Visited 09/18/2019

INDIANA DEPARTMENT OF CORRECTION
ADULT DISCIPLINARY PROCESS
APPENDIX I: OFFENSES
June 4, 2018

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 (The Report of Conduct shall cite the name, Indiana Code number, and language of any cited law. The Report of Conduct shall explain how the offender's behavior violated the cited law.)	
102	**Battery**	212, 213, 372
	Knowingly or intentionally touching another person in a rude, insolent, or angry manner; or in a rude, insolent, or angry manner placing any bodily fluid or bodily waste on another person.	
103	**Rioting**	223, 236, 351, 360
	Encouraging, directing, commanding, coercing, or signaling one (1) or more other persons to participate in a disturbance to facility order caused by a group of two (2) or more offenders, 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 09/18/2019

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

Attempting by one's self or with another person or conspiring or aiding and abetting with another person to commit any Class A offense.

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

Giving, selling, trading, transferring, or in any other manner moving an unauthorized physical object to another person; or receiving, buying, trading, or transferring; or in any other manner moving an unauthorized physical object from another person without the prior authorization of the facility warden or designee.

An offender engaging in behavior violating this provision or the Indiana Code criminal provisions IC 35-44.1-3-5 or IC 35-44.1-3-6 commits the act of trafficking, regardless of whether the offender is criminally arrested, prosecuted, or convicted.

114 **Sexual Act with a Visitor**

Contact of a sexual nature by an offender with a visitor including: contact between the penis and the vulva or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vulva 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 vulva, or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vulva, 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

Visited 09/18/2019

the staff presenting the program and being terminated from the program based upon failure to participate or for other behavioral reasons.

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 or Complaint**

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

123 **Body Fluid and Fecal Waste**

Placing body fluid or fecal waste in a location unintended for the hygienic disposal of body fluid or fecal waste and/or placing body fluid or fecal waste in a location with the intent that another person will touch or otherwise come in contact with the body fluid or fecal waste. The word "body fluid" as used here has the same definition as set forth in Indiana Code 35-45-16-2.

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, possession of drug paraphernalia, possession/use of a synthetic drug, or drug lookalike.

.

Visited 09/18/2019

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 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.)

Visited 09/18/2019

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 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

Impairing the vision and view of correctional staff in any manner including 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 **Battery** 236, 360, 372

Committing a battery upon another person.

213 **Threatening** 348, 364

Engaging in any of the following:

1. Communicating to another person an intent to physically harm, harass or intimidate that person or someone else.
2. Communicating an intent to cause damage to or loss of that person's or another person's property.
3. Communicating an intent 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 property.

Visited 09/18/2019

216 **Sexual Conduct** 302

Engaging in any of the following:

- Sexual intercourse, as defined in Policy and Administrative Procedure 02-04-101, with the consent of the other offender
- Making a request, hiring, or coercing another person to have sexual contact
- Having contact with or performing acts with an animal that would be sexual intercourse or sexual contact if with another individual
- 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. This includes the discussion of engaging in unauthorized financial transaction(s) with any other person.

222 **Arson** 305

Setting a fire without authorization.

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

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

Visited 09/18/2019

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 or purpose.

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 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.