MADERA COUNTY DEPARTMENT OF CORRECTIONS
INMATE DISCIPLINE
DPPM 03-05

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SUBJECT: INMATE DISCIPLINE

POLICY: INMATE DISCIPLINE WILL BE ADMINISTERED AS TO MAINTAIN PROPER CONTROL, CONSERVE HUMAN VALUES AND INDIVIDUAL DIGNITY, AND TO PROMOTE SOCIALLY DESIRABLE CHANGES IN ATTITUDE AND BEHAVIOR.

REFERENCES: TITLE - 15, ARTICLE 7, 4017 PC, 4018 PC, 4019 PC, & 4024 PC

DEFINITIONS:

DISCIPLINARY HEARING - THE OPERATIONS COMMANDER OR HIS/HER DESIGNEE WILL BE RESPONSIBLE FOR IMPLEMENTING ALL INMATE DISCIPLINARY ACTIONS. THE DEPARTMENT'S DESIGNATED DISCIPLINARY OFFICER WILL ACT ON ALL FORMAL CHARGES OF VIOLATIONS OF FACILITY RULES AND WILL HAVE FULL INVESTIGATIVE AND PUNITIVE POWERS. THE DISCIPLINARY OFFICER HAS AUTHORITY TO APPROVE AND/OR IMPOSE DISCIPLINARY SANCTIONS IN ACCORDANCE WITH THE SEVERITY OF VIOLATION(S). THE DISCIPLINARY OFFICER MUST BE IMPARTIAL AND OBJECTIVE.

FORMAL DISCIPLINE—AN INCIDENT REPORT AND A RULE VIOLATION REPORT SUBMITTED RESULTING IN A HEARING CONDUCTED BY A DISCIPLINARY HEARING OFFICER, IF REQUESTED.

INFORMAL DISCIPLINE – AN INCIDENT REPORT SUBMITTED RESULTING IN LESS THAN TWENTY-FOUR (24) HOUR LOCKDOWN, COUNSELING, WARNING OR VERBAL REPRIMAND OR TEMPORARY LOSS OF PRIVILEGES ISSUED BY THE REPORTING OFFICER.

PROHIBITED ACTS - VIOLATIONS OF FEDERAL, STATE, COUNTY, OR LOCAL STATUTES, OR VIOLATIONS OF FACILITY RULES WHICH HAVE AN ADVERSE EFFECT ON AN INMATE OR ON GOOD ORDER AND DISCIPLINE IN THE FACILITY.

REVIEW – THE PROCESS WHEREBY A DESIGNATED SUPERVISOR WILL ENSURE A DISCIPLINARY ACTION IS APPROPRIATE, OBJECTIVE, AND IMPARTIAL.

SANCTIONS - SPECIFIC ACTIONS THAT ARE ANNEXED TO PROHIBITED ACTS AS A MEANS OF ENCOURAGING GOOD CONDUCT AND BEHAVIOR AND DISCOURAGING FUTURE VIOLATIONS.

MODIFIED PROGRAM—A DISCIPLINARY OR ADMINISTRATIVE STATUS THAT PROVIDES AN INMATE MINIMUM TIME OUTSIDE OF HIS/HER CELL/DORM AS PROVIDED BY TITLE 15.

DEPARTMENT’S DISCIPLINARY OFFICER—A CORRECTIONS OFFICER DESIGNATED TO MANAGE THE DEPARTMENT’S DISCIPLINARY PROGRAM.
DISCIPLINARY HEARING OFFICER – ANY STAFF OFFICER DESIGNATED TO HOLD DISCIPLINARY HEARINGS BY THE DEPARTMENT’S DISCIPLINARY OFFICER.

NOTE: IN THE ABSENCE OF THE DEPARTMENT’S DESIGNATED DISCIPLINARY OFFICER, THE SHIFT II AND III WATCH COMMANDERS WILL DESIGNATE SHIFT OFFICERS TO SERVE AS DISCIPLINARY HEARING OFFICERS (I.E.: WEEKENDS, HOLIDAYS, ECT.). THIS WILL PREVENT ANY VIOLATION OF DUE PROCESS CONCERNS IN REGARDS TO THE 72 HOUR TIME LIMIT FOR DISCIPLINARY HEARINGS. (SEE PROCEDURE 2, ITEM#2, ON PAGE 16 OF THIS DPPM SECTION.)

GENERAL INFORMATION

DISCIPLINARY OVERVIEW

1. THE DISCIPLINE OF INMATES AND THE REPORTING OF RULE VIOLATIONS IS THE RESPONSIBILITY OF EVERY EMPLOYEE REGARDLESS OF WORK ASSIGNMENT.

2. INMATES WHO REFUSE TO CONFORM TO FACILITY RULES AND REGULATIONS FOR INMATE BEHAVIOR WILL BE DISCIPLINED. DISCIPLINE WILL RESULT WHEN OTHER METHODS OF MAINTAINING CONTROL AND ORDER HAVE FAILED.

3. THE PURPOSE OF INFORMAL OR FORMAL DISCIPLINARY ACTION IS TO ACHIEVE ONE OR MORE OF THE FOLLOWING GOALS:
   - TO HOLD INMATES ACCOUNTABLE FOR INAPPROPRIATE BEHAVIOR AND TO TEACH SELF-CONTROL
   - TO MAINTAIN ORDER AND ENFORCE COMPLIANCE OF FACILITY RULES
   - TO ENSURE THE PROTECTION AND WELL-BEING OF INMATES, FACILITY STAFF, AND THE PUBLIC
   - TO DISCIPLINE AN INMATE FOR A VIOLATION OF ONE OF THE FACILITY RULES STATED HEREIN IN AN EFFORT TO TEACH CORRECT BEHAVIOR

4. ALL PERSONNEL WILL BE THOROUGHLY FAMILIAR WITH THE RULES OF INMATE CONDUCT, SANCTIONS AVAILABLE, AND THE RATIONALE FOR THE RULES IN ORDER TO PRECLUDE DISCREPANCIES AMONG STAFF MEMBERS IN INTERPRETATION.

5. DISCIPLINARY ACTIONS WILL BE TAKEN AT SUCH TIMES AND IN SUCH MEASURE AND DEGREE AS IS NECESSARY TO REGULATE AN INMATE’S BEHAVIOR WITHIN ACCEPTABLE LIMITS.
6. THE INMATE’S BEHAVIOR WILL BE CONTROLLED IN AN IMPARTIAL AND CONSISTENT MANNER BY FACILITY PERSONNEL.

7. DISCIPLINARY ACTION WILL NOT BE IMPULSIVE, RETALIATORY OR FOR REVENGE.

8. EACH INMATE IS TO RECEIVE, IN WRITING, AND/OR WILL HAVE ACCESS TO POSTED RULES, AND/OR EXPOSURE TO A VIDEO PROGRAM AT THE TIME OF HOUSING REGARDING (ADDENDUM 2):
   - INMATE RIGHTS AND RESPONSIBILITIES
   - PROHIBITED ACTS
   - THE TYPES OF DISCIPLINARY MEASURES WHICH MAY BE IMPOSED
   - THE DISCIPLINARY PROCESS OF THE FACILITY

9. A SPANISH VERSION OF THE RULES AND REGULATIONS WILL BE AVAILABLE TO INMATES WHO SPEAK SPANISH BUT NOT ENGLISH. STAFF WILL ATTEMPT TO PROVIDE SUCH INFORMATION IN THE NATIVE LANGUAGE OF THE INMATE BY USE OF AN INTERPRETER, AS SOON AS AN INTERPRETER IS AVAILABLE. SHOULD THE INMATE BE ILLITERATE, THE STAFF WILL BE CERTAIN THE INMATE UNDERSTANDS THE INFORMATION BY READING THE INFORMATION TO THEM IN ENGLISH OR AS SOON AS INTERPRETERS ARE AVAILABLE, IN THEIR NATIVE LANGUAGE.

10. ALL STAFF WILL IMMEDIATELY REPORT ALL INCIDENTS THAT RESULT IN PHYSICAL HARM TO, OR THREATEN THE SAFETY OF ANY PERSON IN THE FACILITY, OR THAT THREATEN THE SECURITY OF THE FACILITY. THESE INCIDENTS WILL BE DOCUMENTED ON AN INCIDENT REPORT.

11. THE DEPARTMENT’S DISCIPLINARY OFFICER MAY PLACE INMATES WITH SERIOUS RULE VIOLATIONS IN DISCIPLINARY SEGREGATION AFTER AN IMPARTIAL HEARING HAS BEEN CONDUCTED, OTHER AVAILABLE ALTERNATIVE DISPOSITIONS ARE INADEQUATE TO REGULATE AN INMATE’S BEHAVIOR WITHIN ACCEPTABLE LIMITS, AND THE INMATE’S PRESENCE IN THE GENERAL INMATE POPULATION POSES A SERIOUS THREAT TO THE ORDERLY OPERATION OR SECURITY OF THE FACILITY.

12. RULE VIOLATIONS SHOULD BE WRITTEN AT THE TIME OF THE INCIDENT, IF POSSIBLE. HOWEVER, THIS IS NOT A MANDATED REQUIREMENT. FOR INCIDENTS THAT NEED TO BE INVESTIGATED RULE VIOLATIONS MAY BE DEFERRED UNTIL THE INVESTIGATION HAS BEEN COMPLETED TO DETERMINE WHO TO CHARGE AND WHAT RULES THEY HAVE VIOLATED.
LIMITATIONS ON DISCIPLINARY MEASURES

1. INMATES WILL NOT BE SUBJECT TO ANY FORM OF PUNISHMENT WHICH WOULD BE DEEMED TO BE:

- CRUEL, CORPORAL OR OTHER UNUSUAL PUNISHMENT, PERSONAL PROPERTY DAMAGE, OR HARASSMENT.

- A LACK OF CARE WHICH MAY INJURE OR IMPAIR THE HEALTH OF THE INMATE.

- NO INMATE SHALL BE DEPRIVED OF ANY IMPLEMENTS THAT ARE NECESSARY TO MAINTAIN AN ACCEPTABLE LEVEL OF HYGIENE. (IE: TOOTHBRUSH, TOOTHPASTE, SOAP, COMB, AND RAZOR).

- A LOSS OF MAIL PRIVILEGES, EXCEPT IN CASES WHEREIN THE INMATE HAS VIOLATED CORRESPONDENCE REGULATIONS, IN WHICH CASE CORRESPONDENCE MAY BE SUSPENDED FOR NO LONGER THAN 72 HOURS, WITHOUT THE REVIEW AND APPROVAL OF THE DIRECTOR OR DESIGNEE.

- STAFF WILL NOT DELEGATE DISCIPLINARY AUTHORITY OR CONTROL TO ANY INMATE OR GROUP OF INMATES.

- NO INMATE OR GROUP OF INMATES MAY EXERCISE THE RIGHT OF PUNISHMENT OVER ANY OTHER INMATE OR GROUP OF INMATES. THIS DOES NOT PRECLUDE THE USE OF INMATES AS AIDES OR LEAD PERSONS ON WORK OR TRAINING ASSIGNMENTS WHEN THE ACTIVITY IS DIRECTED AND SUPERVISED BY RESPONSIBLE EMPLOYEES.

- SAFETY CELLS WILL NOT BE USED FOR DISCIPLINARY PURPOSES.

- INMATES WILL NOT BE DENIED ACCESS TO COUNSEL AS A DISCIPLINARY MEASURE.

- DISCIPLINARY DIETS MAY BE USED ONLY AFTER ALL OTHER FORMS OF DISCIPLINE THAT THE FACILITY USES HAVE BEEN EXHAUSTED. ALL DISCIPLINARY DIETS MUST BE REVIEWED BY THE OPERATIONS COMMANDER AND APPROVED BY THE FACILITY DIRECTOR PRIOR TO INITIAL PLACEMENT.

- PRIOR TO IMPLEMENTING THE DISCIPLINARY DIET, THE INMATE WILL BE MEDICALLY EVALUATED BY MEDICAL STAFF AND DEEMED TO BE IN GOOD PHYSICAL HEALTH.
• EVERY SEVENTY-TWO (72) HOURS, AND IN CONSULTATION WITH MEDICAL STAFF, THE FACILITY DIRECTOR SHALL APPROVE A CONTINUANCE OF THIS DIET

• FOOD SHALL NOT BE WITHHELD AS A DISCIPLINARY MEASURE, NOR SHALL THE STANDARD MENU BE VARIED AS A DISCIPLINARY MEASURE, EXCEPT AS PROVIDED FOR IN TITLE 15.

GENERAL INFORMATION

MAJOR AND MINOR VIOLATIONS

1. RULE VIOLATIONS WILL BE CLASSIFIED AS MAJOR OR MINOR, DEPENDING ON WHETHER THE BEHAVIOR IS LIKELY TO CAUSE A DIRECT DANGER TO THE HEALTH AND SAFETY OF OTHER INMATES, THE STAFF, OR INTERFERE WITH THE GOOD ORDER AND DISCIPLINE OF THE FACILITY.

2. ALL STAFF OFFICERS ARE ENCOURAGED TO HANDLE DISCIPLINARY ACTIONS AT THE LOWEST LEVEL POSSIBLE.

3. TWO OR MORE MINOR VIOLATIONS OR PROHIBITED ACTS CAN BE CONSIDERED AS A MAJOR VIOLATION.

4. IF MULTIPLE MINOR VIOLATIONS ARE ANNOTATED AND DOCUMENTED ON AN INCIDENT REPORT AND RULE VIOLATION REPORT, DISCIPLINARY ACTION CAN BE AS RESULTING FROM A SIMILAR MAJOR RULE VIOLATION.

5. ANY RULE VIOLATION INVOLVING SAFETY, SECURITY OR INMATE/OFFICER HEALTH SHALL BE HANDLED ON A FORMAL BASIS. THIS WILL REQUIRE DOCUMENTATION IN THE FORM OF AN INCIDENT REPORT AND A RULE VIOLATION REPORT.

6. VIOLATIONS OF FEDERAL, STATE, COUNTY, OR LOCAL STATUTES WHICH MAY LEAD TO CRIMINAL PROSECUTION ARE CONSIDERED MAJOR OFFENSES AND WILL BE REFERRED TO THE IMMEDIATE SUPERVISOR FOR EVALUATION. IN INSTANCES IN WHICH AN INMATE IS ALLEGED TO HAVE COMMITTED A CRIME, THE CASE WILL BE REFERRED TO THE JAIL CRIMINAL INVESTIGATION TEAM FOR POSSIBLE PROSECUTION. THE SUPERVISOR WILL DIRECT THE EMPLOYEE TO COMPLETE AN INCIDENT REPORT AND A RULE VIOLATION REPORT WHICH WILL BE FORWARDED TO THE CLASSIFICATION SERVICES UNIT/DEPARTMENT DISCIPLINARY OFFICER FOR REVIEW. ANY EVIDENCE COLLECTED SHALL BE PRESERVED IN ACCORDANCE WITH DEPARTMENTAL POLICY.
GENERAL INFORMATION  INFORMAL DISCIPLINE

1. INFORMAL DISCIPLINE REQUIRES THE INCIDENT BE RECORDED IN AN INCIDENT REPORT INDICATING ACTION TAKEN BY THE REPORTING OFFICER. (I.E. LOCKDOWN, COUNSELING, WARNING, TEMPORARY LOSS OF PRIVILEGES OR VERBAL REPRIMAND.)

2. INFORMAL DISCIPLINE IS IMMEDIATE ACTION TAKEN BY FACILITY STAFF WHICH DOES NOT RESULT IN A SIGNIFICANT LOSS TO THE INMATE.

3. MINOR ACTS OF NON-CONFORMANCE OR MINOR RULE VIOLATIONS NOT INVOLVING SAFETY OR SECURITY, SHOULD BE HANDLED ON AN INFORMAL BASIS WHEN POSSIBLE. STAFF MEMBERS ARE ENCOURAGED TO RESOLVE MINOR VIOLATIONS THROUGH COUNSELING, WARNING, REPRIMAND, TEMPORARY LOSS OF PRIVILEGES, LESS THAN 24 HRS LOCKDOWN OR A COMBINATION THEREOF, AS APPROPRIATE. AN INCIDENT REPORT IS REQUIRED.

NOTE: IF THE INMATE DOES NOT ACCEPT THE INFORMAL DISCIPLINARY ACTION, A RULE VIOLATION WILL BE SUBMITTED FOR FORMAL DISCIPLINARY ACTION. IT WILL BE ANNOTATED IN THE INCIDENT REPORT THAT THE INMATE REFUSED INFORMAL DISCIPLINARY ACTION AND REQUESTED FORMAL DISCIPLINARY ACTION.

4. INFORMAL DISCIPLINARY INCIDENTS WILL BE RECORDED IN AN INCIDENT REPORT IN THE EVENT OTHER STAFF MEMBERS ARE CONFRONTED WITH LIKE VIOLATIONS BY THE INMATE.

GENERAL INFORMATION  FORMAL DISCIPLINE

1. FORMAL DISCIPLINE REQUIRES AN INCIDENT REPORT AND A RULE VIOLATION REPORT TO BE SUBMITTED AND A HEARING CONDUCTED BY A DISCIPLINARY HEARING OFFICER, IF REQUESTED BY THE INMATE.

2. ALL STAFF OFFICERS/SUPPORT STAFF WILL DOCUMENT ALL VIOLATIONS TO BE HANDLED ON A FORMAL BASIS ON A RULE VIOLATION REPORT AND AN INCIDENT REPORT IN THE JAILS COMPUTER SYSTEM.

3. RULE VIOLATION REPORTS PREPARED BY STAFF MEMBERS SHALL INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING INFORMATION/ACTION:
   - A FORMAL STATEMENT OF THE RULES VIOLATED
   - THE DATE, TIME AND LOCATION OF THE INCIDENT
• STAFF WITNESSES
• REPORTING STAFF MEMBER’S SIGNATURE AND DATE
• INMATES SIGNATURE/INITIALS
• IF A DISCIPLINARY HEARING IS REQUESTED
• INCIDENT REPORT NUMBER
• WATCH COMMANDER’S SIGNATURE
• SPECIFIC RULES VIOLATED
• SERVE INMATE HIS/HER COPY (PINK COPY)
• DATE AND TIME OF SERVICE OF THE INMATE’S PINK COPY

4. THE REPORTING OFFICER WILL REQUEST SPECIFIC DIRECTIONS FROM HIS/HER WATCH COMMANDER IN THE FOLLOWING SITUATIONS:

• IF THE INCIDENT OCCURS WITHIN ONE-HALF (1/2) HOUR OF THE END OF THE SHIFT.
• IF THE REPORTING OFFICER WILL BE ON RDO’S, TIME-OFF, VACATION, ETC., THE FOLLOWING DAY.

5. THE SHIFT COMMANDER WILL FORWARD THE RULE VIOLATION REPORT TO THE DEPARTMENT’S DISCIPLINARY OFFICER.

6. ALL INCIDENTS REQUIREING FORMAL DISCIPLINE WILL BE REFERRED TO THE DEPARTMENT’S DISCIPLINARY OFFICER.

7. IN ALL CASES, A DISCIPLINARY HEARING WILL BE INITIATED WITHIN SEVENTY-TWO (72) HOURS AFTER THE INMATE IS SERVED, EXCEPT FOR GOOD CAUSE.

8. THE TIME MAY BE EXTENDED BY THE INMATE OR THE DISCIPLINARY HEARING OFFICER FOR INVESTIGATIVE PURPOSES.

9. ALL INCIDENTS WHICH MAY RESULT IN DISCIPLINARY SEGREGATION OR LOSS OF TIME CREDITS WILL BE HANDLED BY THE DEPARTMENT’S DISCIPLINARY OFFICER. THE DEPARTMENT’S DISCIPLINARY OFFICER WILL DETERMINE THE SANCTION(S) TO BE IMPOSED.

10. SHOULD THE VIOLATION WARRANT POSSIBLE CRIMINAL PROSECUTION, THE DEPARTMENT’S DISCIPLINARY OFFICER WILL REFER THE RULE VIOLATION TO THE CRIMINAL INVESTIGATIONS OFFICER FOR ACTION.

11. THE CRIMINAL INVESTIGATION OFFICER WILL INVESTIGATE THE INCIDENT AND DETERMINE WHETHER TO PURSUE CRIMINAL PROSECUTION OF THE INCIDENT.

12. FORMAL DISCIPLINARY INCIDENTS WILL BE ANNOTATED IN THE JAIL’S COMPUTER SYSTEM TO ADVISE OTHER STAFF.
GENERAL INFORMATION

PROHIBITED ACTS - MAJOR/MINOR

- ANY ACT PROHIBITED OR MANDATED BY STATUTE / LAW, TO WHICH A PENALTY HAS BEEN DESIGNATED WILL BE REFERRED TO THE JAIL CRIMINAL INVESTIGATIONS TEAM FOR POSSIBLE PROSECUTION. OFFENSES OF THIS NATURE WILL ALSO BE TREATED AS MAJOR OFFENSES AND WILL BE REFERRED TO THE DEPARTMENT'S DISCIPLINARY OFFICER.

1. MAJOR  ADULTERATION OF FOODS OR DRINKS

2. MAJOR  ARSON

3. MAJOR  ASSAULT AND/OR BATTERY

4. MAJOR/ MINOR  SUICIDE ATTEMPT

5. MAJOR/ MINOR  CHANGE ASSIGNED HOUSING WITHOUT AUTHORIZATION

6. MAJOR/ MINOR  DESTROYING, ALTERING OR DAMAGING JAIL PROPERTY

7. MAJOR/ MINOR  DISRUPTIVE CONDUCT

8. MAJOR  DROPPING LIGHTED ARTICLES ON FURNITURE, CLOTHING OR BEDDING

9. MAJOR  ENGAGING IN OR ENCOURAGING GROUP DEMONSTRATIONS

10. MAJOR  AGGRESSIVE BEHAVIOR TOWARD STAFF

11. MAJOR  ESCAPE OR ESCAPE ATTEMPT

12. MAJOR  EXTORTION

13. MAJOR  FAILURE TO DRESS IN PROPER INMATE ATTIRE

14. MINOR  FAILURE TO MAINTAIN PERSONAL HYGIENE

15. MAJOR  FAILURE TO OBEY ALL RULES OF TEMPORARY PASS (4018.6 PC)
| 16. MAJOR/MINOR | FAILURE TO PROVIDE PROPER IDENTIFICATION |
| 17. MAJOR | FAILURE TO RETURN AT SPECIFIED DATE AND TIME ON TEMPORARY RELEASE (4018.6 PC) |
| 18. MAJOR/MINOR | FAILURE TO STAND COUNT |
| 19. MAJOR | WEARING A DISGUISE OR MASK |
| 20. MAJOR | FIGHTING |
| 21. MAJOR | FILING OR MAKING FALSE REPORT |
| 22. MAJOR | GAMBLING |
| 23. MAJOR | GIVING, OFFERING, LOANING ITEMS OF VALUE OR MONEY TO STAFF |
| 24. MAJOR | HOMICIDE/ATTEMPTED HOMICIDE |
| 25. MAJOR/MINOR | IN UNAUTHORIZED AREAS |
| 26. MAJOR | INDECENT EXPOSURE |
| 27. MAJOR/MINOR | INSUBORDINATION/INSOLENCE |
| 28. MAJOR/MINOR | INTERFERENCE WITH STAFF DUTIES AND OR RESPONSIBILITIES |
| 29. MAJOR/MINOR | INTERFERING WITH COUNT |
| 30. MINOR | LITTERING |
| 31. MAJOR | LYING |
| 32. MAJOR | MAKING, POSSESSING OR USING INTOXICANTS |
| 33. MAJOR | MAKING SEXUAL PROPOSALS OR THREATS TO ANOTHER |
| 34. MAJOR/MINOR | MALICIOUS MISCHIEF |
| 35. MINOR | MALINGERING, FEIGNING ILLNESS |
| 36. MAJOR | MISUSE OF MEDICATION |
37. MAJOR PIERCING, SCARRING, MARKING OR ANY SELF MUTILATION OF ANY PART OF ANATOMY
38. MAJOR POSSESSION OF ANOTHER'S IDENTIFICATION WRIST BAND
39. MAJOR/ MINOR POSSESSION OF ANOTHER'S PROPERTY
40. MAJOR POSSESSION OR USE OF DRUGS/ NARCOTICS, OR PARAPHERNALIA
41. MINOR POSSESSION OF EXCESS ISSUE (CLOTHING, BEDDING, ETC.)
42. MAJOR UNAUTHORIZED USE OF GAME EQUIPMENT AS GAMBLING PARAPHERNALIA
43. MINOR POSSESSION OF MONEY
44. MAJOR/ MINOR POSSESSION OF OR SMUGGLING CONTRABAND
45. MAJOR/ MINOR POSSESSION OF UNAUTHORIZED CLOTHING (CIVILIAN)
46. MAJOR POSSESSION OF WEAPONS
47. MINOR POSSESSION OF MORE THAN ONE(1) NEWSPAPER, TWO (MAGAZINES, ONE(1) DICTIONARY, FIVE(5) BOOKS, AND A REASONABLE NUMBER OF PHOTOGRAPHS AND/OR CLIPPINGS
48. MAJOR/ MINOR PREPARING UNAUTHORIZED FOODS OR DRINKS
49. MAJOR REFUSAL TO PROVIDE URINE SAMPLE
50. MAJOR/ MINOR REFUSAL TO WORK (4017 & 4019 PC)
51. MAJOR REFUSAL TO OBEY AN ORDER
52. MAJOR SEX CRIMES
53. MAJOR SMOKING/POSSESSION OF TOBACCO, MARIJUANA OR SIMILAR SUBSTANCES
54. MAJOR TAMPERING WITH ANY ALARM DEVICE
55. MAJOR TAMPERING WITH BLOCKING, LOCKING OR SECURITY DEVICES
56. MAJOR  TAMPERING WITH, ALTERING OR REMOVING IDENTIFICATION WRIST BAND

57. MAJOR  TAMPERING WITH VENTILATION, PLUMBING, ELECTRICAL, RECREATIONAL OR COMMUNICATION SYSTEMS OR DEVICES

58. MAJOR  TATTOOING OR POSSESSION OF TATTOOING PARAPHERNALIA

59. MAJOR  THEFT FROM AN OFFICER, INMATE OR SUPPORT STAFF

60. MAJOR  THREATENING A STAFF MEMBER OR SUPPORT STAFF

61. MAJOR  UNAUTHORIZED CONTACTS WITH THE PUBLIC

62. MAJOR/ MINOR  UNAUTHORIZED USE OF TELEPHONE

63. MAJOR  UNAUTHORIZED COMMUNICATIONS BETWEEN INMATES

64. MAJOR  UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

65. MAJOR / MINOR  USING ABUSIVE OR OBSCENE LANGUAGE

66. MAJOR  USING OR POSSESSING UNAUTHORIZED EQUIPMENT OR TOOLS

67. MAJOR / MINOR  VIOLATION OF CORRESPONDENCE RULES

68. MAJOR  VIOLATION OF CRIMINAL STATUTES

69. MAJOR/ MINOR  VIOLATION OF INMATE RULES

70. MAJOR/ MINOR  VIOLATION OF MODULE RULES

71. MAJOR/ MINOR  VIOLATION OF PROGRAM RULES

72. MAJOR  VIOLATION OF VISITING RULES

73. MAJOR  ENGAGING IN SEXUAL ACTS

74. MAJOR  POSSESSION OF ANY COMMUNICATIONS DEVICE

75. MAJOR/ MINOR  MISSING CLOTHING/BEDDING ITEMS
76. MAJOR/MINOR  FAILURE TO KEEP CELL OR LIVING AREA CLEAN
77. MAJOR/MINOR  ANNOYING OR HARASSING ANOTHER INMATE
78. MAJOR  ACCESSORY PARTICIPANT
79. MAJOR  POSSESSION OF MATERIALS / ITEMS TO PRODUCE INTOXICANTS
80. MAJOR  ABUSE OF PRO-PER PRIVILEGES
81. MAJOR  MANIPULATING HOUSING PROCEDURES
82. MAJOR  RECEIVING A NEW TATTOO WHILE IN CUSTODY

GENERAL INFORMATION
SANCTIONS FOR MINOR VIOLATIONS HANDLED BY A FORMAL HEARING

1. LOSS OF COMMISSARY/I-CARE PRIVILEGES-MAXIMUM OF ONE (1) WEEK.

2. LOSS OF SOCIAL VISITATION PRIVILEGES - MAXIMUM ONE (1) WEEK.

3. LOSS OF CORRESPONDENCE PRIVILEGES WHERE INMATE HAS VIOLATED CORRESPONDENCE REGULATIONS, IN WHICH CASE CORRESPONDENCE MAY BE SUSPENDED FOR NO LONGER THAN 72 HOURS, WITHOUT THE REVIEW AND APPROVAL OF THE FACILITY DIRECTOR OR DESIGNEE.

4. REMOVAL FROM PROGRAM FOR REMAINING PERIOD OF PRESENTATION AT THE TIME OF THE INCIDENT.

5. RESTRICTION TO ROOM (CONTINUOUS LOCKDOWN) FOR A MAXIMUM OF 72 HOURS.
   - MEALS MAY BE SERVED IN ROOM

6. MODIFIED PROGRAM - MAXIMUM OF (1) WEEK.
   - PLACEMENT ON MODIFIED PROGRAM INCLUDES LOSS OF COMMISSARY/I-CARE AND VISITS FOR AN EQUAL PERIOD OF TIME.
   - MEALS MAY BE SERVED IN CELL/DORM
7. EXTRA WORK DETAILS (MAXIMUM 40 HOURS).

8. A CLASSIFICATION OFFICER MAY INITIATE A MODULE TRANSFER AFTER REVIEWING THE PARTICULAR CIRCUMSTANCES.

9. LOSS OF JOB AS AN INMATE WORKER OR MODULE WORKER.

10. ONE OR MORE OF THE ABOVE SANCTIONS MAY BE IMPOSED FOR EACH RULE VIOLATION REPORT.

11. ALL DISCIPLINARY ACTIONS ARE CONSEQUENTIAL.

GENERAL INFORMATION

SANCTIONS FOR MAJOR VIOLATIONS

1. LOSS OF COMMISSARY/I-CARE PRIVILEGES - MAXIMUM OF EIGHT (8) WEEKS.

2. LOSS OF SOCIAL VISITATION PRIVILEGES - MAXIMUM OF EIGHT (8) WEEKS.

3. LOSS OF CORRESPONDENCE PRIVILEGES WHERE INMATE HAS VIOLATED CORRESPONDENCE REGULATIONS, IN WHICH CASE CORRESPONDENCE MAY BE SUSPENDED FOR NO LONGER THAN 72 HOURS, WITHOUT THE REVIEW AND APPROVAL OF THE FACILITY DIRECTOR.

4. REMOVAL FROM PROGRAMS FOR THE DURATION OF CURRENT CONFINEMENT.

5. RESTRICTION TO CELL/DORM (CONTINUOUS LOCKDOWN) FOR A MAXIMUM OF 120 HOURS.
   • MEALS MAY BE SERVED IN CELL/DORM

6. EXTRA WORK DETAILS (160 HOURS MAXIMUM).

7. LOSS OF SOCIAL TELEPHONE USE, - MAXIMUM-DURATION OF CONFINEMENT.

8. MODIFIED PROGRAM - MAXIMUM OF EIGHT (8) WEEKS.
   • PLACEMENT ON MODIFIED PROGRAM INCLUDES LOSS OF COMMISSARY/I-CARE AND VISITS FOR AN EQUAL PERIOD OF TIME.
   • MEALS MAY BE SERVED IN CELL/DORM

9. LOSS OF ALL TIME CREDITS FOR SENTENCED INMATES UNDER PENAL CODE SECTIONS 4019 AND 4024.
10. LOSS OF JOB AS INMATE WORKER OR MODULE WORKER PER 4017 PC AND 4018 PC.

11. PRE-TRIAL INMATES MAY RECEIVE LOSS OF ALL TIME CREDITS. HOWEVER, SUCH ACTION WILL NOT APPLY UNTIL AFTER SENTENCING. THE DISCIPLINARY REPORT SHALL BE SCANNED INTO THE INMATES FILE BY RECORDS. THE FILE SHALL BE REVIEWED AT TIME OF SENTENCING AND ADJUSTED ACCORDINGLY DURING TIME COMPUTATION.

12. THE CLASSIFICATION UNIT MAY INITIATE A MODULE TRANSFER AFTER REVIEWING THE PARTICULAR CIRCUMSTANCES.

13. DISCIPLINARY DIETS MAY BE USED ONLY AFTER ALL OTHER FORMS OF DISCIPLINE THAT THE FACILITY USES HAVE BEEN EXHAUSTED. ALL DISCIPLINARY DIETS MUST BE REVIEWED BY THE OPERATIONS COMMANDER AND APPROVED BY THE FACILITY DIRECTOR.

14. ONE OR MORE OF THE ABOVE SANCTIONS MAY BE IMPOSED FOR EACH RULE VIOLATION REPORT.

15. ALL DISCIPLINARY ACTIONS ARE CONSECUTIVE.

GENERAL INFORMATION

CRIMINAL PROSECUTION

1. CORRECTIONAL OFFICERS (OR OTHER STAFF) WILL REPORT ALL CRIMINAL VIOLATIONS TO THE ON DUTY WATCH COMMANDER FOR FURTHER ACTION.

2. IF THE VIOLATION IS CRIMINAL, THE WATCH COMMANDER WILL IMMEDIATELY NOTIFY THE JAIL CRIMINAL INVESTIGATION TEAM FOR FURTHER INVESTIGATION.

3. AN INMATE MUST BE ADVISED OF HIS "MIRANDA" RIGHTS PRIOR TO ANY QUESTIONING REGARDING THE INCIDENT.

4. AN INMATE MAY BE CHARGED BOTH ADMINISTRATIVELY AND CRIMINALLY ON THE SAME CHARGES WITHOUT INVOKING DOUBLE JEOPARDY.

PROCEDURE 1

CRIMINAL PROSECUTION

1. THE STAFF MEMBER OBSERVING OR RECEIVING THE REPORT OF VIOLATION WILL PREPARE A WRITTEN INCIDENT REPORT AND RULE VIOLATION REPORT.
2. IN ALL INCIDENTS THAT COULD RESULT IN CRIMINAL PROSECUTION, THE WATCH COMMANDER WILL REVIEW THE APPROPRIATE INCIDENT REPORT(S) AND IMMEDIATELY NOTIFY THE CRIMINAL INVESTIGATIONS TEAM.

3. EVIDENCE COLLECTED WILL BE MARKED, TAGGED AND SECURED IN THE EVIDENCE LOCKER. THE CRIMINAL INVESTIGATIONS TEAM WILL RETRIEVE ALL EVIDENCE FROM THE SECURED EVIDENCE LOCKER.

4. THE WATCH COMMANDER WILL REFER THE INCIDENT REPORT TO THE JAIL CRIMINAL INVESTIGATIONS TEAM FOR EVALUATION AND POSSIBLE REFERRAL TO THE DISTRICT ATTORNEY.

5. THE ACCOMPANYING RULE VIOLATION REPORT WILL BE FORWARD ED TO THE DEPARTMENT’S DISCIPLINARY OFFICER, NOTING POSSIBLE CRIMINAL CHARGES.

6. IF THE CRIMINAL INVESTIGATION TEAM DETERMINES THE CHARGE(S) WARRANT REFERRAL TO THE DISTRICT ATTORNEY, THEY SHALL HAVE PREPARED A REQUEST FOR COMPLAINT (DA FORM).

7. IF THE DISTRICT ATTORNEY PROSECUTES THE OFFENSE, AND THE INMATE IS FOUND GUILTY, THE INMATE MAY BE SUBJECT TO RECLASSIFICATION IN ADDITION TO THE COURT’S SENTENCE.

GENERAL INFORMATION

DISCIPLINARY PROCEEDINGS ON MENTALLY INCOMPETENT INMATES


GENERAL INFORMATION

DISCIPLINARY HEARING

1. PUNISHMENT WILL NOT BE IMPOSED PRIOR TO THE HEARING AND THE DISCIPLINARY HEARING OFFICER’S DETERMINATION OF SANCTIONS.
2. DISCIPLINARY HEARINGS AND SANCTIONS IMPOSED FOR RULE VIOLATIONS WILL BE CONDUCTED BY AN IMPARTIAL PERSON, WHO WAS NOT INVOLVED IN THE INCIDENT.

3. THE DISCIPLINARY HEARING OFFICER WILL DETERMINE THE DISCIPLINARY ACTION TO BE IMPOSED, ENSURING THE SANCTION(S) IMPOSED ARE PROPORTIONATE TO THE OFFENSE(S) AND PROGRESSIVE IF APPROPRIATE.

4. THE DISCIPLINARY HEARING OFFICER IS ENCOURAGED TO CONDUCT A CURSORY INVESTIGATION AND CONTACT INVOLVED STAFF MEMBERS FOR INPUT AND FURTHER INFORMATION.

5. THE HEARING WILL GENERALLY BE CONDUCTED WITHIN THE INMATES ASSIGNED HOUSING MODULE.

6. THE INMATE SUBJECT TO THE DISCIPLINARY ACTION WILL BE INTERVIEWED BY THE DISCIPLINARY HEARING OFFICER ASSIGNED TO CONDUCT THE HEARING.

7. THE DISCIPLINARY HEARING OFFICER WILL EXPLAIN TO THE INMATE THAT THE HEARING IS AN ADMINISTRATIVE, RATHER THAN A JUDICIAL PROCESS.

8. FORMAL RULES OF EVIDENCE WILL NOT GOVERN THE HEARINGS. EVIDENCE PRESENTED OR QUESTIONED RELEVANCY OR MATERIAL VALUE RELATING TO AN ISSUE WILL BE RULED UPON BY THE DISCIPLINARY HEARING OFFICER WITHOUT FORMAL RESTRICTIONS.

9. THE INMATE WILL BE PROVIDED AN OPPORTUNITY TO MAKE A STATEMENT AND PRESENT DOCUMENTARY EVIDENCE AT THE DISCIPLINARY HEARING.

10. THE INMATE MAY REQUEST ANY PERSON WHO HAS RELEVANT AND NOT UNDULY CUMULATIVE INFORMATION TO BE INTERVIEWED. THE DISCIPLINARY HEARING OFFICER MAY, AT THIS POINT IN THE HEARING, INFORM THE INMATE WHAT HIS MAXIMUM SANCTIONS COULD BE ON THE CHARGES AND CONCLUDE THE HEARING. THE DISCIPLINARY HEARING OFFICER MAY THEN LEAVE AND LATER INTERVIEW ANY REQUESTED WITNESSES AND CONSIDER ANY RELEVANT REPORTS OR DOCUMENTATION BEFORE IMPOSING DISCIPLINARY ACTION. THE INMATE WILL BE INFORMED OF THE DECISION OF THE DISCIPLINARY HEARING OFFICER BY RECEIPT OF A COMPLETED COPY OF THE DISCIPLINARY RULE VIOLATION REPORT VIA INTRA-JAIL MAIL.
11. WHERE IT REASONABLY APPEARS TO THE DISCIPLINARY HEARING OFFICER THAT THE INMATE'S FILE OR RECORDS ARE RELEVANT TO THE DISCIPLINARY HEARING, THE DISCIPLINARY HEARING OFFICER MAY REVIEW SUCH RECORDS.

12. INMATES CHARGED WITH RULE VIOLATIONS WILL BE PRESENT AT THE HEARING UNLESS THEY WAIVE THE RIGHT TO BE PRESENT OR ARE EXCLUDED DUE TO THEIR BEHAVIOR. THE DISCIPLINARY HEARING OFFICER MAY EXCLUDE THE INMATE FROM THE HEARING IF THE INMATE DISRUPTS THE ORDERLY CONDUCT OF THE HEARING OR IF THE INMATE POSES A THREAT TO THE SAFETY OF THE DISCIPLINARY HEARING OFFICER OR THE FACILITY. THE INMATE'S ABSENCE AND REASON FOR ABSENCE WILL BE NOTED IN THE DISCIPLINARY RULE VIOLATION REPORT.

PROCEDURE 2 DISCIPLINARY HEARING

1. THE DISCIPLINARY HEARING OFFICER WILL CONDUCT AN INDEPENDENT INVESTIGATION OF THE INCIDENT AS SOON AS POSSIBLE, BUT WITHIN 48 HOURS OF THE REPORT BARRING ANY EXTRAORDINARY CIRCUMSTANCES.

2. INMATES CHARGED WITH RULE VIOLATIONS WILL RECEIVE A HEARING WITHIN SEVENTY-TWO (72) HOURS AFTER THE INMATE IS NOTIFIED BY SERVICE OF THE RULE VIOLATION. THE HEARING MAY BE POSTPONED OR CONTINUED FOR A REASONABLE TIME THROUGH A WRITTEN WAIVER BY THE INMATE OR FOR GOOD CAUSE.

3. THE INMATE MAY CONSENT TO OR REQUEST A HEARING WITHIN LESS THAN 24 HOURS OF THE NOTIFICATION OF THE RULE VIOLATION REPORT.

4. AN INMATE MAY REFUSE A DISCIPLINARY HEARING THROUGH A WRITTEN WAIVER OR BY NOT SIGNING/INITIALED THE RULE VIOLATION OR BY NOT REQUESTING A HEARING ON THE RULE VIOLATION. IN ANY OF THESE CASES, THE INMATE IS INDICATING THAT HE/SHE IS NOT CONTESTING THE CHARGES OR THE POSSIBLE PENALTIES. THE DISCIPLINARY HEARING OFFICER WILL ACCEPT THE WAIVER OR REFUSAL.

5. AFTER CONDUCTING THE DISCIPLINARY HEARING, IF REQUESTED, AND REVIEWING ANY RELEVANT REPORTS OR STATEMENTS AND INTERVIEWING ANY WITNESSES, IF NECESSARY, THE DISCIPLINARY HEARING OFFICER SHALL MAKE A DETERMINATION AS FOLLOWS AND FORWARD THE DISCIPLINARY ACTION TO THE REVIEWING AUTHORITY:

A. FIND THE INMATE GUILTY AS CHARGED AND IMPOSE APPROPRIATE DISCIPLINARY SANCTIONS.
B. FIND THE INMATE GUILTY AS CHARGED AND SUSPEND ANY DISCIPLINARY ACTION.

C. DISMISS THE CHARGES WHEN INMATE FOUND NOT GUILTY. (LACK OF EVIDENCE, ETC.)

D. A FINDING OF VIOLATION OF DUE PROCESS.

6. ALL DISCIPLINARY ACTIONS WILL BE SUBJECT TO REVIEW BY THE OPERATIONS COMMANDER OR HIS/HER DESIGNEE PRIOR TO BEING IMPLEMENTED.

7. A COPY OF THE COMPLETED RULE VIOLATION REPORT WILL BE SENT TO THE INMATE VIA INTRAJAIL MAIL INDICATING THE DISCIPLINARY SANCTIONS IMPOSED INCLUDING START/STOP TIME AND DATE.

8. THE INMATE’S NAME AND DISCIPLINARY SANCTIONS WILL BE ENTERED ON TO THE DEPARTMENT’S DISCIPLINARY LIST.

GENERAL INFORMATION

INMATE APPEAL

1. AN INMATE MAY APPEAL FORMAL DISCIPLINARY ACTION.

2. THE INMATE SHALL HAVE A RIGHT TO APPEAL THE DISCIPLINARY ACTION THROUGH THE GRIEVANCE PROCESS.


4. FACTORS CONSIDERED AS PART OF THE APPEAL PROCESS ARE:

   A. WAS THERE SUBSTANTIAL COMPLIANCE WITH FACILITY STANDARDS ON INMATE DISCIPLINE?

   B. WAS THE DECISION BASED ON SUBSTANTIAL DOCUMENTED EVIDENCE

   C. WAS THE SANCTION IMPOSED PROPORTIONATE TO THE OFFENSE

5. THE INMATE WILL BE NOTIFIED OF THE FINAL DISPOSITION OF THE GRIEVANCE.
PROCEDURE 3  DISCIPLINARY SEGREGATION REVIEW

1. A CLASSIFICATION OFFICER WILL REVIEW THE STATUS OF EACH INMATE SEGREGATED FOR DISCIPLINARY PURPOSES, TO ENSURE COMPLIANCE WITH ALL TITLE 15 MINIMUM STANDARDS. A CLASSIFICATION OFFICER WILL REPORT HIS/HER FINDINGS DIRECTLY TO THE OPERATIONS COMMANDER. A CLASSIFICATION OFFICER MAY REVIEW THE ACTION TO DETERMINE IF RECLASSIFICATION IS JUSTIFIED.

GENERAL INFORMATION  ADMINISTRATIVE REVIEW

1. ACCURATE, DETAILED REPORTS OF DISCIPLINARY ACTIONS WILL BE MAINTAINED. ALL DISCIPLINARY RULE VIOLATION REPORTS WILL BE FORWARDED TO THE OPERATIONS COMMANDER OR HIS/HER DESIGNEE FOR ADMINISTRATIVE REVIEW.

2. THE DEPARTMENT'S DISCIPLINARY OFFICER OR DESIGNEE SHALL BE RESPONSIBLE FOR MAINTAINING INMATE DISCIPLINARY RECORDS. ALL RECORDS WILL BE MAINTAINED FOR AT LEAST THREE (3) YEAR. RECORDS IN SPECIAL CIRCUMSTANCES MAY BE RETAINED LONGER.

ADDENDUMS

1. ADDENDUM 1 - DISCIPLINARY GUIDELINES FOR DISCIPLINARY HEARING OFFICERS:

   • FOR DISCIPLINARY HEARING OFFICER USE

2. ADDENDUM 2 - STANDARDIZED INMATE DISCIPLINE FOR MADERA COUNTY DEPARTMENT OF CORRECTIONS:

   • INFORMATION TO BE PROVIDED TO INMATES PER TITLE 15.

GENERAL INFORMATION  POLICY UPDATE

1. THIS POLICY AND PROCEDURE SHALL BE REVIEWED ANNUALLY AND UPDATED AS NEEDED.

APPROVED:  DATE: 3-5-15

M. PEREZ, DIRECTOR
IN ACCORDANCE WITH TITLE 15 REQUIREMENTS, THE FOLLOWING INMATE RULES AND DISCIPLINARY SANCTIONS HAVE BEEN PROMULAGATED BY THE DEPARTMENT AND PROVIDED TO THE MADERA COUNTY DEPARTMENT OF CORRECTIONS INMATES AND STAFF.

ANYTIME AN INMATE IS WRITTEN UP AND A RULE VIOLATION REPORT IS SUBMITTED TO THE DEPARTMENT'S DISCIPLINARY OFFICER, THE FOLLOWING SHALL OCCUR.

1. NO DISCIPLINARY ACTION WILL BE TAKEN WITHIN TWENTY-FOUR (24) HOURS AFTER AN INMATE RECEIVES A COPY OF THE RULE VIOLATION REPORT, UNLESS TIME IS WAIVED BY THE INMATE.

2. WITHIN SEVENTY-TWO (72) HOURS AFTER THE DATE/TIME THE INMATE IS SERVED THE RULE VIOLATION, A DISCIPLINARY HEARING OFFICER SHALL CONTACT THE INMATE TO CONDUCT A HEARING. IF THE INMATE IS NOT AVAILABLE (COURT, SAFETY CELL, ETC.), THE HEARING SHALL BE EXTENDED UNTIL THE INMATE IS AVAILABLE TO ATTEND THE HEARING. THE HEARING ALSO MAY BE EXTENDED AT THE WRITTEN REQUEST OF THE INMATE OR FOR GOOD CAUSE BY THE DISCIPLINARY HEARING OFFICER.

4. AN ADMINISTRATIVE REVIEW WILL BE CONDUCTED ON ALL COMPLETED RULE VIOLATION REPORTS. IF THE REVIEWING AUTHORITY REQUIRES ANY ADDITIONAL INFORMATION REGARDING THE VIOLATION(S) OR HAS ANY QUESTIONS REGARDING THE DISCIPLINARY SANCTIONS IMPOSED, HE/SHE MAY REQUEST THE APPEARANCE OF THE INMATE OR ANY WITNESSES OR THE REPORTING OFFICER AND/OR THE DISCIPLINARY HEARING OFFICER.

5. DISCIPLINARY ACTIONS SHALL NORMALLY START NOT MORE THAN TWO (2) DAYS FOLLOWING THE ADMINISTRATIVE REVIEW. IN THE CASE OF WEEKEND LOCKDOWNS IT SHALL START THE FOLLOWING SATURDAY.

DISCIPLINARY PROCEDURES/SANCTIONS

THE FOLLOWING DISCIPLINARY SANCTIONS WILL BE UTILIZED BY THE DISCIPLINARY HEARING OFFICER(S). THIS IS NOT AN ALL-INCLUSIVE LISTING BUT IT IS AN INDICATION OF WHAT YOU CAN EXPECT TO RECEIVE WHEN YOU RECEIVE A RULE VIOLATION REPORT. THESE ARE THE MINIMUMS YOU CAN EXPECT TO RECEIVE IF YOU ARE HELD ACCOUNTABLE. IT IS ASSUMED YOU ARE A FIRST TIME OFFENDER:

MINOR VIOLATION (INFORMAL): LOCKDOWN FOR THAT SHIFT AND/OR THE NEXT TWO (2) PROGRAMMING SHIFT(S) (LESS THAN 24 HOURS), REPRIMAND, EXTRA WORK DETAIL, REMOVAL FROM WORK ASSIGNMENT WITHOUT LOSS OF WORK TIME CREDIT, COUNSELING, SOCIAL TELEPHONE OR TEMPORARY LOSS OF OTHER PRIVILEGES.

MINOR VIOLATION (FORMAL/A HEARING): YOU MAY RECEIVE ANY OR ALL OF THE FOLLOWING SANCTIONS:

1. LOSS OF COMMISSARY/I-CARE PRIVILEGES - MAXIMUM OF ONE (1) WEEK.

2. LOSS OF SOCIAL VISITATION PRIVILEGES - MAXIMUM ONE (1) WEEK

3. LOSS OF CORRESPONDENCE PRIVILEGES WHERE AN INMATE HAS VIOLATED CORRESPONDENCE REGULATIONS, IN WHICH CASE CORRESPONDENCE MAY BE SUSPENDED FOR NO LONGER THAN 72 HOURS, WITHOUT THE REVIEW AND APPROVAL OF THE FACILITY DIRECTOR OR DESIGNEE.

4. REMOVAL FROM PROGRAM FOR REMAINING PERIOD OF PRESENTATION AT THE TIME OF THE INCIDENT.

5. RESTRICTION TO ROOM (CONTINUOUS LOCKDOWN) FOR A MAXIMUM OF 72 HOURS.

NOTE: MEALS MAY BE SERVED IN ROOM
6. MODIFIED PROGRAM - MAXIMUM OF (1) WEEK.

NOTE: PLACEMENT ON MODIFIED PROGRAM INCLUDES LOSS OF COMMISSARY/I-CARE AND VISITS FOR AN EQUAL PERIOD OF TIME.

NOTE: MEALS MAY BE SERVED IN CELL/DORM

7. EXTRA WORK DETAILS (MAXIMUM 40 HOURS).

8. LOSS OF SOCIAL TELEPHONE USE (MAXIMUM ONE (1) WEEK).

9. A CLASSIFICATION OFFICER MAY INITIATE A MODULE TRANSFER AFTER REVIEWING THE PARTICULAR CIRCUMSTANCES.

10. LOSS OF JOB AS AN INMATE WORKER OR MODULE WORKER.

11. ONE OR MORE OF THE ABOVE SANCTIONS MAY BE IMPOSED FOR EACH RULE VIOLATION REPORT.

12. ALL DISCIPLINARY ACTIONS ARE CONSECUTIVE.

13. EXAMPLE(S) OF MINOR VIOLATIONS:

EXTRA/DAMAGED CLOTHING, NON-THREATENING CONTRABAND, IN WRONG ROOM/DORM, OBSCENE LANGUAGE TOWARD SWORN STAFF OR OTHER INMATES, ETC.

NOTE: TWO OR MORE MINOR RULE VIOLATIONS MAY BE ACTED UPON AS A MAJOR VIOLATION.

MAJOR VIOLATIONS:

1. YOU MAY RECEIVE ANY OR ALL OF THE FOLLOWING SANCTIONS:

   • LOSS OF COMMISSARY/I-CARE PRIVILEGES - MAXIMUM OF EIGHT (8) WEEKS.

   • LOSS OF SOCIAL VISITATION PRIVILEGES - MAXIMUM OF EIGHT (8) WEEKS

   • LOSS OF CORRESPONDENCE PRIVILEGES WHERE INMATE HAS VIOLATED CORRESPONDENCE REGULATIONS, IN WHICH CASE CORRESPONDENCE MAY BE SUSPENDED FOR NO LONGER THAN 72 HOURS, WITHOUT THE REVIEW AND APPROVAL OF THE FACILITY DIRECTOR OR DESIGNEE.
• REMOVAL FROM PROGRAMS FOR THE DURATION OF CURRENT CONFINEMENT.

• RESTRICTION TO CELL/DORM (CONTINUOUS LOCKDOWN) FOR A MAXIMUM OF 120 HOURS.

  **NOTE:** MEALS MAY BE SERVED IN CELL/DORM

• EXTRA WORK DETAILS, (160 HOURS MAXIMUM).

• LOSS OF SOCIAL TELEPHONE USE. – MAXIMUM-DURATION OF CONFINEMENT.

• MODIFIED PROGRAM - MAXIMUM OF EIGHT (8) WEEKS.

  **NOTE:** PLACEMENT ON MODIFIED PROGRAM INCLUDES LOSS OF COMMISSARY/I-CARE AND VISITS FOR AN EQUAL PERIOD OF TIME.

  **NOTE:** MEALS MAY BE SERVED IN CELL/DORM

• LOSS OF ALL TIME CREDITS FOR SENTENCED INMATES.

• LOSS OF JOB AS INMATE WORKER OR MODULE WORKER.

• PRE-TRIAL INMATES MAY RECEIVE LOSS OF ALL TIME CREDITS. HOWEVER, SUCH ACTION WILL NOT APPLY UNTIL AFTER SENTENCING.

• THE CLASSIFICATION UNIT MAY INITIATE A MODULE TRANSFER AFTER REVIEWING THE PARTICULAR CIRCUMSTANCES.

• INMATE DISCIPLINARY DIET.

• ONE OR MORE OF THE ABOVE SANCTIONS MAY BE IMPOSED FOR EACH RULE VIOLATION REPORT.

• ALL DISCIPLINARY ACTIONS ARE CONSECUTIVE.

2. DISCIPLINARY ACTIONS ARE PROGRESSIVE. THE LENGTH OF A DISCIPLINARY SANCTION WILL DEPEND ON THE SEVERITY OF THE CURRENT VIOLATION(S) AND CURRENT IN-CUSTODY HISTORY.

3. NEW DISCIPLINARY SANCTIONS WILL RUN CONSECUTIVE TO ANY PREVIOUS DISCIPLINARY SANCTIONS.
4. EXCESSIVE RULE VIOLATIONS WHILE IN CUSTODY, REGARDLESS OF THE TIME FRAME, WILL RESULT IN PERMANENT MODIFIED PROGRAM.

**NOTE:** A THIRD MAJOR RULE VIOLATION REPORT IN A 30 DAY PERIOD WILL RESULT IN THE INMATE BEING PLACED ON PERMANENT MODIFIED PROGRAM AND COULD RESULT IN LOSING HIS/HER SOCIAL PHONE PRIVILEGES AND LOSS OF ALL TIME CREDITS.

**NOTE:** IF YOU ARE PLACED ON MODIFIED PROGRAM OR LOCKDOWN AS A DISCIPLINARY SANCTION, YOU WILL AUTOMATICALLY LOSE YOUR VISITS AND COMMISSARY/I-CARE PRIVILEGES WHILE ON MODIFIED PROGRAM/LOCKDOWN. THIS DOES NOT APPLY TO PERMANENT MODIFIED PROGRAM/LOCKDOWN WHEN ASSIGNED AS A CLASSIFICATION STATUS CHANGE.

**NOTE:** IF YOU ARE CURRENTLY ON ONE WEEK OR MORE MODIFIED PROGRAM YOUR NEXT DISCIPLINARY ACTION IS 2 TO 8 WEEKS (CONSECUTIVE) FOR ANY MAJOR VIOLATION. IF YOU ARE ON 4 WEEKS OR MORE MODIFIED PROGRAM, YOUR NEXT AND ANY SUBSEQUENT VIOLATIONS WILL BE A MINIMUM OF 4 WEEKS MODIFIED PROGRAM (CONSECUTIVE) IN ADDITION TO ANY OTHER DISCIPLINARY SANCTIONS.

**SPECIAL DISCIPLINARY SANCTIONS**

THE FOLLOWING VIOLATIONS ARE CONSIDERED MAJOR AND A THREAT TO STAFF, FACILITY SAFETY/SECURITY AND/OR OTHER INMATES AND SHALL RESULT IN THE FOLLOWING MINIMUM DISCIPLINARY SANCTIONS. ADDITIONAL SANCTIONS MAY BE IMPOSED AS DEEMED APPROPRIATE BY THE DISCIPLINARY HEARING OFFICER OR THE REVIEWING AUTHORITY:

**ASSAULT:** FOUR (4) TO EIGHT(8) WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. POSSIBLE PROSECUTION.

**PRUNO:** 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. POSSIBLE PROSECUTION.
SMOKING: 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. POSSIBLE PROSECUTION. FINE.

DRUGS: 4 TO 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

URINE SAMPLES: 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES FOR ANY REFUSAL TO PROVIDE URINE SAMPLES WHILE INCARCERATED. LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

SMUGGLING: 4 TO 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

SEXUAL ACTIVITY: 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. (THIS INCLUDES PETTING, KISSING OR ANY SEXUAL CONTACT.) POSSIBLE PROSECUTION.

FIGHTING: 4 TO 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

WEAPONS: 4 TO 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES. LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

NOTE: ANY LOOSE RAZOR BLADE(S) WILL BE CONSIDERED A WEAPON UNDER THIS SECTION.

GROUP DEMONSTATIONS: 8 WEEKS MODIFIED PROGRAM, LOSS OF VISITS & ALL COMMISSARY/I-CARE PRIVILEGES. POSSIBLE LOSS OF TIME CREDITS. POSSIBLE PROSECUTION.

LOCKDOWN: 2 TO 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES FOR ANY REFUSAL TO LOCKDOWN.

ORDER REFUSAL: 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES FOR NOT OBEYING AN OFFICERS ORDER(S) IMMEDIATELY DURING A MODULE OR FACILITY LOCKDOWN/EMERGENCY.
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WORK REFUSAL:  2 TO 4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL
COMMISSARY/I-CARE PRIVILEGES FOR ANY REFUSAL TO WORK.
IN ADDITION TO ANY DISCIPLINARY SANCTIONS GIVEN, YOU
MAY LOSE TIME CREDITS.

TATTOOS:  4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL
COMMISSARY/I-CARE PRIVILEGES FOR GIVING OR RECEIVING A
TATTOO WHILE IN CUSTODY AND/OR POSSESSION OF ITEMS
USED FOR TATTOOING (THIS IS A MEDICAL/HEALTH SAFETY
ISSUE).

GANG GRAFFITI:  4 WEEKS MODIFIED PROGRAM, LOSS OF VISITS AND ALL
COMMISSARY/I-CARE PRIVILEGES FOR ANY GANG RELATED
GRAFFITI. LOSS OF TIME CREDITS. POSSIBLE GANG
ENHANCEMENT.

NOTE:  COST OF REMOVAL/RESTORATION TO AN
ACCEPTABLE CONDITION WILL BE CHARGED TO
THE INMATES TRUST ACCOUNT.

SUPPORT STAFF:  ANY OBSCENE LANGUAGE OR DISRESPECT TOWARD SUPPORT
STAFF WILL RESULT IN 2 TO 4 WEEKS MODIFIED PROGRAM AND
LOSS OF VISITS AND ALL COMMISSARY/I-CARE PRIVILEGES.

AGGRESSIVE ACTS:  ANY OVERT ACTS OF AGGRESSION WILL RESULT IN 4 TO 8
WEEKS MODIFIED PROGRAM AND LOSS OF VISITS AND ALL
COMMISSARY/I-CARE PRIVILEGES. LOSS OF TIME CREDITS.
POSSIBLE PROSECUTION. IN ADDITION, ANY ACT(S) OF
AGGRESSION TOWARD ANY STAFF MEMBER/OFFICER COULD
RESULT IN THE INMATE BEING PLACED ON PERMANENT
MODIFIED PROGRAM AND/OR CLASSIFIED AS A TWO-MAN
POLICY INMATE.

ACCESSORY:  AN INMATE INSIDE OR OUTSIDE OF A CELL OR DORM WHO
ASSISTS BY PROVIDING MATERIALS OR ENCOURAGEMENT TO
ANOTHER INMATE OR INMATES TO BEHAVE IN A VIOLENT,
DESTRUCTIVE OR DISRUPTIVE MANNER. THE PUNISHMENT
WILL BE THE AS FOR THE ACTIVE PARTICIPANT.

NOTE:  ALL DISCIPLINARY SANCTIONS WILL RUN
CONSECUTIVE FOR EACH RULE VIOLATION
REPORT.

NOTE:  THE ABOVE SANCTIONS ARE FOR FIRST TIME
OFFENDERS. REPEAT OFFENDERS MAY RECEIVE
ADDITIONAL SANCTIONS AND MAY BE RE-
CLASSIFIED TO PERMANENT MODIFIED PROGRAM
NOTE: REGARDLESS OF ANY DISCIPLINARY SANCTIONS IMPOSED AGAINST YOU, IF YOU ARE FOUND IN POSSESSION OF DAMAGED/DESTROYED COUNTY CLOTHING/PROPERTY YOU WILL BE CHARGED THE REPLACEMENT VALUE FOR THE ITEM. IF YOU POSSESS IT, IT WILL BE PRESUMED TO BE YOURS.

NOTE: ANY INMATE INITIATING ANY INCIDENT THAT REQUIRES STAFF INTERVENTION (I.E. INMATE ASSAULT, FLOODING, RIOT, FIRE, DESTRUCTION/DAMAGE TO MODULE OR FURNISHINGS) MAY BE CHARGED FOR ANY COSTS INCURRED RELATING TO THE INCIDENT, INCLUDING ANY MEDICAL CHARGES FOR STAFF OR INMATES OR CHARGES INCURRED BY THE COUNTY FOR ITEMS REPLACED/REPAIRED AND SUPPRESSION EQUIPMENT/ITEMS USED. POSSIBLE PROSECUTION AND/OR CIVIL ACTION.

NOTE: ANY DAMAGES CAUSED BY AN INMATE TO THE JAIL, JAIL FURNISHINGS OR CLOTHING/BEDDING ITEMS SHALL BE CHARGED AGAINST THE INMATES TRUST ACCOUNT. POSSIBLE PROSECUTION AND/OR CIVIL ACTION.

NOTE: DISCIPLINARY DIETS WILL BE USED AS A LAST RESULT TO OBTAIN COMPLIANCE WITH FACILITY STANDARDS OF BEHAVIOR AND RULES.

NOTE: YOU CAN LOSE TIME CREDITS FOR ANY DISCIPLINARY ACTION AND DEPENDING ON THE VIOLATION(S) YOU COULD loose ALL TIME CREDITS.

PROHIBITED ACTS

This is not an all-inclusive list. Some actions may fall under one or more of the following prohibited acts. The reporting officer will determine which section(s)/item(s) you violated initially. The department’s disciplinary officer may add and/or consider additional prohibited acts as appropriate when indicated by the officer reports, interviews and other factual information as made available.
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**ANY ACT PROHIBITED OR MANDATED BY STATUTE/LAW, TO WHICH A PENALTY HAS BEEN DESIGNATED, WILL BE REFERRED TO THE JAIL’S CRIMINAL INVESTIGATION TEAM FOR POSSIBLE PROSECUTION. OFFENSES OF THIS NATURE WILL ALSO BE TREATED AS MAJOR VIOLATIONS AND WILL BE REFERRED TO THE DEPARTMENT’S DISCIPLINARY OFFICER.

1. MAJOR  ADULTERATION OF FOODS OR DRINKS
2. MAJOR  ARSON
3. MAJOR  ASSAULT AND/OR BATTERY
4. MAJOR/ MINOR  SUICIDE ATTEMPT
5. MAJOR/ MINOR  CHANGE ASSIGNED HOUSING WITHOUT AUTHORIZATION
6. MAJOR/ MINOR  DESTROYING, ALTERING OR DAMAGING JAIL PROPERTY
7. MAJOR/ MINOR  DISRUPTIVE CONDUCT
8. MAJOR  DROPPING LIGHTED ARTICLES ON, FURNITURE, CLOTHING OR BEDDING
9. MAJOR  ENGAGING IN OR ENCOURAGING GROUP DEMONSTRATIONS
10. MAJOR  AGGRESSIVE BEHAVIOR TOWARD STAFF
11. MAJOR  ESCAPE OR ESCAPE ATTEMPT
12. MAJOR  EXTORTION
13. MAJOR  FAILURE TO DRESS IN PROPER INMATE ATTIRE
14. MINOR  FAILURE TO MAINTAIN PERSONAL HYGIENE
15. MAJOR  FAILURE TO OBEY ALL RULES OF TEMPORARY PASS
16. MAJOR/ MINOR  FAILURE TO PROVIDE PROPER IDENTIFICATION

17. MAJOR  FAILURE TO RETURN AT SPECIFIED DATE AND TIME
FROM TEMPORARY RELEASE/PASS

18. MAJOR/ MINOR  FAILURE TO STAND COUNT

19. MAJOR  WEARING A DISGUISE OR MASK

20. MAJOR  FIGHTING

21. MAJOR  FILING OR MAKING FALSE REPORT

22. MAJOR  GAMBLING

23. MAJOR  GIVING, OFFERING, LOANING ITEMS OF VALUE OR
MONEY TO STAFF

24. MAJOR  HOMICIDE/ATTEMPTED HOMICIDE

25. MAJOR/ MINOR  IN UNAUTHORIZED AREAS

26. MAJOR  INDECENT EXPOSURE

27. MAJOR/ MINOR  INSUBORDINATION/INSOLENCE

28. MAJOR/ MINOR  INTERFERENCE WITH STAFF DUTIES AND/OR
RESPONSIBILITIES

29. MAJOR/ MINOR  INTERFERING WITH COUNT

30. MINOR  LITTERING

31. MAJOR  LYNCHING

32. MAJOR  MAKING, POSSESSING OR USING INTOXICANTS

33. MAJOR  MAKING SEXUAL PROPOSALS OR THREATS TO ANOTHER
34. MAJOR/MINOR MALICIOUS MISCHIEF

35. MINOR MALINGERING, FEIGNING ILLNESS

36. MAJOR MISUSE OF MEDICATION

37. MAJOR PIERCING, SCARRING, MARKING OR ANY SELF MUTILATION OF ANY PART OF ANATOMY

38. MAJOR POSSESSION OF ANOTHER'S IDENTIFICATION WRIST BAND

39. MAJOR/MINOR POSSESSION OF ANOTHER'S PROPERTY

40. MAJOR POSSESSION OR USE OF DRUGS/NARCOTICS, OR PARAPHERNALIA

41. MINOR POSSESSION OF EXCESS ISSUE (CLOTHING, BEDDING, ETC.)

42. MAJOR UNAUTHORIZED USE OF GAME EQUIPMENT AS GAMBLING PARAPHERNALIA

43. MINOR POSSESSION OF MONEY

44. MAJOR/MINOR POSSESSION OF/OR SMUGGLING CONTRABAND

45. MAJOR/MINOR POSSESSION OF UNAUTHORIZED CLOTHING (CIVILIAN)

46. MAJOR POSSESSION OF WEAPONS

47. MINOR POSSESSION OF MORE THAN ONE (1) NEWSPAPER, TWO (2) MAGAZINES, ONE (1) DICTIONARY, FIVE (5) BOOKS, AND A REASONABLE NUMBER OF PHOTOGRAPHS AND/OR CLIPPINGS

48. MAJOR/MINOR PREPARING UNAUTHORIZED FOODS OR DRINKS

49. MAJOR REFUSAL TO PROVIDE URINE SAMPLE
50. MAJOR/ MINOR  REFUSAL TO WORK

51. MAJOR  REFUSAL TO OBEY AN ORDER

52. MAJOR  SEX CRIMES

53. MAJOR  SMOKING/POSSESSION OF TOBACCO, MARIJUANA OR SIMILAR SUBSTANCES

54. MAJOR  TAMPERING WITH ANY ALARM DEVICE

55. MAJOR  TAMPERING WITH BLOCKING, LOCKING OR SECURITY DEVICES

56. MAJOR  TAMPERING WITH, ALTERING OR REMOVING IDENTIFICATION WRIST BAND

57. MAJOR  TAMPERING WITH VENTILATION, PLUMBING, ELECTRICAL, RECREATIONAL OR COMMUNICATION SYSTEMS OR DEVICES

58. MAJOR  TATTOOING OR POSSESSION OF TATTOOING PARAPHERNALIA

59. MAJOR  THEFT FROM OFFICER/INMATE/SUPPORT STAFF

60. MAJOR  THREATENING A STAFF MEMBER/SUPPORT STAFF

61. MAJOR  UNAUTHORIZED CONTACTS WITH THE PUBLIC

62. MAJOR/ MINOR  UNAUTHORIZED USE OF TELEPHONE

63. MAJOR  UNAUTHORIZED COMMUNICATIONS BETWEEN INMATES

64. MAJOR  UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

65. MAJOR/ MINOR  USING ABUSIVE OR OBSCENE LANGUAGE

66. MAJOR  USING OR POSSESSING UNAUTHORIZED EQUIPMENT OR TOOLS
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<tr>
<td>67. MAJOR/ MINOR</td>
<td>VIOLATION OF CORRESPONDENCE RULES</td>
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<td>68. MAJOR</td>
<td>VIOLATION OF CRIMINAL STATUTES</td>
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<td>69. MAJOR/ MINOR</td>
<td>VIOLATION OF INMATE RULES</td>
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<td>70. MAJOR/ MINOR</td>
<td>VIOLATION OF MODULE RULES</td>
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<td>71. MAJOR/ MINOR</td>
<td>VIOLATION OF PROGRAM RULES</td>
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<td>72. MAJOR</td>
<td>VIOLATION OF VISITING RULES</td>
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<td>73. MAJOR</td>
<td>ENGAGING IN SEXUAL ACTS</td>
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<td>74. MAJOR</td>
<td>POSSESSION OF ANY COMMUNICATION DEVICE</td>
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<td>75. MAJOR/ MINOR</td>
<td>MISSING CLOTHING/BEDDING ITEMS</td>
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<td>76. MAJOR/ MINOR</td>
<td>FAILURE TO KEEP CELL OR LIVING AREA CLEAN</td>
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<td>77. MAJOR/ MINOR</td>
<td>ANNOYING OR HARASSING ANOTHER INMATE</td>
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<td>78. MAJOR</td>
<td>ACCESSORY PARTICIPANT</td>
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<td>79. MAJOR</td>
<td>POSSESSION OF MATERIALS / ITEMS TO PRODUCE INTOXICANTS</td>
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<td>80. MAJOR</td>
<td>ABUSE OF PRO-PER PRIVILEGES</td>
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<td>81. MAJOR</td>
<td>MANIPULATING HOUSING PROCEDURES</td>
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<td>82. MAJOR</td>
<td>RECEIVING A NEW TATTOO WHILE IN CUSTODY</td>
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