. Does not include Community Corrections Centers, Community Work Centers or Halfway Houses.
- A-14 Counterfeiting, forging, or unauthorized reproductions of any document, article of identification, money, security, or official paper. Includes altering, mutilating or attempting to destroy.
- A-15 Destruction/mutilation/malicious alteration of state/private/public property to include the intentional blocking of any drain in any manner which causes flooding.
- A-16 Possession/introduction or attempt to introduce any item not authorized by the facility; includes but is not limited to unauthorized identification, unauthorized tool, money or other contraband.
- A-17 Breaking into an office, room/locker or taking/destroying the property of another person.
- A-18 Tattooing or possession of tattoo paraphernalia/self-mutilation; to include body piercings or any attempt to inflict self-injury or ingest any harmful or poisonous substance.
- A-19 Refusal of medical care/appointment after transportation to an outside medical facility.
- A-20 Failure to cooperate in any investigation. Does not include disciplinary procedures investigations.

- A-21 Disrespect to staff/civilians. Includes, but is not limited to, using abusive/obscene language, making profane/obscene gestures, insolence, lying to staff, making allegations to staff the inmate knows to be false and malingering.
- A-22 Failure to obey verbal and/or written orders, policies or rules.

Class B

- B-1 Unauthorized contact/conduct with anyone (e.g., public, visitor) by means of mail or telephone to include passing unauthorized messages or conducting unauthorized activities. Includes violations of OP-030117 entitled "Correspondence, Publication, and Audio/Video Media Guidelines."
- B-3 Any attempt to send or receive money or property in any form from another inmate. This includes attempting to conceal the transfer through a third party. This also includes possessing, receiving, trading, selling, giving, or loaning of any property regardless of value as well as attempting to give, giving, or receiving money or anything of value as a bribe or inducement.
- B-4 Preparing or conducting a gambling operation or participating in games of chance for gain/profit. Possession of gambling paraphernalia that is not specifically authorized property as specified by OP-030120.
- B-5 Failure to comply with rules and conditions of community-based placement (e.g., accountability plan, itinerary, failure to successfully complete required telephone contact, failure to follow sign-in/sign-out procedures or outside the defined boundaries of the facility without permission). Applies to Community Corrections Centers, Community Work Centers or Halfway Houses or Community Programs (e.g., GPS) only.
- B-6 Aiding or abetting in the commission of any rule violation.
- B-7 Possession/utilization/attempt to introduce a cell phone, cell phone paraphernalia, electronic communication device, computer, camera or video equipment or engaging in electronic communication (e.g., texting, accessing or posting to an internet site) while incarcerated at a community corrections center, community work center or halfway house.
- B-8 Possession or attempt/use/introduction of any tobacco, tobacco-like products, electronic cigarette, matches or lighter at a Community Corrections Center, Community Work Center or Halfway House.
- B-9 Unauthorized use of state/private/public property/supplies.

RANGE OF ALLOWABLE SANCTIONS

VIOLATION CLASS	OFFENSE		
<p>Major Violations</p> <p style="text-align: center;"><i>Class X</i></p> <p>X-1 through X- 14</p>	<p>X1A. Disciplinary segregation up to 30 days.</p> <p>X1B. Revocation of earned credits up to all earned credits. If more than 60 credits are revoked, said revocation must be approved by the Regional Director</p> <p>X1D. Restitution</p> <p>X1E. Visitation restriction up to 1 year</p> <p>X1F. Canteen restriction up to 1 year</p> <p>X1G. Telephone restriction up to 1 year</p> <p>X1H. Fine up to \$20</p>		
<p>Major Violations</p> <p style="text-align: center;"><i>Class X</i></p> <p>X- 15 through X- 25</p>	FIRST OFFENSE	SECOND OFFENSE	
	<p>X2A1. Disciplinary segregation 1-30 days. May apply time served.</p> <p>X2B1. Revocation of earned credits up to 30 days</p> <p>X2D1. Restitution</p> <p>X2E1. Visitation restriction up to 90 days</p> <p>X2F1. Canteen restriction up to 90 days</p> <p>X2G1. Telephone restriction up to 90 days</p> <p>X2H1. Fine up to \$5</p>	<p>X2A3. Disciplinary segregation 1-30 days. No time served.</p> <p>X2B3. Revocation of earned credits up to 365. If more than 60 credits are revoked, said revocation must be approved by the Regional Director.</p> <p>X2D3. Restitution</p> <p>X2E3. Visitation restriction up to 1 year</p> <p>X2F3. Canteen restriction up to 1 year</p> <p>X2G3. Telephone restriction up to 1 year</p> <p>X2H3. Fine up to \$10</p>	

VIOLATION CLASS	FIRST OFFENSE	SECOND OFFENSE	
<p>Minor Violations</p> <p><i>Class A</i> A-1 through A-22</p>	<p>AA1. Restitution AB1. Extra duty not to exceed 40 hours AC1. Visitation restriction not to exceed 60 days AD1. Telephone restriction not to exceed 60 days AE1. Canteen restriction for up to 60 days</p>	<p>AA3. Restitution AB3. Extra duty not to exceed 120 hours AC3. Visitation restriction not to exceed 120 days AD3. Telephone restriction not to exceed 120 days AE3. Canteen restriction for up to 120 days</p>	
<p>Minor Violations</p> <p><i>Class B</i> B-1 through B- 9</p>	<p>BA1. Restitution BB1. Extra duty not to exceed 12 hours BC1. Visitation restriction not to exceed 10 days BD1. Telephone restriction not to exceed 10 days BE1. Canteen restriction for up to 10 days</p>	<p>BA3. Restitution BB3. Extra duty not to exceed 40 hours BC3. Visitation restriction not to exceed 30 days BD3. Telephone restriction not to exceed 30 days BE3. Canteen restriction for up to 30 days</p>	

- Second Offense applies to subsequent violations of the same rule within 1 year, and said subsequent violations are eligible for increased sanctions pursuant to the table above.
- Earned credits that have not been earned as of the date of the hearing are not eligible to be revoked.
- For purposes of OP-060125, visitation restriction means that an inmate is not permitted visitation except for visits with the inmate’s attorney and clergy.
- For purposes of OP-060125, telephone restriction means that an inmate is not permitted to make or receive phone calls except calls to or from the inmate’s attorney and clergy.
- For purposes of OP-060125, canteen restriction has the same meaning as provided in OP-120230, Section II. C. 4.
- Restitution may be imposed when economic loss has occurred as a result of the inmate’s behavior resulting in a rule violation; however, the amount of restitution awarded shall not exceed the actual amount of the replacement value of the item(s) destroyed, damaged, or missing. Restitution may also be imposed for the cost of providing a service, which includes, but is not limited to, medical bills for medical services required as a result of an inmate’s behavior, repair bill to repair an item damaged by an inmate, etc. If restitution is imposed as a sanction, the funds may be collected from the inmate’s draw account at a rate not to exceed 50% of the deposits made to the account. Documentation will be provided to the inmate verifying how the amount of restitution was determined. Restitution for personnel services or when charges are to be filed will not be assessed.
- Sanctioned restriction time frames shall begin the day the sanction is imposed by the Disciplinary Hearing Officer or Disciplinary Coordinator.
- Fines are not to be imposed as a sanction if charges are being filed against the inmate.