
POLICY AND PROCEDURE

.0201 GENERAL

Inmate conformity to prison rules is absolutely necessary for the orderly, safe, and secure operation of correctional facilities. Effective, fair, and consistent disciplinary procedures enhance the orderly operation of the facility and reinforce appropriate behavior and responsibility. The Division of Prisons shall promulgate inmate conduct rules and disciplinary procedures and sanctions for all new admissions to the prison system and make them available in conspicuous locations within each correctional facility.

.0202 DISCIPLINARY OFFENSES

Disciplinary offenses are divided into four (4) classes which are Class A through Class D. Class A offenses are the most serious and Class D offenses are the least serious.

(a) The following are the **Class A** disciplinary offenses:

- (A1) Seize or hold a hostage or in any manner unlawfully detain any person against his/her will;
- (A2) Participate in a riot, insurrection, work stoppage or group demonstration, or incite/encourage others to riot, participate in an insurrection, work stoppage or other group demonstration;
- (A3) Commit an assault on a staff member with a weapon or by any other means likely to produce injury, such as hitting, kicking, pushing, pulling, throwing objects;
- (A4) Commit an assault on another with a weapon or any other means likely to produce injury;
- (A5) Commit an assault on another with intent to commit any sexual act;
- (A6) Escaping or attempting to escape from any prison facility, community assignment, during transport, or from the supervision of DOC staff or its authorized agent. Attempt will include possession of escape plans, possession of any object that could aid in an escape, attempt to hide within the facility to affect an escape, or any other action that could result in escape if correctional staff did not intervene;
- (A7) Possess, manufacture, and/or detonate an incendiary or explosive device;
- (A8) Set a fire that endangers the life of another person;
- (A9) Commit an assault on a staff member by throwing liquids, (e.g., urine, feces, etc.) or spitting on a staff member;
- (A10) Fight or engage in a mutual physical confrontation involving weapons (e.g., knives, locks, razors, etc.);
- (A11) Commit an assault on a staff member with intent to commit any sexual act;
- (A12) Manufacture, possess, introduce, sell or use any unauthorized controlled substance,

- (A13) unauthorized intoxicant or alcoholic beverage, or possess associated paraphernalia; Refuse to submit to a drug test or breathalyzer test, or interfere with the taking of such tests;
 - (A14) Participate in, or organize, whether individually or in concert with others, any gang or Security Threat Group (STG), or participate in any activity or behavior associated with a Security Threat Group;
 - (A15) Offer, give, solicit or accept a bribe or offer to give or withhold anything to persuade staff to neglect duties or perform favors;
 - (A16) Possess or use in any manner any type of unauthorized recording or image taking device or any type of unauthorized communication device whether audio, video or data. Examples include but are not limited to cell phones, personal digital assistants, cameras, tape recorders or digital recorders that can be used to send and/or receive any type of messages/images for any purpose;
 - (A99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above offenses by prison staff or intervening circumstances.
- (b) The following are the **Class B** disciplinary offenses:
- (B1) Possess or have under control any weapon or instrument to aid in an escape, assault, insurrection or riot;
 - (B2) Set a fire or flood cell(s);
 - (B3) Willfully tamper with, damage or block any locking device, fence, door, gate or window;
 - (B4) No longer in use, upgraded to A12.
 - (B5) Knowingly inhale, smell or breathe any vapors, fumes or odors, or possess for the purpose of inducing or attempting to induce intoxication through inhalation; or possess, inject, or ingest any non-controlled substance for the purpose of altering mental or physical capacity;
 - (B6) Commit, solicit or incite others to commit any sexual act or indecently expose oneself, or touch the sexual or other intimate parts of oneself or another person for the purpose of sexual gratification;
 - (B7) Instigate or provoke an assault on another;
 - (B8) Interfere with a staff member in the performance of his or her duties;
 - *(B9) Violate any law of the State of North Carolina or the United States of America;
 - (B10) Commit or incite others to commit acts which spread or may spread communicable diseases, or possess any instruments capable of spreading communicable diseases (e.g., tattooing instruments, needles, etc.);
 - (B11) No longer in use; upgraded to A13.
 - (B12) Leave, quit without authorization, fail to report, or neglect to adhere to approved schedules for community based programs;
 - (B13) Instigate or provoke an assault on a staff member;
 - (B14) Willfully damage, destroy, alter, tamper with or lose State property or property belonging to another;
-