



RULES AND DISCIPLINE

POLICY.

It is the policy of the Deschutes County Adult Jail (DCAJ) and Work Center (WC) to set forth and make available the rules of conduct for inmates housed in each facility. This will promote acceptable inmate behavior and help make the facilities safe, secure and orderly.

PURPOSE.

The purpose of this policy is to lay out the administrative framework, based on due process, for the timely discipline of inmates that violate DCAJ and WC rules.

OREGON JAIL STANDARDS:

- C-301 Inmate Rules
- C-302 Access to Rules
- C-303 Maintaining Inmate Rules
- C-401 Use of Sanctions
- C-402 Documenting Violations
- C-403 Discipline and Incident Reports
- C-404 Minor Violations: Criteria and Sanctions
- C-405 Minor Violations: Process
- C-406 Major Violations: Criteria
- C-407 Major Violations: Process
- C-408 Major Violations: Sanctions
- C-409 Criminal Violations
- C-410 Notice to Inmate
- C-411 Timeliness
- C-412 Impartial Hearing Entity
- C-413 Record of Hearing
- C-414 Presenting Evidence and Calling Witnesses
- C-415 Confidential Sources, Accusers and Witnesses
- C-416 Staff Assistance
- C-417 Self-Incrimination
- C-418 Standard of Proof
- C-419 Written Findings
- C-420 Appeals

REFERENCES.

- ORS 169.076, Standards for local correctional facilities

DEFINITIONS.

Administrative Rules. Expectations for conduct and compliance for the proper methods of communication, sanitary conditions, operational schedules, and housing assignments.

Criminal Action. Any behavior or action by an inmate that by Oregon Revised Statue is a criminal act.

Disciplinary Action. An approved disciplinary recommendation or any restriction placed on an inmate by DCAJ staff for minor rule violations that restricts access to privileges.

Disciplinary Detention. The confinement of an inmate to specialized housing with restrictions to privileges and the general inmate population.

Hearing Officer. A fair and impartial person assigned by the Corrections Captain to hear disciplinary matters originating from misconduct incidents. The person assigned as the Hearing Officer will not be a person who was involved in the incident or the investigation of the incident.

Inmate Manual. A written handbook listing all rules for conduct, operational procedures, schedules, privileges, restrictions, methods for communications, complaint process, and inmate rights.

Major Violation. Any violation of the administrative or operational rules for expected conduct that places others at risk is repetitive in nature, damages property or clearly demonstrates an inmate's disregard for the established facility rules of conduct.

Minor Violation. Any violation of the administrative or operational rules for expected conduct as defined in the DCAJ inmate manual that is not considered a severe safety or security risk.

Misconduct Report. Any documentation for misconduct (minor or major) identified and addressed by DCAJ staff. This includes data entry into the inmate's booking file or a formal written misconduct report listing the allegations, staff involved, witnesses, evidence, and investigative details.

Privilege. Any consideration related to meals, personal property, rehabilitative service or leisure activity not recognized as a constitutional right. Examples include, and are not limited to; commissary, classification, television, visits, commissary, and programs. These privileges will be used by DCAJ in an effort to encourage positive behaviors, assist with positive operational structure, and for disciplinary measures to re-enforcement positive behaviors.

Restitution: Any re-imbursement requested and granted following a disciplinary hearing that demonstrates property damaged or other identified costs were the result of an inmate's intentional or reckless act(s) of misconduct.

Restriction: The removal or limited access to privileges, housing or the general population based on inappropriate behavior(s), violation(s) of established rules or display of safety and security concerns.

Rules of Conduct: Prohibited acts of misconduct and general expectations for all inmates to be evaluated and monitored for compliance with facility operations.

Rules for Misconduct: Expected behaviors and actions for all inmates to include; minor and major rules for the safety and security of DCAJ.

Sanction: An established disciplinary action for minor and major rule violations. All sanctions have an established minimum and maximum ranged allowed based on the severity and number of rules violated.

PROCEDURES.

SECTION A: GENERAL GUIDELINES

A-1. Inmates are required to abide by all DCAJ and the Work Center facility rules. DCAJ staff will investigate all acts of misconduct or violations of administrative rules reported to them or discovered during their assignments. All disciplinary actions taken by DCAJ staff for any violation of the facility rules or acts of misconduct will be documented. Any sanction for a violation of a facility rules requires DCAJ staff to consider the severity of the act and all relevant factors specific to the incident or persons involved. All disciplinary actions involving a sanction require a disciplinary hearing and due process. This includes; written reports, written notice to the inmate with allegations, the evaluation of evidence, a formal hearing, purposed disciplinary actions, a review of the hearing, and the inmates right for an appeal. Sanctions for rule violations or acts of misconduct are only to be used as punitive measures to encourage positive behaviors or as an attempt to take corrective actions to gain an inmate's compliance. Disciplinary Sanctions include the following:

- 1. Reprimand.** A verbal or written warning for minor violations of an expectation of conduct or compliance to any valid operational or administrative rule.
- 2. Privilege Loss.** The restriction of a single or multiple privileges related to the violation of rules for misconduct.
- 3. Loss of Program Status.** The removal of an inmate from a program or inmate worker status based on prohibited acts of misconduct or rule violations.
- 4. Disciplinary Detention.** A specialized housing assignment with restricted privileges and limited access to the general population. Any inmate placed in disciplinary detention will not exceed a 15 day period for a single rule violation or receive more than 30 days for multiple violations related to a single incident. Any inmate moved to or classified as disciplinary detention pending their hearing, may receive

consideration for credit for time already served if they are found guilty as the result of a hearing and given disciplinary detention as a sanction.

- 5. Loss of Good Time.** The reduction or complete removal for good-time earned by an inmate as a result of a Hearings Officer's findings for an inmate's acts of misconduct. Any sanction involving the loss of good time earned by an inmate will be evaluated on a case-by-case basis and consider all the circumstances for the acts of misconduct to include severity of the acts of misconduct.
 - 6. Restitution.** A Hearings Officer may order the inmate to repay the cost of damages to the facility or equipment for intentional or reckless acts of misconduct. The amounts will be based on an established Restitution Price List Form No. 174 and will not include acts of criminal behavior.
 - 7. Removal from Program or Inmate Worker Status:** The removal of an inmate from a specific program or the inmate worker program. This includes a re-assessment of the inmate's supervision level and establishes a set amount of time the inmate cannot participate in the identified program or inmate worker program.
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- A-2.** Inmates will be provided equal access to all current facility rules. This includes written format, by video, and in English and Spanish. Those requiring other languages or assistance with reading or comprehension will be provided the appropriate assistance by staff or a specialist if required. All special accommodations will be made in a reasonable amount of time based on the initial identification of the special need and the availability of resources.
 - A-3.** All facility rules will be reviewed every two years for application and required updates. Any change or modification to a facility rule will be immediately posted in all housing units and immediately amended in the inmate manual and video so all inmates are made fully aware of the update.
 - A-4.** Inmate manuals are provided to all inmates housed following their initial intake or upon request. Additional manuals requested as the result of damage or loss can be subject to an administrative fee or restitution.
 - A-5.** DCAJ and Work Center staff will never use force or any other vengeful or impulsive act to discipline or punish an inmate for any rule violation.

SECTION B: DISCIPLINARY PROCESS

- B-1.** The discipline process provides for both informal and formal discipline. Staff will use the type – *informal or formal* - that acknowledges the seriousness of the violation and best presents the opportunity to sanction an inmate in a way that brings about the desired positive change in inmate behavior. Staff will base the seriousness of a rule violation on its threat to life, health, facility security or good order, staff authority, or property value.

- B-2.** Staff members who observe or become aware of an inmate in violation of a facility rule or regulation, laws of this state, or any other act contrary to the safety or security functions of this facility have an obligation to take corrective action. Staff members are encouraged to confront a rule violator personally and use informal discipline through issuance of a written warning whenever possible.
- B-3.** When an alleged rule violation is reported, an appropriate investigation begins within 24 hours of the time the violation is reported. The investigation shall be completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation. When you charge an inmate with a rule violation, the inmate may be placed in pre-hearing detention (Supervision Level IV or V). When it is necessary to place an inmate in detention, all purchased commissary items will be retained by the inmate until afforded due process. Any exceptions based on the safety and security of the facility will be documented in an incident report by the shift supervisor. If the inmate is found guilty, commissary, excluding hygiene pack items will be placed in the inmate's property box and logged. Upon the conclusion of disciplinary sanction time, staff will return commissary in full once Supervision Level 3 has been achieved. Pens, paper and envelopes are to be returned at Supervision Level 4. An operations lieutenant, or designee, will review inmates held in pre-hearing detention within 72 hours, including weekends and holidays.
- B-4.** An inmate charged with a rule violation will receive a Misconduct Report no less than 24 hours prior to the disciplinary hearing. The hearing may be held within 24 hours with the inmate's written consent.
- B-5.** The Misconduct Report will list at a minimum:
- a. The date and time of the violation.
 - b. The location of the violation, if known.
 - c. The title and number of the rule violated.
 - d. A brief description of the alleged violation.
 - e. A summary of the evidence that supports the violation.
- B-6.** If evidence is redacted from the Misconduct Report for institutional or security reasons, such as the name(s) of an informant, the summary must indicate that information has been redacted.
- B-7.** Inmates receiving Misconduct Reports will be given verbal notice that certain information will not be inadvertently disclosed, including:
- a. Names of the informants or other persons who provided testimony or other information with a promise of anonymity.
 - b. Information concerning investigative techniques or other confidential information.
 - c. Information concerning ongoing or pending investigations.

d. They will not be allowed to view any video recordings if available.

B-8. All records of the disciplinary process, including the Misconduct Report, the Hearing Officer Report, the Operations Lieutenant's review and any Disciplinary Appeal will be maintained not less than five years from the date of the hearing. These records will be kept according to retention schedules.

SECTION C: DISCIPLINARY HEARING OFFICER

C-1. A Hearing Officer will be appointed by a Corrections Captain, or his designee, to hold and conduct disciplinary hearings for major and minor rule violations occurring in DCAJ or WC.

C-2. The person appointed as Hearing Officer will be fair and impartial. The authority of the Hearing Officer will be limited to:

- a. Determining if any rules of conduct have been violated by a particular inmate.
- b. Conducting a disciplinary hearing in accordance with the standards set forth.
- c. Determination of a recommended sanction to be imposed if the inmate is found guilty.

C-3. The Hearing Officer may recess the hearing at any time to allow sufficient time to gather additional facts, obtain answers to questions posed by the inmate, or to investigate claims made by the inmate. However, no recess shall extend beyond two working days without the written consent of the accused inmate.

SECTION D: INMATE'S DEFENSE

D-1. If an inmate is mentally incompetent, illiterate, or does not speak, read, write or understand English well enough to understand the nature of the proceedings, he may request a staff member or interpreter for assistance during the disciplinary process. Under current law, at the disciplinary hearing, the inmate may not have an attorney represent him.

D-2. When representative assistance has been granted, the date for the hearing may be postponed for not more than two days upon written request of the inmate or his representative to permit preparation.

D-3. Prior to or during the hearing, the accused inmate has a right to submit written questions to be posed by the Hearing Officer to persons testifying at the disciplinary hearing. During the hearing, an inmate may submit additional questions to the Hearing Officer orally.

D-4. The accused inmate may submit a witness appearance request to present testimony or evidence on his own behalf. Witnesses requested by the accused inmate shall be interviewed or called before the Hearing Officer, unless permitting to do so would

present a threat to the security of the facility or staff, or to the witness' safety, the testimony would not be relevant, the testimony would be cumulative, there is lack of testimony or the request for a witness was not made in a timely fashion. These witnesses must be persons involved in or who have knowledge of the incident and not just "character" or cumulative witnesses. Inmates may prepare a list of questions to be asked to each witness.

- D-5.** Inmates may not cross-examine or otherwise confront witnesses during the disciplinary hearing.

SECTION E: CONFIDENTIAL SOURCES, ACCUSERS AND WITNESSES

- E-1.** The use of confidential information and testimony in inmate discipline cases is permitted, dependent upon the following:
- a. Inmates serving as confidential informants must be reliable based on past positive interaction with corrections staff. Inmates deemed previously unreliable will not be accepted as credible informants.
 - b. Every effort will be made by corrections staff to protect the identity of confidential sources. If providing information in the Misconduct Report summary is likely to reveal the informant, the confidential source will not be used to aid in the determination of guilt or innocence in jail discipline cases.
- E-2.** Confidential information will be received by the Hearing Officer by way of separate internal memorandum. The reporting deputy will provide this additional cover to the Hearing Officer in advance of the scheduled hearing; copy will not be provided to the inmate.
- E-3.** Misconduct Reports containing confidential information will be stamped and classified as such.
- E-4.** If the confidential information is unlikely to reveal the identity of the confidential source, the inmate provided Misconduct Report will include a summary of the information received.
- E-5.** The Hearing Officer will limit confrontation of accusers and cross-examination of adverse witnesses to those circumstances where it is reasonable to conclude that there is no danger of retaliation, disruption, or other problems associated with that confrontational process.

SECTION F: DISCIPLINARY HEARING

- F-1.** Hearing dates will be assigned within 72 hours (excluding weekends and holidays) of the issuance of the Misconduct Report.

- F-2.** The allegations of the violation shall be read to the inmate and the disciplinary hearing procedures fully explained to the inmate by the Hearings Officer at the beginning of the hearing.
- F-3.** If the inmate does not want to participate in the hearing process, the inmate can complete the Waiver of Disciplinary Form No. 704. This form will be placed in the disciplinary file.
- F-4.** Inmates will conduct themselves in a manner that is orderly and non-disruptive, in order to conduct a fair and orderly hearing. If, after warning of the consequences, the inmate's actions or conduct is disruptive, the Hearing Officer shall recess the proceedings for 24 hours. The 24 hour recess shall exclude weekends and holidays. If such behavior continues or reoccurs when the hearing has resumed, the inmate will be excluded and the hearing shall continue in his absence.
- F-5.** In the case of violations relating to criminal charges, the hearings officer will inform the inmate as to whether or not criminal charges will be filed, as determined by the Deschutes County District Attorney's Office. If so, the Hearing Officer will read and present to the inmate for signature an Advisement of Rights Form No. 720.
- F-6.** The disciplinary hearing will be taped if criminal charges may be filed in addition to the disciplinary process. In addition, exhibits of evidence will be properly marked, maintained and preserved, for no less than 90 days.
- F-7.** The inmate will be allowed to plead guilt or innocent to the allegations.
- F-8.** The Hearing Officer will present all the evidence against the inmate and allow the inmate or his representative an opportunity to dispute evidence or testimony.
- F-9.** The Hearing Officer will weigh the testimony and evidence and make a decision.
- F-10.** If the inmate is found not guilty, the inmate will be immediately returned to the status and privileges enjoyed before the hearing. If the inmate is found guilty, the Hearing Officer will recommend what sanctions to impose.

SECTION G: SELF-INCRIMINATION

- G-1.** The U.S. Supreme Court protects inmates against self-incrimination at disciplinary hearings if their testimony will be used against them in a criminal prosecution. Therefore, the Hearing Officer must:
- a. Warn the inmate their testimony can or may be used in a criminal prosecution.
 - b. Advise the inmate if he or she refuses to answer questions during the hearing, the Hearing Officer can make an adverse inference from the inmate's silence for the purpose of determining guilt.

- G-2.** The Hearing Officer may consider an inmate's silence as evidence of guilt, but there must be some other evidence to support the guilty finding as an inmate's silence alone cannot sustain a violation.

SECTION H: HEARING OFFICER'S REPORT

- H-1.** The Hearing Officer will complete the Hearing Officer's Report in the jail management system.
- H-2.** The Hearing Officer's Report must contain some evidence on the record to support a finding of guilt. The report must provide a written statement as to:
- a. The specific evidence relied upon.
 - b. The reasons for the disciplinary action.
 - c. The disciplinary sanctions ordered, if any.
- H-3.** In addition, a separate narrative will be included via internal memorandum, detailing:
- a. Rulings on requests to call witnesses and accept evidence, if presented.
 - b. Testimony or other information received from confidential sources.
 - c. Information relative to the reliability of confidential information sources.
- H-4.** The Hearing Officer's Report and any related documents will be submitted to an operations lieutenant for review. In the absence of an operations lieutenant the Administrative Lieutenant will complete the review.

SECTION I: REVIEW PROCEDURE

- I-1.** At the time the accused inmate receives his copy of the Hearing Officer's Report containing the findings and the lieutenant's review, the accused inmate will be informed of his right for appeal by the Corrections Captain. The inmate must make the request for appeal in writing on a Disciplinary Appeal Form No. 703 within 48 hours.
- I-2.** Disciplinary appeals should be limited to claims that suggest:
- a. Due process requirements were not adequately followed.
 - b. The Hearing Officer failed to meet the "some evidence" standard of proof.
 - c. Disciplinary sanctions were unconstitutionally harsh.

- I-3.** Within five days of the inmate's request for appeal, the Corrections Captain (or in the Captain's absence, the Sheriff) shall personally review the Hearing Officer's Report and issue findings in writing that:
- a.** Affirm the sanction(s) recommended.
 - b.** Modify the sanction(s).
 - c.** Direct that no sanctions be imposed.
 - d.** Or a combination of above.
- I-4.** The Corrections Captain will forward his decision to the inmate within the five day period, excluding weekends and holidays.

SECTION J: APPEAL PROCEDURE

- J-1.** After the Corrections Captain reviews the inmate's case and the inmate is dissatisfied with the outcome, the inmate may request a review by the Circuit Court of the State of Oregon for Deschutes County.
- J-2.** Petitions for a Writ of Review of the Corrections Captain's order may be filed by the inmate to the Circuit Court within 60 days of the Corrections Captain's review.

FORMS USED:

- Advisement of Rights Form No. 720
- Disciplinary Appeal Form No. 703
- Hearing Officer's Report Form, JMS
- Misconduct Report Form, JMS
- Waiver of Disciplinary Form No. 704
- Restitution Price List Form No. 174

ATTACHMENTS:

- Index I- Class A Violations
- Index II- Class B Violations
- Index III- Class C Violations

INDEX I***CLASS A - MAJOR VIOLATIONS***

1. Class A major violations involve criminal action that may result in the commencement of a criminal proceeding and include: criminal homicide, sexual offenses, assaults, arson, riots, destruction of property, drugs and/or contraband, escape, attempted escape, aiding or abetting escape, and other criminal offenses. The filing of criminal charges does not preclude or prevent DCAJ or WC from commencing disciplinary action or from imposing any authorized sanction. All Class A major rule violations will be handled by way of a formal write-up (Misconduct Report) on the inmate.
2. The following violations constitute Class A major violations:
 - a. **Possession or Introduction of Dangerous Contraband A-1.** Any article or substance that is introduced into the facility without first being cleared by staff constitutes contraband. An inmate who makes, obtains, possesses or knowingly introduces dangerous contraband into the facility is subject to disciplinary action. Dangerous contraband includes, but is not limited to, the following:
 - 1) Weapons (firearms, knives or clubs) or ammunition.
 - 2) Explosives of any type.
 - 3) Narcotics or narcotics paraphernalia.
 - 4) Controlled medications.
 - 5) Escape devices.
 - 6) Monies, including negotiable instruments.
 - 7) Intoxicants.
 - 8) Gambling paraphernalia.
 - 9) Tattooing paraphernalia.
 - 10) Tobacco products, matches, lighter.
 - 11) Any medication not taken properly as ordered or instructed. This includes “cheeking” or attempting to cheek medication.
 - b. **Assault A-2.** The causing of any physical injury to another intentionally, knowingly or recklessly; except when absolutely necessary for self-defense, no inmate shall engage in a fight or cause injury to another person.
 - c. **Menacing A-3.** If an inmate by word or by conduct intentionally attempts to place another person in fear of bodily harm or threatens staff or others (this includes threats directed towards family members of staff).
 - d. **Coercion A-4.** The compelling or inducing of another person to participate in conduct from which he/she has a legal right to abstain (or the compelling or inducing of a person to abstain from conduct in which he/she has a right to participate) by

- instilling fear that the person will (a) be physically injured; (b) have his/her property damaged; (c) be subjected to a crime; (d) be falsely accused or charged with a criminal offense; (e) be subjected to false testimony or information (or have testimony or information withheld) with respect to his/her legal claim or defense.
- e. **Destruction of Property A-5.** Willfully damaging, destroying, defacing, altering or misusing of county property.
 - f. **Sexual Misconduct A-6.** Inmates shall not have or attempt to have any sexual contact or relations with any other person while lodged in the facility. Sexual conduct between any persons in the jail, even if consensual is prohibited. Sexual misconduct includes, but is not limited to: sexual intercourse, caressing, kissing, fondling, manipulation of the private parts of another, exposing genitalia to staff or other inmates, inappropriate physical contact, any sexual advance, requests for sexual favors, threats or retaliation for refusing sexual advances, verbal or physical conduct of sexual nature toward or with another person, invasion of privacy beyond that reasonably necessary for safety and security, and/or sexual harassment in any form, such as:
 - 1. Demeaning references to a person's sex or sexual orientation
 - 2. Sexual comments about a person's body, clothing or demeanor
 - 3. Abusive, threatening, profane or degrading sexual comments or gestures
 - 4. Touching, attention or conduct of a sexual nature
 - 5. Over familiarity, this includes but is not limited to: flirting, exchanging personal gifts or letters, requesting or granting special favors, discussing personal matters unless it is an expectation of staff member's job responsibilities.
 - g. **Escape or Attempted Escape A-7.** No inmate shall absent him/her self from the physical custody and control of the DCAJ, work center, staff or inmate work crew.
 - h. **Striking or Touching a Staff Member A-8.** No inmate shall willfully or knowingly hit, strike or touch a corrections deputy or other staff member.
 - i. **Violation of Temporary Release A-9.** Violation of any condition as stated in a transitional leave, special pass, or temporary leave agreement from the facility.
3. Disciplinary action imposed for Class A major violations may include any combination of the following sanctions listed below:
- a. Disciplinary detention up to 15 days (no more than 30 days with multiple violations during one incident).
 - b. Restitution where possible.
 - c. Loss of any or all good time earned.
 - d. Probation with or without suspended detention time.
 - e. Removal from the Work Crew Program.
 - f. Removal from the Inmate Worker Program.
 - g. Loss of one or more privileges for up to 30 days. These privileges may include, but are not limited to:
 - 1) Commissary.

- 2) Dayroom access.
- 3) Personal telephone calls.
- 4) Use of television.
- 5) Reading material.
- 6) Visitation.
- 7) Inmate Programs.
- 8) Recreation yard access.
- 9) Law library.

INDEX II

CLASS B – MAJOR VIOLATIONS

1. Class B major violations involve violations of the facility rules and regulations, and may result in significant disciplinary sanctions. Class B major violations will be handled by way of formal write-up (Misconduct Report) of the inmate.
2. The following violations constitute Class B major violations:
 - a. **Disruptive Behavior B-1.** Any action by an inmate that causes or which reasonably could result in a serious disruption of discipline, institutional safety or order, and/or any of the programs or operations of the facility. This action includes advocating, encouraging, promoting, inciting, or participating in group or individual disturbances, or any unauthorized talking, gesturing, or other forms of communication with an inmate in another housing unit, or in the housing corridor. Disruptive behavior also includes abuse of the intercom system.
 - b. **Disobedience of an Order B-2.** An inmate shall promptly comply with valid orders of staff members. An order includes written, verbal, or gestured communication which directs or forbids the doing of some act over which the inmate had control. Disobedience of an Order also includes passing items to other inmates without the permission of a deputy.
 - c. **Theft B-3.** The intentional taking of property from another which deprives the owner of such property.
 - d. **False Statements to Staff B-4.** Knowingly making false statements or presenting false information to a corrections deputy, staff member, or law enforcement officer.
 - e. **Gambling B-5.** Prohibited regardless of the stakes. Gambling is defined to include the participation in any activity the outcome of which depends, in whole or in part, upon chance and where a participant may receive a material benefit by reason of a possible outcome.
 - f. **Attempt to Commit a Major Violation B-6.** Knowingly engaging in conduct which constitutes a substantial step toward the commission of a Class A or B rule violation.

- g. Conspiracy to Commit a Major Violation B-7.** Entering into an agreement with one or more persons to engage in or cause a major violation; aiding and abetting another person or persons in concealing or planning the commission of a Class A or B rule violation.
 - h. Unauthorized Organizations B-8.** No inmate shall create, promote, or participate in any club, association, or organization formed by other inmates lodged in the facility.
 - i. Repeated Minor Violations B-9.** The cumulative effect of a series of minor violations shall be cause to impose a major disciplinary sanction. After receiving two written warnings, a third violation within 21 days shall constitute a major violation.
 - j. Disrespect B-10.** Inmates shall not shout at, ignore, talk down to, threaten, use disparaging terms, or take any other action, verbally or physically, that displays rudeness to a staff member, other inmate or any other person.
 - k. Prohibited Mail B-11.** No inmate shall attempt to send out mail that is in direct violation of established outgoing inmate mail guidelines. This includes, but is not limited to, mail containing contraband, mail that violates an active court order (victim contact) or mail that disregards Parole and Probation directives.
- 3.** Disciplinary action imposed for Class B major violations may include any combination of the following sanctions listed below:
- a.** Disciplinary detention up to 10 days (no more than 20 days with multiple violations during one incident).
 - b.** Restitution where possible.
 - c.** Loss of up to 10 days earned good time.
 - d.** Probation with or without suspended detention time.
 - e.** Removal from the Work Crew Program.
 - f.** Removal from the Inmate Worker Program.
 - g.** Loss of one or more privileges for up to 15 days. These privileges may include, but are not limited to:
 - 1)** Commissary.
 - 2)** Dayroom access.
 - 3)** Personal telephone calls.
 - 4)** Use of television.
 - 5)** Reading material.
 - 6)** Visitation.
 - 7)** Inmate Programs.
 - 8)** Recreation yard access.

INDEX III

CLASS C- MINOR VIOLATIONS

1. Class C minor violations may be handled by way of formal or informal resolution.
2. The following violations constitute Class C minor violations:
 - a. **Use of Prohibited Language C-1.** Inmates are prohibited from directing the following language towards staff members, other inmates or anyone present in the facility; profanity, sexually explicit language, obscene references, gestures, or any inflammatory remarks.
 - b. **Possession of Another's Property C-2.** The possession or control by an inmate of the property of another inmate, or of property that has not been issued to him/her by a corrections deputy.
 - c. **Failure to Maintain Sanitary Conditions C-3.** The failure of an inmate to perform daily cell cleaning or sanitary practices when materials are provided for such purpose. This includes making beds and maintaining them during specified hours.
 - d. **Unauthorized Area C-4.** No inmate shall be in any location not assigned by directive or staff. Inmates are assigned to a cell or bunk and are not allowed to be in another inmate's cell, or sitting on another inmate's bunk.
 - e. **Possession of Nuisance Contraband C-5.** No inmate shall possess or manufacture:
 - 1) Any altered item of issuance.
 - 2) Eating utensils, except between serving of meals and tray pick-up.
 - 3) Leftover foods of any type at the end of each day.
 - 4) Articles or sections torn or removed from newspapers, magazines or books.
 - 5) More than 10 letters, 10 photographs, one magazine, three soft-covered books or one newspaper.
 - 6) More facility clothing, bedding, linen or hygiene items.
 - f. **Work Performance C-6.** Non-compliance with work assignment or poor work habits of inmate workers will not be tolerated.
3. Formal disciplinary sanctions imposed for Class C minor violations are limited to one or more of the following:
 - a. Disciplinary detention up to 48 hours.
 - b. "Lock-Down" in inmate's room for up to 24 hours.
 - c. Loss of one or more privileges for up to seven days. These privileges may include but are not limited to:
 - 1) Commissary.
 - 2) Personal telephone calls.
 - 3) Use of television.
 - 4) Reading material.

- 5) Visitation.
 - 6) Inmate Programs.
 - 7) Dayroom access.
 - 8) Recreation yard access.
- d. Removal from Work Crew Program.
 - e. Removal from Inmate Worker Program.
 - f. Verbal or written reprimand.
4. DCAJ or WC has the option of handling Class C rule violations by means of “on the spot” informal resolution sanctions as opposed to the formal resolution process, if this would best serve the inmate and the situation. Any sanction must be documented in JMS. Informal disciplinary sanctions imposed for Class C minor violations are limited to one or more of the following:
- a. “Lock-Down” in inmate’s room for up to 24 hours
 - b. Loss of one or more privileges for up to 24 hours. These privileges may include but are not limited to:
 - 1) Commissary.
 - 2) Personal telephone calls.
 - 3) Use of television.
 - 4) Reading material.
 - 5) Visitation.
 - 6) Inmate Programs.
 - 7) Dayroom access.
 - 8) Recreation yard access.
 - c. Removal from Work Crew Program.
 - d. Removal from Inmate Worker Program.
 - e. Verbal or written reprimand.