

## **ACTS CONSTITUTING RULE VIOLATION**

### **Class X**

- X-1 Banding together for purposes of inciting others in a course of disorderly conduct or disruption of facility operations (e.g., demonstration; work stoppage; hunger strike; to commit or facilitate commission of a felony or misdemeanor; to prevent or coerce official action; when the actor or any other participant to the knowledge of the actor uses or plans to use a firearm or other deadly weapon; involvement in writing, circulating, or signing a petition that poses a threat to the security of the facility).
- X-2 Riot or taking over a part of the physical plant. May only be used when the agency director declares an emergency status in writing.
- X-3 Killing another person(s) or participating in an activity that directly results in the intentional death of another person. Includes any attempt to cause grave injury to another person rendering that person brain dead or left with the loss of a limb or organ.
- X-4 Inmate-on-staff/civilian assaults with serious injury to staff/civilian required urgent and immediate medical treatment and restricted the person's usual activity and/or required medical treatment beyond first aid. Examples of treatment beyond first aid include stitches, setting of broken bones, treatment of concussion, loss of consciousness, etc. (PBMS III.2.1.)
- X-5 Inmate-on-staff/civilian completed non-consensual sexual acts includes one or more of the following: (a) Contact between the penis and vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Contact between the mouth and the penis, vagina or anus. (c) Penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.4.1.)
- X-6 Inmate-on-staff/civilian attempted non-consensual sexual acts includes one or more of the following: (a) Attempted contact between the penis and vagina or the penis and the anus. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Attempted contact between the mouth and the penis, vagina or anus. (c) Attempted penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.4.2.)
- X-7 Kidnapping or taking another person as a hostage.

- X-8 Inmate-on-Inmate completed non-consensual sexual acts includes one or more of the following: (a) Contact between the penis and vagina or the penis and the anus involving penetration, however slight. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Contact between the mouth and the penis, vagina or anus. (c) Penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.3.1.)
- X-9 Inmate-on-inmate assault/fight with a weapon and/or serious injury requiring urgent and immediate medical treatment beyond first aid. Examples of treatment beyond first aid include emergency transport to outside medical facility, stitches, setting of broken bones, treatment of concussion, loss of consciousness, etc. (PBMS III.1.1.)
- X-10 Possession/introduction/attempt to introduce any explosive, combustible substance, fireworks, gun, firearm, weapon, ammunition, knife, sharpened instrument, Class A tool, keys or security equipment.
- X-11 Maximum, Medium, or Minimum Custody Escape, or Community Corrections Center, Halfway House, or Community Corrections Program (GPS) Walk Away, or a documented attempt to escape or walk away (e.g., possession of maps, staff uniforms), or aiding or abetting an escape/walk away for any period of time from the custody of the Oklahoma Department of Corrections while housed at a Maximum, Medium, or Minimum security facility, or Community Corrections Center, Halfway House, or Community Corrections Program (GPS). Includes hiding within the facility to avoid detection or with the intent to escape or walkaway. This does not include itinerary violations.
- X-12 Inmate-on-staff/civilian assaults that did not involve serious injury assault did not result in injuries requiring medical treatment beyond first aid (for example, application of bandages to wounds). Note: Excludes all verbal assaults and assaults by throwing liquid, waste, chemicals or urine. (PBMS III.2.3.)
- X-13 Inmate-on-staff/civilian assaults and attempts by throwing substances includes assaults by throwing or spitting liquid, blood, waste, chemicals, urine, etc., that did not result in non-serious or serious injury. (PBMS III.2.4.)
- X-14 Inmate-on-staff/civilian abusive sexual contact includes one or more of the following: (a) Sexual contact without consent or when the victim was unable to consent or refuse. (b) Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of the victim. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (PBMS III.4.3.)

- X-15 Inmate-on-inmate attempted non-consensual sexual acts includes one or more of the following: (a) Attempted contact between the penis and vagina or the penis and the anus. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (b) Attempted contact between the mouth and the penis, vagina or anus. (c) Attempted penetration of the anal or genital opening of another person by a hand, finger, or other object. (PBMS III.3.2.)
- X-16 Reserved.
- X-17 Setting a fire which damages state/private/public property or infrastructure.
- X-18 Destruction of, tampering with or blocking any lock, locking device, fire suppression equipment or other security equipment.
- X-19 Introduction or attempt to introduce/manufacture or attempt to manufacture any intoxicant/drug/illegal substance or drug paraphernalia.
- X-20 Possession/utilization/attempt to introduce a cell phone, cell phone paraphernalia, electronic communication device, computer, camera or video equipment or engaging in electronic communication (e.g., texting, accessing or posting to an internet site) while incarcerated at a medium or maximum security facility or contracted county jails.
- X-21 Reserved.
- X-22 Violation of State or Federal law (does not require conviction in a state or federal court).
- X-23 Reserved.
- X-24 Inmate-on-inmate abusive sexual contact includes one or more of the following: (a) Sexual contact without consent or when the victim was unable to consent or refuse. (b) Intentional touching, either directly or through the clothing of the genitalia, anus, groin, breast, inner thigh, or buttocks of the victim. It does not include kicking, grabbing or punching genitals when the intent is to harm or debilitate rather than to sexually exploit. (PBMS III.3.4.)
- X-25 Inmate on staff/civilian sexual harassment, menacing or stalking. Includes exposing genitals, masturbating, and verbal or written statements, questions, comments or gestures of a sexual nature. Physical, written or verbal threatening, intimidation, bullying or menacing.

### **Class A**

- A-1 Work, school or program misconduct. Includes, but is not limited to, unexcused absence, quitting without prior approval, getting fired/expelled/removed, tardiness, shirking of duties, failure to notify staff when too ill to work, refusal to participate, cheating on tests or possession/passing of stolen tests or answer keys.

- A-2 Inmate-on-inmate assault/fight without serious injury assault did not result in injuries requiring medical treatment beyond first aid (for example, application of bandages to wounds). Note: Excludes all verbal assaults, assaults by throwing liquid, waste, chemicals or urine. (PBMS III.1.3.)
- A-3 Inmate-on-inmate assaults and attempts by throwing substances includes assaults by throwing or spitting liquid, blood, waste, chemicals, urine, etc., that did not result in serious injury. (PBMS III.1.5.)
- A-4 Destruction of evidence. Includes but is not limited to flushing or swallowing evidence.
- A-5 Physical or verbal threatening, intimidation, bullying or menacing of another inmate.
- A-6 Extortion. Demanding/receiving money or favors or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.
- A-7 Fraternizing with staff or carrying out any action designed to coerce administration/staff with the exception of sexual activity.
- A-8 Inmate-on-inmate sexual harassment. Includes verbal statements or comments of a sexual nature. May include profane or obscene language or gestures when clearly of a sexual nature.
- A-9 Engaging in sexual activity with another consenting person (excluding employees, volunteers and contractors).
- A-10 Bestiality.
- A-11 Outside defined boundaries of a facility as defined by facility or present in a restricted area.
- A-12 Possession or under the influence of and/or any use of illegal drugs, drug paraphernalia, alcohol, intoxicating substances and/or refusal to submit to substance abuse testing and/or an attempt to alter or destroy a substance abuse testing specimen. Testing is not mandatory when it is evident the inmate has used an intoxicating substance. If the inmate alleges inability to produce a specimen, a two hour delay under observation will be allowed. Includes use of any medication in an unauthorized manner and/or misrepresenting to staff that medication was taken as ordered (e.g., cheeking, palming).
- A-13 Possession or attempt/use/introduction of any tobacco, tobacco-like products, electronic cigarette, "vaping" device, matches or lighter at a maximum, medium or minimum security facility. Does not include Community Corrections Centers, or Halfway Houses.
- A-14 Counterfeiting, forging, or unauthorized reproductions of any document, article of identification, money, security, or official paper. Includes altering, mutilating or attempting to destroy.

- A-15 Destruction/mutilation/malicious alteration of state/private/public property to include the intentional blocking of any drain in any manner, which causes flooding. Urinating or defecating in any location other than a toilet.
- A-16 Possession/introduction or attempt to introduce any item not authorized by the facility; includes but is not limited to unauthorized identification, unauthorized tool, money or other contraband.
- A-17 Breaking into an office, room/locker or taking/destroying the property of another person.
- A-18 Tattooing or possession of tattoo paraphernalia/self-mutilation; to include body piercings or any attempt to inflict self-injury or ingest any harmful or poisonous substance.
- A-19 Refusal of medical care/appointment after transportation to an outside medical facility.
- A-20 Failure to cooperate in any investigation. Does not include disciplinary procedures investigations.
- A-21 Disrespect to staff/civilians. Includes, but is not limited to, using abusive/obscene language, making profane/obscene gestures, insolence, lying to staff, making allegations to staff the inmate knows to be false and malingering.
- A-22 Failure to obey verbal and/or written orders, policies or rules. Failure to comply with an approved special or religious diet.
- A-23 Possession/utilization/attempt to introduce a cell phone, cell phone paraphernalia, electronic communication device, computer, camera or video equipment or engaging in electronic communication (e.g., texting, accessing or posting to an internet site) while incarcerated at a minimum security facility, community corrections center, or halfway house.
- A-24 Selling, trading, bartering, receiving or giving prescribed medication/drugs to another person.
- A-25 Adulteration of any foods or drinks.
- A-26 Running from or resisting apprehension or escort, verbal or physical refusal to submit to restraints or removing restraints.

**Class B**

- B-1 Unauthorized contact/conduct with anyone (e.g., public, visitor) by means of mail or telephone to include passing unauthorized messages or conducting unauthorized activities. Includes violations of OP-030117 entitled "Correspondence, Publications, and Audio/Video Media Guidelines."

- B-3 Bartering. Any attempt to send or receive money or property in any form from another inmate. This includes attempting to conceal the transfer through a third party. This also includes possessing, receiving, trading, selling, giving, or loaning of any property regardless of value as well as attempting to give, giving, or receiving money or anything of value as a bribe or inducement.
- B-4 Preparing or conducting a gambling operation or participating in games of chance for gain/profit. Possession of gambling paraphernalia that is not specifically authorized property as specified by OP-030120.
- B-5 Failure to comply with rules and conditions of community-based placement (e.g., accountability plan, itinerary, failure to successfully complete required telephone contact, failure to follow sign-in/sign-out procedures or outside the defined boundaries of the facility without permission). Applies to Community Corrections Centers, or Halfway Houses or Community Programs (e.g., GPS) only.
- B-6 Aiding or abetting in the commission of any rule violation.
- B-7 Reserved.
- B-8 Possession or attempt/use/introduction of any tobacco, tobacco-like products, electronic cigarette, "vaping" device, matches or lighter at a Community Corrections Center, or Halfway House.
- B-9 Unauthorized use of state/private/public property/supplies.

## RANGE OF ALLOWABLE SANCTIONS

VIOLATION CLASS	ANY CLASS X OFFENSE	
<b>Class X Violations</b>	<p>X.1. Mandatory demotion to Level 1 for 180 days</p> <p>X.2. Mandatory revocation of all credits earned</p> <p>X.3 Disciplinary Segregation up to 30 days</p> <p>X.4. Restitution (If applicable)</p>	
<b>Class A Violations</b>		
	<p>A1. Restitution</p> <p>A2. Extra duty not to exceed 40 hours</p> <p>A3. Visitation/Video Visitation restriction not to exceed 120 days</p> <p>A4. Telephone/Tablet restriction not to exceed 120 days</p> <p>A5. Canteen restriction for up to 120 days</p>	
<b>Class B Violations</b>		
	<p>B1. Restitution</p> <p>B2. Extra duty not to exceed 40 hours</p> <p>B3. Visitation/Video Visitation restriction not to exceed 60 days</p> <p>B4. Telephone/Tablet restriction not to exceed 60 days</p>	

	B5. Canteen restriction for up to 60 days	
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- Earned credits that have not been earned as of the date of the hearing are not eligible to be revoked.
- For purposes of OP-060125, visitation restriction means that an inmate is not permitted visitation except for visits with the inmate's attorney and clergy for both in person and video visitation visits.
- For purposes of OP-060125, telephone/tablet restriction means that an inmate is not permitted to make or receive phone calls except calls to or from the inmate's attorney and clergy and the inmate will lose all tablet privileges.
- For purposes of OP-060125, canteen restriction has the same meaning as provided in OP-120230, Section II. C. 4.
- Restitution may be imposed when economic loss has occurred as a result of the inmate's behavior resulting in a rule violation; however, the amount of restitution awarded shall not exceed the actual amount of the replacement value of the item(s) destroyed, damaged, or missing. Restitution may also be imposed for the cost of providing a service, which includes, but is not limited to, medical bills for medical services required as a result of an inmate's behavior, repair bill to repair an item damaged by an inmate, etc. If restitution is imposed as a sanction, the funds may be collected from the inmate's draw account at a rate not to exceed 50% of the deposits made to the account. Documentation will be provided to the inmate verifying how the amount of restitution was determined. **Restitution for personnel services or when charges are to be filed will not be assessed.**
- Sanctioned restriction timeframes shall begin the day the sanction is imposed by the Disciplinary Hearing Officer or Disciplinary Coordinator.