

 <div style="text-align: center;"> DIVISION OF ADULT INSTITUTIONS POLICY AND PROCEDURES </div>	DAI Policy #: 303.00.04	Page 1 of 8
	Original Effective Date: 06/01/15	New Effective Date: 07/21/25
	Supersedes: 303.00.04	Dated: 05/13/24
	Administrator's Approval: Shannon Butcher, Administrator – 6/25/25	
	Required Posting or Restricted: <input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted	
Chapter: 303 Discipline		
Subject: Disciplinary Guidelines		

POLICY STATEMENT

The Division of Adult Institutions shall utilize the PIOC disciplinary process to assist with the rehabilitation of PIOC and promote responsible behavior by imposing dispositions proportionate to the offense(s) and corrective in nature.

REFERENCES

Wisconsin Administrative Code Ch. DOC 303 – Discipline

Wisconsin Administrative Code Ch. DOC 304 – Inmate Secure Work Program

DAI Policy 303.72.01 – Establishing Restitution for Disciplinary Dispositions

DAI Policy 500.70.04 – Psychological Input to Security Decisions

DEFINITIONS, ACRONYMS, AND FORMS

BMP – Behavior Management Plan

DAI – Division of Adult Institutions

DS – Disciplinary Separation

DOC – Department of Corrections

DOC-9 – Adult Conduct Report

DOC-84 – Disciplinary Hearing – Reasons for Decision and Evidence Relied On

DOC-3509 – Psychology Input for Security Decisions

ES – Extended Supervision

Instrumental Behavior – A deliberate action performed to achieve a specific goal not related to a mental health condition, such as to control the environment, direct staff behavior or protest circumstances.

Major offense – Violation of a disciplinary rule for which a major penalty may be imposed.

MH – Mental Health

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MR – Mandatory Release

PIOC – Persons in Our Care

PSU – Psychological Services Unit

Restrictive Housing (RH) – A secured housing unit where PIOC are separated from the general population and privileges and property are limited.

POLICY

I. Purpose of Discipline

- A. To assist in the rehabilitation of PIOC and enhance their ability to live among others with respect, cooperation and within rules.
- B. To maintain order within correctional facilities and provide a safe setting for staff, visitors and PIOC.
- C. To develop and maintain the credibility of correctional practices through consistent and fair treatment of PIOC.
- D. To develop pro-social behaviors and responsible behavior.

II. Principles of Discipline

- A. Disciplinary sanctions, to every extent possible, shall focus on being corrective, rehabilitative and constructive.
- B. Disciplinary sanctions are intended to motivate positive behavior and reduce further instances of unwanted behavior. Staff shall use the lowest level of discipline necessary to achieve the above goals.
- C. RH placement shall focus on PIOC who pose a threat to the safety and security of a facility.
 - 1. Alternative sanctions shall be pursued whenever it is safe to do so.
 - 2. When a disciplinary sanction results in RH placement, it shall be the least amount needed to maintain safety and facilitate PIOC reintegration into a less restrictive environment.
- D. Disciplinary sanctions shall run concurrent regardless of disposition.

III. Conduct Reports

- A. Not all DOC rule violations require an employee to write a DOC-9. Under any of the following conditions, employees may inform the PIOC that their behavior violates the rules, discuss the PIOC behavior, offer an informal resolution and/or give a warning:

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1. The PIOC is unfamiliar with the rule.
 2. The PIOC has not violated the same or a closely-related rule within the previous year, regardless of whether or not a DOC-9 was issued.
 3. Although the PIOC acts were a technical violation of a rule, the purposes of this chapter would not be served by writing a DOC-9 in the particular situation.
- B. DOC staff shall write a DOC-9 if PIOC are alleged to have committed a major offense listed under Wisconsin Administrative Code s. DOC 303.71.
- C. DOC staff shall not write a DOC-9 for behavior directly related to self-harm or self-harm attempts (including, but not limited to, disfigurement, alteration of state property or misuse of medication), unless a BMP is developed as outlined in Section D.
- D. For PIOC who have a history of recurrent self-harm behavior that appears to be primarily instrumental, staff may refer the individual to the facility's mental health multi-disciplinary team to determine whether a BMP shall be developed to address the behavior.
- E. When clinically indicated and approved by the PSU Supervisor, the BMP may allow for staff to write a DOC-9 for self-harm behavior if all of the following conditions are met:
1. The behavior appears to be primarily instrumental.
 2. PSU staff are consulted about the behavior and complete a DOC-3509 prior to the adjudication of the conduct report.
 3. DOC-9 and other clinical interventions within the BMP are employed to achieve positive behavior change.

IV. Use of RH DS – Major Disposition Considerations

- A. The supervisor or hearing officer shall consider non-RH options prior to imposing DS.
- B. The supervisor or hearing officer shall reserve use of DS for offenses which create a serious threat to life, property, staff, other PIOC or to the secure and orderly operation of the facility.
- C. The supervisor or hearing officer shall impose the shortest duration of placement necessary to affect the desired result(s).
- D. The facility shall provide PIOC with an orientation to RH within 24 hours of placement, outlining behavioral expectations and available programming. This shall be documented in the unit log book indicating date, time and the staff member who provided the orientation.

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- E. Each facility shall have a structured, progressive management process to provide an opportunity for PIOC to progress through a privilege level based on program participation, behavior and appropriate interactions with staff. PIOC shall be notified of the process as noted above.

V. Use of RH DS for PIOC with MH-2A, MH-2B or ID Codes

- A. Staff shall refer PIOC with MH-2A, MH-2B or ID codes to PSU staff for completion of a DOC-3509 after a major DOC-9 is written to assist with determination of mitigating factors. This process is described in DAI Policy 500.70.04.
- B. The Security Director/designee may also request completion of a DOC-3509 for other PIOC based on unusual or out-of-the-ordinary behaviors.
- C. PSU staff may complete a DOC-3509 for an individual with a MH-0 or MH-1 code if they believe emerging mental health symptoms impacted the behavior and/or should be considered as a mitigating factor.
- D. The hearing officer and supervisor shall consider alternatives to RH prior to a DS disposition.

VI. Guidelines for the Use of DS

- A. Disciplinary separation shall be given for a specific term of 1 to 30 days, and thereafter in increments of 30 days.
- B. The Security Director/designee may approve a DS disposition based upon the allowed penalties in accordance with Section VIII of this policy.
 - 1. The first penalty column applies to PIOC with MH-0 and MH-1 codes.
 - 2. The second penalty column applies to PIOC with MH-2A, MH-2B, and ID codes.
- C. If the recommended disposition is higher than the listed penalties, prior approval is required by the Warden/Deputy Warden.
- D. The Warden or Deputy Warden shall contact a DAI Assistant Administrator for approval of any disposition of 120 days or greater.
- E. Any disposition approved in Section VI.C. and D. shall be documented on the DOC-9.
- F. At no time shall a pre-determination of guilt be made prior to the hearing.
- G. Any communications, verbal or written, regarding potential dispositions shall clearly note the potential disposition as it relates to the alleged rule violations.

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H. Violations of criminal statutes may be referred to law enforcement.

VII. Extension of MR or ES Date Guidelines

A. In the most severe violations, an extension of MR or ES dates may be utilized if approved by the DAI Assistant Administrator.

B. Approved extensions shall follow the guidelines as noted in Wisconsin Administrative Code s. DOC 303.72 (6), (7) as applicable.

VIII. Maximum allowed DS Penalties (in days) for Major Offenses

	MH-0 and MH-1	MH-2A, MH-2B and ID
OFFENSES AGAINST BODILY SECURITY		
DOC 303.11 Assault	0-30, 60	0-30, 60
DOC 303.12 Aggravated assault	0-30, 60	0-30, 60
DOC 303.13 Assault on employee	0-30, 60	0-30, 60
DOC 303.14 Sexual conduct	0-30	0-30
DOC 303.15 Sexual contact or intercourse	0-30, 60	0-30
DOC 303.16 Sexual assault	0-30, 60	0-30, 60
DOC 303.17 Sexual assault-aggravated	0-30, 60	0-30, 60
DOC 303.18 Threats	0-30, 60	0-30
DOC 303.19 Stalking	0-30, 60	0-30
OFFENSES AGAINST INSTITUTIONAL SECURITY		
DOC 303.20 Endangering safety	0-30, 60	0-30
DOC 303.21 Inciting a disturbance	0-30, 60	0-30, 60
DOC 303.22 Participating in a disturbance	0-30, 60	0-30, 60
DOC 303.23 Taking a hostage	0-30, 60	0-30, 60
DOC 303.24 Group resistance and petitions	0-30, 60	0-30
DOC 303.25 Cruelty to animals	0-30,	0-30
DOC 303.26 Escape	0-30, 60	0-30, 60
DOC 303.27 Disguising identity	0-30, 60	0-30
OFFENSES AGAINST ORDER		
DOC 303.28 Disobeying orders	0-30, 60	0-30
DOC 303.29 Disrespect	0-30, 60	0-30
DOC 303.30 Soliciting an employee	0-30, 60	0-30
DOC 303.31 Lying	0-30	0-30
DOC 303.32 Lying about an employee	0-30	0-30
DOC 303.33 Disruptive conduct	0-30, 60	0-30
DOC 303.34 Unauthorized forms of communication	0-30	0-30
DOC 303.35 False names and titles	0-30	0-30
DOC 303.36 Enterprises and fraud	0-30	0-30
OFFENSES AGAINST PROPERTY		

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DOC 303.37 Theft	0-30	0-30
DOC 303.38 Damage or alteration of property	0-30	0-30
DOC 303.39 Misuse of state or federal property	0-30	0-30
DOC 303.40 Unauthorized transfer of property	0-30	0-30
DOC 303.41 Counterfeiting and forgery	0-30	0-30
CONTRABAND OFFENSES		
DOC 303.42 Possession / use of money or negotiable instrument	0-30	0-30
DOC 303.43 Possession of intoxicants	0-30, 60	0-30
DOC 303.44 Possession of intoxicant paraphernalia	0-30 60	0-30
DOC 303.45 Possession, manufacture or use of a weapon	0-30, 60,	0-30, 60
DOC 303.46 Possession of tobacco	0-30	0-30
DOC 303.47 Possession of contraband—miscellaneous	0-30	0-30
DOC 303.48 Possession of electronic communication or data storage device	0-30, 60	0-30
DOC 303.49 Unauthorized use of the mail	0-30	0-30
MOVEMENT OFFENSES		
DOC 303.50 Punctuality and attendance	0	0
DOC 303.51 Loitering	0	0
DOC 303.52 Leaving assigned area	0-30	0-30
DOC 303.53 Being in an unassigned area	0-30	0-30
DOC 303.54 Entry into another PIOC living area	0-30	0-30
OFFENSES AGAINST SAFETY AND HEALTH		
DOC 303.55 Improper storage	0	0
DOC 303.56 Dirty assigned living area	0	0
DOC 303.57 Poor personal hygiene	0	0
DOC 303.58 Misuse of medication	0-30	0-30
DOC 303.59 Disfigurement	0-30	0-30
MISCELLANEOUS OFFENSES		
DOC 303.60 Use of intoxicants	0-30, 60	0-30
DOC 303.61 Gambling	0-30	0-30
DOC 303.62 Refusal to work or attend school	0	0
DOC 303.63 Inadequate work or school perform	0	0
DOC 303.64 Violating conditions of leave	0-30	0-30
OTHER		
DOC 303.04 Conspiracy	Same as most serious of planned offenses.	
DOC 303.05 Attempt	Same as for the completed offense.	
DOC 303.06 Aiding and abetting	Same as for the substantive offense.	

IX. Documentation for Contested Major Hearings

- A. The hearing officer or supervisor shall complete DOC-84 for all DOC-9s processed as a contested major.
- B. The DOC-84 shall contain:
 1. A detailed description of the reasons for a finding of guilt.

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2. Documentation of any mitigating or enhancing factors relied upon in determining a disposition.
 3. Explanation of any penalty increases.
- C. Staff shall provide a copy of DOC-84 to PIOC upon completion of the decision/disposition and written justification.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 303.00.04	Page 8 of 8
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Chapter: 303 Discipline		
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Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES**DEFINITIONS, ACRONYMS, AND FORMS****FACILITY PROCEDURE**

I.

- A.
- 1.
- a.
- B.
- C.

II.

- A.
- B.
- C.