

<p style="text-align: center;">STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS</p>	<p style="text-align: center;"><u>INTERIM MEMO:</u> FACILITY VIOLATIONS</p>	<p style="text-align: right;">Page 1 of 5</p>						
<p>Local Procedure(s) Required: Yes. Applicability: All staff (including contractors and volunteers) Security Level: “B” – Anyone may have access to this document.</p>								
<p>Approved:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center; vertical-align: top;">SIGNED</td> <td style="width: 33%; text-align: center; vertical-align: top;">12/21/2017</td> <td style="width: 33%; text-align: center; vertical-align: top;">02/01/2018</td> </tr> <tr> <td style="border-top: 1px solid black; text-align: center;">_____ Lisa Menard, Commissioner</td> <td style="border-top: 1px solid black; text-align: center;">_____ Date Signed</td> <td style="border-top: 1px solid black; text-align: center;">_____ Date Effective</td> </tr> </table>			SIGNED	12/21/2017	02/01/2018	_____ Lisa Menard, Commissioner	_____ Date Signed	_____ Date Effective
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Inmates are responsible for following all facility and DOC rules, policies, and staff direction. Failure to obey rules shall be considered a violation and may subject an inmate to disciplinary action.

This interim memo identifies DOC rule violations in severity groupings. In addition to these groupings, the Offender Management System (OMS) entry codes, specific to each violation, are provided as a reference when entering violations into the OMS.

In addition to the DOC rules identified, each facility Superintendent shall establish local written facility rules concerning inmate conduct. A violation these local rules shall be [minor violations](#). Facility rules shall be available in all housing units and placed in the facility’s [Resident Handbook](#).

Major Violations

1. Major A violations are the most serious DOC violations. These constitute violent acts or are a serious threat to institutional or personal security.
2. Major B violations are serious instances of misconduct of a lesser extent than Major A violations.
3. Major violations shall be handled through the formal disciplinary process and referred for [criminal investigation](#) as needed.

Attempt - The attempt or formulation of a plan, or aiding or soliciting another or others to commit a violation, is a violation, and carries the same sanction as if the violation had been committed.

List and Codes for Major A Violations

OMS Entry Code	Violation
A01B	Sexual Assault
A01E	Assault, physically attacking another person with or without the use of an object or substance that results in serious bodily injury ¹ .
A01F	Assault, on a Vermont Department of Corrections' (DOC) employee, volunteer, contractor, other state employee, or civilian that results in seriously bodily injury. Intentionally striking or attacking a DOC employee, volunteer, contractor, other state employee, or civilian with or without the use of an object, substance, or bodily fluid that results in serious bodily injury. Behaving in a reckless manner that results in serious bodily injury of a DOC employee, volunteer, contractor, other state employee, or civilian.
A02	Killing any Person
A03A	Escape from an institution, armed escort, or facility work crew.
A06	Creating disturbances that threaten the order and safety of the facility including, riots and organized activities by two or more inmates.
A07	Possession, manufacture, or introduction of any item that constitutes a danger to the security or order of the facility including, weapons, dangerous instruments, escape tools, or communication devices (e.g., cell phones). This includes possession of any weapon while in the custody of the Commissioner of Corrections outside of a correctional facility (e.g., at court, a hospital, etc.)
A08	Arson – inmates are prohibited from setting a fire or causing an explosion.
A19	Introduction ² including, any alcohol, narcotics, depressants, stimulants, hallucinogenic substances or marijuana (any plant material, extract or resin of the genus cannabis) or related paraphernalia not prescribed for the individual by the medical provider.
A20	Refusing to submit to a breathalyzer, alco-sensor or any method of testing for drugs, alcohol, or intoxicants.
A21	Making a false allegation against a DOC employee, volunteer, contractor, other state employee, or civilian, and/or misleading staff during their official duty that could result in jeopardizing an inmate or facility safety and security.

¹ Serious bodily injury means a bodily injury which creates any of the following: (1) a substantial risk of death; (2) a substantial loss or impairment of the function of any bodily member or organ; (3) a substantial impairment of health; (4) substantial disfigurement; (5) strangulation by intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person; or (6) any injury requiring medical treatment.

² Introduction, includes planning, the act of facilitating or attempting to bring any alcohol, narcotics, depressants, stimulants, hallucinogenic substances, or marijuana (any plant material, extract or resin of the genus cannabis) or related paraphernalia into a correctional facility.

A22	Behaviors, activities, or materials that can be directly associated with an identified Security Threat Group.
A23	Unauthorized use of the mail, telephone, or tablets to communicate with a victim or other protected person (such as those identified from relief from abuse orders, no contact orders, DOC restricted persons, etc.), to include, but not limited to: third party contact, party calls, and call forwarding.
A24	Tampering with fire alarms, fire safety apparatus (such as extinguishers, air pacs, sprinkler heads, hoses, fire blankets, etc.)
A26	Tampering with a locking or security device.
A27	Making holes in walls or damaging windows.
A28	Wearing a disguise, wearing a mask, or intentionally evading headcount.
A29	Tattooing or possession of tattooing tools, or the recipient of a tattoo while incarcerated.
A30	A positive drug screening or possession including, any alcohol, narcotics, depressants, stimulants, hallucinogenic substances or marijuana (any plant material, extract or resin of the genus cannabis) or related paraphernalia not prescribed for the individual by the medical provider.
A31	Failure to abide by a Major A disciplinary sanction order.

List and Codes for Major B Violations

OMS Entry Code	Violation
B02	Counterfeiting, forging, altering, or reproducing any document, article of identification, money, security or official paper.
B03	Adulteration of any food or drink.
B05A	Assault on another inmate or fighting where serious bodily injury was not carried out.
B06	Making sexual proposals to another person or inmate-on-inmate sexually abusive contact, including: repeated sexual advances, requests for sexual favors, verbal comments, or gestures or actions of a derogatory or offensive sexual nature by one inmate directed toward another inmate or other person. Including, indecently exposing oneself to another.
B09	Unauthorized absence from headcount.
B10	Threatening another with harm, bodily injury, or an act with adverse consequences for any reason; to include, the use of debt, threats of physical harm, peer pressure, deceit or personal favors to force or cajole sexual favors from another.
B11	Stealing, or taking another's property without consent or being in possession of stolen property.
B12	Failure to carry out a Major B disciplinary sanction order.
B16	Extortion, blackmail, or protection in return for money or anything of value.
B17	Engaging in sexual acts or activity without the use or threat of force, to include, kissing, fondling of self or another person in a manner, which produces or is intended to produce sexual stimulation or gratification without the appearance of threat or harm on the part of both persons.

B18	Interfering with an officer in the performance of duties or any disobedience or refusal of an officer's instructions or order that threatens or disrupts institutional security or interferes with the taking of an official institutional headcount.
B19	Giving or offering a bribe, (monetary or non-monetary) to a DOC employee, volunteer, contractor, other state employee, or civilian.
B21	Conduct, which disrupts or interferes with inmate/staff safety, security, or the orderly running of the facility.
B27	Being in possession of any amount of tobacco more than .5 of a gram.
B28A	Destruction or damage of state property or property of another valued at more than \$500.
B29	Making derogatory comment to another person, staff, or inmate, regarding race, gender, gender identity, ethnicity, religious affiliation, or sexual orientation.
B30	Misuse or diverting of authorized medication, including, inmates transferring or selling their medication to another inmate.
B32	Failure to abide by facility furlough conditions.
B33	The introduction, or attempt at introducing, tobacco of any amount into or onto the grounds of a correctional facility.
B34	Unauthorized Use of a Digital Device – using, accessing digital devices in any manner that is not authorized; using or accessing an electronic device for gaining access to the internet; installing or using any software, utility, application.
B35	Assault, on a DOC employee, volunteer, contractor, other state employee, or civilian. Intentionally striking or attacking a DOC employee, volunteer, contractor, other state employee, or civilian with or without the use of an object, substance, or bodily fluid. Behaving in a reckless manner that results in bodily injury of a DOC employee, volunteer, contractor, other state employee, or civilian.

MINOR VIOLATIONS

Minor violations constitute the least serious violations of written facility rules.

List and Codes for Minor Violations

OMS Entry Code	Violation
M02	Passing or possession of contraband items other than as described in the major disciplinary category.
M04	Refusing to obey the order of a staff member other than as described in the major disciplinary category.
M08	Gambling
M09	Agitating or provoking DOC employee, volunteer, contractor, other state employee, inmate, or civilian.
M10	Failure to maintain proper hygiene.
M11	Failure to maintain sanitary and orderly housing conditions.
M17	Using state property for purposes other than it was designed or authorized for.
M20	Possession of unauthorized clothing, food, or books.

M22	Using abusive or obscene language, verbal comments, gestures or actions of a derogatory or offensive nature in the presence of staff, volunteers, or others.
M24	Unauthorized use of mail or telephone other than as stated in major disciplinary category.
M25	Conduct in violation of visiting rules.
M26	Failure to abide by facility unit rules not listed in a major disciplinary category.
M44	Possession or use, to include being in the presence of tobacco smoke or a small amount of tobacco; i.e., an amount less than .5 gram.
M45	Destruction or damage of state property or property of another valued at less than \$500.