

North Carolina Department of Public Safety
Prisons
Policy Summary Sheet



Offender Disciplinary Procedures

Chapter: B

Section: .0200

Current Review Date:

November 03, 2020

Reviewed By:

Prisons Rehabilitative Services

Next Review Due:

November 03, 2021

Current Revision Date:

November 03, 2020

Supersedes Revision Dated:

August 10, 2018

Current Revision Summary (if applicable):

Added: References Related ACA Standard

5th Edition Standards for Adult Correctional Institutions 5-ACI-3C-01, 5-ACI-3C-02, 5-ACI-3C-03, 5-ACI-3C-04, 5-ACI-3C-05, 5-ACI-3C-07, 5-ACI-3C-08, 5-ACI-3C-09, 5-ACI-3C-10, 5-ACI-3C-11, 5-ACI-3C-12, 5-ACI-3C-13, 5-ACI-3C-14, 5-ACI-3C-15, 5-ACI-3C-16, 5-ACI-3C-17, 5-ACI-3C-18, 5-ACI-3C-19, 5-ACI-3C-20, 5-ACI-3C-21, 5-ACI-3C-22, 5-ACI-3C-23, 5-ACI-3C-24, 5-ACI-3C-25

All current changes are highlighted in turquoise. General changes throughout policy include changing “Facility Head” to “Warden,” “Inmate” to “Offender,” “his/her” to “their,” “4th Edition ACA Standards” to 5th Edition ACA Standards.” “Auxiliary” to “Rehabilitative,” and “Director” to “Commissioner” Other minor grammatical corrections made where necessary.

Specific Changes

.0204 AUTHORIZED DISCIPLINARY SANCTIONS

Page 9 (d) (11) Removed “Continuous confinement of an offender to Restrictive Housing for Disciplinary Purposes (RHDP) for more than thirty (30) days requires review and approval by the facility Head/Designee.”

Page 9(e) (1) added additional verbiage “Heightened.”

Page 9(e) (d) Removed “consideration” from sentence.

Page 9 (e) (E) Removed “pending the decision of,” “will be placed on,” and added “shall place,” and “High Security for Maximum Control.”

Page 9 and 10 Added a new section:

(2) Procedures for Heightened Sanctions:

(A) During the disciplinary process for an A03 offense, the facility charging authority and/or the responsible Disciplinary Hearing Officer may recommend consideration of Heightened Sanctions. The Commissioner of Prisons delegates their authority to an appointed 3-person committee to determine whether or not the offender should receive heightened sanctions. One of the 3- person committee should serve as the Chairperson. The committee shall review any pending eligible cases on a monthly basis to determine if offender(s) should receive Heightened Sanctions. The committee should review each case independently and Heightened Sanctions may be imposed upon the recommendation of the majority of the committee. The decisions of the committee shall be reported to the Manager of Classification and Technical Support by the Chairperson. The Manager of Classification and Technical Support shall activate Heightened Sanctions if directed by the Committee

(B) The Manager of Classification and Technical Support shall ensure the offender is notified in writing if they is subject to Heightened Sanctions. If offender wishes to appeal Heightened Sanctions status, the offender will be given an opportunity to appeal in writing on the Heightened Sanctions Notice to Offender & Appeal Form and Offender’s Comment Form. The offender’s appeal shall promptly be forwarded to the Commissioner of Prisons.

(C) The Commissioner of Prisons or their designee will respond back to the offender with a final decision in writing within 30 days.

Stephanie P. Hubbard

Correctional Planner II

November 03, 2020

Date