Visited 02/28/2017

INDIANA DEPARTMENT OF CORRECTION
ADULT DISCIPLINARY PROCESS
APPENDIX I: OFFENSES
(June 1, 2015)

CODE	TITLE	CODES FOR LESSER INCLUDED OFFENSE(S)

MAJOR OFFENSES

CLASS A OFFENSES

100	**Violation of Law**	
	Violation of any federal, state or local criminal law (Must specify by name and criminal code number).	
102	**Assault/Battery**	212, 213, 372
	Committing battery/assault upon another person with a weapon (including the throwing of body fluids or waste on another person) or inflicting serious bodily injury.	
103	**Rioting**	223, 236, 351, 360
	Encouraging, directing, commanding, coercing or signaling one or more other persons to participate in a disturbance to facility order caused by a group of two (2) or more offenders which creates a risk of injury to persons or property or participating in such a disturbance or remaining in a group where some members of the group are participating in such a disturbance.	
106	**Possession of Dangerous/Deadly Contraband/Property**	218
	Possession or use of any explosive, ammunition, hazardous chemical (e.g., acids or corrosive agents) or dangerous or deadly weapon.	
108	**Escape**	219, 355, 363
	Intentionally fleeing from lawful detention or knowingly or intentionally failing to return to lawful detention following temporary leave or other authorized absence granted for a specific purpose or time period within two (2) hours after the designated return time.	

Visited 02/28/2017

111 **Conspiracy/Attempting/Aiding or Abetting**

Attempting or conspiring or aiding and abetting with another to commit any Class A offense.

113 **Trafficking** 233, 306, 353, 361

Engaging in trafficking (as defined in IC 35-44.1-3-5) with anyone who is not an offender residing in the same facility.

114 **Sexual Act with a Visitor**

Contact of a sexual nature by an offender with a visitor including: contact between the penis and the vagina or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vagina or anus; or, penetration of the anal or genital opening of a visitor by a hand, finger or other object. (Does not include kicking, punching or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit.)

115 **Nonconsensual Sexual Act** 216

Contact of a sexual nature by an offender against another person without his or her consent, or a person unable to consent or refuse including: contact between the penis and the vagina, or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vagina, or anus; or, penetration of the anal or genital opening of another offender by a hand, finger, or other object. (Does not include kicking, punching, or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit.

116 **Refusing a Mandatory Program** 347, 356, 371

Refusing to participate in a mandatory program (as authorized by statute or by order of the Commissioner), to include: failure to register for the program, failure to comply with the criteria for participation in the program, failure to cooperate with the staff presenting the program and being terminated from the program based upon failure to participate or for other behavioral reasons.

117 **Assault on Staff** 212, 236, 372

Committing battery/assault upon any staff person, including contractors and

Visited 02/28/2017

volunteers, which results in bodily injury or serious bodily injury (including the throwing of body fluids or waste on a staff person).

120 **Violation of Condition of a Temporary Leave**

Failure to abide by any rules/conditions of the Temporary Leave Agreement.

121 **Use and/or Possession of Cellular Telephone or Other Wireless or Cellular Communications Device**

Unauthorized use or possession of any cellular telephone or other wireless or cellular communications device.

122 **Asserting and/or Filing a False Lien or Judgment**

Asserting and/or filing a lien or judgment against any person when the basis for said lien or judgment is false or otherwise untrue

CLASS B OFFENSES

200 **Habitual Conduct Rule Violator**

Being found or pleading guilty to five (5) unrelated Class C Conduct Offenses in a period of six (6) months or less.

202 **Possession or Use of Controlled Substance** 344

Possession or use of any unauthorized substance controlled pursuant to the laws of the State of Indiana or the United States Code or possession of drug paraphernalia.

203 **Refusal to Submit to Testing**

Refusal to submit to any testing or sampling required by statute (e.g., DNA sampling) or refusal to submit to a test to determine the presence of alcohol or a controlled substance as ordered by staff, including failure to provide an adequate or unadulterated specimen for testing purposes.

204 **Sexual Contact Against Staff Without Consent** 216, 302

Contact of a sexual nature with a staff person, including contractual staff and

Visited 02/28/2017

volunteers, which includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any staff person. (Does not include kicking, punching, or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit.)

205 **Abusive Sexual Contact with a Visitor** 216, 302

Non penetrative contact of a sexual nature by an offender against a visitor without his or her consent, or of a visitor who is unable to consent or refuse which includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any visitor. (Does not include kicking, punching, or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit or contact is incidental to an altercation.)

206 **Abusive Sexual Contact with Another Offender** 206, 302

Non-penetrative contact of a sexual nature by an offender against another offender without his or her consent, or of an offender who is unable to consent or refuse which includes intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or buttocks of any offender. (Does not include kicking, punching, or grabbing the genitals when the intent is to harm or debilitate rather than to sexually exploit or contact is incidental to an altercation.)

207 **Possession of Electronic Device** 215, 228, 353

Unauthorized alteration, use or possession of any electronic device, including, but not limited to: computer, computer software, pager, PDA, computer disk, CD/DVD, recording tape (audio or video) or associated hardware. (This offense includes accessing computers, software, the Internet, social media, a facility LAN, etc. or using such in a manner not authorized by the Department of Correction and the alteration of authorized electrical devices, such as televisions, fans, etc, for unauthorized purposes, e.g., charging cellular telephones/electronic devices, etc.)

208 **Security Threat Group/Unauthorized Organizational Activity** 223, 246, 351, 360

Engaging, pressuring or authorizing others to engage in security threat group or unauthorized organizational activities, meetings or criminal acts; displaying, wearing, possessing or using security threat group or unauthorized organizational insignia or materials; or, giving security threat group or unauthorized organizational signs. Unauthorized organizational activity shall include engaging

Visited 02/28/2017

in the above activities by or on behalf of an organization that has not been approved by the Department of Correction.

209 **Impairment of Surveillance** 352, 364, 465

Using curtains, coverings or any other matter or object in an unauthorized manner that obstructs or otherwise impairs the line of vision into an offender's cell or room or which obstructs or otherwise impairs any viewing panel or surveillance equipment, either audio or visual within the facility, including blocking staff's view down a range.

212 **Assault/Battery** 236, 360, 372

Committing a battery/assault upon another person without a weapon or inflicting bodily injury.

213 **Threatening** 348, 364

Engaging in any of the following:

1. Communicating to another person a plan to physically harm, harass or intimidate that person or someone else.
2. Communicating a plan to cause damage to or loss of that person's or another person's property.
3. Communicating a plan to intentionally make an accusation that he/she knows is untrue or false

215 **Unauthorized Possession of Property** 228, 306, 353

Unauthorized possession, destruction, alteration, damage to, or theft of State property or property belonging to another.

216 **Sexual Conduct** 302

Engaging in any of the following:

- Sexual intercourse, as defined in this Administrative Procedure, with the consent of the other offender
- Making an explicit request, hiring, or coercing another person to have sexual contact
- Having contact with or performing acts with an animal that would be

Visited 02/28/2017

sexual intercourse or sexual contact if with another offender

- Clutching, exposing, fondling, or touching the offender's own intimate parts for the sexual arousal of the offender or others, whether clothed or unclothed, while observable by others.

218 **Possession of Plans for Weapons**

Possession of literature or plans regarding an explosive, ammunition or a dangerous or deadly weapon.

219 **Possession of Escape Paraphernalia** 352, 353, 364

Possession of escape paraphernalia including: a disguise, a mask, or a dummy or dummy-like object or a map or maps related to an escape or escape attempt or that may be used to aid an escape.

220 **Engaging in Unauthorized Financial Transaction**

Engaging in or possessing materials used for unauthorized financial transactions. This includes, but is not limited to, the use or possession of identifying information of credit cards, debit cards, or any other card used to complete a financial transaction.

222 **Arson** 305

Setting a fire without authorization.

223 **Group Demonstration/Work Stoppage** 347, 351, 352, 356, 364

Engaging in, or encouraging others to engage in, a group demonstration, work stoppage or refusal to work.

226 **Tampering with Lock** 352, 364, 469

Tampering with, altering or blocking any locking device or mechanism or possession of any device that may be used to pick locks.

228 **Possession of Altered Property** 353

Unauthorized possession of any item of property that has been altered or modified from its intended use for the purpose of being used as a weapon.

Visited 02/28/2017

230 **Counterfeit Documents** 350, 353

Counterfeiting, forging, or unauthorized reproduction or possession of any document, article, identification, money, passes, security or official paper.

231 **Intoxicants** 344

Making or possessing intoxicants, or being under the influence of any intoxicating substance (e.g., alcohol, inhalants).

233 **Bribing/Giving** 306, 353

Giving or offering a bribe or anything of value to a staff member, authorized volunteer, visitor or contractor or possessing, giving to or accepting from any person anything of value without proper authorization.

235 **Fleeing/Resisting** 347, 352, 364, 366

Fleeing or physically resisting a staff member in the performance of his/her duty.

236 **Disorderly Conduct (Class B)** 347, 360, 364

Disorderly conduct: exhibiting disruptive and violent conduct which disrupts the security of the facility or other area in which the offender is located.

240 **Conspiracy/Attempting/Aiding or Abetting (Class B)**

Attempting to commit any Class B offense; aiding, commanding, inducing, counseling, procuring or conspiring with another person to commit any Class B offense.

243 **Filing Frivolous Claims**

Filing a civil claim or action found to be frivolous, unreasonable, or groundless by a Federal, State, or administrative court.

Or,

Filing an unsuccessful judicial request for a time cut for a program that is not approved for a credit time award by the Department after being informed by the Department that no credit time award is available for the

Visited 02/28/2017

program.

Or,

Filing an unsuccessful judicial request for a time cut that has been previously awarded to the offender by the Department

246 **Possession of Offensive Material** 353, 360

Unauthorized possession and/or display of any symbol, paraphernalia, photograph or any other item or behavior which is prohibited by Department of Correction policies, procedures or rules or which is offensive based upon an individual's gender, race, religion, ethnic or personal background or which may intimidate another person based upon their gender, race, religion, ethnic or personal background, such as materials relating to a security threat group.

247 **Possession or Solicitation of Unauthorized Personal Information** 361, 364

Possessing or soliciting unauthorized personal information regarding another offender, ex-offender, victim/witness, potential victim, or current or former staff person, including but not limited to personnel files, offender packets, medical or mental health records, photographs, Social Security Numbers, home addresses, financial information, or telephone numbers, except as authorized by a court order or as approved in writing by the Facility Head. This includes soliciting for correspondence (pen-pals) through forums on any website or periodical.

250 **Community Re-Entry Center/Community Transition Program Violations**

Commission of any of the below acts by Community Re-Entry Center/Community Transition Program participants:

(A) Refusing employment or the opportunity to seek employment, resigning or being discharged from employment without the approval of the Facility Head.

(B) Failure to turn in all wages, tips, monetary compensations, pay stubs or statements of earnings to staff.

(C) Securing or using any identification card other than the approved offender identification card unless approved by the Facility Head or

Visited 02/28/2017

designee to possess an employment identification card from the offender's approved place of employment.

(D) Failing to report to work/school as scheduled, being absent from work/school, failing to return to the center/program within prescribed time limits unless approved by the Facility Head.

(E) Failure to go to, or from, the approved destination, by the approved route or approved method of transportation.

(F) While in the Community Reentry Center/Community Transition Program, refusing to obey an order from any staff member.

(G) While in the community Reentry Center/Community Transition Program, refusing to work or accept a work, program or housing assignment, or unauthorized absence from any work or program assignment.

MINOR OFFENSES

CLASS C OFFENSES

302 **Sexual Harassment**

Repeated, unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature by an offender toward another individual

304 **Disfigurement**

Disfiguring, cutting, piercing, removing, mutilating, discoloring, tattooing anyone's body, including one's own body, or possession of paraphernalia that can be used for this purpose.

305 **Use/Possession of Tobacco**

Possession and/or use of tobacco, tobacco associated products or unauthorized tobacco substitute products (including, but not limited to cigarette lighter, pack of matches, rolling papers, electronic cigarettes, etc.)

Visited 02/28/2017

306 **Possession of Money**

Unauthorized possession of money or currency.

307 **Unauthorized Possession of Food Items**

Obtaining more meals or food items from the Dining Hall or other area in which food is served than authorized.

344 **Misuse of Medication**

Misuse of authorized medication or possession of unauthorized medication.

346 **Business Activity**

Unauthorized participation in any business activity or any activity not authorized under Policy 02-01-116.

347 **Refusing an Order**

Refusing to obey an order from any staff member. An offender may be guilty of this offense if the offender knew or reasonably should have known that the order existed or was in effect.

348 **Insolent/Vulgar/Profane Behavior**

Insolence, vulgarity or profanity toward any person(s).

350 **Lying to Anyone**

Lying or providing a false statement.

351 **Unauthorized Meeting**

Participating in any unauthorized meeting or gathering.

352 **Interfering with Counts**

Failing to stand count, being late for count or interfering with the taking of count.

Visited 02/28/2017

353 **Unauthorized Possession of Property**

Any unauthorized possession, alteration, removal or relocation of personal property.

356 **Refusing an Assignment**

Refusing to work or accept a work, program or housing assignment or unauthorized absence from any work or program assignment.

357 **Motor Vehicle Violations**

Unauthorized use, operation or possession of a motor vehicle, driver's license, motor vehicle keys or registration.

360 **Disruptive Behavior**

Disruptive, unruly, rowdy conduct, making unreasonable noise or disturbing other people, arguing or horseplay.

361 **Abuse of Mail/Telephones/Visits**

Unauthorized use or abuse of mail, telephones, or visitation.

362 **Conspiracy/Attempting/Aiding or Abetting (Class C)**

Attempting to commit any Class C offense; aiding, commanding, inducing, counseling, procuring or conspiring with another person to commit any Class C offense.

364 **Interfering with Staff**

Interfering with a staff member in the performance of his/her duties.

366 **Unauthorized Area**

Entering or remaining in a room or area other than the room or area to which the offender is assigned, without permission of authorized staff, or leaving a room or area where the offender is required to be, without permission of the staff person supervising the activity or without a valid pass to go somewhere else at that time. This offense includes entering the living area (cell, bed area, etc.) of another offender without permission from staff or facility rules or permitting another

Visited 02/28/2017

offender to enter the offender's living area without permission from staff or facility rules and includes reaching or leaning into or putting any object or part of the body into another offender's living area.

367 **Gambling**

Gambling or possession of gambling paraphernalia, or preparing or conducting a gambling pool, lottery, drawing or other game of chance.

370 **Cruelty to Animals**

Striking, hitting, punching or kicking any animal or deliberately abusing or mistreating any animal, including those under the care and control of the Department.

371 **Inadequate Work/Study Performance**

Failing to meet the standards set for performance on a work assignment or program assignment if the offender has the ability to meet those standards, including: failure to submit program assignments, deliberately participating in a work slow down, refusing to follow work standards established for a work assignment.

372 **Fighting**

Participating in a situation where two (2) or more people are trying to injure each other by any physical means where no weapons are involved and no serious bodily injury occurs.

373 **Punctuality and Attendance**

Failure to attend and be on time for all activities for which an offender is scheduled, unless:

1. The offender is sick and reports this to staff as required by the facility;
2. The offender has a valid pass to be in another location; or,
3. The offender is authorized to not attend the event or activity.

375 **Staff/Offender Provocation**

Intentionally or knowingly causing physical contact with staff or another offender that a reasonable person would regard as offensive, but which results in no injury.

Visited 02/28/2017

CLASS D OFFENSES

465 **Violating Facility Rule**

Violating any facility rule, regulation, or standing order if said rule, regulation, or standing order has been posted or otherwise communicated to the offender.

469 **Violation of Safety/Sanitation Rules**

Failure to follow safety or sanitation regulations, using any equipment or machinery unless specifically authorized to do so or operating such equipment or machinery in a manner contrary to instructions or posted standards.

472 **Failure to Maintain Personal Hygiene Standards**

Being unsanitary or untidy; failure to keep ones person or ones quarters in accordance with standards which have been posted or otherwise communicated. This offense includes failure to maintain personal cleanliness or grooming to the point that the offender presents a health hazard or is offensive to others and who has knowledge of this condition and the opportunity to correct it. Offenders shall be expected to shower at a minimum of once per week unless the offender has a documented medical excuse.

473 **Unauthorized Contact**

Unauthorized contact with the public including physical contact with a member of the public and oral communication with the public which has not been approved by staff.