

# *Inmate Discipline*

## *A listing of current offenses, sanctions and administrative fees*

### **Class A Disciplinary Offenses**

- (A1) Seize or hold a hostage or in any manner unlawfully detain any person against his/her will;
- (A2) Participate in a riot, insurrection, work stoppage or group demonstration, or incite/encourage others to riot, participate in an insurrection, work stoppage or other group demonstration;
- (A3) Commit an assault on a staff member with a weapon or by any other means likely to produce injury, such as hitting, kicking, pushing, pulling or throwing objects;
- (A4) Commit an assault on another with a weapon or any other means likely to produce injury, such as hitting, kicking, pushing, pulling or throwing objects;
- (A5) Commit an assault on another inmate with intent to commit any sexual act;
- (A6) Escaping or attempting to escape from any prison facility, community assignment, during transport, or from the supervision of prison staff or its authorized agent. Attempt will include possession of escape plans, possession of any object that could aid in an escape, attempt to hide within the facility to affect an escape, or any other action that could result in escape if correctional staff did not intervene;
- (A7) Possess, manufacture, and/or detonate an incendiary or explosive device;
- (A8) Set a fire that endangers the life of another person or damages state property;
- (A9) Commit an assault on a staff member by throwing liquids, (including but not limited to urine and feces), or spitting on a staff member;
- (A10) Fight or engage in a mutual physical confrontation involving weapons (including but not limited to knives, locks, and razors), or resulting in outside medical attention;
- (A11) Commit an assault on a staff member with intent to commit any sexual act;
- (A12) Manufacture, possess, introduce, sell or use any unauthorized controlled substance, unauthorized intoxicant or alcoholic beverage, or possess associated paraphernalia;
- (A13) Refuse to submit to a drug test or breathalyzer test, or interfere with the taking of such tests;
- (A14) Participate in, or organize, whether individually or in concert with others, any gang or Security Risk Group (SRG), or participate in any activity or behavior associated with a Security Risk Group;
- (A15) Offer, give, solicit or accept a bribe, or offer to give or withhold anything to persuade staff to neglect duties or perform favors;
- (A16) Possess or use in any manner any type of unauthorized recording or image taking device or any type of unauthorized communication device whether audio, video, or any device that has direct outside communication capability: e.g. internet, email, instant message. Examples include but are not limited to smart phones, mobile cellular phones, desktops, laptop/electronic tablets, cameras, tape recorders or digital recorders that can be used to send and/or receive any type of messages/images/data for any purpose, or possess any associated component of an above noted device;
- (A17) Commit an assault on any person, other than an employee or inmate, with intent to commit any sexual act;
- (A18) Knowingly make to any person a false oral or written allegation about a staff member that, if true, could expose the staff member to criminal liability;
- (A19) Commit an assault on another by throwing liquids (including but not limited to urine and feces), or spitting on another;
- (A20) Wrongfully take, give away, or carry away, canteen inventory/cash, which results in a loss of more than one hundred dollars (\$100.00);

- (A21) Extortion, strong-arming, verbal or physical intimidation for personal or financial gain;
- (A22) Instigate or provoke an assault on a staff member;
- (A23) Instigate or provoke an assault on another (including but not limited to other offenders, civilians, etc.);
- (A98) Deliberately provide false and/or misleading information to staff during an investigation related to any offense in this class;
- (A99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above-listed offenses by prison staff or intervening circumstances.

### **Class B Disciplinary Offenses**

- (B1) Possess or have under control any weapon or instrument to aid in an assault, insurrection or riot;
- (B2) Flood cell(s);
- (B3) Willfully tamper with, damage or block any camera, locking device, fence, door, gate or window or cell light;
- (B4) No longer in use. See offense A12.
- (B5) Knowingly inhale, smell or breathe any vapors, fumes or odors, or possess for inducing or attempting to induce intoxication through inhalation; or possess, inject, or ingest any non-controlled substance for the purpose of altering mental or physical capacity;
- (B6) Commit, solicit or incite others to commit any sexual act or indecently expose oneself, or touch the sexual or other intimate parts of oneself or another person for the purpose of sexual gratification;
- (B7) No longer in use. See Offense A23.
- (B8) Interfere with a staff member in the performance of his or her duties;
- (B9) Violate any law of the State of North Carolina or the United States of America;
- (B10) Commit or incite others to commit acts, which spread or may spread communicable diseases, or possess any instruments capable of spreading communicable diseases (including but not limited to tattooing instruments and needles);
- (B11) No longer in use. See offense A13.
- (B12) Leave, quit without authorization, fail to report, or neglect to adhere to approved schedules for community-based programs;
- (B13) No longer in use. See Offense A22.
- (B14) Willfully damage, destroy, alter, tamper with or lose State property or property belonging to another;
- (B15) Communicating directly, indirectly, via a third party, or in any manner with victims, or family members of the victims, who have requested in writing to Department of Public Safety officials that such communication is unwanted; and/or notified in writing by Department of Public Safety officials of a no contact order;
- (B16) No longer in use. See Offense B23 and C21.
- (B17) Causing a work stoppage, delaying work while on community work assignment or causing the offender to be returned to the facility due to inmate misconduct;
- (B18) Threaten to harm or injure staff or civilian; (Formerly C12)
- (B19) Sell, accumulate, give, misuse, or hide medication; (Formerly C1)
- (B20) Commit an assault on a staff member in a manner unlikely to produce injury;
- (B21) Commit an assault on another in a manner unlikely to produce injury;
- (22) Fight or engage in a mutual physical confrontation not involving weapons, or not involving outside medical attention; (formerly C04)
- (B23) Manufacture, distribute or possess a significant amount of tobacco unlikely for personal consumption; (Formerly B16)

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(B98) Deliberately provide false and/or misleading information to staff during an investigation related to any offense in this class.

(B99) Attempt to commit any of the above listed offenses; aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above-listed offenses by prison staff or intervening circumstances.

### **Class C Disciplinary Offenses**

(C1) No longer in use. See Offense B19.

(C2) Direct toward or use in the presence of any State official, any member of the prison staff, any inmate, or any member of the general public, oral or written language or specific gestures or acts that are generally considered disrespectful, profane, lewd, or defamatory;

(C3) Willfully disobey or fail to obey or cause another inmate to disobey or fail to obey any lawful order of a prison official or employee, be in an unauthorized location, or any other lawful order to which subject;

(C4) No longer in use. See Offense B22.

(C5) Offer, give, solicit or accept a bribe or offer to give or withhold anything to persuade another to neglect duties or perform favors;

(C6) Leave, quit without authorization, fail to report or fail to report on time (to any scheduled facility job, work or program assignment; or any other appointment); or overtly refuse to accept a work or program assignment; or negligently fail to perform or complete any assigned duties;

(C7) Threaten to harm or injure another or threaten to damage the property of any person;

(C8) Wrongfully take or carry away or damage personal or state property or accept or buy such property with the knowledge it has been wrongfully taken;

(C9) Barter or trade; loan, give, or borrow; gamble or possess gambling paraphernalia; solicit or engage in any business activity;

(C10) No longer in use.

(C11) Misuse or use without authorization, the telephone or mail;

(C12) No longer in use. See Offense B18.

(C13) Willfully create a hazardous or physically/verbally offensive condition, or disruption in any setting (i.e. group meetings, religious services); whether for personal gain or solicitation; (Formerly Offense D5)

(C14) Possess funds in a form other than authorized by Prisons' Policy, in excess of the authorized amount, or from an unauthorized source; (Formerly Offense D10)

(C15) Possess stamps in excess of the authorized amount as specified in Prisons' Policies or possessing counterfeit or altered stamps;

(C16) Counterfeit, forge, alter or reproduce without authorization any document, article of identification, or other papers, or knowingly possess such falsified materials; (Formerly D08)

(C17) Possess contraband not constituting a threat of escape or a danger of violence; (Formerly D08)

(C18) Exchange articles of clothing/linen/sheets, possess unauthorized or excess clothing/linen/sheets, or mutilate or alter State issued clothing/linen/sheets or wear or use same; Misuse prison supplies (Formerly Offense D07 and D15)

(C19) Feign physical or mental illness or disablement for any purpose; (Formerly Offense D14)

(C20) Assist another person with litigation or legal matters; (Formerly Offense D16)

(C21) Possess or use any tobacco products or paraphernalia for personal consumption; or possess unauthorized lighters or lighting devices; (Formerly B16)

(C99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make

plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above-listed offenses by prison staff or intervening circumstances.

### **Class D Disciplinary Offenses**

(D1) No longer in use. See Offense C03.

(D2) No longer in use. See Offense C06.

(D3) No longer in use. See Offense C17.

(D4) No longer in use. See Offense C09.

(D5) No longer in use. See Offense C13.

(D6) No longer in use.

(D7) No longer in use. See Offense C18.

(D8) No longer in use. See Offense C19.

(D9) No longer in use. See Offense B14.

(D10) No longer in use. See Offense C14.

(D11) No longer in use. See Offense C14.

(D12) No longer in use.

(D13) No longer in use.

(D14) No longer in use. See Offense C19.

(D15) No longer in use. See Offense C18.

(D16) No longer in use. See Offense C20.

(D99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above-listed offenses by prison staff or intervening circumstances.

## *Authorized Disciplinary Sanctions*

### *Class A*

Disciplinary Segregation: 30 days  
Loss of Credit Time: 30 days  
Extra Duty: 50 hours  
Demotion: Demotion within minimum custody  
Loss of Privileges: Loss of 3 not to exceed 3 months  
Limited Draw: \$10.00 limited draw not to exceed 3 months

### *Class B*

Disciplinary Segregation: 20 days  
Loss of Credit Time: 20 days  
Extra Duty: 40 hours  
Demotion: Demotion within minimum custody  
Loss of Privileges: Loss of 2 not to exceed 2 months  
Limited Draw: \$10.00 limited draw not to exceed 2 months

### *Class C*

Loss of Credit Time: 10 days  
Extra Duty: 30 hours  
Demotion: Demotion within minimum custody  
Loss of Privileges: Loss of 2 not to exceed 1 month  
Limited Draw: \$10.00 limited draw not to exceed 1 month

## *Administrative Fee*

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*\$10.00*

**Disciplinary Hearings Services**  
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