

DEFERRED DISPOSITION PROCESS FOR RULE VIOLATION

The following procedures should be utilized when it is determined that the offender's offense report will be processed under the deferred disposition process:

1. Upon completion of the investigation, the responsible staff member, with the approval of the facility head, determines that both the rule violation and the offender are eligible for the deferred disposition process.
2. The offender is provided written notice of the deferred disposition process for rule violation (DOC 060125S).
3. The offender may elect to waive participation in the deferred disposition process.
4. The disposition may be deferred for 45 days for class A and B misconducts.

If additional violations occur during the deferred time period, the offender will be provided notice of an accelerated disposition date utilizing the Disciplinary Coordinator's Report (DOC 060125B), and offered the opportunity for a 24 hour response period beginning at the time the offender is served notice of the acceleration.

5. If no additional violations occur during the deferred time period, the "Offense Report" shall be dismissed.

All records relating to the rule violation will be expunged.

6. Should the misconduct paperwork become misplaced during the deferred disposition process, staff will be responsible for reconstructing all paperwork relating to the misconduct.