



## SCDC POLICY

This policy has been developed in response to and as a portion of the Remedial Plan agreed upon by the parties in the settlement of T.R. V. South Carolina Department of Corrections, No. 2005-CP-40-02925. As agreed by the parties in the Settlement Agreement, it is the understanding and agreement of the parties that implementation and effectuation of the provisions of this policy as a portion of the Remedial Plan shall be phased in over time and all aspects shall not become effective immediately. (See Section 2 - Summary of Agreement and Section 4 (f) - Implementation Phase-In of Settlement Agreement effective May 2, 2016).

**Change 3 to BH-19-06: Introduction**

**Change 2 to HS-19.06: Definitions - [QMHP](#)**

Change 1 to HS-19.06: [Table of Contents](#) and Section [1.2](#)

NUMBER: ~~HS-19.06-BH-19.06~~

**TITLE: MENTAL HEALTH SERVICES - DISCIPLINARY DETENTION FOR INMATES CLASSIFIED AS MENTALLY ILL**

**ISSUE DATE: August 29, 2016**

**RESPONSIBLE AUTHORITY: DIVISION OF MENTAL HEALTH SERVICES**

**~~OPERATIONS POLICY~~ MANUAL: ~~HEALTH SERVICES BEHAVIORAL HEALTH~~ (Changes in green amended by Change 3, dated January 23, 2024 and signed by the Director on March 25, 2024)**

**SUPERSEDES: SCDC POLICY HS-19.02 (dated July 1, 2008) - NEW POLICY(CHANGES IN green AMENDED BY CHANGE 2, DATED JANUARY 23, 2023 AND SIGNED BY THE DIRECTOR ON)**

**RELEVANT SCDC FORMS/SUPPLIES: 4-7, 19-29A, ~~M-243~~**

**ACA/CAC STANDARDS: 4-ACRS-5A-08, 4-ACRS-6A-11, 4-ACRS-7D-07, 4-4095, 4-4098, 4-4099, 4-4256, 4-4277, 4-4285, 4-4286, 4-4305, 4-4351, 4-4368, 4-374, 4-4399, 4-4428, 4-4429, 4-4430, 4-4431, 4-4433, 4-4434, 4-4435, 4-4436, 4-4438, 4-4439, 4-4440, 4-4441, 4-4442, 4-4446**

**STATE/FEDERAL STATUTES: None**

**PURPOSE:** To provide additional guidelines for the administration and application of the South Carolina Department of Correction's (SCDC) Inmate Disciplinary Policy (OP-22.14) for inmates who are classified as mentally ill.

**POLICY STATEMENT:** SCDC will strive to render the optimum standard of care and services to inmates who are classified as mentally ill and receive disciplinary detention. Every effort will be made by the Agency to ensure that inmates who are classified as mentally ill and are sentenced to disciplinary detention are: 1) granted access to appropriate levels of mental health care as needed; 2) afforded consistent, timely access to mental health staff as required; 3) secured in safe, decent, and sanitary housing units; and 4) considered for alternative sanctions that are conducive to positive therapeutic change.

**RELEVANT SCDC FORMS/SUPPLIES: 4-7, 19-29A, ~~M-243~~**

**(Changes in ~~RED~~ amended per Change Memo 1 dated May 24, 2021):**

*Addendum B listed in the Table of Contents, in Section 1.2, and at the back of this policy has been removed from this policy and has been developed as SCDC Form M-243, "Disciplinary Mental Health Statement," for SCDC use. This new form has also been added to the "Relevant SCDC Forms/Supplies" section.*

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### SPECIFIC PROCEDURES:

#### 1. PROCEDURAL GUIDELINES:

**1.1** All inmates classified as Mentally Ill and receiving higher levels of care (Classification L1, L2, L3, LC and/or MR) and any inmate who suffers from or presents with a serious mental illness, regardless of classification, who is presented before a Disciplinary Hearing Officer (DHO) due to an infraction that could lead to level one or two formal charge, will be assessed by a Qualified Mental Health Professional (QMHP) to determine what impact, if any, the inmate's mental health state should carry in regard to disciplinary sanctions. The QMHP completing the disciplinary statement will, whenever possible, not be the primary counselor assigned to the inmate.

**1.1.1** Within three (3) business days after receiving SCDC Form 19-29A, "Incident Report," the QMHP will assess the mentally ill inmate who has been charged with the infraction, through an in-person interview and review of pertinent records.

**1.1.2** The QMHP will review the inmate's current treatment plan, treatment compliance, historical data, diagnoses, behavior that was occurring at the time of the charge, and recent medical record entries to assist in making the above determination.

**1.1.3** The questions to be assessed are whether the inmate's charged disciplinary behavior was related to mental illness; if so, how; and what treatment interventions might be indicated to address the behavior.

**1.1.4** All QMHPs involved in these assessments will complete training on conducting this type of assessment.

**1.2** After completion of the above noted steps and based upon an evaluation, the QMHP will forward an opinion to the DHO utilizing [Addendum A](#), "Mental Health Services Procedures, and [Addendum B](#), *SCDC Form M-243*, "Disciplinary Mental Health Statement". Possible findings in each case include that:

- the inmate is not guilty of the charged infraction;
- mitigating circumstances have been identified and should be considered: the inmate has a mental illness which contributed to the behavior to a degree that justifies consideration of modified sanctions; or
- no mitigation secondary to mental illness has been identified; inmate has a mental illness but is viewed as being reasonably able to exert self-control and understand the nature and quality of the alleged act.

**1.3** The QMHP will complete and sign the Disciplinary Mental Health Statement and get the co-signature of the Mental Health Services Regional/Program Supervisor or Program Manager. Psychologist/Clinical Supervisor for Mental Health will also sign the Disciplinary Mental Health Statement if sections A, B, or C are indicated for inmates with a Mental Health Classification of L1, L2, L3, LC and/or MR or any other inmate with serious mental illness. The QMHP will submit the Disciplinary Mental Health Statement to the appropriate DHO within three (3) business days. If the inmate has a Mental Health Classification of L4 (*Outpatient*) without a serious

mental illness, and the DHO determines that a mental health statement is necessary, a mental health statement can be provided upon request.

**1.4** The Institution will notify the QMHP of the inmate's disciplinary hearing date and time.

**1.5** The DHO will hear the case and determine whether a sanction is appropriate.

**1.6** Examples of Modified Sanctions the DHO may consider include, but are not limited to:

- Behavior Modification Contract;
- waive restitution fee for medical cost of self-inflicted injuries or injuries to others;
- extra duty or chores up to 40 hours;
- limit time in segregation with regular visits from QMHP;
- disrespect sanction (72 hours cell time);
- use of informal resolutions;
- limited telephone restriction;
- limited visitation restriction;
- restriction of recreation time;
- restriction of canteen privileges;
- Behavioral Incentive Plan (focused on gaining privileges back).

**1.7** All MH classified inmates who fall in one of the second two categories above (B or C - *if the inmate has a Mental Health Classification of L1, L2, L3, LC, and/or MR*), will be reviewed by the Mental Health Disciplinary Treatment Team (MHDTT), which will consist of the QMHP, the Mental Health Services Regional/Program Supervisor or Program Manager, Psychiatrist, Psychologist, Warden, Associate Warden and/or Major. The MHDTT serves two functions on a monthly basis: a) reviews sanctions given to mentally ill inmates to determine if they believe proper resolution for the inmate as it relates to sanctions versus treatment has been made; and b) reviews the status of mentally ill inmates in disciplinary detention to determine if an inmate can be returned to the institution's general population or previous program assignment.

**1.8** All inmates classified as mentally ill and placed on lockup status will be offered a confidential mental health assessment by a QMHP monthly or more frequently as clinically indicated, until they are removed from lockup status.

## **2. DEFINITION(S):**

**Convicted** refers to when an inmate is/was found guilty of, or pled guilty to, the charge infraction.

**Disciplinary Hearing** refers to a formal proceeding conducted by a Hearing Officer to process serious rules violations.

**Disciplinary Hearing Officer (DHO)** refers to an individual conducting a disciplinary hearing.

**Guilty But Not Accountable** refers to when a mentally ill inmate commits a disciplinary infraction and the Qualified Mental Health Professional (QMHP) determines that the inmate was not accountable for his/her action(s), and the Hearing Officer finds the inmate guilty through a preponderance of the credible evidence presented. Therefore, the inmate should be found guilty, but not accountable. This case will be referred back to the QMHP and designated institutional staff for appropriate intervention.

**Guilty with Mitigating Circumstances** refers to when the inmate suffers from a mental illness which may have contributed to current acting out behaviors. Due to the inmate lacking the capacity to understand the act committed, the case will be referred back to the QMHP and designated institutional staff for appropriate intervention.

**Qualified Healthcare Practitioner (QHP)** refers to a Physician, Physician's Assistant, or Nurse Practitioner.

**Qualified Mental Health Professional (QMHP)** - Licensed Psychiatrist, Licensed Psychologist, Licensed Professional Counselor, Licensed Professional Counselor-Supervisor, Licensed Independent Social Worker, Licensed Martial and Family Therapist (LMFT), Psychiatric Nurse Practitioner. Also, includes Licensed Master Social Worker, LMFT-Intern and Licensed Professional Counselor-Intern with appropriate supervision. *A QMHP may also include a person with a master's degree in social work, applied psychology or mental health counseling who is eligible for licensure in the State of South Carolina pursuant to the following conditions being satisfied: 1) must prove eligibility for licensing at time of hire; 2) must become licensed prior to the 12th month from hire or be terminated from employment; 3) must be provided on-site weekly clinical supervision by a licensed clinician and monthly reviews of documentation; 4) clinical activities will be restricted to individual counseling, group therapy, treatment team participation, restricted housing unit rounds and mental health assessments; 5) license-eligible staff will be restricted from engaging in duties related to crisis intervention and shall not work in Crisis Stabilization Units or Psychiatric Inpatient settings.* (Changes in BLUE are amended by Change 2 Memorandum, dated April 19, 2023, and signed off on by the Director on April 26, 2023.)

SIGNATURE ON FILE

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s/Bryan P. Stirling, Director

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Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS  
ADDENDUM A  
MENTAL HEALTH SERVICES PROCEDURES

Disciplinary Detention for Offenders Classified as Mentally Ill

**Number:** 700.33

**Related SCDC Policy:** HS-19.02, OP-22.14

**Date:** March 1, 2014

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**Purpose:** To provide additional sentencing guidelines for the administration and application of the South Carolina Department of Corrections' (SCDC) Inmate Disciplinary System for Offenders who are classified as mentally ill.

**Procedure Statement:** SCDC will strive to render the optimum standard of care and services to inmates who are classified as mentally ill and receive disciplinary detention. Every effort will be made by the Agency to ensure that offenders who are classified as mentally ill and

meet the criteria for disciplinary detention are: 1) granted access to higher levels of hospital care as needed; 2) afforded consistent, timely access to a as required; 3) secured in safe, decent and sanitary housing units; and 4) considered for alternative sanctions that are conducive to positive therapeutic change.

**Procedural Guidelines:**

1. All offenders classified as Mentally Ill (Mental Health Classification L1, L2, L3, LC and/or MR) and presented before a Disciplinary Hearing Officer (DHO) due to an infraction that could lead a formal charge will be assessed by a QMHP at his/her respective institution. The following should occur in order to therapeutically evaluate the mentally ill offender's mental competency:
  - Within three business days after receiving an Incident Report (SCDC Form 19-29A), the QMHP will assess the mentally ill offender who has committed the infraction, and
  - Review the offender's medical compliance, historical data, offender's diagnosis, current medications, recent encounters, and DAP notes.
2. Then after completion of the above noted steps and based upon an evaluation of the offender's history it is determined based on the QMHP's professional opinion that:
  - A. The offender has a mental illness which likely contributed to an inability to control his/her behavior (Definition - Guilty but not accountable); or
  - B. The offender suffers from a mental illness which may have contributed to behaviors (Definition -Guilty with mitigating circumstances due to the offender lacking the capacity to understand the act committed or the inability to control impulsive behaviors). (*See attachment for requested consideration of modified sanctions*); or
  - C. Although classified as Mentally Ill, was able to understand the nature and quality of the act committed (Definition – Guilty of the charge).
3. Once the DHO hears the case, and if the MH classified inmate falls in any one of the categories above, the QMHP in consultation with the Mental Health Services Regional or Program Manager or Program Supervisor, Warden, Associate Warden and/or Major will process the offense as a Mental Health Disciplinary Treatment Team (MHDTT) to determine a proper resolution for the offender as it relates to sanctions versus treatment. (*This is for all cases and does not require the presence of the Mental Health Services Regional or Program Manager or Program Supervisor; however, they should be available for consultation.*)
4. The QMHP will complete and sign (Mental Health Services Regional or Program Manager or Program Supervisor will also sign the Disciplinary Mental Health Statement if sections A or B are indicated) the Disciplinary Mental Health Statement and submit their statement to the DHO at the respective institution within three business days.
5. The Institution will notify the QMHP of the offender's disciplinary hearing date and time.
6. If it is determined that an offender has:
  - A. A mental illness which likely contributed to an inability to control his/her behavior (Definition - Guilty but not accountable); or
  - B. A mental illness which may have contributed to behaviors (Definition -Guilty with mitigating circumstances due to the offender lacking the capacity to understand the act committed or the inability to control impulsive behaviors). (*See attachment for requested consideration of modified sanctions*)

Then, after the disciplinary hearing has been conducted:

- i. The QMHP along with the Mental Health Services Regional or Program Manager or Program Supervisor, Warden, Associate Warden and/or Major will process the nature of the offense as a team to determine a proper resolution for the offender.
- ii. If an agreement can not be reached, all documentation will be forwarded to the Division Director of Behavioral/Mental Health and Substance Abuse Services and the Division of Operations Regional Director to determine the best course of treatment versus sanctions for the inmate.

- iii. All offenders classified as mentally ill and placed on lock-up status will receive a mental health assessment by a QMHP every 30 days until they are removed from lock-up status.
- iv. Every 30 days, the QMHP, Mental Health Services Regional or Program Manager or Program Supervisor, Warden, Associate Warden and/or Major will review the lock-up status for offenders classified as mentally ill to determine if the offender can return to the institutions general population.

7. Examples of Modified Sanctions include but are not limited to:

- Behavior Modification Contract
- Waive Restitution fee for medical cost of self-inflicted injuries or injuries to others.
- Extra duty or chores up to 40 hours.
- Limit time in segregation with weekly visits from QMHP.
- Disrespect (72 hours cell time).
- Use of informal resolutions
- Limited telephone restriction
- Limited visitation restriction
- Restriction of recreation time
- Restriction of canteen privileges
- Behavioral Incentive Plan (Gaining Privileges Back)

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS (SCDC)  
**ADDENDUM B**  
 DISCIPLINARY MENTAL HEALTH STATEMENT

INSTITUTION: \_\_\_\_\_ Today's Date: \_\_\_\_\_

~~SCDC Mental Health Services assist in the disciplinary hearing process by providing a statement regarding an offender's mental status at the approximate time the offense occurred. This form must be completed in its entirety and returned to the appropriate disciplinary hearing personnel within 2 business days from the date the incident report is received by the Qualified Mental Health Professional.~~

\_\_\_\_\_  
 Qualified Mental Health Professional: \_\_\_\_\_ Date: \_\_\_\_\_  
 \_\_\_\_\_ (Print Name of Assigned QMHP) \_\_\_\_\_ (Date Incident Report Rec. by QMHP)

\_\_\_\_\_  
 \_\_\_\_\_ SCDC#: \_\_\_\_\_ has been charged with an  
 \_\_\_\_\_ (Print Name of Offender)  
 infraction of rules and/or regulations set forth by the SCDC based on \_\_\_\_\_,  
 \_\_\_\_\_ (Disciplinary Code(s))  
 \_\_\_\_\_ and SCDC 19-29 "Incident Report" \_\_\_\_\_ at  
 \_\_\_\_\_ (Description of Violation) \_\_\_\_\_ (Date of Incident/Date of Discovery)  
 \_\_\_\_\_ by Reporting Official \_\_\_\_\_  
 \_\_\_\_\_ (Time of Incident) \_\_\_\_\_ (Print name of Reporting Official)

The assigned QMHP completed the following:

\_\_\_\_\_  
 \_\_\_\_\_ Interview and Clinical Assessment of the inmate's current mental health  
 (QMHP Initial) \_\_\_\_\_ (Date) \_\_\_\_\_ status.

\_\_\_\_\_  
 \_\_\_\_\_ Medication Compliance Review (MARS)  
 (QMHP Initial) \_\_\_\_\_ (Date)

\_\_\_\_\_  
 \_\_\_\_\_ Review of historical data, recent encounters and notes.  
 (QMHP Initial) \_\_\_\_\_ (Date)

After a thorough review of the items listed above it is the professional opinion of this Qualified Mental Health Professional that:

\_\_\_\_\_  
 \_\_\_\_\_ A. Offender has a mental illness which likely contributed to their inability to control his/her behavior. (Definition - Guilty but not accountable); (Follow MH Procedure)

\_\_\_\_\_  
 \_\_\_\_\_ B. Offender suffers from a mental illness which may have contributed to behaviors. (Definition - Guilty with mitigating circumstances due to the offender lacking the capacity to understand the act committed). (See attachment for requested consideration of modified sanctions) (Follow MH Procedure). Request consideration of modified sanctions for the following reasons:  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_ C. Offender, although classified as Mentally Ill, was able to understand the nature and quality the act committed.

Should you have questions or require additional information please contact me at your convenience.

\_\_\_\_\_  
 \_\_\_\_\_ (Signature) Qualified Mental Health Professional \_\_\_\_\_ (Signature & Title of MH Services Regional or Program

(Date)

(Date)

(Phone # and/or ext.)

(Phone # and/or ext.)

**This document serves as a Mental Health Procedure under General Provisions # 700**

**Level 1 Offenses**

<b>List of Offenses</b>	<b>List of Modified Sanctions</b>
<b>801 Assault and/or Battery of an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public with Means and/or Intent to Kill or Injure</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>802 Sexual Assault</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>803 Riot</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>804 Homicide</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>805 Hostage Taking</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>806 Any Act Defined as Felony Acts by SC Laws</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>857 Assault and/or Battery of an Inmate with Means and/or Intent to Kill or Injure</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>896 Unauthorized wearing, possession and/or providing Agency uniform</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense ≥ Restriction of recreation time
<b>897 Possession of Security Equipment/Property</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>898 Possession of Any Communication Device</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>901 Class I Escape</b>	≥ 18 months Lock up (DD/SD)
<b>902 Class II Escape</b>	≥ 12 months Lock up (DD/SD)
<b>903 The trafficking, Use, and/or Possession of Narcotics, Marijuana, or Unauthorized Drugs, including prescription drugs, or Inhalants</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>904 Possession of Escape Tools and/ or Paraphernalia</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense
<b>905 Creating and/or Assisting with a Social Networking Site</b>	≥ 0-180 Days No privileges during term of Disciplinary Detention ≥ 0-180 Days Lock up 1 <sup>st</sup> Offense ≥ 180-360 Days Lock up 2 <sup>nd</sup> or Subsequent Offense

**Level 2 Offenses**

<b>List of Offenses</b>	<b>List of Modified Sanctions</b>
<b>807 Striking an SCDC Employee or other Government Employee, Contract Employee, Volunteer, or Member of the Public</b>	≥ 0-90 Days Lock up 1 <sup>st</sup> Offense ≥ 90-180 Days Lock up 2 <sup>nd</sup> or Subsequent Offense ≥ 0-90 Days Loss of privileges ≥ 0-90 Disciplinary Detention 1 <sup>st</sup> Offense ≥ 90-180 Disciplinary Detention 2 <sup>nd</sup> Offense
<b>808 Fighting with a Weapon</b>	≥ 0-90 Days Lock up 1 <sup>st</sup> Offense ≥ 90-180 Days Lock up 2 <sup>nd</sup> or Subsequent Offense ≥ 0-90 Days Loss of privileges ≥ 0-90 Disciplinary Detention 1 <sup>st</sup> Offense ≥ 90-180 Disciplinary Detention 2 <sup>nd</sup> Offense
<b>809 Threatening to Inflict Harm on/Assaulting an Employee and/or Member of the Public</b>	≥ 0-90 Days Lock up 1 <sup>st</sup> Offense ≥ 90-180 Days Lock up 2 <sup>nd</sup> or Subsequent Offense ≥ 0-90 Days Loss of privileges ≥ 0-90 Disciplinary Detention 1 <sup>st</sup> Offense

	<ul style="list-style-type: none"> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> </ul>
<b>810 Striking an Inmate with or without a Weapon</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> </ul>
<b>811 Possession of a Weapon</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> </ul>
<b>812 Robbery with Force</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> </ul>
<b>813 Throwing of any Substance or Object on an CDC Employee or other Government Employee, Contract Employee, or Volunteer</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> </ul>
<b>814 Inciting/Creating a Disturbance</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;24 hours of cell time</li> </ul>
<b>820 Damage, Loss, Destruction, or Defacing of Property Valued at 100.00 or more</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;No financial fees charged to offender</li> <li>&gt;Behavioral Modification Contract</li> </ul>
<b>822 Sexual Misconduct</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;Behavioral Modification Contract</li> </ul>
<b>854 Exhibitionism and Public Masturbation</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;Behavioral Modification Contract</li> </ul>
<b>855 Smuggling and/or Conspiracy to Smuggle in Contraband</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;Behavioral Modification Plan</li> </ul>
<b>858 The Use or Possession of Practice GED Cheat Sheet, the Official GED Test or Materials Not Authorized for Use by the Inmate</b>	<ul style="list-style-type: none"> <li>&gt;0-90 Days Lock up 1<sup>st</sup> Offense</li> <li>&gt;90-180 Days Lock up 2<sup>nd</sup> or Subsequent Offense</li> <li>&gt;0-90 Days Loss of privileges</li> <li>&gt;0-90 Disciplinary Detention 1<sup>st</sup> Offense</li> <li>&gt;90-180 Disciplinary Detention 2<sup>nd</sup> Offense</li> <li>&gt;Behavioral Modification Plan</li> <li>&gt;Informal Resolutions</li> </ul>



895 Inmate ID-Card Violations	>0-90 Days Lock up 1 <sup>st</sup> Offense >90-180 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-90 Days Loss of privileges >0-90 Disciplinary Detention 1 <sup>st</sup> Offense >90-180 Disciplinary Detention 2 <sup>nd</sup> Offense >Informal Resolutions >Behavior Modification Plan
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**Level 3 Offenses**

List of Offenses	List of Modified Sanctions
- - - 815 Evading a Security Device	>0-30 Days Lock up 1 <sup>st</sup> Offense >0-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense -
- - - 816 Trafficking and Trading	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense -
817 Possession of Contraband	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense > Extra duty up to 25 hours -
818 Use of Obscene, Vulgar or Profane Language or Gestures	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense >24 hours of cell time > Extra duty up to 20 hours
821 Gambling and Loan Sharking	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense >72 hours cell time
823 Fighting Without a Weapon	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense > Extra duty up to 40 hours
824 Threatening to Infilct Harm, Physical or Otherwise/Assault, on Another Inmate	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense >72 hours cell time -
825 Refusing or Failing to Obey Orders	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense >72 hours of cell time > Extra duty up to 20 hours
826 Refusing to Work	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense > Extra duty up to 20 hours
827 Refusing to Attend the Compulsory (Mandatory) Program	>0-30 Days Lock up 1 <sup>st</sup> Offense >30-60 Days Lock up 2 <sup>nd</sup> or Subsequent Offense >0-60 Days Loss of privileges >0-30 Disciplinary Detention 1 <sup>st</sup> Offense >30-60 Disciplinary Detention 2 <sup>nd</sup> Offense -
-	>0-30 Days Lock up 1 <sup>st</sup> Offense

<p>- - - <b>828 Out of Place</b></p>	<p>≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours of cell time  -</p>
<p>- - - <b>829 Failure to Work</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours of cell time  -</p>
<p>- - - <b>830 Mutiny</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours cell time  -</p>
<p>- - <b>831 Lying to an Employee or Knowingly Making False Statements</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours cell time  -</p>
<p><b>832 Unauthorized Inmate Organization Activity or Participation in a Security Threat Group (STG)</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  -</p>
<p>- - <b>833 Abusive Treatment of an Animal, Including Carnal Relations with an Animal</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  -</p>
<p><b>834 Any Act Defined as Misdemeanor by SC Laws</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours cell time  -</p>
<p><b>835 Forgery or Possession of Any Forged Document</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  -</p>
<p>- - <b>836 Disrespect</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ Informal Resolutions  ≥ 72 hours of cell time</p>
<p><b>837 Interfering with Count</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  -</p>
<p><b>838 Soliciting Improper Relationships: Assistance from an Employee or an Inmate to Violate an Agency Rule or an Employee Rule</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  ≥ 72 hours cell time  -</p>
<p><b>853 The unauthorized use of an inmate's telephone personal identification number (PIN)</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense  ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense  ≥ 0-60 Days Loss of privileges  ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense  ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense  -</p>

<p><b>856 Damage, Loss, Destruction, or Defacing of Property Valued at Less than \$100.00</b></p>	<p>≥ 72 hours cell time          ≥ 0-30 Days Lock up 1<sup>st</sup> Offense          ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-60 Days Loss of privileges          ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense          -</p>
<p>- - - <b>859 Disorderly Conduct</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense          ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-60 Days Loss of privileges          ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ 48 hours cell time          -</p>
<p><b>899 Use, Possession, or Distilling and/or Brewing of any Alcoholic Beverage</b></p>	<p>≥ 0-30 Days Lock up 1<sup>st</sup> Offense          ≥ 30-60 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-60 Days Loss of privileges          ≥ 0-30 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 30-60 Disciplinary Detention 2<sup>nd</sup> Offense          -</p>

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**Level 4 Offenses**

<p><b>List of Offenses</b></p>	<p><b>List of Modified Sanctions</b></p>
<p><b>839 Mutilation</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ No Medical Cost          ≥ Behavioral Modification Contract          ≥ Behavioral Incentive Plan</p>
<p><b>840 Failing or Refusing to Respond to an Employee's Question</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ 72 hours cell time</p>
<p><b>841 Malingering</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ Behavioral Modification Contract</p>
<p><b>842 Use or Possession of Tattooing Paraphernalia</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ Behavioral Modification Plan</p>
<p><b>843 Refusing Medical Treatment for a Communicable Disease</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ 48 hours cell time</p>
<p><b>844 Interfering with the Duties of any Person</b></p>	<p>≥ 0-20 Days Lock up 1<sup>st</sup> Offense          ≥ 20-45 Days Lock up 2<sup>nd</sup> or Subsequent Offense          ≥ 0-30 Days Loss of privileges          ≥ 0-20 Disciplinary Detention 1<sup>st</sup> Offense          ≥ 20-45 Disciplinary Detention 2<sup>nd</sup> Offense          ≥ 48 hours cell time          ≥ Informal Resolutions</p>

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**Level 5 Offenses**

List of Offenses	List of Modified Sanctions
601 Court Ordered Credit Loss: Pursuant to 24-27-200	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hours cell time
845 Unauthorized Services/Piddling (Handicrafts)	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hours cell time > Behavioral Incentive Plan
846 Creating Unnecessary Noise	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hours cell time > Behavioral Modification Contract
847 Abuse of Privileges	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > Behavioral Modification Plan > 48 hours cell time > Informal Resolutions
848 Exerting Any Authority Over Another Inmate	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hour cell time > Informal Resolutions
849 Disregarding Safety Regulations	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hour cell time > Informal Resolutions
850 Violation of a Written or Posted Institutional Rule Not Contained in These Rules, But Consistent with these rules:	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense > 48 hour cell time > Informal Resolutions
851 Supervised Furlough II Violation	> 0-10 Days Lock up 1 <sup>st</sup> Offense > 10-15 Days Lock up 2 <sup>nd</sup> or Subsequent Offense > 0-15 Days Loss of privileges > 0-10 Disciplinary Detention 1 <sup>st</sup> Offense > 10-15 Disciplinary Detention 2 <sup>nd</sup> Offense