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.
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.

Tampering with security systems or controls to include but not limited to locks, lights, video surveillance cameras, cell doors, intercoms, switches or sockets.

Possession of a telecommunication device, simcard, battery charger, carry case or other device identified with a telecommunication device without authorization.

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.
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.
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).

Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of high moderate severity; this charge 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:

<table>
<thead>
<tr>
<th>Category</th>
<th>Adjustment History</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Good</td>
</tr>
<tr>
<td><strong>Category 100</strong></td>
<td></td>
</tr>
<tr>
<td>Good Conduct Time</td>
<td>0-20</td>
</tr>
<tr>
<td>Disciplinary Segregation</td>
<td>0-20</td>
</tr>
<tr>
<td><strong>Category 200</strong></td>
<td></td>
</tr>
<tr>
<td>Good Conduct Time</td>
<td>0-5</td>
</tr>
<tr>
<td>Disciplinary Segregation</td>
<td>0-5</td>
</tr>
</tbody>
</table>

**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).

Appendix 1 to HCDC Policy H-713 Inmate Disciplinary Procedures

HOWARD COUNTY DEPARTMENT OF CORRECTIONS
Notice of Infraction and Action for General Population

Name: ____________________________ Number: _________ H.U. _______ 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):

Reporting Officer: ____________________________ 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: ____________________________ Inmate’s Signature: ____________________________

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: ___________
Sanctions:

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

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

Reviewed by Director: ____________________________ Director’s Signature
Distribution: Original – Classification/file Yellow – Administration Pink – Inmate/Detainee

HCDC Form H-713a (revised 12/21/19)
**Category 100 Offenses (Most Serious):**

1. 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.
2. Sexual conduct, with or without consent, including but not limited to sodomy, perverted, unnatural acts, rape, masturbation, kissing, inappropriate touching, hugging, handcuffing or indecent exposure.
3. 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.
4. Making or possessing any weapon or any article which has been modified into a weapon.
5. 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.
6. Robbery, extortion, coercion, blackmail, bribery or obtaining another’s property by force, physical threat, manipulation, or the attempt thereof.
7. Escape, including attempting, aiding and abetting any escape or possession of escape paraphernalia which could reasonably be used to perpetrate an escape.
8. Absence from facility/institution count; leaving an assigned area without authorization; or being out of bounds.
9. 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.
10. 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.
11. Refusal or interfering with being searched, or having possessions or quarters searched.
12. A violation of any federal, state, or local law.
13. 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.
14. 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.
15. Tampering with security systems or controls to include but not limited to locks, lights, video surveillance cameras, cell doors, intercoms, switches or sockets.
16. Possession of a telecommunication device, simcard, battery charger, carry case or other device identified with a telecommunication device without authorization.
17. 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. 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.
204. Unauthorized use or misuse of the telephone to include but not limited to the assignment of any inmate’s PIN number.
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 the assignment of any 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.
Appendix 2 to HCDC Policy H-713 Inmate Disciplinary Procedures

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: __________

Distribution: Original – Classification/file Yellow - Administration

HCDC Form H-713b (revised 5/21/14)
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

Distribution:  Original – Classification/file    Yellow – Administration    Pink - Inmate

HCDC Form H-713c (Revised 5/28/14)
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 ................................................... $  0.50
- 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: ____________________________ (Print Name)

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


Sanctions:


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

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

Reviewed by Director: ____________________________ Date: __________

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

HCDC Form H-713e (revised 6/25/19)
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)

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
221. Possessing or introducing an incendiary device (i.e., matches, lighter, etc.)
222. Engaging in any act that could endanger person(s) and/or property
223. 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 proceeds 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.
324. 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)
325. Conduct that disrupts or interferes with the security or orderly running of the facility (offense must be of high moderate severity; this charge to be used only when no other charge is 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. Malingerer; 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
413. 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 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 of the facility (offense must be of low moderate severity; this charge 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 corporeas 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
110 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)
111 Conducta que perturbe o interfiere con la seguridad o el orden en que se ejecute 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 pelota 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 Extortión, 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, parafarmacia 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 rehúsayse a trabajar
215 Rehúsayse 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
221 Poseer o introducir un dispositivo incendiario (por ejemplo, fósforos, bombillas, etc.)
222 Participar en cualquier acto que pueda poner en peligro a las personas y / o bienes
223 Resistir o interferir con el personal que realiza un conteo y / o movimiento de facilitación de un preso / detenido.
226 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)
229 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 aplique 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).
309 Insolencia hacia un miembro del personal
310 Mentir o proporcionar declaración falsa al personal
311 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.);
312 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 item 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
325 Contraer 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)
327 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 aplique 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; Fingiendo 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 aprobada)
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 sanción
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; Fullando mantener el uno mismo y el área de estar de acuerdo con las normas publicadas
414 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)
419 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 aplique ningún otro cargo en esta categoría)

HCDC Form H-713e (revised 6/25/19)