



## Category II Code of Offenses

**Informal Resolution** – Designated Category II offenses may be considered for an Informal Resolution; if an inmate is eligible, the Hearings Officer or OIC should consider the inmate for an *Informal Resolution* for the following designated Category II offenses. (5-ACI-3C-05)

Code	Offense Title
200 a	Refusing to work or refusing to attend school or other program assignments mandated by procedure or by law, or failure to perform work or program assignment as instructed.
200 b	Refusal to participate in or removal from any voluntary (non-reentry) substance use disorder program <b>(Mandatory Penalty-Reprimand)</b> In addition to the mandatory penalty outlined above, inmates convicted of this charge will receive the following sanctions: <ul style="list-style-type: none"> <li>• Good Time Class Level IV for two years</li> <li>• Review for possibility of security level increase</li> </ul>
201 a	Disobeying an order
201 b	Refusing a housing assignment in general population <ul style="list-style-type: none"> <li>• <i>This charge should only be written once per period of continued refusal</i></li> </ul>
205 a	Intentionally delaying, hindering, or interfering with an employee in the performance of duties <b>Eligible for an Informal Resolution</b>
205 b	Intentionally disruptive behavior which does not interfere in the performance of an employee’s duties <b>Eligible for an Informal Resolution</b>
206	Lying or giving false information to an employee <ul style="list-style-type: none"> <li>• <i>This offense code excludes reports of sexual abuse and inmate grievances made in good faith, based upon a reasonable belief that the alleged conduct occurred.</i></li> <li>• <i>Such a report shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation.</i></li> </ul> (§115.52[g], §115.78[f])
207	Manufacture, possession, or transfer of forged documents
209	Engaging in sexual acts with others by consent <ul style="list-style-type: none"> <li>• <i>This offense code does not apply to any sexual act involving an employee.</i> (§115.78[g])</li> </ul>
213	Failing to follow facility count procedures or interfering with count
217	Unauthorized possession of any currency or coin, or of any check, money order, lottery ticket, or other negotiable instruments. <b>Eligible for an Informal Resolution</b> <ul style="list-style-type: none"> <li>• <i>This offense code is appropriate in cases where the accused is found to possess information related to the use, maintenance, or creation of mobile payment accounts or services (such as PayPal, Cash App, etc.)</i></li> </ul>
218	Fighting with any person
219	Hiding in any area





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222 a	Vulgar or insolent language, gestures, or actions directed toward or in the presence of any non-inmate <ul style="list-style-type: none"> <li>• <i>When a Disciplinary Offense Report for this offense code is written, the Reporting Officer should quote the insolent or vulgar language or describe the gestures used.</i></li> <li>• <i>This charge should not be written if the inmate is using vulgar or insolent language as part of a conversation and not directed towards an employee.</i></li> </ul>
222 b	Use of non-protected speech or intentionally inflammatory language, gestures, or actions directed toward or in the presence of any person
223	Charging or accepting any compensation for legal assistance or for other services <b>Eligible for an Informal Resolution</b>
224	Possession of contraband <b>Eligible for an Informal Resolution</b>
226	Gambling, possession of gambling equipment or paraphernalia, or operating a gambling pool <b>Eligible for an Informal Resolution</b>
227	Unauthorized sale or transfer of personal property <b>Eligible for an Informal Resolution</b>
228	Unauthorized use or abuse of mail, telephone, or any other communication device normally authorized for inmate use <b>Eligible for an Informal Resolution</b> <ul style="list-style-type: none"> <li>• <i>This offense code includes, but is not limited to, use of another inmate's Personal Identification Number (PIN) to access the telephone</i></li> </ul>
229 a	Being in an unauthorized area
229 b	Leaving area of confinement without permission
232	Unauthorized contact with or harassment of any private citizen or off duty employee, in person, by mail, or by telephone or other communication system/device <ul style="list-style-type: none"> <li>• <i>The inmate should not be charged with this offense if contact is proven to be consensual with an off-duty employee This is the current language</i></li> </ul>
233 a	Making sexual advances, either physical, verbal in nature, or in writing toward a non- inmate without their consent (§115.78[e])
233 b	Making sexual advances, either physical, verbal in nature, or in writing toward an inmate (§115.78[a, g])
236	Tattooing, piercing or branding of self or others, or the possession or use of tattooing, piercing or branding equipment or paraphernalia
237 a	Intentionally throwing, smearing, pouring or discarding of food, trash, body wastes/fluids or other substances, except into an approved receptacle
237 b	Intentionally flooding any area
238	Setting a fire NOT resulting in actual damage or injury to persons or property
239 a	Any physical assault upon or altercation with a non-inmate not resulting in serious bodily harm
239 b	Any physical assault upon or altercation with an inmate not resulting in serious bodily harm





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243	Failure to follow posted or written facility rules and regulations, including the Facility Orientation Handbook <b>Eligible for an Informal Resolution</b> <ul style="list-style-type: none"> <li><i>The charge should indicate the specific rule or regulation that has been violated, as well as the manner in which it is communicated to the inmate population.</i></li> </ul>
244	Unauthorized use of facility supplies, tools, equipment, or machinery
246 a	Possession and/or use of another inmate’s identification card
246 b	Unauthorized use of personal identification card (i.e. to get an extra meal tray)
249	Failure to comply with the rules and regulations of any community release, work release, or pre-release program not otherwise listed as a Category II offense in this operating procedure
251	Unauthorized transfer of funds <ul style="list-style-type: none"> <li><i>Funds include any negotiable instrument, including, but not limited to, cash, checks, money orders, lottery tickets, savings, treasury or other bonds, stock certificates, certificates of deposit, etc.</i></li> <li><i>This charge should be written when the unauthorized transfer of funds is not related to drug activity.</i></li> </ul>
252	The intentional provocation of canines working in DOC facilities or other animals under DOC care
297	Gang Activity related to any of the offenses in Category II <ul style="list-style-type: none"> <li><i>Before a Disciplinary Offense Report for this offense code is written, sufficient information must exist to establish that the offense code violated was related to a gang.</i></li> <li><i>To identify behavior related to gang activity, place offense code 297 after the appropriate Category II offense code.</i></li> </ul>
298 a	Conspiracy or making plans to commit any of the offenses in Category II
298 b	Attempting to commit any of the offenses in Category II
298 c	Aiding and abetting another to commit any of the offenses in Category II
298 d	Threaten to commit any of the offenses in Category II <ul style="list-style-type: none"> <li><i>The reviewing staff member may consider an Informal Resolution when the underlying offense code is attached to a Disciplinary Offense Report that is approved for an Informal Resolution.</i></li> </ul>
298 e	Coercing, encouraging, or persuading another to commit any of the offenses in Category II
	<i>To identify behavior related to any of the above (a-e), place offense code 298 (a-e) after the appropriate Category II offense code</i>

