

DC-239

RULES AND POLICIES

Governing the Management and Conduct
of Inmates Under the Control of
the Division of Prisons

INMATE BOOKLET



DEPARTMENT OF CORRECTION

Raleigh, North Carolina

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INTRODUCTION

This booklet has been prepared for you as a guide while you are in prison. Important rules that you are to follow while you are in prison are written here.

These rules have been written in agreement with the law and written in this booklet in short form. If there is any conflict between the rules contained in this booklet and the Department of Correction's Policy and Procedures Manual, go by the rules in the Policy and Procedures Manual. If you will read and follow the rules in this booklet, your time in prison will be easier.

The people who work for the Division of Prisons can be of help to you. If you have any questions about any matter, ask a member of the staff. If you have any questions about any of the rules in this booklet, see a staff member and they will answer your questions.

Obey all prison rules and make the most of chances to show that you can act in a manner which can lead to your release.

DEFINITIONS

ADMINISTRATIVE SEGREGATION- An assignment status that temporarily removes an inmate from the general population and places them in a single cell on a short-term basis to provide control or protection of the inmate pending final classification or disciplinary action.

REGION DIRECTOR- A person who is in charge of several prison facilities in a geographic region.

COMBINED RECORDS- A place located in the main office in Raleigh where copies of inmate records are kept.

COMMUNITY VOLUNTEER- Persons from the community who give their time to help inmates. Under certain conditions, a volunteer may take an inmate out on pass for short periods.

COMMITTED YOUTHFUL OFFENDERS- Inmates who are under 25 years of age and who are sentenced as a Committed Youthful Offender by a judge. This designation was eliminated by the structured sentencing laws for offenses committed on or after October 1, 1994

DEATH ROW- The assignment status of inmates admitted to prison on a death order commitment. These persons are housed only at Central Prison and at the North Carolina Correctional Institution for Women.

DIRECTOR OF PRISONS- The person who is in charge of all prisons in the state.

DISCIPLINARY SEGREGATION- The classification status of inmates who are subject to punishment after being found guilty of a rule violation.

HIGH SECURITY MAXIMUM CONTROL- The most restrictive location within the Division of Prisons where the most disruptive and dangerous inmates may be housed.

INDETERMINATE SENTENCE- A sentence that has two parts- a lesser (minimum) and a greater (maximum). An example is 4 (lesser) to 6 (greater) years.

INSTITUTION HEAD, CORRECTIONAL ADMINISTRATOR or SUPERINTENDENT- A person who is in charge of a prison.

INTENSIVE CONTROL- An assignment status for inmates who have shown disruptive behavior through disciplinary offenses, assaultive actions or who otherwise have been a continuous disruptive influence on the operation of the facility to the extent that additional structure and management by prison authorities are required.

INVESTIGATING OFFICER- A person who gathers the facts when it is felt that an inmate may have broken the rules, or some incident has happened.

MAXIMUM CONTROL- A status designated to control inmates who pose a threat to the safety of staff

and other inmates or who otherwise pose a serious threat to the security of a prison facility.

PAROLE CASE ANALYST- A person who works for the Post-Release Supervision and Parole Commission. This person is in charge of studying the inmate's records to decide if the inmate is ready to be considered for parole.

PROTECTIVE CONTROL- Segregation to protect inmates when their lives or wellbeing may be threatened by staying in the general population.

RESIDENCE PLAN- The place where inmates plan to live when they get out of prison.

SECRETARY OF CORRECTION- The person appointed by the Governor who is in charge of the Department of Correction.

SECURITY RISK- A possible danger to inmates, staff the general public, etc.

SECURITY CONTROL STATUS- Level of individual supervision, isolation, and control.

SENTENCE REDUCTION CREDITS- Time credits applied to an inmate's sentence that reduce the amount of time to be served. Included are good time, gain time, earned time and meritorious time.

STUDY RELEASE- Under certain conditions inmates may be allowed to leave prison for job training or to attend a school. They must return to the prison at the end of the school day.

UNSUPERVISED ACTIVITY- Under certain conditions inmates are allowed to leave the prison alone to go to work, school, or visit in their homes.

WORK PROGRAM- All inmates are expected to work either at the facility or under certain conditions inmates may be allowed to leave prison during the day to work. They must return to the prison at night.

GENERAL REGULATIONS GOVERNING THE SUPERVISION AND CONDUCT OF INMATES

1. INMATE PROPERTY AND INMATE TRUST FUND

Money- At some prisons, a cashless canteen system is used, and inmates are not allowed to have cash in their possession. Their canteen purchases are made with a debit card. Any inmate found possessing cash shall be disciplined.

At prisons where cash is allowed, inmates may have no more than \$40.00 in their possession at any time. Upon admission to prison, any money over \$40.00 is placed in his or her Trust Fund. Ask facility officials for the procedure for getting Trust Fund money. Inmates may not have a bill of money greater than \$5.00. While in prison, if an inmate has more than \$40.00 in his possession or a bill larger than \$5.00, the inmate will be disciplined. If an inmate is found guilty of this act, any money, or bill larger than \$5.00, will be placed in the Inmate Welfare Fund and not given back to the inmate. Money is not to be passed during visitation. This will result in disciplinary action. This is required for the following reasons:

- (1) to make sure the money doesn't get stolen from the inmate owner;
- (2) to let the inmate withdraw necessary amounts to buy approved items;
- (3) to keep the money from being used for the wrong reasons;
- (4) if an inmate's family lives in North Carolina and receives welfare while the inmate is in prison, money from the Trust Fund account can be used to help support the family. The needs of the family will be set by the Department of Social Services (Welfare Office) in the county where the family lives; and
- (5) to give back to inmates any money that is left in their account when they leave prison.

Personal Property- The following rules are used in each prison facility. Some prison facilities may add to these rules because of a need for more security and control. Any item you have not been authorized to possess is contraband and in some situations illegal and may be taken from you. Further, this may result in disciplinary action.

Authorized Items- A list of personal property items other than clothing that inmates may have is shown below. The Division of Prisons will not be responsible for any items in the possession of the inmate if they are damaged, lost, or stolen.

- (1) Unless an inmate in Medium or Close Custody is in a control status which prevents it, they may receive a reasonable number of books, newspapers, magazines, and other reading material directly from the distributor or publisher (publisher is defined to include legitimate wholesale marketers and distribution centers for published materials. This definition does not include retail bookstores.) An inmate in Minimum Custody may receive reading material from any source. The reading material will be searched to make

sure that it is not used to hide items that inmates are not allowed to have and that the material does not contain sexually explicit or nude pictures or other threats to security, order or rehabilitation.

- (2) Personal funds- Inmates will be allowed to have no more than \$40.00 on their person at any time. An inmate will not be allowed to have bills of money larger than \$5.00. Inmates approved for community based programs that take public transportation are allowed to have, at the discretion of the Facility Head, a specified amount of funds in excess of \$40.00 to pay for the transportation.
- (3) Eyeglasses and cases not made of metal.
- (4) Approved religious items.
- (5) Inmates may possess one canteen purchased watch. They may also possess a wedding ring and engagement ring for women. All other jewelry will be sent home at the owner's expense. The cost of these items shall not exceed \$100.00 total value.
- (6) Inmates may possess one battery operated transistor radio ("Walkman" style) with earplugs, not larger than 5" long by 3" high by 1" deep. These radios must be purchased from a facility or institutional canteen. The Division of Prisons will not replace any radio that is lost, damaged, or stolen. The officer-in-charge may designate an area where radios can be used without earplugs.
- (7) Toothbrushes, shaving cream, safety razors, and blades.
- (8) Unframed pictures not larger than 8 inches by 10 inches.
- (9) Canteen items which are purchased at one facility of the prison system by an inmate may be taken to another facility by the inmate when he is transferred.
- (10) Inmates are allowed to receive personal mail approved according to the mail policy after these items have been searched for unauthorized items by a correctional officer.
- (11) Wallets or pocketbooks.
- (12) Legal papers- Inmates are allowed to keep legal papers for cases that are or may be coming before the courts. They may also keep other papers connected with legal matters when it is necessary for proper handling of the matter. Other legal papers may also be kept, but the amounts will be controlled in order to keep proper cleanliness, storage space, and security. If inmates have questions whether they can keep legal papers, they may ask the Director of Prisons, or someone who may act for the Director to settle the question. When an inmate is not allowed to keep legal papers that may be needed in the future, they may be stored in a safe place at the facility if space is available.
- (13) Personal clothing- In addition, inmates granted community based privileges are allowed to have some items of personal clothing.

- (14) Inmates may possess one pair of canteen purchased tennis shoes, one pair of shower shoes and one pair of state issued work boots.

Prohibited Items- Items of personal property which inmates are not allowed to keep will be taken by an officer. If the inmate has money to pay mailing costs, the property will be mailed to a person named by the inmate. If the inmate has no money, mailing costs will be paid by the Division of Prisons. If the inmate will not or cannot name a person to whom items may be sent, the unauthorized items will be given to charity or otherwise handled as unneeded property. The Division of Prisons will not be responsible for storing or handling items that are not authorized.

2. CUSTODY CLASSIFICATION

Inmates are initially classified based on conduct, types of criminal offenses (Misdemeanor or Felony), sentence length, and other factors as **Minimum Custody, Medium Custody or Close Custody**.

Minimum Custody- This custody is the least restrictive and has the most privileges of the custody grades.

- (1) Inmates in **Minimum Custody, Level One** may work on the grounds and away from a prison facility, as long as an officer is with them.
- (2) Inmates in **Minimum Custody, Level Two** may work on the grounds of a prison or away from the facility with supervision. They may also go out with a person from the community who has volunteered and is certified to work with the inmate.
- (3) Inmates in **Minimum Custody, Level Three** may go offsite from the facility for specific programs, jobs, school or other kinds of training.

Medium Custody- This custody is more restrictive and has fewer privileges than **Minimum Custody**. **Inmates in Medium Custody** are under armed supervision.

Close Custody- This custody is armed supervision and more restrictive than **Medium Custody** and is for those inmates who must be closely watched because they are an escape risk, they have been convicted of a very serious crime, or their actions in prison have shown that they will not follow the rules.

3. SENTENCE REDUCTION CREDITS:

Good Time- All inmates whose crimes occurred before October 1, 1994, except those serving sentences for which state laws prohibit the awarding of good time, will receive credit for good behavior at the rate of (1) day deducted for each day spent in custody without a major infraction. Good time credits may be taken away by proper disciplinary action for those breaking the rules. Good time forfeited through disciplinary actions may be restored by administrators, institution heads, and local confinement authorities, if inmate behavior improves.

Gain Time- If an inmate's crime occurred before October 1, 1994, additional time may be earned through what is known as gain time, except in those situations in which state law prohibits the awarding of gain time. It is earned at increasing levels based on various factors determined by the Division of Prisons. Refer to your case manager for the details of this program.

Meritorious Time- If inmates work more than 40 hours per week, work in bad weather or work under emergency conditions, the Division of Prisons may award additional gain time credits. These credits are awarded at different rates depending on the situation.

Earned Time- Inmates sentenced under the Structured Sentencing Act (crimes committed on or after October 1, 1994), with the exception of persons convicted of certain felonies and Driving While Impaired (DWI), may receive earned time credit rather than gain time. They may not receive good time. Earned time may not reduce the inmate's sentence to less than the minimum term.

Felons - Inmates sentenced for felonies committed on or after October 1, 1994, may receive earned time credit for work performed and participation in specific training programs. The amount of earned time credited to the inmate shall be determined by the Division of Prisons.

Misdemeanants- Inmates sentenced for misdemeanors other than DWI committed on or after October 1, 1994, may receive earned time credit for work performed and participation in specific training programs. Misdemeanants may only receive up to 4 days earned credit per month.

All sentence credits mentioned here will be figured on each sentence separately and will not apply to other time that is earned on other sentences.

4. EMERGENCY LEAVE

Minimum custody inmates may be given as much as 72 hours (medium and close custody inmates as much as 24 hours) emergency leave in state for the reasons listed below:

- (a) Critical illness of an immediate family member- The nature of the illness of an immediate family member must be verified by a capable medical person. The word "critical" means probable death within a short period of time. The birth of a child will not be regarded as critical illness unless the doctor in charge says that the mother's condition is not normal and that unusually serious conditions are involved.

- (b) Death of an immediate family member- Verification of death of an immediate family member may be received from a local law enforcement officer (sheriff or chief of police), physician, undertaker, or director of social services. (The immediate family is considered to be father, mother, sister, brother, husband, wife, child, foster parents, or other persons who have acted in the place of parents, where such relationship can be verified.) Region Directors and Institution Heads may approve Emergency Leave for **Minimum Custody** inmates. Region Directors and Institution Heads may approve Emergency Leave for **Medium Custody** inmates when at least one trained Correctional Officer goes with the inmate. The Director of Prisons or his designee must approve all Emergency Leave for **Close Custody** inmates, and the conditions of that leave will be stipulated in the permission.

Emergency leave to go outside the state of North Carolina must be approved by the Director of the Division of Prisons. Inmates leaving the state of North Carolina must be in minimum custody, must post a cash bond in the amount of \$500 with the Superintendent or Institution Head, and must sign a waiver of extradition (Form DC-128).

5. **DISCIPLINARY PROCEDURES**

- (a) Any violation of departmental rules and regulations could result in disciplinary action. Please make certain that you fully understand all rules, or ask your assigned case manager to assist you. Any employee or agent of the Department of Correction who observes misconduct by an inmate may try to counsel with him/her to correct this misbehavior. If counseling does not improve the behavior, the officer-in-charge can be notified.
- (b) The officer-in-charge will determine if further investigation is needed. If so, an investigating officer will be assigned. Written statements will be obtained from all parties involved. The inmate has a right to request in writing prior to the hearing witness statement(s), live witness(es) to be present at the hearing, evidence at the hearing and staff assistance. The inmate will be given 24 hours notice before being required to appear at a disciplinary hearing, unless that is waived. After a thorough investigation, if the facts do not support the charge, the investigating officer may recommend that the superintendent or designee discontinue disciplinary action. Confidential statements may be a part of the investigation, if deemed appropriate.
- (c) If the Facility head or designee determines that disciplinary action is appropriate, an official report will be prepared. When the charges are referred by the Facility head or designee, the inmate may voluntarily offer a plea of guilty and accept a punishment less than the presumptive punishment specified in policy. The punishment will be one class below the offense to which the inmate is pleading guilty or the Facility head or designee may suspend the presumptive punishment if deemed appropriate. Should you offer a plea of not guilty, your case will be referred to a Disciplinary Hearing Officer. You may offer

a plea of guilty to the Disciplinary Hearing Officer, or if found guilty, the hearing officer will determine the appropriate punishment as authorized by policy.

- (d) Disciplinary Hearing Officers (DHOs) are chosen to provide a fair and impartial disciplinary hearing. Anyone who initiates a charge or is a witness can neither investigate the incident nor can he/she represent the accused. If an inmate is found guilty, the Disciplinary Hearing Officer (DHO) may impose punishment consistent with disciplinary offenses, Class A through Class D. Class A offenses are the most serious and Class D are the least serious. Punishment for the serious offenses include disciplinary segregation for up to 60 days, demotion from minimum to medium custody and loss of (40) days sentence reduction credits. Less punishment is imposed for less serious offenses.
- (e) After the Disciplinary Hearing Officer (DHO) imposes punishment, except when a hearing is waived and plea of guilty is entered, the inmate has (15) days from the date of the hearing to appeal in writing to the Director of Prisons stating full name, prison number, facility/number, offense and date of offense. Punishment is active immediately and may be imposed by the Facility head or designee. Appeal of the disciplinary will not delay punishment from being imposed.

6. DISCIPLINARY OFFENSES

CLASS A:

- (A1) Seize or hold a hostage or in any manner unlawfully detain any person against his/her will;
- (A2) Participate in a riot, insurrection, work stoppage or group demonstration, or incite/encourage others to riot, participate in an insurrection, work stoppage or other group demonstration;
- (A3) Commit an assault on a staff member with a weapon or by any other means likely to produce injury, such as hitting, kicking, pushing, pulling, throwing objects;
- (A4) Commit an assault on another with a weapon or any other means likely to produce injury;
- (A5) Commit an assault on another with intent to commit any sexual act;
- (A6) Escape;
- (A7) Possess, manufacture, and/or detonate an incendiary or explosive device;
- (A8) Set a fire that endangers the life of another person;
- (A9) Commit an assault on a staff member by throwing liquids, (urine, feces, etc.) or spitting on a staff member;

- (A1 0) Fight or engage in a mutual physical confrontation involving weapons (e.g., knives, locks, razors, etc.);
- (A1 1) Commit an assault on a staff member with intent to commit any sexual act;
- (A12) Manufacture, possess, introduce, sell or use any unauthorized controlled substance, unauthorized intoxicant or alcoholic beverage, or possess associated paraphernalia;
- (A1 3) Refuse to submit to a drug test or breathalyzer test, or interfere with the taking of such tests;
- (A1 4) Participate in, or organize, whether individually or in concert with others, any gang or Security Threat Group (STG), or participate in any activity or behavior associated with a Security Threat Group;
- (A15) Offer, give, solicit or accept a bribe or offer to give or withhold anything to persuade staff to neglect duties or perform favors;
- (A99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above offenses by prison staff or intervening circumstances.

CLASS B:

- (B1) Possess or have under control any weapon or instrument to aid in an escape, assault, insurrection or riot;
- (B2) Set a fire or flood cell(s);
- (B3) Willfully tamper with, damage or block any locking device, fence, door, gate or window;
- (B5) Knowingly inhale, smell, or breathe any vapors, fumes, odors, or possess for the purpose of inducing or attempting to induce intoxication through inhalation; or possess, inject or ingest any non-controlled substance for the purpose of altering mental or physical capacity;
- (B6) Commit, solicit, or incite others to commit any sexual act or indecently expose oneself or touch the sexual or other intimate parts of oneself or another person for the purpose of sexual gratification;
- (B7) Initiate or provoke an assault on another;
- (B8) Interfere with a staff member in the performance of his or her duties;
- (B9) Violate any law of the State of North Carolina or the United States of America;

- (B10) Commit or incite others to commit acts which spread or may spread communicable diseases; or possess any instruments capable of spreading communicable diseases (e.g. tattooing instruments, needles, etc.);
- (B12) Leave, quit without authorization, fail to report, or neglect to adhere to approved schedules for community based programs;
- (B13) Instigate or provoke an assault on a staff member;
- (B14) Willfully damage, destroy, alter, tamper with or lose State property or property belonging to another;
- (B15) Communicating directly, indirectly, via a third party, or in any manner with victims, or family members of the victims, who have requested in writing to Department of Correction officials that such communications is unwanted;
- (B99) Attempt to commit any of the above offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above offenses by prison staff or intervening circumstances.

CLASS C:

- (C1) Sell, accumulate, give, misuse, or hide medication;
- (C2) Direct toward or use in the presence of any State official, any member of the prison staff, any inmate, or any member of the general public, oral or written language or specific gestures or acts that are generally considered disrespectful, profane, lewd, or defamatory;
- (C3) Willfully disobey or fail to obey or cause another inmate to disobey or fail to obey any lawful order of a prison official or employee, or any other lawful order to which subject;
- (C4) Fight or engage in mutual physical confrontation not involving weapons;
- (CS) Offer, give, solicit or accept a bribe or offer to give or withhold anything to persuade another to neglect duties or perform favors;
- (C6) Leave, quit without authorization, or fail to report to any facility job, work or program assignment, or scheduled appointment;
- (C7) Threaten to harm or injure another or threaten to damage the property of any person;
- (C8) Wrongfully take or carry away the personal property of another or State property or accept or buy such property with the knowledge it has been wrongfully taken;
- (C9) Barter or trade; loan or borrow; solicit or engage in any business activity;

- (C10) Intentionally inflict self-injury for any reason;
- (C11) Misuse or use without authorization, the telephone or mail;
- (C12) Threaten to harm or injure staff,
- (C99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above offenses by prison staff or intervening circumstances.

CLASS D:

- (D1) Be in an unauthorized location;
- (D2) Negligently fail to perform or complete assigned duties;
- (D3) Possess contraband not constituting a threat of escape or a danger of violence;
- (D4) Gamble or possess gambling paraphernalia;
- (D5) Willfully create a hazardous or physically offensive condition or situation;
- (D6) Fail to go to bed when the lights are dimmed or get up during the night without securing permission of the correctional staff,
- (D7) Exchange articles of clothing or possess unauthorized or excess clothing or mutilate or alter State issued clothing or wear same;
- (D8) Counterfeit, forge, alter or reproduce without authorization any document, article of identification, money, stamps, or other papers, or knowingly possess such falsified materials;
- (D10) Possess funds in a form other than authorized by Division of Prisons' Policy, in excess of the authorized amount, or from an unauthorized source;
- (D11) Possess any funds at a cashless prison facility;
- (D12) Fail to keep living quarters in a clean and/or proper condition;
- (D13) Fail to observe basic standards of personal hygiene in bathing and grooming;
- (D14) Feign physical or mental illness or disablement for any purpose;
- (D15) Misuse prison supplies;

(D16) Assist another person with litigation or legal matters;

(D99) Attempt to commit any of the above-listed offenses, aid another person to commit any of the above-listed offenses, or make plans to commit any of the above-listed offenses. It shall be no defense that an individual was prevented from completing any of the above offenses by prison staff or intervening circumstances.

7. ADMINISTRATIVE FEES

(a) All inmates whose offenses result in a guilty disposition will be assessed an administrative fee of \$10.00. Only one fee per disciplinary report is to be assessed regardless of the number of charges or number of reinvestigations.

(b) All administrative fees will be electronically collected through Inmate Banking and transferred to the General Fund.

8. DISCIPLINARY PUNISHMENTS

(a) For a Class A offense, the following presumptive punishments are authorized:

(1) Confinement in disciplinary segregation for up to 60 days.

(2) Demotion from minimum to medium custody.

(3) Loss of 40 days sentence reduction credits, as applicable.

(4) 50 hours extra duty within the next 60 days following the hearing or release from disciplinary segregation. Not more than 4 hours shall be performed on a work day and not more than 8 hours on other days.

(5) Loss of up to three (3) privileges for a period not to exceed 6 months. These privileges include but are not limited to: work release, home leaves, community volunteer leave, canteen, telephone and visitation.

(6) Limit weekly trust fund withdrawals to \$10.00 for a period not to exceed 6 months.

(b) For a Class B offense, the following presumptive punishments are authorized:

(1) Confinement in disciplinary segregation for up to 30 days.

(2) Demotion from minimum to medium custody.

(3) Loss of 30 days sentence reduction credits, as applicable.

- (4) 40 hours extra duty within the next 60 days following the hearing or release from disciplinary segregation. Not more than 4 hours shall be performed on a work day and not more than 8 hours on other days.
 - (5) Loss of up to two (2) privileges for a period not to exceed 4 months. These privileges include but are not limited to: work release, home leave, canteen, community volunteer leave, telephone and visitation.
 - (6) Limit weekly trust fund withdrawals to \$10.00 for a period not to exceed 4 months.
- (c) For a Class C offense, the following presumptive punishments are authorized:
- (1) Confinement in disciplinary segregation for up to 20 days.
 - (2) If the inmate is in minimum custody, demotion to minimum custody level I or level II.
 - (3) 30 hours extra duty within the next 45 days following the hearing or release from disciplinary segregation. Not more than 4 hours shall be performed on a work day and not more than 8 hours on other days.
 - (4) Loss of up to two (2) privileges for a period not to exceed 2 months. These privileges include but are not limited to: work release, home leave, community volunteer leave, canteen, telephone and visitation.
 - (5) Loss of 20 days sentence reduction credits, as applicable.
 - (6) Limit weekly trust fund withdrawals to \$10.00 for a period not to exceed 2 months.
- (d) For a Class D offense, the following presumptive punishments are authorized:
- (1) Confinement in disciplinary segregation for up to 10 days.
 - (2) Loss of one (1) privilege for a period not to exceed 1 month. These privileges include but are not limited to radio, canteen, organized sports, gym or recreational buildings, visitation, telephone, movies or other leisure time activities and privileges.
 - (3) 20 hours extra duty within the next 30 days following the hearing or release from disciplinary segregation. Not more than 4 hours shall be performed on a work day and not more than 8 hours on other days.
 - (4) Loss of 10 days sentence reduction credits, as applicable.
 - (5) Limit weekly trust fund withdrawal to \$10.00 for a period not to exceed 1 month.

9. INMATE DISCIPLINARY RIGHTS

- (1) The inmate has a right to:
 - (a) At least 24 hours advance written notice of the disciplinary charges before the hearing;
 - (b) Make a verbal and/or written statement to the Investigating Officer;
 - (c) Request in writing to the Investigating Officer, during the investigation, that a written witness statement(s) or evidence be gathered, or evidence or witness(es) be present at the hearing if charges are referred. If an inmate is unable to write, he may request that the Investigating Officer transcribe his oral request(s) which the inmate will sign and date. Failure to make those requests on the inmate witness form shall be deemed a waiver of such requests;
 - (d) Request the facility head/designee to appoint a staff member to assist him at the hearing;
 - (e) Read or be read the substance of the evidence and have the opportunity to explain or refute the evidence at the disciplinary hearing;
 - (f) Appeal to the Director of Prisons.

10. MAIL

Correspondence between inmates is generally not allowed. Correspondence between inmates can be approved by both superintendents involved when the inmates are immediate family members or if another compelling reason for correspondence is presented. Other than the previously mentioned restrictions, inmates may write to anyone, unless advised otherwise. For example, any inmate may lose the right to write to certain people if the person who is being written to does not want to hear from the inmate. If the person being written to is a minor, his or her parent(s) or legal guardian(s) may ask the officer-in-charge of the facility to stop the inmate from writing to the minor. Inmates can also lose writing privileges for the following reasons:

- (a) the letter contains a threat to hurt someone or a plan to break the law or prison rules or regulations; or
- (b) the letter states that someone will be hurt or injured unless the inmate is paid money or some action is taken to help the inmate.

Exceptions shall be made if either the inmate or the person corresponding with the inmate is determined to be unable to read or write in English.