SUMMARY OF CHANGES:

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<td>Entire Policy</td>
<td>Minor changes made throughout policy.</td>
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APPROVED:

______________________
1/2/2019

Quincy L. Booth, Director  Date
1. **PURPOSE AND SCOPE.** To establish The Code of Inmate Offenses and Penalties and the procedures governing inmate discipline at the Central Detention Facility (CDF) and Correctional Treatment Facility (CTF). To establish the review process used to place inmates in and remove inmates from administrative restrictive housing or protective custody. These rules shall not apply to juveniles.

2. **POLICY**
   
a. It is DC Department of Corrections (DOC) policy to administer fair and impartial procedures and proportionate penalties when an inmate commits specific acts that are prohibited and when other available alternative dispositions are inadequate to regulate the individual’s behavior within acceptable limits.

b. It is DOC policy to place inmates in restrictive housing only when it is determined that their continued presence in the general population poses a clear and present threat to life, property, self, staff or other inmates.

3. **APPLICABILITY**
   
a. The Inmate Disciplinary and Administrative Housing Hearing Procedures apply to all persons committed to the care, custody, and control of the CDF and CTF, but not limited to: pretrial detainees, convicted or sentenced inmates, potential or confirmed parole violators, inmates who are in DOC custody on a writ, inmates on an escorted trip or furlough, and inmates who are in a hospital while under the jurisdiction of the DOC.

b. Disciplinary procedures will be carried out promptly and with respect for due process.

4. **NOTICE OF NON-DISCRIMINATION**
   
In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is
also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

5. **PROGRAM OBJECTIVES.** The expected results of this program are:

a. To address the types of conduct that inmates are prohibited from engaging in as well as the penalties that may be imposed when inmates engage in prohibited conduct, and procedures that shall be followed to determine whether the inmate committed a rule violation, to appropriately charge the inmate for the rule violation, to impose sanctions, and to consider inmate appeals based upon disciplinary sanctions.

b. The DOC code of conduct, sanctions and procedures for violations are defined and communicated to inmates and staff through the inmate handbook, inmate orientation and employee training.

c. Staff will carry out disciplinary action promptly and to the degree necessary to regulate an inmate’s behavior within DOC rules and guidelines and to promote a safe and orderly facility..

d. Inmates who are charged with a rule violation will be placed in Prehearing Detention only when it is necessary to ensure the inmate’s safety or security of the facility as specified in this directive.

6. **DIRECTIVES AFFECTED**

a. **Directive Rescinded**

   PP 5300.1H  
   Inmate Disciplinary and Administrative Housing Hearing Procedures (4/21/17)

b. **Directives Referenced**

   1) PP 4020.1  
   Inmate Orientation

   2) PS 2000.2  
   Retention and Disposal of Department Records

   3) PP 1280.2  
   Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences
4) PP 4341.1 Good Time Credits

5) PP 5500.2 Restrictive Housing of Inmates

7. AUTHORITY

a. DC Code § 24-211.02, Powers; Promulgation of Rules

b. DC Code § 22-2603.01 et seq., Introduction of Contraband into Penal Institution


e. DC Code § 24-221.01-.06, Educational Good Time Credits

f. District of Columbia Municipal Regulations Title 28 Chapter 6, Good Time Credit.

8. STANDARDS REFERENCED

American Correctional Associations 4th Edition Performance Based Standards for Adult Local Detention Facilities: 4-ALDF-2A-49, 4-ALDF-2A-50, 4-ALDF-3A-01, 4-ALDF-3A-02, 4-ALDF-6C-01, 4-ALDF-6C-02, 4-ALDF-6C-03, 4-ALDF-6C-04, 4-ALDF-6C-05, 4-ALDF-6C-07, 4-ALDF-6C-08, 4-ALDF-6C-09, 4-ALDF-6C-10, 4-ALDF-6C-11, 4-ALDF-6C-12, 4-ALDF-6C-13, 4-ALDF-6C-14, 4-ALDF-6C-15, 4-ALDF-6C-16, 4-ALDF-6C-17, 4-ALDF-6C-18.

a. Association of State Correctional Administrators Resolution #24- Restrictive Status Housing Policy Guidelines.
## Attachments

Attachment A – Disciplinary Report
Attachment B – Disciplinary Investigation Report
Attachment C – Reschedule Forms/Disciplinary Hearings
Attachment D – Inmate Request for Representation (English)
   Inmate Request for Representation (Spanish)
Attachment E – Disciplinary Board Hearing Appeal
Attachment F – Administrative Housing Review hearing
Attachment G – Inmate Reimbursement (Restitution)
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CHAPTER ONE

DEFINITIONS

1. DEFINITIONS. For the purpose of this Program Statement, the following definitions shall apply:

a. ADMINISTRATIVE ADJUSTMENT/DISCIPLINARY BOARD. The Disciplinary Board shall consist of three (3) impartial DOC employees who shall conduct hearings, make findings and impose appropriate sanctions for incidents of inmate misconduct or to consider an inmate’s placement in administrative restrictive housing.

b. ADMINISTRATIVE RESTRICTIVE HOUSING. A form of separation from the general population when the inmate’s continued presence in the general population poses a threat to property, self, staff, other inmates, visitors, the general public or to the safe, secure or orderly operation of the facility. The following are Administrative Restrictive Housing alerts:

1) Protective Custody. A designation assigned to an inmate requesting or requiring protection from other inmates for reasons of health or safety.

2) Special Handling/Restricted Release. A designation assigned to an inmate who requires heightened security measures due to a documented history of high profile cases, escapes, attempted escapes, documented assaultive and/or disruptive behavior, or by court order.

3) Total Separation. A designation that requires total separation from all other inmates for out-of-cell activities. Inmates shall only be designated as Total Separation after receipt of a court order.

c. DISCIPLINARY RESTRICTIVE HOUSING. A form of restrictive housing when the Disciplinary Board or Hearing Officer has, after an impartial hearing, recommended an inmate’s confinement to a cell for a specified period because the inmate has committed a rule violation.

d. BIAS. Bias is defined as a mental leaning or inclination toward one conclusion or another, a partiality or a prejudice.
e. **HEARING OFFICER.** A staff member responsible for the administration of the disciplinary hearing process. The Hearing Officer shall conduct Disciplinary Board Hearings as the sole adjudication agent or as the Chairperson of the Disciplinary Board. The Hearing Officer may serve as the Administrative Restrictive Housing Hearing Officer.

f. **HEARING.** The Disciplinary Board or a Hearing Officer shall conduct the hearing, make findings and impose appropriate discipline when the inmate is charged with a Class I or Class II offense as defined in this directive.

g. **INVESTIGATING OFFICER.** A supervisor who conducts the investigation concerning alleged charge(s) of inmate misconduct. For the purposes of this directive, the Investigating Officer is ordinarily a Sergeant or Lieutenant, but the Warden may appoint another staff member to perform this function. The Investigating Officer shall not be the employee reporting the incident nor one who was involved in the incident in question.

h. **IMPARTIAL STAFF MEMBER.** A DOC employee that has not been involved in the offense which caused the proceedings and who has not participated in the investigation of allegations.

i. **PROTECTIVE CUSTODY.** A form of separation from the general population for inmates requesting or requiring protection from other inmates for reasons of safety.

j. **OFFICER IN CHARGE (OIC).** Senior Officer that supervises the shift while on duty in the unit. This individual is usually the assigned Sergeant, Senior Corporal or a higher level of authority assigned to the unit. This individual is a member of the Review Board and participates in disciplinary hearings.
CHAPTER TWO
GENERAL POLICY

1. **PROHIBITED FORMS OF DISCIPLINE.** Discipline shall not be of a nature or administered in a way that degrades or humiliates an inmate. The following actions shall not be used as a means of discipline or punishment:
   a. Corporal punishment
   b. Personal abuse
   c. Psychological intimidation
   d. Denial of regular meals
   e. Denial of medical care
   f. Denial of sufficient sleep

2. **CRIMINAL VIOLATIONS.** Certain offenses and sanctions are derived from criminal law. Anyone in custody who violates one or more of them may be subject to criminal prosecution and, upon conviction, to further imprisonment. Referral for criminal prosecution does not preclude the inmate from disciplinary and/or administrative action(s) as outlined in this directive.

3. **SPECIAL NEEDS INMATES.** An inmate’s mental or physical condition is not a defense to disciplinary sanctions but such should be taken into consideration when imposing a sanction.
   a. The Warden or designee, and the responsible clinician or designee, shall consult prior to taking disciplinary action against persons with chronic illness, a physical disability geriatric condition, serious mental illness, or intellectual disabilities.
   b. When it appears that the inmate may not be mentally capable of understanding the nature of the charges and/or presenting or assisting in the
presentation of defense to the charges, the Hearing Officer/Board shall consult with mental health professionals.

c. When immediate action such as Administrative Restrictive Housing was taken the above parties shall consult, as soon as possible but within seventy-two (72) hours, regarding the appropriateness of the action taken.

d. Inmates diagnosed with serious mental illness shall not be placed in restrictive housing unless:

1) A qualified mental health professional determines:

   a) that such placement is not contraindicated;

   b) the inmate is not a suicide risk;

   c) the inmate does not have active psychotic symptoms; and

   d) in disciplinary circumstances that lack of responsibility for the misconduct due to mental illness or mitigating factors related to the mental illness do not contraindicate disciplinary restrictive housing.

2) If the inmate presents an immediate danger wherein there is no alternative in order to maintain safety, security or order of the facilities, the placement in restrictive housing may be made pending the assessment by a qualified mental health professional which shall be completed as soon as practicable.

e. Pregnant inmates (housed at the CTF) shall not be placed in restrictive housing.

4. **DISPOSITION OF RULE VIOLATIONS.** An investigation, hearing and decision by persons not involved in the rule violation shall be completed within specified time frames.

5. **INMATE ORIENTATION**

   a. Upon admission inmates shall receive orientation and a handbook that describes facility rules and sanctions, programs and pertinent operations.
b. If an inmate cannot read, disciplinary procedures shall be read by a staff member or communicated through use of an audiotape or videotape. Interpretive services shall be provided for inmates who do not speak English.

c. Each inmate shall verify, by signature, their receipt of disciplinary procedures.

d. The signed receipt shall be maintained in the inmate’s file.

6. **STAFF TRAINING**

a. As part of the agency’s pre-service and annual in-service training, all personnel who work with inmates shall receive training for understanding of the rules of inmate conduct, the rationale for the rules, the sanctions available, uniform interpretation, and application of the rules, and disciplinary report preparation.

b. The Warden shall ensure that the Hearing Officer and Hearing Board support staff are trained to conduct Disciplinary Board hearings. The training shall provide staff with knowledge about CDF and CTF rules and discipline, how to conduct a disciplinary hearing, how to interpret and apply the rules fairly and how to make a defensible record.

c. The Warden shall ensure that designated staff is trained in the disciplinary investigation procedures to include, but not be limited to, knowledge, interpretation and application of CDF and CTF rules and discipline and how to conduct informal resolution.

d. The Warden shall ensure that selected staff is trained to serve as representatives at disciplinary hearings. The training shall provide staff with knowledge about CDF and CTF rules and discipline, disciplinary procedures and their role in the disciplinary hearing process.
CHAPTER THREE
DISCIPLINARY PROCEDURES

1. DUTIES OF THE WRITER OF THE DISCIPLINARY REPORT

   a. Report Preparation

      1) In writing the Disciplinary Report (DR), (Attachment A) the writer shall document a brief but complete description of the incident to include all facts and details known to the writer.

      2) The writer shall completely fill out and sign the DR (Attachment A); describing the alleged offense, including the following:

         a) Inmate’s name, DCDC #, Housing Unit, Cell #, and the work detail squad name when the incident occurred at the inmate’s work site;

         b) The charges against the inmate including:

            (1) The specific rule(s) violated (ex: Assault with Injury)

            (2) The Code Reference (example: Class I, Section 107 (a))

            (3) The writer shall avoid “stacking” charges against the inmate

               (a) For example: If an inmate is involved in a fight with another inmate, the aggressor may not be charged with both assault and fighting because the elements of offenses are essentially the same.

               (b) However, if the inmate attacks or strikes an employee who is attempting to stop the incident, the inmate can be separately charged with assaulting staff.

         c) Witnesses (staff, inmates or any one else present) to the alleged offense;

         d) A formal statement of the charge to include who was involved, what happened, and the time and location of the occurrence;
e) Any unusual behavior of the particular inmate;

f) Any physical evidence and its disposition;

g) Confidential information and any other reports, memoranda, or records concerning an alleged offense shall be attached to the investigative report;

h) Any immediate action taken, including the use of force; and

i) The reporting staff member's signature and the date and time of the report.

b. **Filing the Report**

1) The writer shall complete the disciplinary report (Attachment A) and give it to the Shift Supervisor before completion of the tour of duty on the day the incident was discovered.

2) In exceptional circumstances, the report may be filed within two (2) business days of discovery of the alleged offense. Such exceptional circumstances shall be noted on the report and approved by a Major.

2. **DUTIES OF THE SHIFT SUPERVISOR/INVESTIGATING OFFICER**

a. **Investigation**

1) The Investigating Officer shall be impartial and not directly involved in any way in the offense which caused the proceedings such as being the reporting employee, a victim, or a witness.

2) The Investigating Officer shall complete the investigation within forty-eight (48) hours of receipt of the alleged violation (Disciplinary Investigation Report, Attachment B) and notify the inmate of his/her rights and charges.

3) The original disciplinary report (Attachment A) with completed investigation (Attachment B) shall be submitted to the Disciplinary Board upon completion.
4) The Investigating Officer shall review the disciplinary report for sufficiency, clarity, correct dates, times, and accuracy and will ensure that the charges are supported and are correct.

5) The Investigating Officer may request that the charging officer correct inaccuracies and minor errors prior to serving the inmate notice of the pending disciplinary action.

6) The Investigating Officer may use a range of investigatory actions depending on circumstances and complexities involved. Cases may be straightforward and simple and the disciplinary report will adequately address the factual issues in the case without the need for additional investigation.

7) The Investigating Officer may interview and obtain statements from the charged inmate and other witnesses, including witnesses requested by the charged inmate.

8) Investigators shall remain neutral and shall not act with the goal of obtaining evidence that strengthens either DOC’s or the inmate’s case nor for forming opinions of guilt or innocence.

b. **Disposition Determination.** After completing the investigation the Investigating Officer shall decide, in accordance with this directive the following:

1) Whether informal resolution is appropriate when the charges are Class III;

2) Whether to reject the disciplinary report for failing to substantially meet the requirements set forth in this directive; or

3) Whether to refer the disciplinary report for a Disciplinary Hearing.

c. **Informal Resolution Determination for Class III Offenses**

1) A violation of Class III “Minor Offenses” of the Code of Inmate Offenses can be informally resolved by the Investigating Officer or a higher ranking supervisor.
2) Informal resolution shall be conducted in such a manner and location that will ensure the inmate’s right to privacy.

3) The Investigating Officer shall advise the inmate of his or her right to remain silent and that anything said can and may be used against him or her during informal resolution and at any subsequent proceedings.

4) The Investigating Officer shall read the disciplinary report in its entirety to the inmate and give the inmate an opportunity to make a statement.

5) The Investigating Officer may accept the inmate’s admission of guilt and may dismiss any or all pending Class III charges.

6) The Investigating Officer may impose sanction(s) designated as appropriate penalty for the particular charge(s) with the exception of Disciplinary Restrictive Housing. Proposed discipline shall be discussed with the inmate before the inmate agrees to plead guilty.

7) If the Investigating Officer is successful with informal resolution, a record of the incident and resolution shall be completed and filed with the Disciplinary Board Officer (Attachment B). The decision shall be final.

8) The affected inmate must sign the Disciplinary Investigation Report (Attachment B Part II) attesting to agreement with informal resolution. The inmate may also prepare a written statement, which the official shall attach to the Disciplinary Investigation report (Attachment B).

9) Any offers of settlement made during unsuccessful attempts at informal resolution are not binding in any way on a Hearing Officer or the Disciplinary Board in a formal hearing on the charges.

d. **Inmate Notice of Disciplinary Action and Procedures**

1) The Investigating Officer shall advise the inmate of pending discipline based upon allegations that include the violation of (1) a Class I or Class II Offense(s) or (2) when the Investigating Officer determines that a formal hearing is appropriate, or (3) the inmate refuses informal resolution of a Class III offense.
2) The Investigating Officer shall notify the inmate in such a manner and location that will ensure the inmate’s right to privacy.

3) The Investigating Officer shall also advise the inmate of his or her right to remain silent and that anything that he or she says can and may be used against him or her at the present and any subsequent proceedings.

4) The Investigating Officer shall read the disciplinary report in its entirety to the inmate and shall give the inmate an opportunity to make a statement.

5) If the inmate makes a statement, the Investigating Officer shall record it in writing (Attachment B). If the inmate does not wish to make a statement, the Investigating Officer shall document that the inmate declined to make a statement.

6) The Investigating Officer shall give the inmate a copy of the disciplinary report. The inmate may request and receive a copy of any statements he or she made. Copies of the reports given to or read to an inmate shall not include any confidential or other information that may endanger other inmates or other person(s), or cause a riot or other major disturbance or damage to property.

7) The Investigating Officer shall also inform the inmate verbally and in writing of the following:
   a) The option to be heard by a single Hearing Officer or the Board;
   b) The option to have representation when the disciplinary report contains Class I offenses as further outlined in Sections 5 and 6 of this Chapter.
   c) The right to present documentary evidence at the hearing.
   d) The right to obtain witness statements or the right to call witnesses to testify subject to rules further outlined in Section 8 of this Chapter.

8) In the event that the alleged offense is one for which the inmate may also be subject to criminal prosecution, the inmate shall be advised by the Investigating Officer that determination of whether a criminal offense was committed, shall rest with the prosecuting authorities. Referral for
prosecution does not restrict CDF and CTF from imposing discipline or other appropriate administrative action.

9) The Investigating Officer shall ensure that the inmate signs the Disciplinary Investigation Report form (Attachment B) acknowledging that he or she has received the disciplinary report. This signature is not an admission of guilt.

10) If the inmate refuses to sign, the refusal shall be noted and signed by the Investigating Officer on the form (Attachment B). Another staff member shall sign attesting that they witnessed the refusal that the inmate received a copy of the report.

3. DISCIPLINARY BOARD HEARINGS

   a. Hearings shall be held Monday through Friday, except holidays. Upon receipt of a properly filed disciplinary report, the Disciplinary Hearing Officer shall record the matter in JACCS on the “Misconducts” screen in the inmate’s active booking.

   b. Inmates charged with rule violations shall be scheduled for a hearing no later than seven (7) days—excluding weekends and holidays (or continuances that are granted in accordance with Section 4 of this Chapter, “Continuances”)—after the date of the alleged violation. The Disciplinary Hearing Officer shall enter the hearing date in JACCS on the “Schedule” screen in the inmate’s active booking.

   c. If extraordinary circumstances necessitate delay of the hearing beyond seven (7) days from the alleged violation, the Hearing Officer shall document the reason for the delay and provide the inmate with written notification (Attachment C).

   d. The Hearing Officer shall notify the inmate and if applicable, the inmate’s disciplinary representative of the time and place of the hearing no less than twenty-four (24) hours in advance of the hearing.

4. CONTINUANCES. An inmate may request and the Hearing Officer may grant one continuance of three (3) business days subject to the following conditions.
a. The inmate shall not be granted a continuance for the purpose of postponing imposition of disciplinary restrictive housing.

b. The Hearing Officer shall grant such a request for a continuance if the inmate establishes one of the following:

1) The inmate’s representative or any witness will not be available on the day of the hearing;

2) Circumstances reasonably prevented the inmate from adequately preparing a defense for the hearing in the time allotted;

3) The inmate became ill or was otherwise unavailable for the hearing; or

4) Further investigation of factual matters relevant to the hearing is required.

c. If a continuance is granted, the Hearing Officer shall change the scheduled hearing date in JACCS on the “Schedule” screen in the inmate’s active booking.

5. INMATE REPRESENTATION

a. An inmate may request legal assistance from the Public Defender Service for the District of Columbia (PDS) or a staff representative when charges include a Class I offense.

b. An inmate may request assistance from a staff representative in order to prepare for a defense when charges include a Class II offense. The inmate will not choose the staff representative; the Disciplinary Board will assign the staff representative.

c. An inmate shall not be represented by another inmate at a disciplinary hearing.

d. The Investigating Officer may make an offer to the inmate for staff representation for any class offense when:

1) The inmate is not literate,

2) The inmate is deaf or hard-of-hearing (who may also be provided with sign language interpreters),
3) The inmate is not English speaking proficient and requires an interpreter;

4) The inmate has mental or intellectual disabilities that appear to be a barrier to presenting evidence on his/her own behalf.

5) The inmate is confined to restrictive housing and not capable of collecting evidence on his/her own behalf.

e. Inmates have the right to refuse either legal or DOC employee assistance.

f. Staff members selected for duties to assist inmates at Disciplinary Board hearings shall be granted sufficient time to meet with the inmate before the hearing, gather evidence, question witnesses, and represent the inmate at the hearing. The following conditions shall apply:

1) No potential adverse witness may be compelled to meet with the staff representative.

2) The staff representative may be given the opportunity to meet with potential witnesses at least twenty-four (24) hours before the Disciplinary Board hearing.

3) Coordination shall be such that this responsibility does not unduly interfere with the employee’s regular duties.

g. Upon receipt of the completed disciplinary report and investigation the Disciplinary Board will review the report. If a staff representative is requested the Board will select and notify the representative. The Board will also notify the staff representative of the pending hearing date.

6. **INMATE REPRESENTATIVE ASSISTANCE.** The role of the staff representative is to ensure that the inmate receives a fair hearing. The legal representative or staff representative may as necessary assist as follows (Attachment D, Inmate request for Representation):

a. Confer with the accused prior to the hearing.

b. Question witnesses for the accused during the hearing.

c. Review written statements of charges and investigation.
d. Clarify the position of the accused.

e. Make a statement and present documentary evidence.

f. Aid the accused in presenting a defense or offer an explanation of the defense.

7. HEARING OFFICIALS

a. The inmate shall be given the opportunity to have the case reviewed by either the Hearing Officer or the Disciplinary Board.

b. Prior to the hearing, the inmate, his or her legal counsel or staff representative may request on behalf of the inmate, that the case be heard before either a Hearing Officer or the Disciplinary Board.

c. The Hearing Officer shall indicate on the hearing form when the inmate, the inmate’s staff representative or counsel (if applicable) requests a change from Hearing Officer to Disciplinary Board or vice versa (Attachment B).

d. Hearing Officer

1) The Hearing Officer shall be impartial and must not have been directly involved in any way in the offense which caused the proceedings such as being the reporting employee, a victim, or a witness and must not have participated in the investigation of the allegations.

2) A Hearing Officer should disqualify himself/herself without a request from the inmate when the Officer feels a personal bias for or against the inmate. Bias is defined as a mental leaning or inclination toward one conclusion or another, a partiality or a prejudice.

3) The Warden reserves the right to remove a Hearing Officer as appropriate when there is a reasonable appearance of bias, even though the Hearing Officer may not feel that he/she is in fact biased.
e. Disciplinary Board

1) The Disciplinary Board shall consist of three (3) DOC employees who are impartial and have not been involved in any way in the offense which caused the proceedings and who has not participated in the investigation of allegations.

2) The Warden shall name the Disciplinary Board members and designate one of the three as the Hearing Officer. Members shall serve any period deemed appropriate by the Warden.

3) A minimum of two (2) votes shall be required for a decision by the Board.

8. HEARING PROCEDURES. The following requirements shall apply to all disciplinary hearings.

a. The hearing proceedings shall be audio recorded, or reasonably detailed minutes shall be taken.

b. At the hearing, all reports and evidence shall be presented and read to the inmate.

c. A hearing shall be held to determine the guilt or innocence of the inmate on the offense(s) charged.

d. Failure to comply with the procedural requirements or time limits of the disciplinary process or clerical errors (i.e., misspellings, etc.) does not necessitate dismissal of a hearing or a charge against the inmate. Time limits, procedural or clerical errors may warrant a new hearing, but only in exceptional circumstances should a disciplinary proceeding be dismissed entirely as a result of a procedural error. Dismissal for missing time limits is at the discretion of the Hearing Officer or Warden.

e. The inmate who is charged with rule violations shall be present at the hearing, unless:

1) Voluntary Waiver. The inmate knowingly, freely and voluntarily, waives in writing the right to appear in person at the hearing documented on the
Disciplinary Investigation Report (Attachment B) This form of waiver does not necessarily indicate an admission of guilt.

2) Refusal to Attend. When the inmate refuses to attend the hearing, the Hearing Officer shall warn the inmate that the hearing will proceed without him/her and indicate the waiver of his rights to be present on the Disciplinary Investigation Report (Attachment B). Refusal to attend does not necessarily indicate an admission of guilt.

3) Exclusions for Safety or Security Reasons. Such exclusions shall focus on the threat created by bringing the inmate to the hearing or allowing the inmate to remain in the hearing.

4) Behavior that Disrupts the Hearing. The Hearing Officer may decide to disallow the inmate’s appearance or have the inmate removed from the hearing when the inmate’s behavior is disruptive to the orderly proceeding.

5) Protection of Others. The hearing may proceed without the inmate when temporary exclusion is necessary for the protection of others, such as during discussions about confidential informant information.

f. The inmate shall be advised of his or her right to remain silent and that anything that he or she says can and may be used against him or her at this hearing and any subsequent proceedings.

g. Following the presentation, the inmate--or the inmate’s representative if it is determined that the inmate knowingly and voluntarily wishes to make or have a statement made on his or her behalf--shall be given an opportunity to make a statement, present relevant documentary evidence and submit witnesses statements.

h. At the conclusion of the inmate’s statement, the Board may pose questions to the inmate. The inmate can invoke the right to remain silent at any point in the proceeding.

i. The Hearing Officer may limit witnesses when the Hearing Officer determines that a witness or witnesses whom the inmate wishes to call cannot provide relevant testimony, would be unduly repetitious of previous testimony, should not be called for any other good cause related to the safety of any inmate or
other person, or because the witness’s presence poses an undue hazard to the safety, order and security of the facility. The Hearing Officer shall document in the hearing record the specific reason for limiting any witnesses.

j. In order to maintain the safety, security and order of the facility, the Hearing Officer shall deny requests to provide inmates or their representatives with videos of incidents for disciplinary proceedings. If an inmate or their representative claims that the video contains exculpatory evidence that should be considered, the Board will consider that surveillance. The Board need not observe the video itself and can rely on a staff member’s description of what it contains. That description may have been in the original Disciplinary Report, provided by the investigative officer, provided by the Correctional Surveillance Center, perhaps by request, or any other expedient method. The Hearing Board decision will reference the consideration of the video and whether that review provided exculpatory evidence stating whether and how that video was considered including but not limited to a) a staff member’s review of the video confirmed the inmate committed the disciplinary infraction, b) the video did not show anything exculpatory, or c) the video was not available.

k. The inmate may be excluded from the hearing proceedings during a witness’s testimony when the Hearing Officer has concluded such action is necessary for security reasons, to include but not be limited to, the protection or otherwise required anonymity of the witness. The Hearing Officer shall document the inmate’s absence or exclusion.

l. Witnesses who cannot or choose not to respond to questions in person can be asked to submit written statements.

m. The inmate’s legal or staff representative and hearing officials may question (1) witnesses who are appearing on behalf of the inmate; (2) the accusing officer, and (3) any adverse witness. The inmate shall not be allowed to question witnesses.

n. If there is disruption of the proceedings, the Hearing Officer has the authority to adjourn the proceedings and shall note the reason for adjournment in the record of the hearing. The hearing shall be resumed at a later time.

9. **HEARING DELIBERATIONS AND DECISIONS**

a. Deliberation of Guilt or Innocence
1) The inmate and the legal or staff representative shall not be present during the deliberations of guilt or innocence.

2) The Hearing Officer/Board shall base the decision of guilt or innocence solely on information obtained in the hearing process including staff reports, the inmate’s statements, and evidence derived from witnesses and documents that directly relate to the incident.

3) During deliberations of guilt or innocence, the Hearing Officer/Board shall not examine the inmate record or the prior disciplinary record of the inmate.

4) When the report contains an allegation of more than one code violation, the Hearing Board/Officer shall document guilt or innocence for each alleged individual code violation.

5) The inmate and the legal or staff representative shall be notified orally, immediately after the Hearing Board/Officer decides the inmate’s guilt or innocence.

6) If the inmate is found guilty of one or more of the code of offenses, the inmate or his/her representative shall be allowed to make a final statement on the inmate’s behalf prior to deliberation as to the appropriate sanction to be imposed.

b. Sanction Deliberations

1) The inmate and the legal or staff representative shall not be present during the deliberations for imposition of sanctions.

2) At this time, the Hearing Officer/Board may review contents of the inmate’s record solely for review of past behavior that may assist in determining the appropriate sanction(s).

3) When finding the inmate guilty of several charges arising from the same incident, sanctions appropriate to the overall conduct may be considered rather than imposing multiple consecutive sanctions based upon each individual charge.
4) An Inmate’s disciplinary history that resulted in guilty findings will be considered by the Hearing Officer. The following chart represents sanctions for inmates found guilty of Class I and II infractions. a) Good shall mean inmates without a history of a guilty finding for 180 days or more based on the most recent DR incident date, b) Fair shall mean inmates without a history of a guilty finding from 61 to 179 days based on the most recent DR incident date, c) Poor shall mean inmates with a history of a guilty finding within 60 days of the most recent DR incident date.

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<td>CLASS I</td>
<td>CLASS II</td>
<td>CLASS I GTC</td>
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<td>10-30 DAYS</td>
<td>5-30 DAYS</td>
<td>Up to 50%</td>
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5) The Hearing Officer/Board shall issue a written decision, stating the factual information upon which the finding is based, the supporting reasons, the sanction being imposed and notice of the inmate’s right to appeal.

6) The Hearing Officer/Board shall issue a written decision, stating the factual information upon which the finding is based, the supporting reasons, the sanction being imposed and notice of the inmate’s right to appeal.

7) The Hearing Board Members/Officer shall sign the Inmate Disciplinary Report form (Attachment A) and the Hearing Officer shall forward the disciplinary decision to the Warden (or designee) for approval.

8) If the Board members do not reach a unanimous decision, this shall be recorded in the hearing record to include the dissenting Board member’s statement.
9) The inmate shall be given immediate verbal notification of the recommended sanction(s), if any, and of his or her right to appeal to the Warden.

10) Inmates diagnosed with serious mental illness shall not be placed in restrictive housing unless:

a) A qualified mental health professional determines:

   (1) that such placement is not contraindicated;
   (2) the inmate is not a suicide risk;
   (3) the inmate does not have active psychotic symptoms; and
   (4) the inmate disciplinary circumstances that lack of responsibility for the misconduct due to mental illness or mitigating factors related to the mental illness do not contraindicate disciplinary restrictive housing.

b) If the inmate presents an immediate danger wherein there is no alternative in order to maintain safety, security or order of the facilities, the placement in restrictive housing may be made pending the assessment by a qualified mental health professional which shall be completed as soon as practicable.

11) Pregnant inmates (housed at the Correctional Treatment Facility) shall not be placed in restrictive housing.

10. WARDEN’S REVIEW/APPROVAL OF RECOMMENDED SANCTION

a. Within two (2) business days of the disciplinary hearing, the Hearing Officer shall forward the written hearing record to the Warden or designee (hereafter called the Deciding Official). (Attachment A)

b. Within three (3) business days of receipt of the written disciplinary hearing record the Deciding Official shall review the recommended action to
determine that hearing proceedings and the action taken conform to rules outlined in this directive.

c. The Deciding Official may then take any of the following actions:

1) Approve the findings;

2) Vacate a finding of guilt and all sanctions;

3) Reduce the sanction(s); or

4) Remand the case back to the Hearing Officer or Disciplinary Board for further proceedings.

d. No remand shall be made to increase the severity of the sanction.

e. If the inmate was found not guilty at the hearing, the Deciding Official may remand the case for further proceedings if it is determined that the Hearing Officer/Board failed to consider relevant evidence at the time of the hearing, which was not made part of the record due to administrative or procedural error.

f. The Hearing Officer shall enter any changes to the original decision made by the Deciding Official in JACCS on the “Misconduct” screen in the inmate’s active booking.

11. APPEAL

a. If the inmate wishes to appeal, he or she shall notify the Hearing Officer at the conclusion of the hearing.

b. The inmate shall submit the appeal to the Warden in writing utilizing the Disciplinary Board Hearing Appeal Form (Attachment E) within three (3) business days of receipt of the written disciplinary sanction.

c. The appeal basis shall be limited to the following:

1) The merits of the incident that may include considering the weight of the evidence against the inmate; or

2) The appropriateness of the discipline imposed by the Hearing Officer/Board.
d. The Warden or designee shall either affirm or reverse the decision for discipline within ten (10) business days of receipt of the appeal. Any decision in an appeal shall be based upon a reasonable assessment of the evidence presented.

e. The Warden shall ensure a copy of the written disciplinary or appeal hearing decision is delivered to the inmate within two (2) business days of the Warden’s or designee’s decision.

12. HEARING RECORD

a. If after hearings are conducted, the inmate is found guilty of any or all of the charges, the Hearing Officer shall enter the data into the JACCS active booking “Misconduct” screen and shall scan all supportive reports, documents and proceedings into Paperclip.

b. Documentation shall include the disciplinary hearing record, the written decision, the reason for the action and the disposition.

c. Confidential information shall not be electronically stored in JACCS.

d. Paper copies of all reports, proceeding records and related documents shall be scanned in the inmate’s Paperclip file.

e. The Hearing Officer shall preserve the written and audio recording hearing record in accordance with PS 2000.2 Retention and Disposal of Department Records.

f. When an inmate is found not guilty of all of the rule violations that he or she was charged with in connection with a single incident, the Hearing Officer shall remove the disciplinary report in its entirety from all of the inmate’s files.

13. IMPOSING DISCIPLINE SANCTIONS

a. Inmates are given credit for any time served in Prehearing Detention and any time served in Disciplinary Detention while the appeal is pending.

b. Concurrent or consecutive sanctions may be imposed.
c. All sanctions (also referred to as penalties or disciplinary detention) shall be noted on the disciplinary report and shall include the starting and ending date of the period of discipline.

d. The Hearing Officer shall monitor the dates when the sanction is applicable and shall ensure that the inmate is placed in and released from Disciplinary Restrictive Housing in a timely manner.

e. The Hearing Officer shall enter Disciplinary Detention and other disciplinary sanctions in JACCS and notify the affected housing unit, work detail supervisor(s), inmate visitor control officers and the canteen officer for enforcement.

f. The Housing Board shall hold a hearing in accordance with Chapter 5 of this directive if it is determined that after the period of discipline, the inmate should be held in Administrative Restrictive Housing based upon conditions outlined in this directive.
CHAPTER FOUR
THE CODE OF INMATE OFFENSES AND PENALTIES

1. CATEGORIES OF OFFENSES BASED UPON SEVERITY. The following classes of offenses grade the relative seriousness of each offense and assist in imposing the appropriate penalty if the accused is found guilty.

   a. Class I – Major offenses
   b. Class II – Serious offenses
   c. Class III – Minor offenses

2. CLASS I MAJOR OFFENSES

   a. Referral for Criminal Prosecution
      1) Any of the Class I offenses alleged to have been committed in the institution may be referred for prosecution.
      2) DOC procedures governing contraband control and inmate searches, preservation of evidence and the legal protection of individual rights afforded under the Fourth Amendment shall be followed when an inmate is suspected of a new crime.
      3) Referral for prosecution does not restrict DOC from imposing administrative discipline with corresponding penalties, as outlined in this Section 3 of this chapter, “Penalties for Class I Major Offenses.”
      4) When an offense is referred for prosecution and administrative discipline is not imposed, the inmate shall, pursuant to Chapter 5 of this directive, receive a Housing Hearing and be placed on Administrative Restrictive Housing pending adjudication of the criminal charges.
   b. Any offenses, if not referred for criminal prosecution, shall be administratively adjudicated by the Hearing Officer or Board with corresponding maximum
penalties, as outlined in this Section 3 of this chapter, “Penalties for Class I Major Offenses.”

c. The following offenses may incur the maximum penalties outlined in Section 3 of this chapter, “Penalties for Class I Major Offenses.”

101 Murder/Homicide - purposeful killing; killing while perpetrating certain crimes.

102 Manslaughter - the unlawful killing of another person without premeditation or malice aforethought.

103 Any Act of Terrorism - use, dissemination, or detonation of a weapon of mass destruction, manufacture or possession of a weapon of mass destruction.

104 Kidnapping - aiding or abetting in, seizing, confining, inveigling, enticing, decoying, abducting, concealing, or carrying away any individual by any means whatsoever, and holding or detaining, or with the intent to hold or detain, such individual for ransom or reward or otherwise.

105 Burglary – First Degree - whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used for sleeping, with intent to break and carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense.

106 Armed Robbery whoever by force or violence, whether against resistance or by sudden or stealthy seizure or snatching, or by putting in fear, shall take from the person or immediate actual possession of another anything of value.

107 Assault with Injury is when the victim sustains injury.
(a) Willfully or forcefully causing bodily injury to another inmate, a correctional employee, volunteer, contract worker or visitor;

(b) Willfully or forcefully causing bodily injury with a weapon or by any means to any person; or
(c) Physically assaulting, resisting, opposing, impeding or interfering with any person.

108 **Assault by Spitting or Throwing Substances** such as liquids, blood, waste, chemicals, urine, etc.

109 **Sexual Assault** includes any of the following acts, if the victim does not consent, is coerced into such an act by overt or implied threats of violence, or is unable to consent or refuse

   a. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
   
   b. Contact between the mouth and the penis, vulva, or anus;
   
   c. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
   
   d. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

110 **Escape** includes:

   a. Breach of the perimeter of a secure facility,
   
   b. Attempted Escape - The attempted breach of the perimeter of a secure facility; tampering with and/or damaging any perimeter including but not limited to windows, bars and cell doors;
   
   c. Instigating and/or assisting the perimeter breach or attempted perimeter breach by another inmate;
   
   d. Escape From Outside of a Secure DOC Facility – When in the custody of the DOC and while under the supervision of DOC personnel or its agents, the inmate escapes from supervision while outside of the secure perimeter (including from a work detail, medical or court visit or while being transported); or
e. Willfully failing to return to the facility by the time designated on a community release activity pass.

111 Possession of Major Contraband. Major Contraband is any item in an inmate’s possession or control (to include within his or her cell, clothing or immediate surroundings) that is illegal by law, not purchased from canteen, not issued by the facility or not authorized by the Warden or designee. Items of Major Contraband include but are not limited to:

a. A knife, blackjack, guns, homemade weapons, any other weapon, sharp, blunt or pointed objects, other articles used as dangerous weapons, tools, rope, civilian clothing, service uniforms of any kind, toxic or flammable fluids or substances, syringes, and vessels containing urine, feces or other body fluid.

b. Smoking materials (i.e., matches, lighters) and/or tobacco products.

c. An unauthorized locking device, key, lock, pick or other device capable of destroying, altering, interfering with or damaging any security equipment.

d. An illegal drug, marijuana, a controlled substance or a narcotic, unless a doctor has authorized its use, to include possession, having control of, using, making or being under the influence. Possessing another inmate’s prescription medication that contains a narcotic or controlled substance.

e. Cellular telephone or other portable communication device or accessories thereto.

f. Any other item that may pose a risk to the safety, security or order of the facility.

g. Items that may be legal initially, but become illegal once used for purposes other than intended, or if given to inmates without proper authorization.
112 Restraint is willfully constraining another person under circumstances which expose the other person to a risk of bodily injury.

113 Arson is willfully starting a fire or causing an explosion that damages personal or institutional property.

114 Tampering With a Witness or Informant is:
   a. Attempting to induce, inducing, or otherwise causing a witness or informant to testify or inform falsely or to withhold any testimony or information or other evidence; or
   b. Retaliating or attempting to retaliate for anything done by another person in his or her capacity as a witness or informant.

115 Bribery is willfully, directly or indirectly, giving, offering, or promising anything of value to another inmate, employee, volunteer or other authorized visitor with the intent:
   a. To influence any official act or any act within the official responsibility of any person;
   b. To induce any person to do or omit doing any act in violation of his or her duty; or
   c. To induce any person to introduce contraband into the facility.

116 Inciting to Riot. A riot is a wild or violent disorder, confusion or disturbance. Inciting to riot is purposefully:
   a. Urging a group of two or more people to engage in a current or impending disturbance or disruptive event; or
   b. Giving direction to a group of two or more people to cause, continue, or enlarge a violent or tumultuous disturbance or disruptive event.
117 Engaging in a Disruptive Event. A disruptive event is an incident brought on by the inmate’s action that resulted in injury to staff or other inmates and/or loss of control of the facility or a portion of the facility that required extraordinary measures to regain control. Loss of control of the facility is defined as a situation in which inmates are acting in concert to disrupt facility operations and refuse to comply with lock down orders. They may have taken hostages or appear to be prepared for physical conflict. Hostile intent is apparent and threats are noted. Extraordinary measures are required to regain control such as sending in a significant number of ERT members, firing shots, use of tear gas, etc.

3. PENALTIES FOR CLASS I MAJOR OFFENSES. The accused, if found guilty at the disciplinary hearing, shall be subject to one or more of the following:

a. The maximum sanction for a rule violation is no more than thirty (30) days for all violations arising out of one incident.

b. When an inmate housed in disciplinary restrictive housing receives a guilty finding for another charge, the new sanctions shall not begin until 48 hours after his current expiration date. The inmate shall be removed from disciplinary restrictive housing to a less restrictive area for 48 hours. If it is determined that the inmate poses a threat to staff or other inmates, the inmate shall be placed on Administrative Restrictive Housing for those 48 hours.

c. Referral to Classification for consideration of a change in custody status that may also result in a change in an inmate’s housing assignment;

d. Referral to the Housing Hearing Board after the disciplinary period (Attachment F);

e. Restitution (Attachment G);

f. Loss of privileges for up to sixty (60) days (privileges are defined in this Chapter, Section 10 “Restrictions While In Disciplinary Detention”); or

g. Loss of work assignment.
h. Loss of good time credits already earned for good behavior. The loss falls under category II, and includes Good (25%), Fair (50%) or Poor (75%). Please see table under section 9.b.5 of this Program Manual.

i. Referral for Criminal Prosecution

j. An inmate found guilty of three (3) or more repeated violations of a particular Class II offense during the current period of incarceration may receive allowable penalties of a Class I offense.

k.

4. CLASS II – SERIOUS OFFENSES-REPITITION OF A CLASS II OFFENSE.

201 Class II Assault is willfully subjecting another person to offensive bodily contact.

202 Sexual Misconduct is any sexual act or gesture that doesn’t directly expose the penis (i.e., rubbing of genital area, gyrating, blowing kisses, etc.)

203 Extortion, blackmail protection is demanding or receiving money or anything of value in return for protection against others, to avoid bodily harm, or under threat of informing.

204 Threatening conduct is

a. Communicating intent to injure another person or commit a crime of violence or an unlawful act dangerous to human life that:

1) Places another person in fear of bodily injury;

2) Causes evacuation of a building; or

3) Causes disruption or alarm.

b. Willfully compelling or inducing another person to engage in conduct from which the latter has a legal right to abstain or prohibiting conduct in which he/she has a legal right to engage,
by means of instilling a fear that non-compliance with the demand will result in one of the following:

1) Bodily injury to someone;

2) Significant damage to property;

3) Accusing someone of an offense or causing charges to be instituted against someone.

205 **Possession of Serious Contraband.** Serious Contraband is any item in an inmate’s possession or control (to include within his or her cell, clothing or immediate surroundings) not purchased from canteen, not issued by the facility or not authorized by the Warden or designee. Items of Serious Contraband include but are not limited to:

a. Any intoxicating beverage to include possession, having control of, making, using or being under the influence.

b. Containers of body fluids found either in the inmate’s possession or in the inmate’s immediate living area.

c. Smoking materials and tobacco products.

d. Currency or coins.

206 **Creating a Minor Disturbance.** Willfully causing a non-violent disorder that disrupts the orderly operation of the facility.

207 **Sexual Activity** consensual sexual activity between two inmates or an inmate and a visitor during a social visit.

208 **Indecent Exposure** is the intentional exposure of genital parts to any person.

209 **Theft** is willfully taking or withholding the property of another person or entity without permission, authorization or authority.
210 **Damage or destruction of property occurs** when an inmate destroys property belonging to the institution or to any person or does damage to property of the District of Columbia or any individual.

211 **Possession of Stolen Property** is having the property of another or when the owner has not received official written approval to give the property away.

212 **Lack of Cooperation** is:

a. Willfully disobeying a valid order of a correctional employee which may lead to a disturbance;

b. Failing to respond to any question or direction of any employee of the Department or other custodial official;

c. Failure to promptly enter one’s cell; or

d. Willfully failing to proceed from place to place within the institution in a prompt and orderly way.

213 **Fighting** is when two or more inmates engage in a physical altercation leading to the exchange of strikes with the intent to cause bodily harm.

214 **Falsifying Physical Evidence** is:

a. Altering, destroying, concealing, or removing anything, with the intent to impair its authenticity or availability in any official investigation or proceeding; or

b. Presenting or using anything that is known to be false with intent to deceive an employee or anyone who is or will be involved in a proceeding or investigation.

215 **Assault** is willfully or forcefully touching or striking of an individual by another.
216 Lying is:

a. Making a willful, malicious or false report or statement to or about an employee;

b. Making a false statement with intent to avoid disciplinary action for the violation of an institutional regulation or to aid another inmate in such an endeavor; or

c. Knowingly making a false statement about another inmate with the intent of causing the inmate harm or affecting the inmate's housing or program status.

217 Impeding an Employee in the Performance of Duties is intentionally obstructing, interfering, opposing or resisting an employee in an investigation or the performance of any duties.

218 Giving a False Alarm is communicating an untrue report concerning a fire, explosion, or the present commission of an assault, forcible sexual assault or kidnapping, or other catastrophe or emergency where the report is likely to cause the evacuation of a building or to cause the staff to respond to the alarm.

219 Out of Bounds includes:

a. Failure to report to an appointed place of duty or assignment or any other place to which directed by a valid order of an employee or regulations;

b. Leaving any place where directed to remain by an employee or institutional regulations;

c. Being in an unauthorized area; or

d. Breaching confinement from one's cell.

220 Tampering with a locking device to include but not be limited to cell doors, bars, grills, handcuffs, and leg irons.
221  Creating a Health, Safety, or Fire Hazard includes any activities, which may cause a fire or create a danger to health and safety.

222  Disrespect is making any profane, obscene, or abusive gesture or remark to, about, or in the presence of any employee, volunteer, or visitor.

5. **PENALTIES FOR CLASS II OFFENSES.** If, after a hearing pursuant to Restrictive Housing Board procedures, the accused is found to have committed a Class II Serious Offense, the inmate is subject to any one or more of the following:

   a. Disciplinary Detention for up to thirty (30) days;

   b. When an inmate is found guilty of multiple Class II offenses, the time shall run concurrent not to exceed thirty (30) days for the combined violations that arose out of the one incident. When an inmate housed in disciplinary restrictive housing receives a guilty finding for another charge, the new sanctions shall not begin until 48 hours after his current expiration date. The inmate shall be removed from disciplinary restrictive housing to a less restrictive area for 48-hours. If it is determined that the inmate poses a threat to staff or other inmates, the inmate shall be placed on Administrative Restrictive Housing for those 48-hours.

   c. Referral to Classification for consideration of a change in custody status that may also result in a change in an inmate’s housing assignment;

   d. Referral to the Housing Hearing Board after the disciplinary detention time (Attachment F);

   e. Restitution (Attachment G);

   f. Loss of social visits, telephone or canteen purchase privileges for up to sixty (60) days;

   g. Extra duty; or

   h. Loss of work assignment.
i. Execution of the imposed sanction may be suspended if the inmate maintains clear conduct for a specified time period;

j. Loss of good time credits already earned for good behavior. The loss falls under category II, and includes Good (25%), Fair (50%) or Poor (75%). Please see table under section 9.b.5 of this Program Manual.

k. Repetition of Class III Offenses. An inmate who is found guilty of three (3) or more repeated violations of a particular Class III offense during the current period of incarceration may receive allowable penalties of a Class II offense.

6. CLASS III – MINOR OFFENSES

301 Minor Contraband is:

a. Possession of any article other than those defined as major or serious contraband, which is not issued by the institution, not purchased from the canteen, or not specifically authorized by the Warden or designee; or

b. The use of any article in a manner contrary to the intent or provisions of issuance, purchase, or authorization.

302 Interference with the Orderly Operation of the Facility is:

a. Engaging in loud or boisterous talk, laughter, whistling, or other vocal expression, if such is, or may tend to be, disruptive of order or a disturbance to others;

b. Approaching or speaking to any visitor, unless first authorized to do so by a correctional employee.

303 Gambling is:

a. Playing any game including but not limited to card or dice for money or other things of value;

b. Betting by those observing a game in person or while listening to the radio or looking at television; or
c. Organizing any game of chance, lottery, betting pool, or other methods of gambling.

304 **Misuse of Authorized Medication** is hoarding or selling, giving personally prescribed medication to another inmate.

305 **An Inmate Detail Worker’s Refusal to Work, Failure to Perform Work as Instructed by the Supervisor/Other Authorized Employee or Unexcused Absence from Work or any Assignment.**

306 **Illegal Enterprise** is running a store or stockpiling canteen in excess of authorized limits for the purpose of profit or personal gain or providing unauthorized services for payment.

307 **Forgery or Tampering** is the fraudulent reproduction or alteration of a document or other written item.

308 **Disorderly Appearance** is an inmate’s failure to keep his or her clothing and person reasonably clean and orderly.

309 **Abuse of Privileges** is violating any institution regulation relating to a privilege such as, but not limited to, telephone use or removing food from the culinary area.

310 **Abuse of Living Quarters** is an inmate’s:

a. Failure to make his or her own bed neatly each day;

b. Failure to keep his or her own living quarters clean and orderly;

c. Failure to keep articles issued by the institution or purchased from the canteen neatly in an approved place;

d. Covering or obstructing air exchange vents, light fixtures, windows and cell doors; or

e. Painting or drawing on or adhering items to walls and fixtures.
311 Unauthorized Use of Property is taking, exercising control over, or otherwise using property without consent or authorization.

7. PENALTIES FOR CLASS III OFFENSES. If, after a hearing pursuant to disciplinary procedures or through informal resolution pursuant to this directive, the accused is found to have committed a Class III Minor Offense, the inmate is subject to any one or more of the following sanctions:

   a. Loss of social visits, telephone or canteen purchase privileges for up to sixty (60) days;
   b. Extra duty;
   c. Loss of work assignment; or
   d. Execution of the imposed sanction may be suspended if the inmate maintains clear conduct for a specified time period;

8. RESTRICTIONS WHILE IN DISCIPLINARY DETENTION. All inmates who have appeared before the Disciplinary Officer/Board and have received Disciplinary Detention shall be subject to loss of or restrictions of privileges as follows:

   a. No Social visits.
   b. Two (2) hours out of cell time.
   c. Inmates in Disciplinary Detention shall receive laundry, barbering and hair care services and are issued an exchange of clothing, bedding and linen on the same basis as inmates in the general population.
   d. Telephone calls shall be limited to access to the judicial process and family emergencies that the OIC, Case Manager and Chief Case Manager evaluate on a case-by-case basis.
   e. The inmate will not be able to participate in educational instruction in the classroom setting.
   f. The inmate shall be restricted from participation in other facility programs.
g. Inmates who receive disciplinary sanctions are subject to removal from their work detail assignments for a period of not less than six (6) months.
CHAPTER FIVE

ADMINISTRATIVE REVIEW

(Housing Board Hearings)

1. HOUSING HEARING

   a. The purpose of a housing hearing is to allow for a full and fair determination for placing an inmate in Administrative Restrictive Housing when any of the following conditions are apparent:

      1) There is a clear and present threat to the inmate’s personal safety and involuntary protective custody is deemed appropriate;

      2) There is a clear and present threat to support the inmate’s request for voluntary protective custody;

      3) The inmate poses a clear and present danger to the safety of others;

      4) The inmate poses a definite escape risk; or

      5) The inmate has been referred for criminal prosecution or is under investigation for the commission of a criminal offense while confined.

   b. Each administrative restrictive housing case shall be reviewed with the goal of terminating the separate housing assignment when the threat no longer remains.

2. HOUSING BOARD

   a. The Housing Board shall be composed of three (3) employees of the Department of Corrections. There shall be a standing Hearing Officer as appointed by the Warden.

   b. No employee shall participate as a member of the Housing Board at an inmate’s hearing if:
The employee has been involved in the investigation of the incident which led to the Housing Hearing;
2) The employee was a witness to or has first-hand knowledge of the incident; or
3) The employee would for any reason be unable to make an unbiased decision as to the housing of the particular inmate.

3. NOTICE OF ADMINISTRATIVE RESTRICTIVE HOUSING HEARING

a. The inmate shall receive at least a twenty-four (24) hour advance written notice of the scheduled housing hearing.

b. The notice shall inform the inmate when the matter has been referred for criminal prosecution.

c. The notice shall inform the inmate that the inmate may be subject to criminal prosecution, that the inmate has the right to remain silent, that an inmate’s silence alone will not subject him/her to disciplinary action, and that the inmate is entitled to testify at the housing hearing, but that any testimony which is given may be used against the inmate in future housing hearings, disciplinary hearings, or criminal prosecutions.

d. The Hearing Officer may appoint an inmate representative to assist the inmate when literacy, developmental or mental health barriers exist.

e. The Housing Board Hearing Officer shall enter the hearing date into JACCS “Schedule Screen”.

4. REQUEST FOR CONTINUANCE

a. An inmate may request one continuance of the Housing Board hearing. The continuance may be for up to three (3) business days.

b. The Hearing Officer shall grant the request for a continuance if the inmate establishes one of the following:

   1) That the inmate’s employee representative or any relevant witness would not be available on the day of the hearing; or
2) That the inmate could not properly prepare for the hearing in the time allotted.

c. If granted a continuance, the Housing Hearing Officer shall enter the new hearing date in JACCS on the “Schedule” screen.

5. ADMINISTRATIVE RESTRICTIVE HOUSING HEARING PROCEDURES

a. In a housing hearing held to determine whether an inmate presents a clear and present danger to others or is in danger from a clear and present threat from others, the Board must determine whether there is a security need to separate the inmate from a member of one of the following groups of inmates:

1) The identifiable victim of an assault;
2) Identifiable witnesses;
3) Identifiable informants;
4) Another inmate who presents an identifiable threat of physical harm to the inmate.

In a housing hearing held to determine whether an inmate is a definite escape risk, the Board must determine whether:

1) The inmate acted with the intent to escape and avoid confinement;
2) The inmate possessed instruments designed for use in an escape;
3) The inmate made statements manifesting an intent to escape;
4) The inmate has been convicted of prison breach from a secure facility; or
5) There is other relevant evidence reasonably showing the inmate to be a definite escape risk.

b. At the housing hearing, the Board shall advise the inmate of his or her rights, and present findings and supporting evidence for the proposed action.

c. The Board’s judgement shall be based on consideration of all the evidence presented. Relevant evidence may include, but shall not be limited to, testimony or documents pertaining to the facts and circumstances surrounding an investigation of the inmate’s alleged conduct, the inmate’s placement in protective custody or the testimony of witnesses.
d. In cases where evidence is received, anonymously or by an informant, this information must be investigated for credibility and reliability. There must be some information or record from which a Housing Board can reasonably conclude, after inquiry, that the evidence or the informant is reliable. The inquiry or investigation shall be conducted in a way not to reveal the identity of the informant.

e. If the Housing Board determines that the inmate should be placed in Administrative Restrictive Housing, the Hearing Officer shall prepare within two (2) business days of the hearing a written statement of the Board’s decision and the factual information upon which the decisions based (Attachment F).

6. APPEAL

a. An inmate is entitled to appeal a decision of the Housing Board to the Warden or the Warden’s designee. (Attachment E).

b. Notwithstanding the filing of a Notice of Appeal, an inmate may be confined in Administrative Restrictive Housing immediately following a decision by the Housing Board.

c. The inmate shall file a “Notice of Appeal” with the Warden within three (3) business days of receipt of the Housing Board Decision or at such later time as the Warden may allow.

d. The Notice of Appeal shall set forth the reasons why the Housing Board decision should be reversed and the inmate should include any supportive documentation.

e. The Warden shall complete the review of the appeal within ten (10) business days of receipt and shall promptly notify the inmate in writing of the appeal decision.

7. ADMINISTRATIVE REVIEW HEARINGS

a. If an inmate is placed in Administrative Restrictive Housing, that placement shall be reviewed every seven (7) days for the first two months and every fourteen (14) days thereafter.
b. The inmate shall appear before the Housing Board at each hearing unless:

1) The inmate waives appearance in writing; or

2) Exclusions for Safety or Security Reasons. Such exclusions shall focus on the threat created by bringing the inmate to the hearing or allowing the inmate to remain in the hearing. The reason(s) for exclusion must be in writing and submitted to the approving authority for the hearing disposition.

c. At each review hearing, the inmate may present in writing any new evidence for the Board’s consideration.

d. At each review the Board shall determine whether the inmate’s return to the general population still poses an escape risk or security risk to the inmate or others. In particular, when the inmate is voluntarily or involuntarily separated for protection, the Board members shall determine whether other inmates from whom the inmate is separated are presently in the general population.

e. If the Board determines that there is no longer an escape risk or a security risk to the inmate or others, the Board shall document their findings utilizing the Administrative Housing Review Form (Attachment F). The inmate shall be released from restrictive housing upon final approval from the Warden or designee.

f. The Hearing Officer shall deliver a copy of the written determination to the inmate within one week of the approved decision. If disclosing the name of any individual or any of the evidence on which the Board relied in making its determination would, in the Board’s judgment, pose a threat to the safety of any inmate or other person, or cause a riot or other major disturbance or damage to property, the Hearing Officer may delete the material from the copy of the written statement given to the inmate.

g. When deletions are made, the Hearing Officer shall transmit a copy of the entire record of the hearing to the Warden. The Warden shall ensure that all documents are retained for a period of at least two (2) years.
8. PROCEDURES FOR DATA ENTRY

a. When an inmate is placed on Administrative Restrictive Housing or Protective Custody, an alert shall be placed in JACCS on the “Alert Screen” in the inmate’s active booking.

b. When an inmate is removed from Administrative Restrictive Housing or Protective Custody, an end date shall be entered in the corresponding JACCS “Alert Screen” in the inmate’s active booking.

c. Upon determining the date of the initial and subsequent housing hearing reviews, the Housing Board Officer shall enter hearing dates into JACCS on the “Schedule” screen on the inmate’s active booking.

d. Once the hearing has been conducted, the hearing disposition, any sanctions and the anticipated end date shall be populated in JACCS.

9. RESTRICTIVE HOUSING PENDING LAW ENFORCEMENT AGENCY INVESTIGATIONS

a. When an inmate is confined in Administrative Housing pending investigation for possible criminal prosecution, the Warden or designee shall maintain contact with the law enforcement agency handling the investigation.

b. Upon notification by the investigating law enforcement agency that criminal prosecution will not be initiated against the inmate, the Housing Board Officer shall schedule the inmate for an Administrative Housing Review to either:

1) Release the inmate from restrictive housing; or

2) Continue the inmate in Administrative Restrictive Housing based upon determination that the inmate is in danger from a threat to the inmate’s personal safety, the inmate poses a danger to the safety of others, or the inmate is a definite escape risk.
## Disciplinary Report

<table>
<thead>
<tr>
<th>Name</th>
<th>DCDC</th>
<th>Cellblock</th>
<th>Cell #</th>
<th>Squad</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charge</td>
<td>Code Reference</td>
<td>Charge</td>
<td>Code Reference</td>
<td>Charge</td>
</tr>
<tr>
<td>Date of Offense</td>
<td>Time</td>
<td>Location</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Staff Involved</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Staff Involved</td>
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<tr>
<td>Inmates Involved</td>
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<tr>
<td>Description</td>
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Use Continuation Sheet if Necessary

<table>
<thead>
<tr>
<th>Date Prepared</th>
<th>Time</th>
<th>Employee Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisory Signature (Reviewer)</td>
<td>Date</td>
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### HEARING SUMMARY

<table>
<thead>
<tr>
<th>Date of Hearing:</th>
<th>Time:</th>
<th>AM</th>
<th>PM</th>
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<tbody>
<tr>
<td>Inmate Plea:</td>
<td>Guilty</td>
<td>Not Guilty</td>
<td></td>
</tr>
<tr>
<td>Housing Board/Hearing Officer Findings</td>
<td>Guilty</td>
<td>Not Guilty</td>
<td></td>
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<tr>
<td>Rationale for Findings</td>
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### RECOMMENDATION(S)

<table>
<thead>
<tr>
<th>Forfeit</th>
<th>days EGT/MGT</th>
<th>days Disciplinary Restrictive Housing</th>
<th>days Loss of Privileges</th>
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<tr>
<td>Other</td>
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Refer to Housing Board

<table>
<thead>
<tr>
<th>Rationale for Recommendation(s)</th>
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<tbody>
<tr>
<td>Committee/Hearing Officer</td>
<td></td>
</tr>
<tr>
<td>Chair/Hearing Officer</td>
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</tr>
<tr>
<td>Member</td>
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<td>Warden or Designee</td>
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<table>
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<tr>
<th>Recommendations</th>
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<tbody>
<tr>
<td>Concur</td>
<td>Dissenting Vote * Must Explain</td>
</tr>
<tr>
<td>Concur</td>
<td>Dissenting Vote * Must Explain</td>
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<tr>
<td>Concur</td>
<td>Dissenting Vote * Must Explain</td>
</tr>
<tr>
<td>Approve</td>
<td>Disapprove (indicate further action)</td>
</tr>
<tr>
<td>Vacate</td>
<td>Reduce Sanction</td>
</tr>
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</table>
This Continuation Form may be used for recording additional information required in the Disciplinary Report, the Pre-hearing Investigation of Hearing Minutes.
## HEARING PROCEEDINGS

<table>
<thead>
<tr>
<th>Name: __________________________</th>
<th>DCDC: _______</th>
<th>Cellblock: ____</th>
<th>Cell # ___</th>
<th>Squad: ____</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Hearing: _______________</td>
<td>Time of Hearing: ___________________</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inmate Present at Hearing?</td>
<td>Yes</td>
<td>No</td>
<td>If No, reason: ___________________</td>
<td></td>
</tr>
<tr>
<td>If required, Staff Representative Present?</td>
<td>Yes</td>
<td>No</td>
<td>If No, reason: ___________________</td>
<td></td>
</tr>
<tr>
<td>Staff Representative’s Name:</td>
<td>___________________</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Witness Present?</td>
<td>Yes</td>
<td>No</td>
<td>If No, reason: ___________________</td>
<td></td>
</tr>
</tbody>
</table>

### Summary of Accused Inmate’s Statement at Hearing

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

### Other Notes/Comments

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

______________________________

### Reason for Dissenting Vote

______________________________

______________________________

______________________________

______________________________

### INMATE APPEAL

<table>
<thead>
<tr>
<th>I Wish to Appeal</th>
<th>Yes</th>
<th>No</th>
<th>Signature: ___________________</th>
<th>Date: ___________________</th>
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</thead>
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<tr>
<td>Reason for Appeal:</td>
<td>___________________</td>
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</table>
Government of the District of Columbia Department of Corrections
Disciplinary Investigation Report

PART I
Name ___________________________ DCDC ________ Cellblock _____ Cell ______

Date of Incident ____________________ Time of Incident ____________________

Charge ___________________________ Reference Code ______________________

Charge ___________________________ Reference Code ______________________

Charge ___________________________ Reference Code ______________________

Date Investigation Completed ____________________ Time Completed ____________

PART II
INMATE RIGHTS

<table>
<thead>
<tr>
<th>Inmate Informed of Disciplinary Report?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disciplinary Report Read to Inmate?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Staff Representative Recommended?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advised re: Staff Representative?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requesting Staff Representative?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requesting Witnesses?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Requesting Attorney Class 1 ONLY</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attorneys Name</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Witness Requested</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Is the Inmate Requesting Hearing Officer</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Does accused waive rights to be present at hearing?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Waiving right to 24 hour notice prior to hearing?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Informed of right to not make statement?</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>If yes, record statement</th>
<th></th>
</tr>
</thead>
</table>

Inmate’s Signature ___________________________ Date ____________

**Receipt of the written DR will serve as official notice that a hearing will be held within seven (7) days (excluding weekends, holidays, and continuances) of the occurrence date but not sooner than twenty-four (24) hours.

PART III – INVESTIGATIVE FINDINGS


RECOMMENDATION (S)

<table>
<thead>
<tr>
<th>Dismiss-Charges not substantiated</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal Resolution-Class III &amp; IV</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>File Disciplinary Report</td>
<td></td>
<td></td>
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</tbody>
</table>

Serving Staff Signature ___________________________ Date ____________

Witness Staff Signature ___________________________ Date ____________

(Refusal only)
Name ___________________ DCDC _____ _____Cellblock Cell___

Date Hearing Scheduled for: _______________________

Reason for Hearing being rescheduled:

Inmate at Court ___ Date: __________

Inmate at Medical ___ Date: __________

Attorney Rescheduled ___ Date: __________

Other: ______________________________________ Date: ___ ___

Inmate Re-Scheduled Date: __________

**Receipt of this official notice states good cause and reason for postponement or continuance for disciplinary hearings for a reasonable period, not to exceed 3 business days.

Inmate's Signature ___ ___________Date_______

Committee Hearing Officer _________________ Date________

Revised 5-2018
INMATE REQUEST FOR REPRESENTATION AT A DISCIPLINARY HEARING

Staff Representative

Inmate __________________________ DCDC _______________ Housing Unit ______

1. CRITERIA
   
a. An inmate may request legal assistance from the DC Public Defender Services (PDS) or a staff representative when charged with a Class I offense.
   
b. An inmate may request assistance from a staff representative in order to prepare for a defense when charged with a Class II offense.
   
c. The Investigating Officer may make an offer to the inmate for staff representation for any class offense when the inmate needs interpreter services or the inmate’s overall mental or emotional status appears to be a barrier.
   
d. Inmates have the right to refuse either legal or DOC employee assistance.

2. STAFF REPRESENTATIVE NOTICE:
   
a. It is my responsibility as your staff representative to consult with you at least twenty-four hours prior to your disciplinary hearing. This consultation will include explaining the charge against you, the potential consequences of the charge and the consequences of a plea of guilty.
   
b. If you approve, I will be present with you and provide assistance throughout the disciplinary hearing in accordance with procedures in PM 5300.1.
   
c. Disciplinary rights are as follows: Your right not to make a statement, your right to defend yourself in a fair and impartial hearing, your right to request witnesses who can provide relevant information in your defense or your right to present a witness statement, and your right to a hearing in a reasonable amount of time.
   
d. I am not responsible for proving your guilt or innocence. I am assigned only to advise you of the disciplinary process.
   
e. In the event you no longer choose to have me assist you, you must indicate such in writing.
   
f. If you understand the above that I have explained to you, and request my assistance during the disciplinary hearing, please acknowledge by signing below.

Inmate’s Signature __________________________ Date ___________ Time ___________

Assigned Staff Representative’s Signature __________________________ Date ___________ Time ___________

Witness Signature (if inmate refuses to sign) __________________________ Date ___________ Time ___________
SOLICITUD DEL RECLUSO PARA TENER REPRESENTACIÓN ANTE UNA AUDIENCIA DISCIPLINARIA

Representante de personal

Recluso DCDC Unidad de vivienda

1. CRITERIO
   a. El recluso puede solicitar asistencia legal de parte de Servicios de Defensores Públicos (PDS) del DC o de un representante de personal cuando se le acuse de un delito de Clase I.
   b. El recluso puede solicitar asistencia de un representante de personal a fin de prepararse para la defensa de un delito de Clase II.
   c. El oficial investigador puede ofrecerle al recluso la representación de un miembro del personal para delitos de cualquier clase cuando el recluso necesite servicios de interpretación o el estado general mental o emocional del recluso parezca ser un obstáculo.
   d. Los reclusos tienen el derecho de rechazar la asistencia legal o de los empleados del DOC.

2. AVISO DEL REPRESENTANTE DE PERSONAL:
   a. Es responsabilidad mía como su representante de personal tener una consulta con usted por lo menos veinticuatro horas antes de su audiencia disciplinaria. Esta consulta incluirá la explicación de la acusación que hay en su contra, las consecuencias potenciales que existen y las consecuencias que tendría una declaración de culpabilidad.
   b. Si usted lo aprueba, lo representaré y le proporcionaré asistencia durante el transcurso de la audiencia disciplinaria en conformidad con los procedimientos del código PM 5300.1.
   c. Los derechos disciplinarios son los siguientes: Su derecho a no presentar una declaración, su derecho a defenderse a usted mismo en una audiencia justa e imparcial, su derecho a solicitar testigos que puedan proporcionar información relevante para su defensa o su derecho a presentar declaraciones de testigos, y su derecho a tener una audiencia en un plazo razonable.
   d. No soy responsable de tener que probar su culpabilidad o inocencia. Estoy asignado solamente para aconsejarlo sobre el proceso disciplinario.
   e. En caso de que decida que ya no le preste ayuda, usted deberá indicarlo por escrito.
   f. Si entiende lo anterior que le he explicado, y solicita mi ayuda durante la audiencia disciplinaria, confírmelo firmando a continuación.

Firma del recluso Fecha Hora
Firma del representante de personal asignado Fecha Hora
Firma del testigo (si el recluso se niega a firmar) Fecha Hora
DC DEPARTMENT OF CORRECTIONS

Adjustment/Housing Board Hearing

Appeal Form

Check

Housing

One - Housing Decision: _______ Infraction: ___________

Date: _____________

Inmate Name: __________________________ DCDC# __________

Dear Warden,

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________
Government of the District of Columbia
DEPARTMENT OF CORRECTIONS
Detention Facility
ADMINISTRATIVE HOUSING REVIEW

-Select period-

Date

Inmate Name

Status: Pre Hearing Detention

Reason placed in Restrictive Housing

☐ In danger from clear and present threat to inmate's personal safety
☐ Stated intent to escape
☐ Escape Risk (Describe)
☐ Poses clear and present danger to other’s safety

☐ Special Handling (SH)
☐ Acted w/intent to escape
☐ Escape conviction-secure facility

☐ Victim of Assault or Witness
☐ Total Separation
☐ Possessed items used for escape
☐ Other evidence of definite risk

Resident’s Statement

________________________________________________________________________

________________________________________________________________________

Inmate Signature__________________________

Board’s Finding and Recommendation

☐ ARH  ☐ Involuntary PC  ☐ Voluntary PC  ☐ SH  ☐ GP

Reason

☐ In danger-clear/present threat
☐ Poses clear/present threat
☐ Escape Risk
☐ No further threat

Comments

________________________________________________________________________

________________________________________________________________________

Inmate was informed of his next hearing date. (24h)

REHEARING SCHEDULE (next date he should be seeing)

Between 8:30am-12:00n

☐ 7 day Review
☐ 14 day Review

Is inmate’s appearance required at next hearing

Concur  Dissent

(Chairperson)  (Chief Case Manager)

Concur  Dissent

(Member)  (Deputy Warden/Operations)

Concur  Dissent

(Member)  (Deputy Warden/Programs)

Approved

Disapproved

(Warden)

Inmate  Inmate’s Institutional File  Housing Board
DC DOC
Inmate Reimbursement Form

TO: Inmate Finance

THROUGH: Correctional Program Administrator

FROM: _____________________________

    Adjustment Board Member

SUBJECT: Reimbursement for Destruction of Government Property

REFERENCE: Inmate: _____________________________

DCDC#_________ Unit:___________ Cell NO# ________________

The below listed items were damaged and or destroyed by fire or intentional and willful destruction. Reimbursement is required through the disciplinary procedures:

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<thead>
<tr>
<th>ITEMS</th>
<th>COST</th>
<th>CHARGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARMSBAND</td>
<td>$5.00</td>
<td></td>
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<tr>
<td>BLANKETS</td>
<td>$14.00</td>
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<td>BROOM/MOP</td>
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<td>DOOR</td>
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<tr>
<td>PAINT CELL HALFT COST</td>
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<tr>
<td>WINDOW</td>
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Add any additional items not listed

GRAND TOTAL

*Inmates will be charge for any after hour repairs when maintenance was called In.
*Contact the Maintenance Shop for estimated costs.