



# Code of Penal Discipline Offenses

## Connecticut Department of Correction

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### **Class "A" Offenses.**

1. **Alteration of a Specimen.** Altering, substituting, mislabeling or disposing of a required specimen.
2. **Arson.** Intentionally starting a fire or causing an explosion or acting in such a reckless manner that one's actions cause a fire or explosion.
3. **Assault.** Physically attacking another person with or without the use of an object or substance.
4. **Assault on a Department of Correction Employee.** Intentionally striking or attacking a Department of Correction employee with or without the use of an object or substance or acting in such a reckless manner that one's actions cause an assault of a Department of Correction employee.
5. **Bribery.** Giving or agreeing to give to any person a benefit, payment, instrument of value, object or service intended to influence that person's action(s) or decision making.
6. **Contraband, Class A.** Making, transferring or possessing:
  - a. A dangerous instrument;
  - b. Any item of use in making, attempting or aiding an escape;
  - c. Unauthorized currency;
  - d. Drugs or drug paraphernalia;
  - e. An intoxicating substance;
  - f. Unauthorized medication;
  - g. Tobacco or tobacco paraphernalia;
  - h. Tattoo machine or equipment;
  - i. Any object or substance capable of being used to start a fire or cause an explosion, camera, recording device, cellular telephone and/or wireless communication device, to include any components thereof;
  - j. Documents/publication(s), whether printed or handwritten, that advocate and/or assist in filing improper or fraudulent Uniform Commercial Code (UCC) liens or liens on property and/or publications that promote this practice; or
  - k. Possession or transferring any personal identifying information of a DOC employee or a person performing services or any public agency including but not limited to those listed within CGS 1-217.
7. **Creating a Disturbance.** Causing or participating in a general disturbance which involves any of the following Level 1 incidents in accordance with Administrative Directive 6.6, Reporting of Incidents:
  - a. Group disturbance;
  - b. Inmate work stoppage;
  - c. Organized disobedience, major destruction/disablement of state property; or
  - d. Any other incident which causes the alert of the Department's Emergency Response Units.
8. **Destruction of Property, Class A.** Damaging property with actual or replacement value of one hundred dollars (\$100) or more.
9. **Escape.**
  - a. Leaving a correctional facility without authorization;
  - b. Leaving escorted custody without permission; or
  - c. Failing to properly return from furlough.
10. **Escape from PCS Supervision.** The act of an offender, on Transitional Supervision or other release to the community (other than parole), who:
  - a. Leaves without authorization from any public or private non-profit halfway house or community residence to which the offender was transferred;
  - b. Leaves without authorization from the approved residence to which the offender is assigned;
  - c. Leaves without authorization from work or education release;
  - d. Fails to return from re-entry furlough; or,
  - e. Has multiple failures to report.
11. **Falsely Reporting an Incident.**
  - a. Any instance where the following elements are met:
    - i. Knowing the information reported to be false or baseless;
    - ii. A person makes a report involving the following incidents to an employee regarding an incident, alleged incident or impending occurrence and after investigation proves to be false:
      1. Physical violence;
      2. Sexual abuse;
      3. Staff misconduct; or



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4. Personal injury and/or significant danger to life or property.
  - b. Charging under this section requires the authorization of the Unit Administrator or higher authority.
12. **Felonious Misconduct.** Committing an act that would be a felony under the Connecticut General Statutes that is not a classified offense prohibited by this Directive.
  - a. Charging under this section requires the authorization of the Unit Administrator and a specific statutory citation.
13. **Fighting.** Engaging in physical combat with another person.
14. **Flagrant Disobedience.**
  - a. Disobeying a clearly stated order in a way that conveys a deliberate challenge to authority and jeopardizes the safety, security and orderly operation of the facility; or
  - b. Failing to comply with a lawful direction to refrain from contacting the victim of the inmate's crime.
15. **Hostage Holding.** Taking, detaining or holding another person against the other person's will.
16. **Hostage Holding of a Department of Correction Employee.** Taking, detaining or holding of a Department of Correction employee against the person's will.
17. **Impeding Order.**
  - a. Impeding the order or security of the unit by intentionally or recklessly causing a grave risk of alarm, unauthorized assembly; or
  - b. Engaging in disorderly conduct which severely interferes with the unit's normal operations.
18. **Interfering with Safety or Security.** Interfering with, resisting or obstructing the execution of a staff member's official duties.
19. **Intoxication.**
  - a. Being under the influence of alcohol or any intoxicating substance;
  - b. Being under the influence of a drug which has not been officially prescribed by DOC Health Services Staff; or
  - c. When the presence of any of the above mentioned substances are found in the body by an approved scientific method of analysis.
20. **Possession of Sexually Explicit Materials.** Possession, display or transfer of any pictorial depictions of sexual activity or nudity which, by its nature or content, poses a threat to the security, good order or discipline of the facility, facilitates criminal activity, or harasses staff in accordance with Administrative Directive 10.7 Inmate Communication.
21. **Public Indecency.** Intentionally exposing one's intimate parts or fondling/caressing such intimate body parts.
22. **Refusal or Removal of an Institutional Program or Policy.**
  - a. Refusing to sign an Offender Accountability Plan;
  - b. Refusing to participate in or refusing to attend a recommended program listed on an Offender Accountability Plan or being removed from a recommended program due to lack of participation;
  - c. Lack of attendance;
  - d. Involved in a serious incident during the program or being continually disruptive while in the program; or
  - e. Refusing to submit a DNA sample or refusing to complete Sex Offender Registration.
23. **Refusal to Give a Specimen.** Refusing a direct order to provide a blood, urine or other required specimen within three (3) hours excluding a DNA sample.
24. **Refusing Housing.** Disobeying staff direction to be or remain housed in a certain location within a correctional facility.
25. **Riot.**
  - a. Inciting or participating in a general disturbance which results in:
    - i. a loss of control of all or a portion of a unit;
    - ii. serious injury;
    - iii. serious property damage;
    - iv. or other organized disobedience to the rules of the unit.
  - b. A charge of riot may be used only when the Commissioner declares that a riot has occurred and authorizes use of the charge.
26. **Secreting Identity.** Presenting false identification or wearing a hood or other garment for the purpose of concealing identity.
27. **Security Risk Group Affiliation.**



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- a. Possessing or displaying any materials, symbols, colors or pictures of any identified security risk group;
  - b. Any communication that can be reasonably associated with a security risk group; or
  - c. Behaviors and/or language uniquely or clearly associated with a security risk group.
28. **Security Tampering.**
- a. Tampering with locking, security or safety devices; or
  - b. any unauthorized or fraudulent use of the inmate phone, mail or tablet system.
29. **Self-Mutilation.**
- a. Intentionally inflicting bodily injury to oneself including tattooing and body piercing.
    - i. With the exception of Disciplinary reports for tattooing and body piercing, each disciplinary report for self-mutilation shall first be reviewed by a qualified mental health professional prior to its delivery to the inmate.
30. **Sexual Misconduct.** Involvement in activities as defined in Section 3, Subsections (X) and (Y) of this directive and/or Sexual Abuse; Abusive Sexual Contact; Sexual Harassment as defined in A.D. 6.12, Inmate Sexual Abuse/Sexual Harassment Prevention and Intervention.
31. **Theft, Class A.** Stealing or possessing stolen property with actual or replacement value equal to or in excess of one hundred dollars (\$100).
32. **Threats.** Making verbal or written statements, or engaging in physical conduct which causes or is intended to cause fear in any person.
33. **Violation of Program Provisions.**
- a. Failing to comply with the procedures or restrictions of community release;
  - b. Failing to comply with the procedures or restrictions of furlough; or
  - c. Failing to comply with any programming requirements associated with any restrictive status identified in Administrative Directive 9.4, Restrictive Status.

### **Class "B" Offenses.**

- 1. **Bartering.** Conducting any transaction for which payment of any kind is made, promised or expected.
- 2. **Causing a Disruption.**
  - a. Inciting others or engaging in disruptive behavior which interferes with normal operations, to include but are not limited to:
    - i. Harassing others by taunts;
    - ii. Name calling;
    - iii. Rattling bars; and/or
    - iv. Banging utensils or other objects or in any other manner creating loud or disturbing noises.
- 3. **Contraband, Class B.**
  - a. Class B Contraband is defined as:
    - v. Being in possession of unauthorized items;
    - vi. Being in possession of authorized items that have been altered;
    - vii. Being in possession of inmate personal property, state issued items, or commissary items in excess of authorized amounts.
- 4. **Destruction of Property, Class B.** Damaging any property with actual or replacement value less than one hundred dollars (\$100).
- 5. **Disobeying a Direct Order.** Failing to comply expeditiously with the instruction of a staff member or failing to comply with any disciplinary sanction imposed.
- 6. **Gambling.** Betting for money, personal gain, or anything of value.
- 7. **Giving False Information.** Intentionally misleading staff in the course of official duties.
- 8. **Insulting Language or Behavior.** Using abusive or obscene language or making an obscene gesture.
- 9. **Misdemeanor Misconduct.** Committing an act that would be a misdemeanor under the Connecticut General Statutes that is not a classified offense prohibited by this Directive.
  - a. Charging under this section requires the authorization of the Unit Administrator and a specific statutory citation.
- 10. **Out of Place.** Being present in an area without authorization, loitering or being in a location longer than necessary to accomplish an authorized purpose.
- 11. **Theft Class B.** Stealing or possessing stolen property with actual or replacement value of less than one hundred dollars (\$100).



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### **Class "C" Offenses.**

1. **Disorderly Conduct.** Any nuisance or annoying behavior which interferes with the unit's order.
2. **Lingering.** Failing to carry out instructions or assignments in a timely manner.
3. **Sanitary/Housing Violation.** Failing to maintain proper sanitary condition in personal hygiene, toilets, housing, or dining areas.
4. **Violation of Unit Rules.** Failing to abide by a published unit rule.