

Massachusetts Department of Correction Quarterly Report on Restrictive Housing

Calendar Year 2023
Quarter 2



Executive Office of Public Safety and Security
June 2024

Maura T. Healey, Governor
Terrence M. Reidy, Secretary of Public Safety and Security



Use of Disciplinary Restrictive Housing April 1, 2023 to June 30, 2023

To the Restrictive Housing Oversight Committee

Massachusetts Department of Correction

Carol A. Mici, Commissioner
Rhiana Kohl, Ph.D., Executive Director of Strategic Planning & Research

Acknowledgements

This report would not be possible without the hard work and dedication of:

Kevin Anahory, Program Manager Specialist, Central Inmate Disciplinary Unit
James O’Gara Jr., Personnel Officer, Health Services Division
Mitzi Peterson, Deputy Commissioner, Clinical Services and Reentry
Chris Tortora, CPO D, MCI-Norfolk

Office of Strategic Planning and Research

Data Analytics Unit

Director: Eva Yutkins-Kennedy
Phu Duong
Brian Giusti

Research and Planning Division

Deputy Director: Hollie Matthews
Aubrey Krieger

Susan McDonald
Brett Repke
Nathaniel Sam
Mona Sayehban
Isaac Twum

Table of Contents

Introduction and Methodology	p. 3
Section 1. Serious Mental Illness (SMI), Suicide, Self-Injurious Behavior	p. 5
Section 2. Reasons for Placement in Restrictive Housing	p. 5
Section 3. Placement Reviews	p. 6
Section 4. Disciplinary Restrictive Housing	p. 6
Section 4a. DDU Time Served and Release Upon Review	p. 9
Section 5. Releases to the Community from Restrictive Housing	p. 9
Section 6. Disability, Mental Health Staffing, Hospital Transfers	p. 10
Appendix I: Definitions and Acronyms	p. 11
Appendix II: Code of Offenses	p. 13

Introduction

Section 39D(b) of Chapter 127 of the General Laws directs the Commissioner of Correction to report quarterly as to the status of Restrictive Housing in state facilities. According to the mandate, the Commissioner is to report quarterly and provide to the Restrictive Housing Oversight Committee, as to each Restrictive Housing unit within each state correctional facility, the following:

- *the number of prisoners as to whom a finding of Serious Mental Illness has been made and the number of such prisoners held for more than 30 days;*
- *the number of prisoners who have committed suicide or committed non-lethal acts of self-harm;*
- *the number of prisoners according to the reason for their Restrictive Housing;*
- *as to prisoners in Disciplinary Restrictive Housing, a listing of prisoners with names redacted, including an anonymized identification number that shall be consistent across reports, age, race, gender and ethnicity, whether the prisoner has an open mental health case, the date of the prisoner's commitment to discipline, the length of the prisoner's term and a summary of the reason for the prisoner's commitment;*
- *the number of placement reviews conducted pursuant to clause (iv) and (v) of subsection (a) of section 39B and the number of prisoners released from Restrictive Housing as a result of such placement reviews;*
- *the length of original assignment to and total time served in Disciplinary Restrictive Housing for each prisoner released from Disciplinary Restrictive Housing as a result of a placement review;*
- *the count of prisoners released to the community directly or within 30 days of release from Restrictive Housing;*
- *the known disabilities of every prisoner who was placed in Restrictive Housing during the previous 3 months;*
- *the number of mental health professionals who work directly with prisoners in Restrictive Housing;*
- *the number of transfers to outside hospitals directly from Restrictive Housing;*
- *such additional information as the commissioner may determine*

Methodology

Disciplinary Restrictive Housing is a placement of an incarcerated individual in Restrictive Housing in a state correctional facility for disciplinary purposes to serve a disciplinary sanction after a finding has been made that the incarcerated individual has committed a breach of discipline in accordance with 103 CMR 430, Inmate Discipline.¹ Disciplinary Restrictive Housing ends when an incarcerated individual is released to general population or to a specialty unit that no longer confines one to a cell for more than 22 hours per day.

This report reflects that, with the exception of Disciplinary Restrictive Housing in the Department Disciplinary Unit (DDU)², Massachusetts Department of Correction (MADOC) no longer utilizes any form of Restrictive Housing at any facility. MCI Framingham ceased utilizing any form of Restrictive Housing as

¹ For the purposes of this report, incarcerated individuals who spend less than 24 hours in Disciplinary Restrictive Housing are counted as having spent one day in Disciplinary Restrictive Housing.

² With the dissolving of the DDU on June 16, 2023, the MADOC no longer utilizes restrictive housing at any facility.

of March 12, 2020. Moreover, as of May 18, 2022 at Souza Baranowski Correctional Center (SBCC) and April 4, 2022 at other facilities³, MADOC ceased utilizing Restrictive Housing (with the exception of Disciplinary Restrictive Housing in the DDU) and transitioned to a Behavior Assessment Unit (BAU) model of intervention.⁴ An incarcerated individual in Disciplinary Restrictive Housing is serving a sanction in the DDU for committing a severe violation of institutional rules. The DDU is located at MCI Cedar Junction (CJ), a medium security facility with a maximum component.

This report includes incarcerated individuals placed in Disciplinary Restrictive Housing in the DDU during the second quarter of 2023 (April 1 to June 30) as well as those who were already in Disciplinary Restrictive Housing in the DDU at the start of the quarter.

The data used for this report comes from the MADOC's Inmate Management System, MADOC Health Services Division, and MADOC Prison Division. Unless otherwise stated, incarcerated individuals' commitment numbers were utilized to arrive at the totals for each section.⁵

³ MCI Concord, NCCI Gardner, Massachusetts Treatment Center, MCI Norfolk, Old Colony Correctional Center, and MCI Shirley.

⁴ While in a BAU, incarcerated individuals are not housed in Restrictive Housing, as defined by G.L. c. 127, sec. 1, the American Correctional Association, or 103 CMR 423. The BAU houses individuals removed from general population due to unacceptable risk to facility safety and operations. While in the BAU, an interdisciplinary appraisal team identifies the underlying causes of behavior, identifies the individual's potential needs, and refers the individual for placement to an appropriate setting required to meet those needs. Additionally, individuals are offered a minimum of three hours out-of-cell time daily, a weekly wellness group, access to core general population programs (e.g., education and recidivism reduction programming) through tablets or packet work as applicable, and program tablets for self-directed enrichment work. BAU Monthly reports are available publicly at <https://www.mass.gov/report/departments-of-correction-reports>.

⁵ It is possible that the same incarcerated individual could have been in MADOC custody under different commitment numbers during the quarter.

Section 1. Serious Mental Illness, Suicide, Self-Injurious Behavior

The following data table describes:

- The number of incarcerated individuals in Disciplinary Restrictive Housing as to whom a finding of Serious Mental Illness (SMI) has been made and the number of such individuals held in Disciplinary Restrictive Housing for more than 30 days; and
- The number of incarcerated individuals in Disciplinary Restrictive Housing who have committed suicide⁶ or committed non-lethal acts of self-harm⁷ (Self-Injurious Behaviors, or SIBs)

An incarcerated individual is indicated as SMI if he or she is diagnosed with an SMI prior to or during their placement in Disciplinary Restrictive Housing within the reporting quarter. An incarcerated individual is indicated as engaging in SIBs if he or she has a recorded SIB occurrence during the Disciplinary Restrictive Housing placement.

Table 1a. Incarcerated Individuals in Disciplinary Restrictive Housing in the DDU With SMI, 2nd Quarter 2023

Institution	Incarcerated Individuals with SMI	Incarcerated Individuals with SMI, Over 30 Days
CJ (DDU)	0	0

Table 1b. Incarcerated Individuals in Disciplinary Restrictive Housing in the DDU Engaging in Self-Injurious Behaviors, 2nd Quarter 2023

Institution	Incarcerated Individual Suicides	Incarcerated Individuals Engaging in SIBs
CJ (DDU)	0	2

Section 2. Reasons for Placement in Restrictive Housing

The table describing the reason for Restrictive Housing placement will no longer be included in this report because, as detailed above, with the exception of Disciplinary Restrictive Housing in the DDU, MADOC no longer utilizes Restrictive Housing. Incarcerated individuals in Disciplinary Restrictive Housing in the DDU are there as a result of disciplinary sanctions for serious disciplinary offenses. Details of this subgroup are outlined in Section 4 of this report.

⁶ Suicide refers to a completed act ending one's life.

⁷ These Self-Injurious Behaviors (SIBs) include hanging, self-strangulation, asphyxiation, cutting, self-mutilation, ingestion of a foreign body, insertion of a foreign body, head banging, drug overdose, jumping and biting.

Section 3. Placement Reviews

The following table describes:

- The number of placement reviews conducted pursuant to clause (iv) and (v) of subsection (a) of section 39B and the number of incarcerated individuals released from Restrictive Housing as a result of such placement reviews

In accordance with clause (iv) of subsection (a) of M.G.L. c. 127, § 39B, after incarcerated individuals are placed in Disciplinary Restrictive Housing, they must receive placement reviews not later than 6 months after placement and every 90 days thereafter. The DDU placement reviews listed below reflect these data. While ongoing DDU placement reviews are preceded by a 24 hour notice, the incarcerated individual may waive the right to a placement review upon receipt of the 24 hour notice. Therefore, Table 3 below lists both the number of DDU placement reviews offered via 24 hour notice, and the number that actually occurred.

Table 3. Placement Reviews for Incarcerated Individuals in Disciplinary Restrictive Housing in the DDU, 2nd Quarter 2023

Reviewing Institution	DDU Placement Reviews (occurred)	DDU Placement Review Processes (offered)	Incarcerated Individuals Released Due to Review
CJ (DDU)	5	10	0

Section 4. Disciplinary Restrictive Housing

The following data table contains:

- A listing of incarcerated individuals in Disciplinary Restrictive Housing with names redacted, including an anonymized identification number that shall be consistent across reports, age, race, gender and ethnicity, whether the individual has an Open Mental Health case, the date of the individual's commitment to discipline, the length of the individual's term and a summary of the reason for the commitment

Incarcerated individuals described in Table 4a below are in Disciplinary Restrictive Housing serving a sanction for an offense in Category 1 or Category 2 as set forth in 103 CMR 430, Inmate Discipline.⁸ The stay of an incarcerated individual sanctioned to the DDU may be determined by more than one disciplinary report sanction. For the purposes of this report, the sanction term is aggregated to reflect all disciplinary sanctions an individual is expected to serve. Therefore, in some cases an individual's sanction term may exceed the 120-month maximum for a single disciplinary report.

⁸ Only Category 1 and 2 offenses have the option of carrying DDU sanctions. See Appendix II for offenses.

Table 4a. Incarcerated Individuals in Disciplinary Restrictive Housing in the DDU, 2nd Quarter 2023

Mock ID	Gender	Age ⁹	Race	Hispanic ¹⁰	OMH ¹¹	Start Date	Term (Months)	Offense ¹²
ID-194737	M	21	WHITE	Y	Y	5/9/2018	44	1-02
ID-215078	M	34	BLACK OR AFRICAN-AMERICAN	N	N	10/13/2020	57	1-02
ID-216834	M	30	UNKNOWN	N	Y	12/11/2020	75	1-02
ID-218143	M	34	BLACK OR AFRICAN-AMERICAN	N	N	2/16/2021	60	1-02
ID-219946	M	27	BLACK OR AFRICAN-AMERICAN	N	Y	11/18/2022	52	1-02
ID-221441	M	32	BLACK OR AFRICAN-AMERICAN	N	N	7/12/2021	64	1-20
ID-226085	M	31	WHITE	N	N	3/7/2022	43	1-03
ID-226557	M	25	BLACK OR AFRICAN-AMERICAN	N	N	3/29/2022	25	1-20
ID-228047	M	59	BLACK OR AFRICAN-AMERICAN	N	N	6/21/2022	22	1-03
ID-228996	M	31	WHITE	Y	Y	8/18/2022	40	1-03
ID-229005	M	39	BLACK OR AFRICAN-AMERICAN	N	N	8/19/2022	10	1-03
ID-229586	M	43	BLACK OR AFRICAN-AMERICAN	N	N	9/21/2022	22	1-03
ID-229587	M	21	WHITE	N	N	9/21/2022	6	1-17
ID-230911	M	39	BLACK OR AFRICAN-AMERICAN	N	Y	11/28/2022	24	2-03
ID-230917	M	34	BLACK OR AFRICAN-AMERICAN	N	N	11/28/2022	37	1-03
ID-231557	M	58	WHITE	N	N	12/27/2022	9	1-03
ID-231558	M	48	BLACK OR AFRICAN-AMERICAN	N	Y	12/27/2022	8	1-03
ID-232167	M	36	BLACK OR AFRICAN-AMERICAN	N	N	1/30/2023	13	1-02

⁹ Inmate's age at Start Date.¹⁰ Race and ethnicity (Hispanic or non-Hispanic) are self-reported by the inmate at the time of admission.¹¹ This field is a flag that signifies whether or not the inmate was on the institution's Open Mental Health (OMH) caseload prior to entering this status, or at any time during their status. See Appendix I for a full definition.¹² See Appendix II for a full list of offenses.

Mock ID	Gender	Age ⁹	Race	Hispanic ¹⁰	OMH ¹¹	Start Date	Term (Months)	Offense ¹²
ID-232192	M	26	BLACK OR AFRICAN- AMERICAN	N	Y	1/31/2023	5	1-03
ID-232349	M	26	WHITE	N	N	2/8/2023	6	1-03
ID-232544	M	20	WHITE	Y	N	2/16/2023	8	1-03
ID-233113	M	38	BLACK OR AFRICAN- AMERICAN	N	Y	3/20/2023	10	1-03
ID-79149	M	57	WHITE	Y	Y	4/27/2019	12	2-03

Section 4a. DDU Time Served and Release Upon Review

The following information describes:

- The length of original assignment to and total time served in Disciplinary Restrictive Housing for each incarcerated individual released from Disciplinary Restrictive Housing as a result of a placement review

In the second quarter of 2023, there were no releases from Disciplinary Restrictive Housing as a result of a DDU placement review.

Table 4b. Incarcerated Individuals Released from Disciplinary Restrictive Housing in the DDU Upon Placement Review, 2nd Quarter 2023

Mock ID	Sanction Term (Months)	Time Served in DDU (Months)	Start Date	Release Date
N/A	N/A	N/A	N/A	N/A

Section 5. Releases to the Community from Restrictive Housing

The following data table describes:

- The count of incarcerated individuals released to the community directly or within 30 days of release from Disciplinary Restrictive Housing¹³

Table 5. Incarcerated Individuals Released to the Community Within 30 Days of Release from Disciplinary Restrictive Housing in the DDU, 2nd Quarter 2023

Releasing Institution	Incarcerated Individuals Released Directly or Within 30 Days of Disciplinary Restrictive Housing
CJ (DDU)	0

¹³ Any incarcerated individuals mentioned here were released from Disciplinary Restrictive Housing during the reporting quarter; their release to the community may have occurred during the following quarter, provided the release to the community was within 30 days of the release from Disciplinary Restrictive Housing.

Section 6. Disability, Mental Health Staffing, Hospital Transfers

The following data table describes:

- The known disabilities¹⁴ of every incarcerated individual who was placed in Disciplinary Restrictive Housing during this quarter;
- The number of mental health professionals who work directly with incarcerated individuals in Disciplinary Restrictive Housing; and
- The number of transfers to outside hospitals¹⁵ directly from Disciplinary Restrictive Housing

Table 6. Incarcerated Individuals in Disciplinary Restrictive Housing with Known Disabilities or Hospital Transfers, 2nd Quarter 2023

Institution	Incarcerated Individuals with a Visual, Hearing or Mobility Disability	Incarcerated Individuals Transferred to a Hospital during Disciplinary Restrictive Housing Placement
CJ (DDU)	1	0

In the second quarter of 2023, a total of 3.6 full-time equivalent (FTE) mental health staff were allocated to work directly with incarcerated individuals in Disciplinary Restrictive Housing.

¹⁴ A disability is defined as a physical or mental impairment that substantially limits a major life activity. Mental impairments are addressed in Section 1 of this report.

¹⁵ For the purposes of this report, outside hospital trips lasting 24 hours or more were considered hospital transfers.

Appendix I. Definitions and Acronyms

Acronym	Term	Definition
	Assigned Sex	The biological sex that was assigned to a person at the time of the Offender's birth.
DDU	Department Disciplinary Unit	(103 CMR 430.05) A restricted area or areas designated by the Commissioner to which an incarcerated individual has received a sanction recommended by a Special Hearing Officer.
	Disability	A physical or mental impairment that substantially limits a major life activity. Disabilities fall into three categories: Visual, Hearing, and Mobility. An incarcerated individual is defined as having a disability if the incarcerated individual has 1 or more disabilities prior to the initial start date of the RH/DDU placement or a disability at any time during their RH and/or DDU housing status.
	Disciplinary Restrictive Housing	(103 CMR 430.05) A placement of an incarcerated individual in Restrictive Housing in a state correctional facility for disciplinary purposes to serve a DDU sanction after a finding has been made that the incarcerated individual has committed a breach of discipline.
	Gender	The biological sex that was assigned to a person at the time of the Offender's birth.
IMS	Inmate Management System	(103 CMR 430.05) The Department's automated information system that provides processing, storage and retrieval of incarcerated individual-related information needed by Department personnel and other authorized users within the criminal justice system.
MCI	Massachusetts Correctional Institution	
MADOC	Massachusetts Department of Correction	
OMH	Open Mental Health	An incarcerated individual who is diagnosed with a mental illness or determined to be in need of mental health intervention on an ongoing basis. At any time during his or her incarceration, an incarcerated individual may become an open mental health case (OMH) based on a mental health crisis, including suicidal threats or self-injurious behavior and/or the display of signs and/or symptoms of mental illness or emotional distress. Based upon clinical indications and within the discretion of the Primary Care Clinician (PCC), in consultation with the site Psychiatrist (if on medication) and/or Site Mental Health Director, an incarcerated individual may also be removed from the active mental health caseload. However, any incarcerated individual carrying the Gender Dysphoria (GD) diagnosis will remain an open mental health case.
	Placement Review	A multidisciplinary examination to determine whether restrictive housing continues to be necessary to reasonably manage risks of harm, notwithstanding any previous finding of a disciplinary breach, exigent circumstances or other

		circumstances supporting a placement in restrictive housing; provided, however, that when a placement review is conducted pursuant to clause (iv) or (v) of subsection (a) of section 39B, the examiners performing a placement review shall include, but not be limited to, 1 member of the security staff, 1 member of the programming staff and 1 member of the mental health staff.
	Release to Community	The release of an incarcerated individual from the jurisdiction of the Massachusetts DOC by parole or by discharge to the community. Conditions warranting a release to the community generally include: court release (see Crime Lab), expiration of fine, payment of fine, parole and expiration of sentence.
RH	Restrictive Housing	A placement that requires an incarcerated individual to be confined to a cell for more than twenty-two (22) hours per day for the safe and secure operation of the facility. For purposes of this report, in accordance with 103 CMR 423.06, Restrictive Housing shall not include the following: any placement in a DDU as the result of a sanction imposed in accordance with 103 CMR 430.00: Inmate Discipline; any placement of an [incarcerated individual] on disciplinary detention as the result of a sanction imposed in accordance with 103 CMR 430.00; any placement ordered by a medical or mental health provider, including but not limited to, the placement of an incarcerated individual in a Health Services Unit; the placement of an incarcerated individual in a hospital; the placement of an incarcerated individual in a medical setting where treatment is being provided; or the placement of an incarcerated individual on a mental health watch.
SMI	Serious Mental Illness	(M.G.L. c.127, §1) A current or recent diagnosis by a qualified mental health professional of one or more of the following disorders described in the 5th edition of the <i>Diagnostic and Statistical Manual of Mental Disorders</i>: (a) schizophrenia and other psychotic disorders; (b) major depressive disorders; (c) all types of bipolar disorders; (d) a neurodevelopmental disorder, dementia or other cognitive disorder; (e) any disorder commonly characterized by breaks with reality or perceptions of reality; (f) all types of anxiety disorders; (g) trauma and stressor related disorders; or (h) severe personality disorders; or a finding by a qualified mental health professional that the incarcerated individual is at serious risk of substantially deteriorating mentally or emotionally while confined in Restrictive Housing, or already has so deteriorated while confined in Restrictive Housing, such that diversion or removal is deemed to be clinically appropriate by a qualified mental health professional.

Appendix II. Code of Offenses (103 CMR 430.24)

Category One.

- 1-1 Killing of another.
- 1-2 Aggravated assault on a staff member, contract employee, member of the public, volunteer or animal.
- 1-3 Aggravated assault of another incarcerated individual or parolee.
- 1-4 Aggravated assault on a visitor.
- 1-5 Taking or holding any person hostage.
- 1-6 Escape or attempted escape.
- 1-7 Possession, manufacture, or introduction of an explosive device or any ammunition, or any components of an explosive device or ammunition.
- 1-8 Possession, manufacture, or introduction of any gun, firearm, weapon, sharpened instrument, knife or poison of any component thereof.
- 1-9 Sexual assault on a staff member, contract employee, member of the public, or volunteer.
- 1-10 Sexual assault or sexual abuse of another incarcerated individual.
- 1-11 Sexual assault on a visitor.
- 1-12 Rioting.
- 1-13 Inciting others to riot or inciting other incarcerated individuals to participate in a major group demonstration within any institution.
- 1-14 Setting a fire, using or placing a bomb or incendiary device.
- 1-15 Introduction, distribution or transfer of any narcotic, controlled substance, illegal drug, unauthorized drug or drug paraphernalia.
- 1-16 Engaging in or inciting an organized work stoppage.
- 1-17 Fighting with, assaulting or threatening another person, due to security threat group activities or gang activities.
- 1-18 Engaging, encouraging, recruiting or pressuring others to engage in security threat group activities.
- 1-19 Fighting with or assaulting any person in an area designated for visiting, while visits are occurring.
- 1-20 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

Category Two.

- 2-1 Unauthorized possession of items or material likely to be used in an escape.
- 2-2 Causing a valid threat of transmission of a contagious disease to any person due to intentional or reckless action.
- 2-3 Assault on a staff member, contract employee, member of the public, volunteer, or animal.
- 2-4 Assault on another incarcerated individual or parolee.
- 2-5 Assault on a visitor.
- 2-6 Making a bomb threat, or using a hoax device, or a hoax substance.
- 2-7 Fighting with any person.

- 2-8 Refusing to submit to urinalysis, breathalyzer, or other standard sobriety test or altering or interfering with any such test, or failing to provide a urine sample when ordered to do so by a staff member without medical or mental health justification.
- 2-9 Refusing or failing to submit to testing required by statute, or order, such as DNA blood tests, when ordered to do so by a staff member.
- 2-10 Engaging in or inciting a group demonstration inside the correctional institution or a hunger strike inside the correctional institution.
- 2-11 Unauthorized use or possession of drugs, narcotics, illegal drugs, unauthorized drugs or drug paraphernalia.
- 2-12 Possession, manufacture or introduction of unauthorized keys.
- 2-13 Indecent exposure, or masturbating in the view of another person.
- 2-14 Receiving test results indicating the presence of unauthorized drugs, alcohol or other intoxicants.
- 2-15 Interfering with staff members, medical personnel, firefighters, or law enforcement personnel in the performance of their duties during an emergency.
- 2-16 Tampering with, damaging, blocking or interfering with any locking or security device or window.
- 2-17 Impersonating any staff member, contract employee, volunteer or visitor.
- 2-18 Causing an inaccurate count by means of unauthorized absence, hiding, concealing oneself or other form of deception or distraction.
- 2-19 Possessing, making, introducing or transferring intoxicants and alcohol, or possession of ingredients, equipment, formula, or instructions that are used in making intoxicants and alcohol.
- 2-20 Possession of the clothing of a staff member or contract employee, or visitor.
- 2-21 Causing injury to another person by resisting orders, resisting forced movement or physical efforts to restrain.
- 2-22 Making a false fire alarm or tampering with, damaging, blocking or interfering with fire alarms, fire extinguishers, fire hoses, fire exits, or other firefighting equipment or devices.
- 2-23 Counterfeiting, committing forgery, altering or unauthorized reproduction of any document, article of identification, money, security, or official paper.
- 2-24 Conduct which interferes with the security or orderly running of the institution.
- 2-25 Wearing or displaying colors or any type of emblem, insignia or logo suggesting possible membership or affiliation with a gang, group party or other association whenever such wearing or display may, when the Superintendent has reasonable cause to believe, pose a threat to the security, good order or safety of the institution.
- 2-26 Possessing, wearing or using security threat group paraphernalia or photographs.
- 2-27 Failure to timely report to a location or program assignment resulting in a declaration of escape status.
- 2-28 Distribution or sale of tobacco.
- 2-29 Engaging in intimate acts and/or sexual acts with another.
- 2-30 Stalking.
- 2-31 Possession of a cell phone, unauthorized electronic device, or paraphernalia for a cell phone or unauthorized electronic device, regardless of whether the cell phone/device is operable.

2-32 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

Category Three.

- 3-1 Lying to or providing false information to a staff member.
- 3-2 Receipt or possession of contraband of items not authorized for retention by incarcerated individuals.
- 3-3 Reserved for Future Use.
- 3-4 Threatening another with bodily harm or with any offense against another person, their property or their family.
- 3-5 Refusing a direct order by any staff member.
- 3-6 Impersonating another incarcerated individual.
- 3-7 Refusing a transfer to another institution.
- 3-8 Extortion, blackmail, or demanding or receiving money or anything of value in return for protection against others, or under threat of informing.
- 3-9 Throwing objects, materials, substances, or spitting at another.
- 3-10 Theft of property or possession of stolen property.
- 3-11 Unauthorized accumulation/misuse of prescribed medication.
- 3-12 Possession, manufacture, or introduction of an unauthorized tool.
- 3-13 Organizing or participating in an unauthorized group activity or meeting inside the correctional institution.
- 3-14 Giving, selling, borrowing, lending, or trading money or anything of value to, or accepting or purchasing money or anything of value from another incarcerated individual or an incarcerated individual's friend(s) or family.
- 3-15 Flooding a cell or other area of the institution.
- 3-16 Refusing a cell or housing assignment.
- 3-17 Causing an individual to be penalized or proceeded against by providing false information.
- 3-18 Gambling and/or possession of gambling paraphernalia.
- 3-19 Giving, receiving or offering any person a bribe or anything of value for an unauthorized favor or service.
- 3-20 Receiving a tattoo while incarcerated, tattooing another, or possessing tattoo paraphernalia and/or body piercing.
- 3-21 Fraud, embezzlement, or obtaining goods, services, money or anything of value under false pretense.
- 3-22 Creating an emergency by feigning illness or injury.
- 3-23 Possession of tobacco products and/or an incendiary device.
- 3-24 Being out of place or in an unauthorized area outside of the incarcerated individual's unit.
- 3-25 Communicating, directly or indirectly with any staff member, contract employee, volunteer or their relatives at their home addresses, home telephone numbers, email addresses, social media accounts or for non-official business.
- 3-26 Use of obscene, abusive or insolent language or gesture.
- 3-27 Conduct which disrupts the normal operation of the facility or unit.
- 3-28 Possession of an altered appliance.

- 3-29 Engaging in an unauthorized visit while on a community work crew or a pre-release work assignment.
- 3-30 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.

Category Four.

- 4-1 Receipt or possession of contraband.
- 4-2 Mutilating, defacing or destroying state property or the property of another person.
- 4-3 Unauthorized possession of money or other negotiable items.
- 4-4 Use of mail or telephone in violation of established rules or regulations.
- 4-5 Telephoning or sending written communications to any person contrary to previous written warnings and/or documented disciplinary action.
- 4-6 Possession of any photographic, or hand drawn material and/or unauthorized publication that depicts sexually explicit acts, and/or nudity.
- 4-7 Reserved for Future Use.
- 4-8 Misuse or waste of issued supplies, goods, services, or property.
- 4-9 Failure to maintain acceptable hygiene.
- 4-10 Failure to maintain acceptable hygiene or appearance of a housing area.
- 4-11 Violating any departmental rule or regulation, or any other rule, regulation, or condition of an institution or community-based program.
- 4-12 Failure to comply with standing count procedures.
- 4-13 Being out of place or in an unauthorized area within a unit.
- 4-14 Reserved for Future Use.
- 4-15 Attempting to commit any of the above offenses, making plans to commit any of the above offenses or aiding another person to commit any of the above offenses shall be considered the same as the commission of the offense itself.