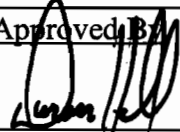
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<u>Index Number</u> 1-3.301	<u>Related Standards</u> ACA 4-ALDF- 6C-01-19; 2-CO-3C-01, 03	<u>Approved By</u> 
<u>Supersedes</u> Policy # 1-3.301	<u>Subject</u> Disciplinary Rules	<u>Effective</u> 1/05/05

**PURPOSE**

To describe inmate conduct that violates Davidson County Sheriff's Office (D.C.S.O.) rules and is prohibited in D.C.S.O. facilities.

**POLICY**

The D.C.S.O. shall maintain a list of general categories of prohibited behavior and provide notice of the rules to all individuals in custody.

This policy is reviewed annually.

**DEFINITIONS**

Minor Infraction - An infraction that clearly does not pose a serious threat to the orderly operation of the institution

Major Infraction - An infraction that may pose a serious threat to the orderly operation of the institution.

**PROCEDURAL GUIDELINES**

A list of prohibited acts will be provided to inmates during intake, and inmates will sign a form indicating they have received the information. When necessary, staff will assist inmates in understanding the rules. Rules will be available in the major languages used by the population. Rules are reviewed annually to ensure compliance with contemporary statutory and case law requirements.

**Prohibited Acts**

While it is impossible to define every possible prohibited act or rule violation; the following acts are prohibited in the facilities:

**Minor Infractions:**

- possession of any substance or object defined as contraband by the D.C.S.O. facility or policy;
- disorderly conduct such as loud talking or yelling, pushing, or other actions which create a disturbance and/or disrupt the orderly running of the facility;
- acting disrespectfully toward a staff member, including the use of vulgar, abusive, or obscene language;
- gambling or having in one's possession gambling paraphernalia;
- engaging in horseplay (wrestling, mock fighting, etc.) with other inmates;

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- being in an unauthorized area, including areas restricted to specific inmates or inmates in general;
- failing to follow safety or sanitation regulations;
- being unsanitary or untidy; failing to keep one's person or quarters in accordance with facility standards;
- loaning property or anything of value for profit or increased return;
- failing to perform work as instructed by a staff member;
- interfering with an officer in the performance of his/her official duties.
- refusing to work, report to work, or accept a program assignment (convicted inmates only), or refusal of any other direct order from any D.C.S.O. staff;
- having an unexcused absence from work or any assignment.

**Major Infractions:**

- murder;
- escaping, attempting to escape, or planning to escape, including failing to return from an approved community activity in a timely manner;
- sabotaging or damaging property;
- arson;
- possessing or introducing a weapon into any facility;
- possession of gang related materials, including but not limited to correspondence, identification cards, items inscribed or adorned with gang symbols, or gang related clothing or jewelry;
- rioting or inducing others to riot;
- assaulting any person;
- fighting with another person;
- threatening another with bodily harm or with any offense against a person or property;
- practicing extortion or blackmail, or demanding or receiving anything of value in return for protection against others to avoid bodily harm, or under threat of informing;
- engaging in sexual acts;
- making sexual proposals or threats;
- indecent exposure;
- possessing or introducing an explosive or any ammunition into any facility;
- possessing, introducing into the facility, using, selling, or attempting to sell any narcotics, narcotic paraphernalia, drugs, or intoxicants not prescribed for the individual by medical staff;
- testing positive to alcohol or any controlled substance not prescribed by a physician;
- refusing to submit to a search, refusing to provide a urine or breath sample;
- encouraging others to refuse to work;
- violating a condition of furlough, pass, or any other conditional or temporary release;
- failing to report as directed;
- giving or offering any official or staff member a bribe or anything of value;
- violating any municipal, county, state, or federal law;

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- destroying, altering, or damaging D.C.S.O. property or the property of another person;
- stealing (theft);
- tampering with or blocking any locking devices;
- stockpiling or misusing authorized medication;
- possessing property belonging to another person or the government;
- counterfeiting, forging, or reproducing without proper authorization any document, article or identification, money, security items, or official paper;
- acting in any way that disrupts or interferes with security or orderly running of any facility;
- encouraging, facilitating, or otherwise conspiring with others to commit any prohibited act;
- violating any other posted rule or regulation.

### **Offense Penalties**

If the inmate is found guilty of the disciplinary infraction charged, the hearing officer may impose the following sanctions or combinations thereof:

- reprimand;
- placement in disciplinary detention for not more than thirty (30) days for a major infraction or fifteen (15) days for a minor infraction, total confinement not to exceed sixty (60) days (continuous confinement beyond thirty (30) days requires the review and approval of the classification section and the facility administrator);
- forfeiture of any available good time;
- restriction of any privilege (under this section, an inmate's nonprivileged mail, visiting, telephone access, commissary, or other privileges may be withheld).

The hearing officer **may not** impose any of the following sanctions:

- dietary restriction or the use of food or meals as a punishment;
- any form of corporal punishment;
- any form of discipline imposed by another inmate;
- disciplinary detention in excess of sixty (60) days, unless there is a finding of fact on a new, subsequent violation of a facility rule or regulation;
- deprivation of clothing, bedding, or necessary personal hygiene items;
- use of a "violent cell" or restraints;
- deprivation or suspension of privileged mail.

For the purpose of controlling behavior and punishing the inmate, the hearing officer will impose the allowable sanctions noted above in proportion to the seriousness of the infractions involved and in consideration of the number of past inmate infractions. The hearing officer will obtain input from mental health staff before imposing sanctions on an inmate who displays signs of mental illness or retardation.

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