


**HOWARD COUNTY DEPARTMENT OF CORRECTIONS
POLICY & PROCEDURE**

	SUBJECT:	Inmate Rights, Discipline and Services
	P & P #:	H-713
	TITLE:	Inmate/Detainee Disciplinary Procedures
	EFFECTIVE DATE:	December 21, 2019
	REVIEWED BY:	<i>Andrea King Wessels</i> Andrea King-Wessels, Deputy Director
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POLICY: The Howard County Department of Corrections operates safely and effectively only when the behavior of the inmate/detainee population conforms to minimum standards of conduct set forth by inmate/detainee rules and regulations that are fairly and consistently enforced. The Department ensures that disciplinary actions are neither capricious nor retaliatory. Department of Corrections personnel hold inmates/detainees accountable for conduct that violates established rules and regulations by implementing disciplinary procedures which ensure the inmate's/detainee's due process rights and ensure proper documentation of violations. When staff discover, or have sufficient reason to believe, that an inmate/detainee has committed an offense or violation of written inmate/detainee rules or regulations, he/she shall write a Notice of Infraction Report to implement disciplinary procedures against the inmate/detainee.

REFERENCES: Maryland Commission on Correctional Standards (MCCS) – Adult Detention Centers Standards .01 G; .07 A, B; .08 B and Performance Based National Detention Standards (PBNDS) 2011 Section 3.1.

DEFINITIONS:

Due Process: The procedural rights of an inmate/detainee accused of a violation of written rules and regulations. These include:

- a. Written notice for inmates within 48 hours of knowledge of an alleged violation of Inmate/Detainee Rules and Regulations. The exception shall be in cases of escape, where the inmate shall receive written notice within 48 hours of return or exigent circumstances.
- b. Written notice for ICE detainees shall be within 24 hours of knowledge of an alleged violation of Inmate/Detainee Rules and Regulations. The exception shall be in cases of escape, where the ICE detainee shall receive written notice within 24 hours of return or exigent circumstances.

All investigations concerning notices of infractions issued for ICE detainee shall be initiated within 24 hours.

- c. A fair and impartial hearing within 96 hours of the alleged infraction by the inmate excluding weekends, holidays, emergency closing or exigent circumstances as determined by the Director/Deputy Director;
- d. A fair and impartial hearing for ICE detainees in accordance with ICE Standards shall be served within 48 hours **but not sooner than 24 hours** concluding the investigation

excluding emergency closing, exigent circumstances, weekends or holidays as determined by the Director/Deputy Director;

- e. A right to request representation by a fellow inmate/detainee not on segregation or special status or a staff member;
- f. A right to appear at the hearing unless he/she waives that right in writing or meets criteria stated in Section IV. E. of this policy;
- g. A right to call witnesses in his/her defense, provided institutional security or safety would not be jeopardized;
- h. A right to remain silent at every stage of the disciplinary process for ICE detainees in accordance with PBNDS Section (3.1 E. 2).
- i. A right to enter a statement of his/her version of the alleged infraction;
- j. A right to appeal the disciplinary action to the Director within five (5) working days of the hearing; and
- k. A right to be free from cruel and/or unusual punishment.

Cruel and/or unusual punishment: Corporal punishment (i.e. unnecessary and/or excessive use of force or physical assault), deprivation of light, heat, food, hygiene necessities, clothing, mail, sanitation, or access to legal counsel or the courts, and any act or lack of care that may injure or impair the health of an inmate.

Infractions: Violation of the Howard County Department of Corrections rules and regulations which could include a single incident or event even if the incident or event results in the inmate/detainee being charged with multiple rule violations or multiple incidents or events.

Hearing Officer: An impartial, non-advocate, fact finder who presides over a hearing, which may be one or more Departmental staff members.

Offense: Violation of any Department of Corrections rule or regulation which would also be a violation of a criminal nature under the laws of the State of Maryland and the United States which may be referred to the proper authorities for possible legal action.

Reporting Officer: Uniformed and non-uniformed personnel (including contractual personnel) who determine that a rule violation may have occurred and writes a Notice of Infraction.

Telecommunication Device: A device that may be Wi-Fi, internet, or email ready or is able to transmit telephonic, electrical, digital, cellular, or radio communications.

Cell Restriction: Restrictive status which includes confinement to a cell, loss of recreation (inside and outside), telephone and visiting privileges (excluding attorney and clergy visits) for a specified period.

PROCEDURES:

I. General Disciplinary Procedures

- A. Department of Corrections personnel shall ensure that an inmate/detainee is not subjected to any system or arrangement of discipline by other inmates/detainees.

- B. Department of Corrections personnel shall ensure that an inmate's/detainee's due process rights are not violated.
- C. The Reporting Officer shall include all known facts in the Notice of Infraction report and be specific as to the incident. The Reporting Officer shall fully complete the report and shall specify the rules violated. The Reporting Officer shall specify how the cited rules were violated. The reviewing supervisor is responsible for **ensuring** the report is complete for clarity, content and accuracy and the rules charged are appropriate.
- D. An inmate/detainee may be placed on administrative segregation prior to a disciplinary hearing only if the inmate's/detainee's behavior poses a threat to the security of the Department or the safety of inmates/detainees or staff. This decision must be approved by the Shift Leader.
- E. The procedures herein are written to utilize hard copy forms and signatures and may also utilize electronic versions and electronic signature.
- F. The facility will not discipline a detainee for sexual contact with a staff member unless there is a finding that the staff member did not consent.

II. Category Offenses for Non-ICE Detainees

Category 100 Offenses (Most Serious):

- 101 Wrongful killing, assault, battery, assault by threatening to do bodily harm, with or without weapons including but not limited to biological waste, hazardous substances and bodily fluids.
- 102 Sexual conduct, with or without consent, including but not limited to sodomy, perverted, unnatural acts, rape, masturbation, kissing, inappropriate touching, hugging, handholding or indecent exposure.
- 103 Actively, knowingly or intentionally inciting, creating, participating, committing or being involved as an inciter, aider, or abettor in any manner in a mutinous act, riot, or disturbance in the taking of hostages or the planning thereof.
- 104 Making or possessing any weapon or any article which has been modified into a weapon.
- 105 Being involved in any manner with an act or attempted act of arson including but not limited to the setting of a fire in any area of the facility, pulling or announcing a false fire alarm, intentionally activating or destroying a fire suppression sprinkler or fire detection device, or the possession of incendiary or flammable materials or devices.
- 106 Robbery, extortion, coercion, blackmail, bribery or obtaining another's property by force, physical threat, manipulation, or the attempt thereof.
- 107 Escape, including attempting, aiding and abetting any escape or possession of escape paraphernalia which could reasonably be used to perpetrate an escape.
- 108 Absence from facility/institution count; leaving an assigned area without authorization; or being out of bounds.
- 109 Manufacturing, possession, consumption, trafficking or sale or attempt to traffic or sell any substance which could be used as an intoxicant (including fermented juices), any controlled dangerous substance (not authorized by Medical staff), or any drug paraphernalia.
- 110 Refusing to submit to any lawful and authorized test for detection of drugs and/or alcohol. Refusing or failing to provide a required volume of urine necessary for urinalysis testing or providing an adulterated or diluted urine specimen.
- 111 Refusal or interfering with being searched, or having possessions or quarters searched.
- 112 A violation of any federal, state, or local law.
- 113 Manufacturing, possession, consumption, trafficking or sale of tobacco/smoking products to include but not limited to cigarettes, electronic cigarettes (e-cigarettes), cigars, tobacco, snuff, chewing tobacco, or dried fruit/vegetable matter.

- 114 Any gang activity or recruitment to include but not limited to the possession of any material demonstrating affiliation, interest, or involvement, display of symbols or signals, and/or any written or verbal expression.
- 115 Tampering with security systems or controls to include but not limited to locks, lights, video surveillance cameras, cell doors, intercoms, switches or sockets.
- 116 Possession of a telecommunication device, simcard, battery charger, carry case or other device identified with a telecommunication device without authorization.
- 117 Unauthorized or inappropriate/unapproved use of a computer, printer, copying machine, fax, or scanner.

Category 200 Offenses (Moderately Serious):

- 201 Any written or oral use of vulgar, insolent, or threatening language in circumstances which reasonably suggest a threat of harm or attempted harm to staff, other persons or property. Any use of coercive or intimidating language, written or oral, towards any person.
- 202 Resisting or interfering with an employee in the lawful performance of his/her duties.
- 203 While in the community, a violation of any rule or regulation while on Work Release, Home Detention, or Outside Labor Detail.
- 204 The possession of, or passing or receiving of stolen items or items of contraband. These items include but are not limited to items from other inmates, visitors, volunteers, guests, vendors or employees or items altered from their original state. Contraband is any article not expressly authorized in the Inmate Handbook or in excess of authorized amounts.
- 205 Possession of money, checks, and/or money orders without proper authorization.
- 206 Forging and/or altering of any official paper or document to include but not limited to letters, vouchers, money receipts or items altered from their original state or being found in possession of these items.
- 207 Knowingly or intentionally giving employees false information.
- 208 Disobeying a direct lawful order by an individual acting in any official capacity.
- 209 Possessing or wearing a disguise or mask.
- 210 Malicious and/or willful destruction, alteration, defacing, tampering or misusing of any county, personal property or property of another to include but not limited to equipment, material, tools, or machinery.
- 211 Misuse, hoarding, sharing, or distribution of authorized medications.
- 212 Unauthorized use or misuse of the telephone to include but not limited to lending one's own or receiving and using another inmate's PIN number.
- 213 Applying or receiving any tattoo, branding, marking, design, piercing, or any form of mutilation or disfigurement to one's own body or that of another.
- 214 Refusal to work, except housing, or carry out an institutional job assignment.
- 215 Stealing or taking without permission, property from another inmate/detainee, employee, visitor, guest, vendor, volunteer or possession of property belonging to someone else without proper authorization.
- 216 Vulgarity, insolence, disrespect or the use of abusive, obscene or cursing language for any person.
- 217 Gambling or possession of gambling paraphernalia.
- 218 Circumventing the mail policies and procedures to include but not limited to corresponding with other inmates, misuse of mail materials, tampering with U.S. postage stamps or use of false addresses to deliver mail to another inmate/detainee.
- 219 Any violation of visiting regulations to include video visitation or other rule violation(s) occurring during visits.
- 220 Circumventing or violating established policies, procedures, or practices of the Department to include but not limited to the Inmate/Detainee Handbook.

- 221 Misuse of facility communications systems to include but not limited to emergency intercom, kiosk messaging service, or the assault hotline.
- 222 Inmates/detainees are prohibited from any involvement with placing funds in another inmate's fiscal account unless he/she has prior approval from the Director/designee.
- 223 Resisting or interfering with staff conducting a count and/or facilitation movement of an inmate/detainee.

Category 300 Offenses (Least Serious):

- 301 Any violation of tampering, defacing, obliterating, damaging, destroying, or not wearing an identification card after it has been issued.
- 302 Stealing, receiving, giving away or possessing unauthorized food, hoarding or saving food from institutional meals.
- 303 Refusal to maintain personal cleanliness or cleanliness and good order in an inmate's housing area or cell.
- 304 Possession of more than the authorized number of library books and/or magazines.
- 305 Disorderly conduct, horseplay or reckless behavior to include negligence which may or may not result in physical harm, property damage or destruction.
- 306 Unauthorized lateness or absence from institutional job or program assignment or being in an area without authorization.
- 307 Any violation of the inmate dress code.
- 308 Failure to keep cell doors, windows, vents, floors and walls clear of debris or obstructions.
- 309 Failure to maintain low noise level, including radio headset volume.
- 310 Failure to properly recycle allowable items or misuse of the recycling containers.
- Soliciting, conspiring, being an accessory, attempting to commit, aiding in the commission of or circumventing any rule violation shall constitute a violation of the rule and shall subject the inmate to the same penalty.

III. Category Offenses for ICE Detainees (PBNDS 2011 Standards)

Categories

1 ("Greatest" Offense Category)

A. Prohibited Acts

- 100 Killing.
- 101 Assaulting any person (includes sexual assault).
- 102 Escape from escort; escape from a secure facility.
- 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of greatest severity [e.g., a riot or an escape]; otherwise the charge is classified as Code 222, 223 or 322).
- 104 Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, escape tool, device or ammunition.
- 105 Rioting.
- 106 Inciting others to riot.
- 107 Hostage-Taking.
- 108 Assaulting a staff member or any law enforcement officer.
- 109 Threatening a staff member or any law enforcement officer with bodily harm.
- *198 Interfering with a staff member in the performance of duties (conduct must be of the greatest severity; this charge is to be used only if another charge of greatest severity is not applicable).

*199 Conduct that disrupts or interferes with the security or orderly running of the facility (conduct must be of the greatest severity; this charge is to be used only if another charge of greatest severity is not applicable).

B. Sanctions

1. Initiate criminal proceedings.
2. Disciplinary Transfer (recommend).
3. Disciplinary segregation (up to 60 days).
4. Make monetary restitution, if funds are available.
5. Loss of privileges (e.g., commissary, vending machines, movies, recreation, etc.).

II. (High” Offense Category

A. Prohibited Acts

- 200 Escape from unescorted activities open or secure facility, proceeding without violence.
- 201 Fighting, boxing, wrestling, sparring and any other form of physical encounter, including horseplay, that causes or could cause injury to another person, except when part of an approved recreational or athletic activity.
- 202 Possession or introduction of an unauthorized tool.
- 203 Loss, misplacement or damage of any restricted tool.
- 204 Threatening another with bodily harm.
- 205 Extortion, blackmail, protection and demanding or receiving money or anything of value in return for protection against others, avoiding bodily harm or avoiding a threat of being informed against.
- 206 Engaging in sexual acts.
- 207 Making sexual proposals or threats.
- 208 Wearing a disguise or mask
- 209 Tampering with or blocking any lock device.
- 210 Adulterating of food or drink.
- 211 Possessing, introducing, or using narcotics, narcotic paraphernalia or drugs not prescribed for the individual by the medical staff.
- 212 Possessing an officer’s or staff member’s clothing.
- 213 Engaging in or inciting a group demonstration.
- 214 Encouraging others to participate in a work stoppage or to refuse to work.
- 215 Refusing to provide a urine sample or otherwise cooperate in a drug test.
- 216 Introducing alcohol into the facility.
- 217 Giving or offering an official or staff member a bribe or anything of value.
- 218 Giving money to, or receiving money from, any person for an illegal or prohibited purpose (e.g., introducing/conveying contraband).
- 219 Destroying, altering, or damaging property (government or another person’s) worth more than \$100.
- 220 Being found guilty of any combination of three or more high moderate or low moderate offenses within 90 days.
- 222 Possessing or introducing an incendiary device (i.e., matches, lighter, etc.).
- 223 Engaging in any act that could endanger person(s) and/or property.
- *298 Interfering with a staff member in the performance of duties (conduct must be of highest severity; this charge is to be used only when no other charge of highest severity is applicable).
- *299 Conduct that disrupts or interferes with the security or orderly operation of the facility (conduct must be of highest severity; this charge is to be used only when no other charge of highest severity is applicable).

B. Sanctions

1. Initiate criminal proceedings.
2. Disciplinary transfer (recommend).
3. Disciplinary segregation (up to 30 days).
4. Make monetary restitution, if funds are available.
5. Loss of privileges (e.g., commissary, vending machines, movies, recreation, etc.).
6. Change housing.
7. Remove from program and/or group activity.
8. Loss of job.
9. Impound and store detainee's personal property.
10. Confiscate contraband.
11. Restrict to housing unit.
12. Warning.

III. "High Moderate" Offense Category:

A. Prohibited Acts

- 300 Indecent exposure.
- 301 Stealing (theft).
- 302 Misusing authorized medication.
- 303 Loss, misplacement or damage of a less restricted tool.
- 304 Lending property or other item of value for profit/increased return.
- 305 Possessing item(s) not authorized for receipt or retention and not issued through regular channels.
- 306 Refusing to clean assigned living area.
- 307 Refusing to obey the order of a staff member or officer (may be categorized and charged as a greater or lesser offense, depending on the kind of disobedience: continuing to riot is Code 105-Rioting; continuing to fight Code 201-Fighting; refusing to provide a urine sample, code 215-Refusing to provide a urine sample or otherwise cooperate in a drug test).
- 308 Insolence toward a staff member.
- 309 Lying or providing false statement to staff.
- 310 Counterfeiting, forging or other unauthorized reproduction of money proceedings or other official document or item (e.g., security document, identification card, etc.); may be categorized as greater or lesser offense, depending on the nature and purpose of the reproduction (e.g., counterfeiting release papers to effect escape-code 102 or 200).
- 311 Participating in an unauthorized meeting or gathering.
- 312 Being in an unauthorized area.
- 313 Failing to stand count.
- 314 Interfering with count.
- 315 Making, possessing, or using intoxicant(s).
- 316 Refusing a breathalyzer test or other test of alcohol consumption.
- 317 Gambling.
- 318 Preparing or conducting a gambling pool.
- 319 Possessing gambling paraphernalia.
- 320 Unauthorized contact with the public.
- 321 Giving money or another item of value to, or accepting money or another item of value from, anyone, including another detainee, without staff authorization.
- 322 Destroying, altering, or damaging property (government or another person's) worth equal to or less than \$100.
- 323 Signing, preparing, circulating, or soliciting support for group petitions that threaten the security or orderly operation of the facility.

*398 Interfering with a staff member in the performance of duties (offense must be of high moderate severity; this charge to be used only when no other charge in this category is applicable).

*399 Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of high moderate severity; this charge is to be used only when no other charge in this category is applicable).

NOTE: Any combination of high moderate and low moderate offenses during a 90-day period shall constitute a high offense.

B. Sanctions

1. Initiate criminal proceedings.
2. Disciplinary transfer (recommend).
3. Disciplinary segregation (up to 72 hours).
4. Make monetary restitution, if funds are available.
5. Loss of privileges (e.g. commissary, vending machines, movies, recreation, etc.).
6. Change housing.
7. Remove from program and/or group activity.
8. Loss of job.
9. Impound and store detainee's personal property.
10. Confiscate contraband.
11. Restrict to housing unit.
12. Reprimand.
13. Warning.

IV. "Low Moderate" Offense Category

A. Prohibited Acts

- 400 Possessing property belonging to another person.
- 401 Possessing unauthorized clothing
- 402 Malingering; feigning illness
- 403 Smoking where prohibited
- 404 Using abusive or obscene language
- 405 Tattooing, body piercing or self-mutilation
- 406 Unauthorized use of mail or telephone (with restriction or temporary suspension of the abuse privileges often the appropriate sanction)
- 407 Conduct with a visitor in violation of rules and regulation (with restriction or temporary suspension of visiting privileges often the appropriate sanction)
- 408 Conducting a business
- 409 Possessing money or currency, unless specifically authorized
- 410 Failing to follow safety or sanitation regulations
- 411 Unauthorized use of equipment or machinery
- 412 Using equipment or machinery contrary to posted safety standards
- 412 Being unsanitary or untidy; failure to keep self and living area in accordance with posted standards
- *498 Interfering with a staff member in the performance of duties (offense must be of low moderate severity; this charge is to be used only when no other charge in this category is applicable)
- *499 Conduct that disrupts or interferes with the security or orderly running the facility (offense must be of low moderate severity; this charge is to be used only when no other charge in this category is applicable)

B. Sanctions

1. Loss of privileges, commissary, vending machines, movies, recreation, etc.

2. Change housing
3. Remove from program and/or group activity
4. Loss of job
5. Impound and store detainee's personal property
6. Confiscate contraband
7. Restrict to housing unit
8. Reprimand
9. Warning

III. Issuing a Notice of Infraction Report

- A. When the Department of Corrections personnel have sufficient reason to believe that an inmate has committed a violation of rules, the Reporting Officer shall, within 48 hours, (ICE detainees 24 hours) of knowledge of a suspected violation, complete a Notice of Infraction and Action, HCDC Form H-713a attached as Appendix 1 for ICE detainees, HCDC Form H-713e attached as Appendix 5. The knowledge of an alleged violation may occur upon review of video recordings, telephone recordings or other investigations.
- B. The Reporting Officer shall include all known facts in the Notice of Infraction Report and be specific as to the incident. The Reporting Officer shall fully complete the report and shall specify the rules violated. The Reporting Officer shall specify how the cited rules were violated and shall attach any evidence to the report.
- C. The Reporting Officer shall provide the Notice of Infraction Report to the Shift Leader who shall review it completely within 24 hours of the date and time of the infraction. The Shift Leader shall ensure the report is complete and that any other staff identified in the report has submitted a supplemental report.
- D. The Shift Leader may reduce the report to an Incident Report or forward it to the Hearing Officer, via the Shift Report package. All Notice of Infraction Reports shall be submitted for final review of the Director.
- E. Reduction to Incident Report
 1. If the Shift Leader reduces a Notice of Infraction Report to an Incident Report, he/she may impose informal sanctions with the concurrence of the inmate. The Shift Leader shall meet with the inmate. Should the inmate refuse the informal sanctions, the case shall be referred to the Hearing Officer for a hearing.
 2. Informal sanctions may include up to a (48) hour cell restriction, up to five (5) days of extra work or up to five days of recreation restrictions per infraction. ICE detainees are excluded from having informal sanctions.
 3. The informal sanction and the inmate's concurrence shall be documented on the Notice of Infraction and Action Report.
- F. Within 48 hours (ICE detainee 24 hours) of the date and time of the Notice of Infraction, the inmate/detainee shall be given the opportunity to sign the Notice of Infraction, to verify receipt, and to name witnesses and/or a representative absent exigent circumstance. Failure to request representation and/or witnesses at the time of

service shall be deemed a waiver of that right, except in the case of mitigating and/or exceptional circumstances.

IV. Hearing Officer Procedure

- A. One or more Departmental staff members shall act as a Hearing Officer. The Hearing Officer may not be directly or indirectly involved with the incident. There shall be a Lead Hearing Officer in cases where two (2) Hearing Officers are presiding. Hearing Officers shall be designated by the Director.
- B. The Hearing Officer is responsible for:
 - 1. Conducting a fair and impartial hearing;
 - 2. Ensuring due process rights of inmates/detainees;
 - 3. Ensuring complete and accurate documentation of hearings conducted;
 - 4. Making a finding based upon the preponderance of the evidence and testimony; and
 - 5. Proposing disciplinary sanctions that are proportionate and appropriate in a guilty finding.
- C. The standard of proof for inmate/detainee disciplinary hearings shall be a preponderance of the evidence. The Hearing Officer shall render a finding of guilt for a rule violation charged if it is decided after considering the evidence presented, that more likely than not, the rule violation occurred as reported.
- D. The accused inmate/detainee shall have a minimum of 24 hours to prepare for his/her hearing. The inmate/detainee may waive the 24-hour requirement. Absent exigent circumstances, the Hearing Officer shall conduct a hearing within 96 hours (excluding weekends and holidays for inmates only). Exigent circumstances shall be documented in writing, and may include but not be limited to the inmate/detainee being unavailable due to hospitalization; advice of medical; on suicide precautions; housed outside the institution; on escape status, or any circumstance deemed exigent by the Director/Deputy Director.
- E. The Hearing Officer shall ensure that an accused inmate/detainee, who does not wish to be present at his/her hearing, sign the waiver section of the Record of Adjustment Hearing, HCDC Form H-713b, attached as Appendix 2. The Hearing Officer may determine that an inmate/detainee has waived appearance and hearing rights if the inmate/detainee becomes disruptive, exhibits behavior that is a threat to security or safety or must be removed from the hearing area or refuses to appear or submit a waiver of appearance in writing. The behavior and actions shall be documented in writing.
- F. The Hearing Officer may grant a postponement only for good cause. The unavailability of witnesses, documentation, physical evidence, the inmate/detainee or any other reason that impedes the ability to hold a hearing is good cause for postponement.
- G. The Hearing Officer shall explain to the accused inmate his/her due process rights. ICE detainees shall be advised they have a right to remain silent at every stage of the hearing.
- H. The Hearing Officer may reduce any disciplinary report to an Incident Report without a formal hearing and with no sanctions imposed, in any case where it is determined that

justice would be reasonably served, and it is deemed to be in the Department's best interest. Any such reduction by the Hearing Officer is subject to review and approval by the Director.

- I. The Hearing Officer shall hear testimony and review evidence from the accused inmate/detainee (or his/her representative), the reporting officer and others familiar with the incident. Witnesses whose testimony would be repetitious or irrelevant need not be called. The Hearing Officer may accept proffered testimony. The Hearing Officer may also review video recordings, telephone recordings or other materials relevant to the incident. The Hearing Officer may review any other documents or evidence which in his/her determination would be pertinent to the case. The Hearing Officer shall document the hearing using the Record of Adjustment Hearing form.
- J. The Hearing Officer shall provide the accused inmate/detainee with a copy of their finding and the disciplinary action to be taken, if any, using the Adjustment Hearing Result, HCDC Form H-713c, attached as Appendix 3.
- K. If a decision of guilty is rendered, the Hearing Officer shall propose the sanction to be imposed. The sanctions shall be in accordance with section V. of this policy and procedure.
- L. At the discretion of the Hearing Officer, penalties may be suspended, provided:
 - 1. A specific period is noted in the Notice of Infraction and Action upon which a suspended penalty may be invoked; and,
 - 2. Specific conditions governing the suspension (ex. reimbursement, further violations, etc.) are outlined to simplify the resumption and/or assignment of any suspended penalty.
- M. The Hearing Officer shall inform the inmate/detainee of his/her right to appeal the decision to the Director, in writing, within five (5) working days of the hearing.
- N. The Hearing Officer shall provide the Director, for final approval, a copy of the Notice of Infraction and Action and the Record of Adjustment Hearing which shall include:
 - 1. All information received from the reporting officer concerning the alleged violation;
 - 2. A record of the disciplinary hearing;
 - 3. The decision reached by the Hearing Officer and the reasons; and
 - 4. Disciplinary sanctions taken, if any.
- O. The Director has the absolute discretion to modify, suspend or terminate the inmate/detainee disciplinary process for any reason. This shall include increasing, decreasing or modifying any recommended sanctions imposed by the Hearing Officer. The Director has the final authority to interpret any provision of the disciplinary policies. The Director, in accordance with the Maryland Annotated Code, Correctional Service §11-507, has the authority to revoke diminution credits for guilty findings under this regulation.
- P. Should the Hearing Officer receive and use information provided by a confidential informant, the informant shall not be identified to the inmate/detainee. The Hearing

Officer shall advise the defendant inmate that the name is confidential. When confidential informant information is to be used, the Hearing Officer shall take steps to ensure the credibility and reliability of the informant's record.

V. Disciplinary Sanctions

- A. There is a Disciplinary Sanction Matrix for Category 100 and 200 rule violations.
- B. The following are potential disciplinary sanctions which may be taken for any category 100, 200 or 300 rule violations.
 - 1. Verbal warning or reprimand;
 - 2. Written warning or reprimand;
 - 3. Counseling;
 - 4. Restitution if appropriate;
 - 5. Loss of recreation privileges for up to 30 days;
 - 6. Loss of visiting privileges for up to 90 days (Legal and clergy visits exempt);
 - 7. Loss of personal phone privileges for a specified period;
 - 8. Assignment to a mandatory work assignment for up to five (5) days;
 - 9. Loss of commissary privileges, with exception of essential hygiene items for up to 60 days
 - 10. Cell restriction up to 10 days.
- C. In cases involving loss or destruction of property, the Hearing Officer may impose restitution as a sanction. The List of Approved Costs for Reimbursement is attached as Appendix 4. This list is not all inclusive. This list will be updated from time-to-time. It shall be available at the time of the hearing. Other determination of value of these or other items may be used to determine the amount of restitution. Prices are subject to change based on determined costs at which time the inmate/detainee will be advised at the hearing.

VI. Disciplinary Sanction Matrix (Category 100 or 200 rule violations)

- A. A progressive schedule shall be used by the Hearing Officer in determining disciplinary sanctions and loss of Good Conduct Time for rule violations:

Category	Adjustment History		
	Good	Fair	Poor
Category 100			
Good Conduct Time	0-20	5-30	10-60
Disciplinary Segregation	0-20	5-30	10-60
Category 200			
Good Conduct Time	0-5	5-15	10-30
Disciplinary Segregation	0-5	5-15	10-30

Matrix Guidelines

Good = Good adjustment history: Inmate/detainee has been infraction free for 60 days or more, or throughout incarceration to the date of current infraction.

Fair = Fair adjustment history: Inmate/detainee has been infraction free for at least 30 days but less than 60 days.

Poor = Poor adjustment history: Inmate/detainee has been infraction free for less than 30 days.

- B. The Disciplinary Sanction Matrix is designed as a guide to the assignment of sanctions resulting from a finding of guilt at inmate/detainee disciplinary hearings. It is not an absolute. The Hearing Officer may go outside the established Category 100 and 200 sanction matrix and Category 300 sanctions when justified by circumstances documented by the Hearing Officer to include suspension for probation. All sanctions are subject to review, revision and approval by the Director.
- C. Conviction on multiple infractions may result in consecutive sentencing on segregation to exceed 60 days.
- D. The Maximum Sanction for ICE Detainees is 30 days in disciplinary segregation per violation, except in extra ordinary circumstances, such as violations of rules 101, 102, 103, 104, 105, 107 and 201.

VII. Disciplinary Hearing Records and Disposition

- A. The Lead Hearing Officer shall ensure that a copy of the completed Adjustment Hearings Results is e-mailed to Global Corrections Staff at the conclusion of the day's hearings.
- B. The Lead Hearing Officer shall ensure that the hearing results are documented in the JMS system.
- C. The Lead Hearing Officer shall document the hearing results in the Adjustment Spreadsheet located on the Data (T:) drive, Shared folder under Adjustments.
- D. In cases where Restitution or suspension of commissary privileges is warranted, a copy of the Notice of Infraction and Action Form shall be forwarded to the Money Officer for processing.
- E. All formal and informal disciplinary hearing records to include Incident Reports, Guilty, Not Guilty and Dismissals shall remain in the inmate's/detainee's basefile and are subject to review and evaluation by staff or an authorized person or agency.

VIII. Directors Prerogative

The Director has the authority to revise/change a policy or post order as needed to meet the operational demands of the Department. As the changes are initiated, they may be communicated by an email, memoranda or in rare circumstances verbal due to unforeseen situations.

ATTACHMENTS: Appendix 1, Notice of Infraction and Action (HCDC Form H-713a).
Appendix 2, Record of Adjustment Hearing (HCDC Form H-713b)
Appendix 3, Adjustment Hearing Result (HCDC Form H-713c).
Appendix 4, List of Approved Costs for Reimbursement (HCDC Form H-713d).
Appendix 5, ICE Detainee Notice of Infraction and Action (HCDC Form H-713e).

RESCISSIONS: HCDC Policy H-713 Inmate Disciplinary Procedures effective December 16, 2018, December 21, 2017.

HOWARD COUNTY DEPARTMENT OF CORRECTIONS

Notice of Infraction and Action for General Population

Name: _____ Number: _____ H.U. _____ Date of _____ Time: _____ a.m.
Infraction: _____ Time: _____ p.m.

A report has been filed charging you with the following violation(s): _____

_____ - Supervisor initials indicating review of rules.

State Facts (What Happened): _____

Multiple horizontal lines for writing state facts.

Reporting Officer: _____ (Print Name) Reporting Officer _____ (Signature)

The report, as stated, has been reviewed by the Shift Leader and the following actions have been taken:

[] Approved [] Placement on administrative segregation. [] Reduced to an Incident Report (state reasons and/or any informal sanctions): _____

Was medical consulted? [] yes [] no

Was a Serious Incident Report (SIR) required? [] yes [] no

Shift Leader's Signature: _____ Date: _____ Time: _____

Inmate's Signature: _____ Number: _____ Date: _____ Time: _____

Service Notice

Served by: _____ Title: _____ Date: _____ Time: _____

[] I DO, [] I DO NOT want to be represented and request the following person(s):

Representative: _____ Witness: _____

Hearing Date: _____ Time: _____

Guilty: _____ Not Guilty: _____ Incident Report: _____ Dismissed: _____

Sanctions: _____

Hearing Officer Signature(s): 1. _____ 2. _____

Appeal Received: [] Yes [] No Sanction: [] Approved [] Modified

Reviewed by Director: _____ Date: _____
Director's Signature

Category 100 Offenses (Most Serious):

- 101 Wrongful killing, assault, battery, assault by threatening to do bodily harm, with or without weapons including but not limited to biological waste, hazardous substances and bodily fluids.
- 102 Sexual conduct, with or without consent, including but not limited to sodomy, perverted, unnatural acts, rape, masturbation, kissing, inappropriate touching, hugging, handholding or indecent exposure.
- 103 Actively, knowingly or intentionally inciting, creating, participating, committing or being involved as an inciter, aider, or abettor in any manner in a mutinous act, riot, disturbance or the taking of hostages or the planning thereof.
- 104 Making or possessing any weapon or any article which has been modified into a weapon.
- 105 Being involved in any manner with an act or attempted act of arson including but not limited to the setting of a fire in any area of the facility, pulling or announcing a false fire alarm, intentionally activating or destroying a fire suppression sprinkler or fire detection device, or the possession of incendiary or flammable materials or devices.
- 106 Robbery, extortion, coercion, blackmail, bribery or obtaining another's property by force, physical threat, manipulation, or the attempt thereof.
- 107 Escape, including attempting, aiding and abetting any escape or possession of escape paraphernalia which could reasonably be used to perpetrate an escape.
- 108 Absence from facility/institution count; leaving an assigned area without authorization; or being out of bounds.
- 109 Manufacturing, possession, consumption, trafficking or sale or attempt to traffic or sell any substance which could be used as an intoxicant (including fermented juices), any controlled dangerous substance (not authorized by Medical staff), or any drug paraphernalia.
- 110 Refusing to submit to any lawful and authorized test for detection of drugs and/or alcohol. Refusing or failing to provide a required volume of urine necessary for urinalysis testing or providing an adulterated or diluted urine specimen.
- 111 Refusal or interfering with being searched, or having possessions or quarters searched.
- 112 A violation of any federal, state, or local law.
- 113 Manufacturing, possession, consumption, trafficking or sale of tobacco/smoking products to include but not limited to cigarettes, electronic cigarettes (e-cigarettes), cigars, tobacco, snuff, chewing tobacco, or dried fruit/vegetable matter.
- 114 Any gang activity or recruitment to include but not limited to the possession of any material demonstrating affiliation, interest, or involvement, display of symbols or signals, and/or any written or verbal expression.
- 115 Tampering with security systems or controls to include but not limited to locks, lights, video surveillance cameras, cell doors, intercoms, switches or sockets.
- 116 Possession of a telecommunication device, simcard, battery charger, carry case or other device identified with a telecommunication device without authorization.
- 117 Unauthorized or inappropriate/unapproved use of a computer, printer, copying machine, fax, or scanner.

Category 200 Offenses (Moderately Serious):

- 201 Any written or oral use of vulgar, insolent, or threatening language or the use of gestures in circumstances which reasonably suggest a threat of harm or attempted harm to staff, other persons or property. Any use of coercive or intimidating language, written or oral, or the use of gestures towards any person.
- 202 Resisting or interfering with an employee in the lawful performance of his/her duties.
- 203 While in the community, a violation of any rule or regulation while on Work Release, Home Detention, or Outside Labor Detail.
- 204 The possession of, or passing or receiving of stolen items or items of contraband. These items include but are not limited to items from other inmates, visitors, volunteers, guests, vendors or employees or items altered from their original state. Contraband is any article not expressly authorized in the Inmate Handbook or in excess of authorized amounts.
- 205 Possession of money, checks, and/or money orders without proper authorization.
- 206 Forging and/or altering of any official paper or document to include but not limited to letters, vouchers, money receipts or items altered from their original state or being found in possession of these items.
- 207 Knowingly or intentionally giving anyone false information.
- 208 Disobeying a direct lawful order by an individual acting in any official capacity.
- 209 Possessing or wearing a disguise or mask.
- 210 Malicious and/or willful destruction, alteration, defacing, tampering or misusing of any county, personal property or property of another to include but not limited to equipment, material, tools, or machinery.
- 211 Misuse, hoarding, sharing, or distribution of authorized medications.
- 212 Unauthorized use or misuse of the telephone to include but not limited to lending one's own or receiving and using another inmate's PIN number.
- 213 Applying or receiving any tattoo, branding, marking, design, piercing, or any form of mutilation or disfigurement to one's own body or that of another.
- 214 Refusal to work, accept housing, or carry out an institutional job assignment.
- 215 Stealing or taking without permission, property from another inmate, employee, visitor, guest, vendor, volunteer or possession of property belonging to someone else without proper authorization.
- 216 Vulgarity, insolence, disrespect or the use of abusive, obscene or cursing language or gestures for any person.
- 217 Gambling or possession of gambling paraphernalia.
- 218 Circumventing the mail policies and procedures to include but not limited to corresponding with other inmates, misuse of mail materials, tampering with U.S. postage stamps or use of false addresses to deliver mail to another inmate.
- 219 Any violation of visiting regulations to include video visitation or other rule violation(s) occurring during visits.
- 220 Circumventing or violating established policies, procedures, and practices of the Department to include but not limited to the Inmate Handbook.
- 221 Misuse of facility communications systems to include but not limited to emergency intercom, kiosk messaging service, or the assault hotline.
- 222 Inmates are prohibited from any involvement with placing funds in another inmate's fiscal account unless he/she has prior approval from the Director/designee.
- 223 Resisting or Interfering with staff conducting a count and/or facilitation movement of an inmate/detainee.

Category 300 Offenses (Least Serious):

- 301 Any violation of tampering, defacing, obliterating, damaging, destroying, removing or not wearing an identification card after it has been issued.
- 302 Stealing, receiving, giving away or possessing unauthorized food, hoarding or saving food from institutional meals.
- 303 Refusal to maintain personal cleanliness or cleanliness and good order in an inmate's housing area or cell.
- 304 Possession of more than the authorized number of library books and/or magazines.
- 305 Disorderly conduct, horseplay or reckless behavior to include negligence which may or may not result in physical harm, property damage or destruction.
- 306 Unauthorized lateness or absence from institutional job or program assignment or being in an area without authorization.
- 307 Any violation of the inmate dress code.
- 308 Failure to keep cell doors, windows, vents, floors and walls clear of debris or obstructions.
- 309 Failure to maintain low noise level, including radio headset volume.
- 310 Failure to properly recycle allowable items or misuse of the recycling containers.

Soliciting, conspiring, being an accessory, attempting to commit, aiding in the commission of or circumventing any rule violation shall constitute a violation of the rule and shall subject the inmate to the same penalty.

HOWARD COUNTY DEPARTMENT OF CORRECTIONS

Record of Adjustment Hearing

INMATE NAME: _____ NUMBER: _____ DATE: _____ TIME: _____

INMATE STATEMENT: _____

REPRESENTATIVE STATEMENT: _____

WITNESS STATEMENT: _____

FINDING: GUILTY: _____ NOT GUILTY: _____ INCIDENT REPORT: _____ DISMISSED: _____

JUSTIFICATION: _____

WAIVERS

- Hearing in Absentia:** I waive the right to be present at my adjustment hearing and understand that it will be conducted without me.
- Waiver of 24 Hour Preparation Time:** I waive the right to have 24 hour preparation time from the time of service of the Notice of Infraction until my hearing.

Inmate Signature: _____ Staff Witness: _____ Date: _____

HOWARD COUNTY DEPARTMENT OF CORRECTIONS

Adjustment Hearing Result

Inmate Name: _____ Number: _____

On _____ you were found:

Guilty of Rules: _____

Not Guilty of Rules: _____

The Notice of Infraction was:

Reduced to Incident Report: _____ Dismissed: _____

Recommended Disciplinary Sanctions: _____

The final decision regarding the Hearing Officer's recommendation is made by the Director. You have five (5) working days to appeal to the Director in writing explaining why you are appealing the Hearing Officer's recommendation.

Hearing Officer

Hearing Officer

Date

Inmate's Signature

**List of Approved Costs for Reimbursement
(October 6, 2015)**

The following costs are effective as of the above date, and are subject to change.

▶ Blanket (Regular).....	\$ 6.35
▶ Blanket (Suicide)	\$180.00
▶ Cell Lights.....	\$150.00 (Minimum)
▶ Clean-up (e.g. flooding)	\$ 25.00
▶ Graffiti Clean-up.....	\$ 15.00
▶ Handcuffs	\$ 35.99
▶ Handcuffs (Large)	\$ 39.99
▶ Jumpsuits.....	\$ 10.50
▶ Laundry Bag.....	\$ 3.00
▶ Leg Irons.....	\$ 45.00
▶ Leg Irons Oversized.....	\$107.50
▶ Mattress.....	\$115.00
▶ Painting of Bunk.....	\$ 20.00
▶ Painting of Cell.....	\$ 75.00
▶ Property Box X Large.....	\$102.00
▶ Property Box Lid X Large.....	\$ 48.00
▶ Property Box Large.....	\$ 57.00
▶ Property Box Lid Large.....	\$ 31.00
▶ Sheets.....	\$ 4.50
▶ Shorts- blue (minimum security).....	\$ 7.93
▶ Smock (Suicide)	\$250.00
▶ Suicide Sleeping Bag with Pillow.....	\$300.00
▶ Sprinkler Head.....	\$550.00
▶ Telephone.....	Varying
▶ Television	\$229.00
▶ T-Shirts	\$ 2.33
▶ Towels.....	\$ 1.35
▶ Undershorts	\$ 1.00
▶ Washcloths.....	\$.50
▶ Wristband/ID card.....	\$ 5.00

Howard County Department of Corrections
Notice of Infraction and Action **(ICE Detainees)**

Offense Categories (on back) Comply with Performance-Based National Detention Standards 2011.

Date of Infraction: _____ Time: _____ a.m. p.m.

Detainee Name (print): _____ Number: _____ H.U. _____

A report has been filed charging you with the following Offense Categories(s): _____

_____ - Supervisor initials indicating review of rules.

State Facts (What Happened): _____

Reporting Officer: _____ Reporting Officer _____
(Print Name) (Signature)

The report, as stated, has been reviewed by the Shift Leader and the following actions have been taken:
 Approved Placement on administrative segregation. Reduced to an Incident Report (state reasons and/or any informal sanctions): _____

Was medical consulted? yes no

Was a Serious Incident Report (SIR) required? yes no

Shift Leader's Signature: _____ Date: _____ Time: _____

Detainee's Signature: _____ Number: _____ Date: _____ Time: _____

Service Notice – Note: Must be served within 24-hours.

Served by: _____ Title: _____ Date: _____ Time: _____

I DO, I DO NOT want to be represented and request the following person(s):

Representative: _____ Witness: _____

Note: Must be heard within 48-hours but not sooner than 24-hours.

Hearing Date: _____ **Time:** _____

Has the detainee been advised of their right to remain silent? Yes No

Guilty: _____ Not Guilty: _____ Incident Report: _____ Dismissed: _____

Sanctions: _____

Hearing Officer Signature(s): 1. _____ 2. _____

Appeal Received: Yes No Sanction: Approved Modified

Reviewed by Director: _____ **Date:** _____
Director's Signature

Distribution: Original – Classification/file Yellow – Administration Pink – Detainee

Categories**I (“Greatest” Offense Category)****A. Prohibited Acts**

- 100 Killing
- 101 Assaulting any person (includes sexual assault)
- 102 Escape from escort; escape from a secure facility
- 103 Setting a fire (charged with this act in this category only when found to pose a threat to life or a threat of serious bodily harm or in furtherance of a prohibited act of greatest severity [e.g., a riot or an escape]; otherwise the charge is classified as Code 222, 223 or 322)
- 104 Possession or introduction of a gun, firearm, weapon, sharpened instrument, knife, dangerous chemical, explosive, escape tool, device or ammunition
- 105 Rioting
- 106 Inciting others to riot
- 107 Hostage-Taking
- 108 Assaulting a staff member or any law enforcement officer
- 109 Threatening a staff member or any law enforcement officer with bodily harm
- *198 Interfering with a staff member in the performance of duties (conduct must be of the greatest severity; this charge is to be used only if another charge of greatest severity is not applicable)
- *199 Conduct that disrupts or interferes with the security or orderly running of the facility (conduct must be of the greatest severity; this charge is to be used only if another charge of greatest severity is not applicable)

II. (“High” Offense Category)**A. Prohibited Acts**

- 200 Escape from unescorted activities open or secure facility, proceeding without violence
- 201 Fighting, boxing, wrestling, sparring and any other form of physical encounter, including horseplay, that causes or could cause injury to another person, except when part of an approved recreational or athletic activity
- 202 Possession or introduction of an unauthorized tool
- 203 Loss, misplacement or damage of any restricted tool
- 204 Threatening another with bodily harm
- 205 Extortion, blackmail, protection and demanding or receiving money or anything of value in return for protection against others, avoiding bodily harm or avoiding a threat of being informed against
- 206 Engaging in sexual acts
- 207 Making sexual proposals or threats
- 208 Wearing a disguise or mask
- 209 Tampering with or blocking any lock device
- 210 Adulterating of food or drink
- 211 Possessing, introducing, or using narcotics, narcotic paraphernalia or drugs not prescribed for the individual by the medical staff
- 212 Possessing an officer’s or staff member’s clothing
- 213 Engaging in or inciting a group demonstration
- 214 Encouraging others to participate in a work stoppage or to refuse to work
- 215 Refusing to provide a urine sample or otherwise cooperate in a drug test
- 216 Introducing alcohol into the facility
- 217 Giving or offering an official or staff member a bribe or anything of value
- 218 Giving money to, or receiving money from, any person for an illegal or prohibited purpose (e.g., introducing/conveying contraband)
- 219 Destroying, altering, or damaging property (government or another person’s) worth more than \$100
- 220 Being found guilty of any combination of three or more high moderate or low moderate offenses within 90 days
- 222 Possessing or introducing an incendiary device (i.g., matches, lighter, etc.)
- 223 Engaging in any act that could endanger person(s) and/or property.
- 224 Resisting or Interfering with staff conducting a count and/or facilitation movement of an inmate/detainee.
- *298 Interfering with a staff member in the performance of duties (conduct must be of highest severity; this charge is to be used only when no other charge of highest severity is applicable)
- *299 Conduct that disrupts or interferes with the security or orderly operation of the facility (conduct must be of highest severity; this charge is to be used only when no other charge of highest severity is applicable)

III. “High Moderate” Offense Category:**A. Prohibited Acts**

- 300 Indecent exposure
- 301 Stealing (theft)
- 302 Misusing authorized medication

- 303 Loss, misplacement or damage of a less restricted tool
 - 304 Lending property or other item of value for profit/increased return
 - 305 Possessing item(s) not authorized for receipt or retention and not issued through regular channels
 - 306 Refusing to clean assigned living area
 - 307 Refusing to obey the order of a staff member or officer (may be categorized and charged as a greater or lesser offense, depending on the kind of disobedience: continuing to riot is Code 105-Rioting; continuing to fight Code 201-Fighting; refusing to provide a urine sample, code 215-Refusing to provide a urine sample or otherwise cooperate in a drug test).
 - 308 Insolence toward a staff member
 - 309 Lying or providing false statement to staff
 - 310 Counterfeiting, forging or other unauthorized reproduction of money proceedings or other official document or item (e.g., security document, identification card, etc.); may be categorized as greater or lesser offense, depending on the nature and purpose of the reproduction (e.g., counterfeiting release papers to effect escape-code 102 or 200).
 - 311 Participating in an unauthorized meeting or gathering
 - 312 Being in an unauthorized area
 - 313 Failing to stand count
 - 314 Interfering with count
 - 315 Making, possessing, or using intoxicant(s)
 - 316 Refusing a breathalyzer test or other test of alcohol consumption
 - 317 Gambling
 - 318 Preparing or conducting a gambling pool
 - 319 Possessing gambling paraphernalia
 - 320 Unauthorized contact with the public
 - 321 Giving money or another item of value to, or accepting money or another item of value from, anyone, including another detainee, without staff authorization
 - 322 Destroying, altering, or damaging property (government or another person’s) worth equal to or less than \$100
 - 323 Signing, preparing, circulating, or soliciting support for group petitions that threaten the security or orderly operation of the facility.
 - *398 Interfering with a staff member in the performance of duties (offense must be of high moderate severity; this charge to be used only when no other charge in this category is applicable)
 - *399 Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of high moderate severity; this charge is to be used only when no other charge in this category is applicable)
- NOTE: Any combination of high moderate and low moderate offenses during a 90-day period shall constitute a high offense.

IV. “Low Moderate” Offense Category**A. Prohibited Acts**

- 400.Possessing property belonging to another person
- 401.Possessing unauthorized clothing
- 402 Malingering; feigning illness
- 403 Smoking where prohibited
- 404 Using abusive or obscene language
- 405 Tattooing, body piercing or self-mutilation
- 406 Unauthorized use of mail or telephone (with restriction or temporary suspension of the abuse privileges often the appropriate sanction)
- 407 Conduct with a visitor in violation of rules and regulation (with restriction or temporary suspension of visiting privileges often the appropriate sanction)
- 408 Conducting a business
- 409 Possessing money or currency, unless specifically authorized
- 410 Failing to follow safety or sanitation regulations
- 411 Unauthorized use of equipment or machinery
- 412 Using equipment or machinery contrary to posted safety standards
- 412 Being unsanitary or untidy; failure to keep self and living area in accordance with posted standards
- *498 Interfering with a staff member in the performance of duties (offense must be of low moderate severity; this charge is to be used only when no other charge in this category is applicable)
- *499 Conduct that disrupts or interferes with the security or orderly running the facility (offense must be of low moderate severity; this charge is to be used only when no other charge in this category is applicable)

I. "Más Grande" Ofensa Categoría

- 100 Asesinato
- 101 Asaltar a cualquier persona (incluye agresión sexual)
- 102 Escapar de la escolta; Escapar de una instalación segura
- 103 Establecer un incendio (acusado de esta ley en esta categoría sólo cuando se considere que representa una amenaza para la vida o una amenaza de lesiones corporales graves o en favor de un acto prohibido de mayor gravedad [por ejemplo, un motín o una fuga] Está clasificado como Código 218 o 321)
- 104 Posesión o introducción de una pistola, arma de fuego, arma, instrumento afilado, cuchillo, producto químico peligroso, explosivo, herramienta de escape, dispositivo o munición
- 105 Disturbios
- 106 Incitar a otros a estallar
- 107 Toma de rehenes
- 108 Agredir a un miembro del personal o cualquier agente de la ley
- 109 Amenazar a un miembro del personal o cualquier oficina policial con daños corporales
- 198 Interferir con un miembro del personal en el desempeño de sus funciones (el delito debe ser de severidad moderada moderada, este cargo se utilizará únicamente cuando no se aplique ningún otro cargo en esta categoría)
- 199 Conducta que perturbe o interfiere con la seguridad o el orden en que se ejecuta la instalación (la conducta debe ser de la mayor gravedad, esta carga debe usarse solamente si no se aplica otro cargo de mayor gravedad)

II. "Alta" Ofensa Categoría

- 200 Escapar de las actividades sin escolta o asegurar la instalación, procediendo sin violencia
- 201 Lucha, boxeo, lucha libre, sparring y cualquier otra forma de encuentro físico, incluyendo el juego de pelo que cause o podría causar daño a otra persona, excepto cuando parte de una actividad recreativa o atlética aprobada
- 202 Posesión o introducción de una herramienta no autorizada
- 203 Pérdida, extravío o daño de una herramienta restringida
- 204 Amenazar a otra persona con lesiones corporales
- 205 Extortion, blackmail, protection and demanding or receiving money or anything of value in return for protection against others, avoiding bodily harm or avoiding a threat of being informed against
- 206 Participar en actos sexuales
- 207 Propuestas o amenazas sexuales
- 208 El uso de un disfraz o máscara
- 209 Alteración o bloqueo de cualquier dispositivo de bloqueo
- 210 Adulteración de alimentos o bebidas
- 211 Poseer, introducir o utilizar estupefacientes, parafernalia de narcóticos o medicamentos que no sean prescritos por el personal médico
- 212 Poseer la ropa de un oficial o miembro del personal
- 213 Participar o incitar una demostración de grupo
- 214 Alentar a otros a participar en un paro laboral o rehusarse a trabajar
- 215 Rehusarse a proporcionar una muestra de orina o cooperar en un examen de drogas
- 216 Introducir el alcohol en la instalación
- 217 Dar o ofrecer a un funcionario o miembro del personal un soborno o algo de valor
- 218 Dar dinero a, o recibir dinero de, cualquier persona para un propósito ilegal o prohibido (por ejemplo, introducir / transportar contrabando)
- 219 Destruir, alterar o dañar la propiedad (del gobierno o de otra persona) por un valor de más de \$ 100
- 220 Ser considerado culpable de cualquier combinación de tres o más infracciones moderadas o moderadas dentro de los 90 días
- 222 Poseer o introducir un dispositivo incendiario (por ejemplo, fósforos, encendedores, etc.)
- 223 Participar en cualquier acto que pueda poner en peligro a las personas y / o bienes
- 224 Resistir o interferir con el personal que realiza un conteo y / o movimiento de facilitación de un preso / detenido.
- 298 Interferir con un miembro del personal en el desempeño de sus funciones (la ofensa debe ser de severidad moderada moderada, que se utilizará únicamente cuando no se aplique ningún otro cargo en esta categoría)
- 299 Conducta que perturbe o interfiere con la seguridad o el funcionamiento ordenado de la instalación (la conducta debe ser de la más alta gravedad, esta carga debe ser usada solamente cuando no se aplica ningún otro cargo de mayor severidad)

III. "Alto Moderado" Ofensa Categoría

- 300 Exposición indecente
- 301 Robo (robo)

- 302 Uso indebido de medicamentos autorizados
- 303 Pérdida, extravío o daño de una herramienta menos restringida
- 304 Lending property or other item of value for profit/increased return
- 305 Posesión no autorizada (s) para la recepción o retención y no emitida a través de canales regulares
- 306 Se niega a limpiar la zona de estar asignada
- 307 Negarse a obedecer la orden de un miembro del personal o de un oficial (puede ser categorizado y acusado como un delito mayor o menor, dependiendo del tipo de desobediencia: continuar con el disturbio es Código 105-Rioting, continuar luchando Code 201-Fighting; Proveer una muestra de orina, Código 215- Rechazo para proveer una muestra de orina o cooperar de otra manera en una prueba de drogas).
- 308 Insolencia hacia un miembro del personal
- 309 Mentir o proporcionar declaración falsa al personal
- 310 Falsificación, falsificación u otra reproducción no autorizada de procedimientos de dinero u otro documento o artículo oficial (por ejemplo, documento de seguridad, tarjeta de identificación, etc.); Pueden clasificarse como ofensa mayor o menor, dependiendo de la naturaleza y el propósito de la reproducción (por ejemplo, documentos de liberación de falsificación para efectuar el escape-Código 102 o 200).
- 311 Participar en una reunión o reunión no autorizada
- 312 Estar en un área no autorizada
- 313 No tener en cuenta
- 314 Interferir con el conteo
- 315 Hacer, poseer o usar intoxicante(s)
- 316 Rechazo a una prueba de alcoholemia u otra prueba de consumo de alcohol
- 317 Juego
- 318 Preparar o conducir una piscina de juego
- 319 Possessing gambling paraphernalia
- 320 Unauthorized contact with the public
- 321 Giving money or another item of value to, or accepting money or another it of value from, anyone, including another detainee, without staff authorization
- 322 Destroying, altering, or damaging property (government or another person's) worth more than \$100
- 323 Firmar, preparar, circular o solicitar apoyo para peticiones de grupo prohibidas
- 398 Interferir con un miembro del personal en el desempeño de sus funciones (la ofensa debe ser de severidad moderada moderada, que se utilizará únicamente cuando no se aplique ningún otro cargo en esta categoría)
- 399 Conducta que perturbe o interfiere con la seguridad o el funcionamiento ordenado de la instalación (la ofensa debe ser de severidad alta moderada, esta carga debe ser usada solamente cuando no se aplica ningún otro cargo en esta categoría)

IV. "Bajo Moderado" Categoría Ofensa

- 400 Poseer propiedad perteneciente a otra persona
- 401 Poseer ropa no autorizada
- 402 Proceso de enfermedad; Fingiéndose enfermedad
- 403 Fumar donde está prohibido
- 404 Uso de lenguaje abusivo u obsceno
- 405 Tatuaje, piercing corporal o auto-mutilación
- 406 El uso no autorizado de correo o teléfono (con restricción o suspensión temporal de los privilegios abusados a menudo la sanción apropiada)
- 407 Conducta con un visitante en violación de normas y reglamentos (con restricción o suspensión temporal de los privilegios de visita a menudo la sanción adecuada)
- 408 Conducir un negocio
- 409 Poseer dinero o moneda, a menos que esté específicamente autorizado
- 410 No seguir las normas de seguridad o saneamiento
- 411 Uso no autorizado de equipos o maquinaria
- 412 Usar equipo o maquinaria en contra de las normas de seguridad establecidas
- 413 Ser insalubres o desordenados; Fallando mantener el uno mismo y el área de estar de acuerdo con las normas publicadas
- 498 Interferir con un miembro del personal en el desempeño de sus funciones (la ofensa debe ser de severidad moderada moderada, que se utilizará únicamente cuando no se aplique ningún otro cargo en esta categoría)
- 499 Conducta que perturbe o interfiere con la seguridad o el funcionamiento ordenado de la instalación (la ofensa debe ser de baja severidad moderada, esta carga debe ser usada solamente cuando no se aplica ningún otro cargo en esta categoría)