

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 Offender-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 Offender-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 Offender-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 Offender-on-Offender **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 Offender-on-offender assault **with serious injury** – required urgent and immediate medical treatment and restricted the offender/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 Offender-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 Offender-on-staff/civilian assaults 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 Offender-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 Offender-on-offender **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, or other security equipment.

- X-19 Selling, trading, bartering, 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 or cell phone paraphernalia or engaging in electronic communication (e.g., texting, 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 or refusal to submit to restraints within facility, to include hiding within the facility to avoid detection or with the intent to escape.
- X-24 Offender-on-offender 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.)

Class A

- A-1 Offender-on-staff/civilian sexual harassment. Includes repeated verbal statements or comments of a sexual nature. May include profane or obscene language or gestures when clearly of a sexual nature.
- A-2 Offender-on-offender assault **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, and fighting. (PBMS III.1.3.)
- A-3 Offender-on-offender assaults 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 Offender-on-offender fights – may include physical contact between offenders (e.g., punch, hard shove, slap), mutual combat or minor physical contact between two or more offenders where there was no injury. Note: Excludes offender-on-offender assaults with and without serious injury. (PBMS III.1.4.)
- A-5 Physical or verbal threatening, intimidation, bullying or menacing of another person.
- 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 Carrying out any action designed to coerce administration with the exception of sexual activity.

- A-8 Offender-on-offender 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 offender. 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 offender has used an intoxicating substance. If the offender 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/use/introduction of any tobacco, tobacco-like products, 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 of any item not authorized by the facility; includes but is not limited to unauthorized identification and unauthorized tool.
- A-17 Breaking into a 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 offender 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, telephone or computer 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 offender. 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 or cell phone paraphernalia or engaging in electronic communication (e.g., texting, posting to a internet site) while incarcerated at a community corrections center, community work center or halfway house.
- B-8 Possession/use/introduction of any tobacco, tobacco-like products, matches or lighter at a Community Corrections Center, Community Work Center or Halfway House.
- B-9 Unauthorized use of state/private/public property/supplies.
- B-10 Possession of money or currency, unless specifically authorized.
- B-11 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.

RANGE OF ALLOWABLE SANCTIONS

VIOLATION CLASS	OFFENSE		
<p>Major Violations</p> <p style="text-align: center;"><i>Class X</i> X-1 through X-11</p>	<p>X1A. Disciplinary segregation 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 Division Manager</p> <p>X1C. Reduction to Class Level 1 for up to 1 year</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>Major Violations</p> <p style="text-align: center;"><i>Class X</i> X-12 through X-24</p>	FIRST OFFENSE	SECOND OFFENSE	THIRD 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>X2C1. Reduction to Class Level 1 for up to 90 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>X2A2. Disciplinary segregation 1-30 days. No time served.</p> <p>X2B2. Revocation of earned credits up to 60 days</p> <p>X2C2. Reduction to Class Level 1 for up to 180 days</p> <p>X2D2. Restitution</p> <p>X2E2. Visitation restriction up to 180 days</p> <p>X2F2. Canteen restriction up to 180 days</p> <p>X2G2. Telephone restriction up to 180 days</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 Division Manager</p> <p>X2C3. Reduction to Class Level 1 for up to 1 year</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>

VIOLATION CLASS	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
<p align="center">Minor Violations</p> <p align="center"><i>Class A</i> A-1 through A-22</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	AA2. Restitution AB2. Extra duty not to exceed 80 hours AC2. Visitation restriction not to exceed 90 days AD2. Telephone restriction not to exceed 90 days AE2. Canteen restriction for up to 90 days	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 align="center">Minor Violations</p> <p align="center"><i>Class B</i> B-1 through B-11</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	BA2. Restitution BB2. Extra duty not to exceed 24 hours BC2. Visitation restriction not to exceed 20 days BD2. Telephone restriction not to exceed 20 days BE2. Canteen restriction for up to 20 days	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

- Second Offense and Third 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 awarded as of the date of the hearing are not eligible to be revoked.
- For purposes of OP-060125, visitation restriction means that an offender is not permitted visitation except for visits with the offender's attorney and clergy.
- For purposes of OP-060125, telephone restriction means that an offender is not permitted to make or receive phone calls except calls to or from the offender'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 offender'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 offender's behavior, repair bill to repair an item damaged by an offender, etc. If restitution is imposed as a sanction, the funds may be collected from the offender's draw account at a rate not to exceed 50% of the deposits made to the account. Documentation will be provided to the offender verifying how the amount of restitution was determined. Restitution for personnel services will not be assessed.
- Sanctioned restriction time frames shall begin the day the sanction is imposed by the Disciplinary Hearing Officer or Disciplinary Coordinator, unless the sanctioned restriction is to be served consecutively to another sanction(s) imposed in a separate disciplinary proceeding. In the event the sanction(s) is to run consecutively to another sanction(s) imposed in a separate disciplinary proceeding, the sanction(s) shall begin the day after the expiration of the other sanction(s).