Visited 12/18/2018

Title
THE DISCIPLINARY CODE FOR ADULT OFFENDERS

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5(a)(8) IC 11-11-5-1 *et seq.* IC 35-50-6-7 HEA 1006	01-04-101 02-04-102	ACA: ACI: 4-4206, 4-4226 through 4-4248, 4-4281, 4-4320 CO: 2-CO-3C-01

I. PURPOSE:

This policy and administrative procedure establishes the rules of conduct for adult offenders committed to the Department of Correction and the procedures to be followed by staff and offenders when offenders violate these rules of conduct.

II. POLICY STATEMENT:

The Department shall develop procedures to govern the behavior of adult offenders and for the imposition of sanctions when these procedures are violated. These procedures shall encourage self-discipline and self-control and shall assist in preparing the offender for re-entry into the community. Additionally, these procedures serve as a means for the Department to manage offenders in a just and fair manner to ensure the safety and security of the facilities, staff, offenders and the public.

The disciplinary procedures shall be presented in a clear and understandable manner. Each committed offender and staff person who has routine contact with offenders shall have access to the disciplinary procedures. The Department shall insure that copies of these disciplinary procedures are posted or maintained in prominent locations so that staff and offenders may have access.

The Department shall assist offenders to understand the rights and provisions of the disciplinary process. The Department shall provide any offender who may have literacy or language barriers the opportunity to have these procedures explained to him/her and copies of these disciplinary procedures may be made available to the offender in his/her native language if the offender is not able to understand English.

Disciplinary sanctions for major offenses shall only be imposed after the offender has been afforded due process and a determination of guilt is made. The sanctions imposed shall be given in such measure and degree as to regulate the

Visited 12/18/2018

offender's behavior and shall be consistent with established guidelines. Disciplinary action shall not be vindictive or retaliatory. Corporal punishment shall be strictly prohibited.

Training shall be provided to staff to ensure compliance with this policy and the following administrative procedures and consistency in their application. Offenders shall be informed of this policy and administrative procedure in a manner appropriate to ensure understanding and the opportunity for compliance.

III. DEFINITIONS:

For the purpose of this policy and administrative procedure, the following definitions are presented.

A. AIDING and ABETTING: When an offender commits any of the following acts to assist in the violation of these administrative procedures or a Department or facility rule, procedure or directive:

- Telling, hiring, commanding, inducing, counseling another person to commit a violation;
- Assisting another person in planning or preparing for a violation;
- Assisting another during the commission of an offense, whether or not the assistance was planned in advance; or,
- Assisting another to prevent the discovery of a violation or the identity of the person who committed the violation.

B. APPEAL: A written request by an offender to have a disposition and/or sanction imposed under the Disciplinary Code for Adult Offenders reviewed by a higher authority.

C. ATTEMPT: Planning to do something that would be a violation of these administrative procedures or any Department or facility rule, procedure or directive if the act had actually been committed or when an offender commits acts which showed a plan to violate these administrative procedures or a Department or facility rule, procedure, or directive when the acts occurred.

D. AUTHORIZED: Any of the following:

- According to Department and facility rules, policies, procedures or directives;
- According to the direction or orders of a staff person;