

Section 13: Inmate Discipline

Subject: Rules / Sanctions

Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)

Revised:

Authorized: _____ Effective date: _____
Sheriff Paul A. Sigsworth

POLICY

The Erie County Jail shall have written inmate rules that specify prohibited acts or conduct, degrees of violations, ranges of penalties, and disciplinary hearing procedures. There shall be a sanctioning schedule for rule violations. The jail administrator or designee shall approve any penalty exceeding suspension of rights or disciplinary isolation for more than one hundred twenty hours. The maximum sanction for rule violations shall be no more than sixty days for violations arising out of one incident. Continuous confinement for more than thirty days requires the review and approval of the jail administrator or designee. Inmate rules shall specify the fundamental rights that cannot be suspended except in an emergency or other condition beyond the control of the jail administrator. Jail disciplinary measures shall not include corporal punishment, discipline administered by inmates and withholding food.

PROCEDURE

A. Rules

1. Rules and Regulations Pamphlet

- a. Erie County Jail Inmate Rules shall be accessible to all inmate and shall provide information regarding confinement including:
 1. Prohibited acts / Rules of Conduct.
 2. Degrees of Violations / Ranges of Penalties.
 3. Disciplinary Hearing Procedures.
- b. Each inmate will be provided with a copy of the Erie County Jail Rules and Regulations Pamphlet during booking.

2. Minor Violations

- a. Shall include acts, which do not constitute a present and immediate threat to the security of the facility, its staff, inmates, visitors or the inmate who committed the violation. Such violations may include, but not be limited to:
 1. Failure to comply with any Corrections Officers orders.
 2. Profanity, derogatory remarks or gestures to any member of the staff, visitors, or fellow inmates.
 3. Creating unnecessary noise such as arguing, shouting, whistling, rattling or pounding windows, doors or other parts of the jail.
 4. Loud talking or unnecessary noise after sleep hours.
 5. Talking through windows to persons on the exterior of the jail.
 6. Failure to perform routine duties, such as cleaning housing area, and other prescribed duties.
 7. Horse playing, teasing, or verbally harassing other inmates.

Section 13: Inmate Discipline

Subject: Rules / Sanctions (Continued)

Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)

Revised:

3. Major Violations

a. Shall include repeated minor rule infractions. Instances when it is determined that the punishment for continuous minor violation serves as no deterrent effect and a continuation of minor rule violations would constitute a present and immediate threat to the security of the jail, staff, inmates or visitors. Such violations may include, but not be limited to:

1. Repeated minor violations.
2. Disobeying a Corrections Officer.
3. Lying to a Corrections Officer.
4. Fighting.
5. Rough, disruptive play.
6. Minor damage of jail property.
7. Abusing commissary, visiting, telephone and/or recreation privileges.
8. Abusing food services.
9. Attempting to control the behavior of other inmates through coercion, force, threat or assigning work to other inmates.
10. Disrupting religious, medical or food services or any jail activity or program.
11. Possession or use of any tobacco product.
12. Stoppage or placement of foreign matter into toilets or sinks.
Retention on any medication
13. Writing on the walls.
14. Possession of anything not on the list of permitted items or not authorized by the jail staff.

4. Serious Violations

i. Shall include acts, which constitute a violation of statutory law and/or a present and immediate threat to the security of the jail, staff, inmates, visitors. Such violations shall include, but not limited to:

1. Repeated major violations.
2. Assault on another inmate or staff member.
3. Escape, attempting to escape or aiding another in escape.
4. Possession of alcoholic beverages, fermenting fruit or unauthorized drugs.
5. Theft.
6. Damage of jail property.
7. Interfering with security operations in the jail.
8. Arson.
9. Possession of a weapon or chemical agent or any object, which has been modified so that it may be used as a weapon.
10. Creating or inciting to riot.
11. Malicious destruction, alteration or misuse of property.

Section 13: Inmate Discipline

Subject: Rules / Sanctions (Continued)

Minimum Standard: 5120:1-8-12 (A)(B)(C)(D)

Revised:

B. Sanctioning Schedule

1. Minor Rule Violation
 - a. Punishable up to 48 hours lock down
2. Major Rule Violation
 - a. Punishable up to 120 hours lock down
3. Serious Rule Violation
 - a. Punishable up to 240 hours lock down

C. Approved Sanctions

1. Any penalty suspending of rights or disciplinary isolation must be approved by the Shift Supervisor.
2. Any penalty exceeding suspension of rights or disciplinary isolation for more than 120 hours shall be approved by the Jail Administrator or designee.

D. Maximum Sanctions

1. Sanctions for rule violations shall be no more than 60 days for violations arising out of one incident.

E. Sanctions Review

1. Continuous confinement for more than 30 days requires the review and approval of the jail administrator or designee.

F. Fundamental Rights

1. Phone calls and visits by attorney and/or clergy, adequate food (nutritional diet), light, ventilation, temperature control, sanitations, and medical care cannot be suspended except in an emergency or other condition beyond the control of the jail administrator.

G. Disciplinary Measures

1. Jail disciplinary measures will not include corporal punishment, discipline administered by inmates, and/or the withholding of food.
2. Inmates will be allowed one hour out of their cell each day during disciplinary isolation for shower, exercise, and use of phone.
 - a. This hour will take place from 0700 to 0800 hours, unless otherwise stated by the Jail Administrator.
 - b. The Corrections Officer allowing the hour out will log it in the Jail Log as a HOUR (Hour Out of Lockdown) Event, to include:
 1. Date and Time.
 2. Location.
 3. Officer involved.