

**TITLE: INMATE RULES AND GRIEVANCE PROCEDURE**

**DURING YOUR STAY, YOU MAY BE MONITORED BY MEMBERS OF THE OPPOSITE SEX, PLEASE GOVERN YOURSELF ACCORDINGLY.**

DAVIS COUNTY JAIL

INMATE RULES

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DAVE DAVIS, SHERIFF

This Inmate Rule Book is County Property issued to you and is your responsibility. Any alteration, modification, destruction, or loss of the Inmate Rule Book will be considered as a theft or destruction of Davis County Property. Failure of the inmate to return the book in the condition it was received will result in disciplinary action and/or a criminal charge.

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**ANY INMATE NOT CONFORMING WITH THESE RULES AND REGULATIONS, AND/OR DIRECT VERBAL ORDERS FROM STAFF WILL BE SUBJECT TO DISCIPLINARY ACTION.**

PROCEDURES TO BE PRACTICED AND ENFORCED TO ENSURE  
PROPER SANITARY LIVING QUARTERS

**CLEANLINESS IS MANDATORY, AND IT IS THE OBLIGATION OF EACH INMATE TO KEEP THE CELL AND HIS/HER PERSON CLEAN AND ORDERLY AT ALL TIMES.**

- a. Unless medically contraindicated, all inmates to be held over twenty-four (24) hours will be required to shower and bathe.
- b. Inmates may be required to shave or cut their hair for health and/or sanitation reasons.
- c. Laundry will be exchanged twice weekly. No soiled articles of clothing will be left out in the open.
- d. Beds will be kept neat and orderly at all times.
- e. Failure to participate in the cleaning detail will result in the loss of privileges as determined by the Disciplinary Hearing Board.
- f. The walls, floors, and ceilings will be kept clean as needed. Cleaning compounds and utensils will be issued and retrieved.
- g. Shower facilities will be cleaned thoroughly with hot water and soap.
- h. Toilets and sinks will be cleaned with hot water, soap or scouring powder.
- i. Mops and other cleaning materials will be cleaned thoroughly after each use.
- j. Floors will be scrubbed and rinsed

RULES OF ORDER FOR INMATES

1. An inmate will wear complete clothing at all times except for sleeping.
2. An inmate will be responsible for keeping his clothes and linens intact and complete and for maintaining his cell in an orderly and clean fashion, without damaging the cell its contents.
3. An inmate will not destroy or deface any jail property or any property belonging to another inmate, officer, or visitor.
4. An inmate will be polite in communication with visitors and officers.
5. An inmate will refrain from making excessive noise in the facility.
6. An inmate will never leave a cell or any area he/she is confined in, without the permission of an officer. An inmate will never enter the business office or storage area, unless directed to by an officer.
7. Inmates will not hang clothing bedding, towels, etc. over bunks, etc.
8. An inmate will not communicate with the public verbally, by written note or any other form of communication, unless it is through normally permitted channels (e.g. inmate's mail).
9. An inmate will be responsible to be clean and free from vermin.
10. An inmate is not allowed to share any personal hygiene products such as a toothbrush, comb or soap with any other inmate.
11. Inmates will not make remarks aimed at officers that contain obscenities or sexual overtones.
12. Inmates will be required to be out of their beds at 08:00 A.M. each day for breakfast and to clean their living areas. Trash will be prepared for removal from the cells at lockdown.

13. Possession of contraband is forbidden. Contraband is defined as any item not issued, or expressly permitted by jail staff, or an excess of issued items; this is to include money.
14. Violation of jail rules will result in inter-facility disciplinary procedures as set forth in departmental policies and procedures.
15. Crimes committed within the facility that are contrary to local ordinances, state, and federal statute will result in prosecution of those responsible and may also result in facility disciplinary procedures.

#### MEALS FOR INMATES

- a. Breakfast will be served on or about 8:00 a.m.
- b. Dinner will be served on or about 12:40 p.m.
- c. Supper will be served on or about 4:40 p.m.

#### CORRESPONDENCE

- a. An inmate has the right to consult with his/her attorney or clergyman privately at the jail as often and for as long as necessary, provided said visit does not disrupt the routine jail schedule or compromise the security of the facility.
- b. Right to counsel includes exchange of correspondence between an inmate and his/her attorney.
- c. Letters from an inmate to his/her attorney, a judge, the Governor or Iowa, the Citizen's Aid/Ombudsman's Office, a member of the Iowa or Federal Legislature, and the Clerk of Court are privileged. Incoming mail from the attorney, a judge, the Governor of Iowa, the Citizen's Aid/Ombudsman's Office, a member of the Iowa or Federal Legislature, and the Clerk of Court shall be opened in the presence of the inmate, inspected for contraband (not read), and given to the inmate.

- d. All non-privileged mail will be opened and searched for contraband. It may be read and copied for security reasons. Mail should be written in English and any translation costs may be billed to the inmate.
- e. Proper language shall be used in writing letters.
- f. Any and all money, checks, or money orders received for inmates will be placed in his/her property envelope, and a receipt for the money shall be given to the appropriate party.
- g. No coded letters will be permitted.
- h. Inmates incarcerated in the Davis County Jail may not pass notes from inmate to inmate or may not receive correspondence through the U.S. Postal Service from another inmate incarcerated in any other correctional facility unless approved by the Sheriff.
- i. Inmates who have no funds will be provided with 2 stamps per week for non-privileged correspondence.

#### VISITING HOURS

- a. Visiting hours shall be from 5:30 p.m. until 9:30 p.m. on Wednesday and Sundays only. Only one visitor will be allowed to see an inmate at a time. Inmates may have as many visitors as they can fit in during that time frame. The names of visitors must be on the inmate's visitation sheet. The Sheriff or Jail Administrator before visitation will approve the list of visitors.
- b. Inmates on certain types of disciplinary restriction may not be permitted visitors.
- c. If any officer has probable cause, he or she may search a visitor to prevent passing of contraband, money, etc., to an inmate.
- d. Handbags, sacks, parcels, and smoking shall be prohibited in the visiting area.

- e. A staff member will be in the facility at all times during any visits.
- f. A visit may be denied if reasonable suspicion exists that, the visit might endanger the security of the facility. A record shall be made of such denial and the reason therefore.
- g. Children seventeen years of age and younger may visit if accompanied by an adult and have prior approval. No one currently on probation or parole will be aloud to visit an inmate.

### PHONE CALLS

- a. After having been arrested, it is the inmate's right to communicate with his/her attorney and family.
- b. Calls to or from an attorney or clergy shall be made on the inmate phone system.
- c. Inmates may make telephone calls on the inmate collect call telephone in the day room.
- d. Inmates may not receive personal telephone calls except in an emergency.
- e. Inmates wishing to use the telephone at other times than specified above, must make a request to the Sheriff stating the reason for the call. The decision of the Sheriff is final.
- f. Non-privileged inmate telephone calls may be monitored at the discretion of the Sheriff or his designee.
- g. No inmate shall call employees of the Davis County Sheriff's Office at their residence on the collect telephones in the cells.

### POLICY GOVERNING CONDUCT AND DISCIPLINE OF INMATES

- a. Privileges such as television, commissary, cards, games, reading and writing material will be earned by the inmates, and any inmate receiving disciplinary action may suffer the loss of all or part of his/her privileges.

- b. No inmate will show disrespect to jail personnel, citizens of the community, visitors, or other inmates.
- c. No inmate will have any form of authority over another inmate.
- d. No inmate will change his/her assigned cell without written authorization from the Sheriff
- e. No inmate will take, disfigure, damage, abuse, or waste county property or property belonging to another person.
- f. No inmate will assault or attempt to assault, jail personnel, other inmates, visitors, or any other person.
- g. No inmate will incite any overt act that will disrupt the order or safety of the jail.
- h. No inmate will commit any lewd or indecent sexual act.
- i. No inmate is allowed to keep cash or valuable items on his/her person. All such funds and items will be turned in and stored. Inmates will be given a receipt for all funds and items.
- j. No inmate will be intoxicated or under the influence of any substance or drug unless prescribed by a physician.
- k. No inmate will disobey an order from a staff member or officer.
- l. No inmate will interfere with a staff member or officer in the performance of his/her duties.
- m. Any inmate who leaves his/her authorized area, grounds of the jail, or fails to return on time from a furlough or pass, will be charged with an offense.
- n. No inmate will manipulate or attempt to manipulate any inmate, staff person, or visitors in any manner.
- o. No tattooing is allowed.

DISCIPLINARY POLICY

It shall be the policy of the Davis County Jail to inform inmates and staff of facility rules governing inmate conduct and to set forth penalties, which may be imposed, for violations. (See Policy No.III-23 and Inmate Rules)

Rationale for Administrative Discipline within the Facility:

Administrative Disciplinary Policies and Procedures are designed to protect the safety and security of staff, inmates, and facilities of the Davis County Jail.

**Corporal Punishment is Prohibited**

**CORRECTIONS OFFICER'S RESOLUTION (STAFF RESOLUTION)**  
(Warning & Minor violations will be handled by Corrections Officers)

A resolution wherein the incident that occurred is resolved with an issuance of a citation for a warning or minor violation by any Corrections Officer and sanctions are imposed by the same Officer issuing the original citation.

**INFORMAL RESOLUTION-**  
(Medium violations will be handled by the Jail Administrator)

A resolution wherein the incident that occurred is resolved by issuance of a citation for a medium violation by any Corrections Officer and sanctions are imposed by the Jail Administrator.

**ADMINISTRATIVE RESOLUTION-**  
(Major violations will be handled through a disciplinary hearing)

A resolution wherein the incident that occurred is resolved by issuance of a citation for a major violation by any Corrections Officer and sanctions are imposed by a disciplinary board.

**WARNING VIOLATIONS:**  
(Warning violations will be handled by Corrections Officers)

Warning violations with constructive sanctions may be handled by the Corrections Officer issuing the citation. A warning will result in a Corrections Officer's Resolution. A constructive sanction for a warning violation is as follows:

1. Constructive Sanction:
  - a. Extra Cleaning
2. No restriction of privileges will occur.
3. No loss of good time.

**MINOR VIOLATIONS:**

(Minor Violations will be handled by Corrections Officers)

**MEDIUM VIOLATIONS:**

(Medium violation sanctions will be handled by the Jail Administrator)

- A rule violation more serious than a minor violation and less serious than a major violation. A medium violation will result in an informal resolution but may be referred to as a sanction imposed for a minor violation

**MAJOR VIOLATIONS:**

(Major violations will be handled through a disciplinary hearing.)

- The most serious of all facility rule violations. A major violation usually results in Administrative Resolution but may be referred to a sanction imposed for a medium violation. A major violation will result in Administrative Resolution and/or chargeable violations.

**HABITUAL MISCONDUCT:**

- Habitual misconduct is evident when an inmate receives any kind/combination of one (1) major violation, three (3) medium violations with sanctions or six (6) or more minor violations of any kind/combination with sanctions within one (1) classification period.

A. Each inmate shall receive the rules and regulations book containing:

1. Rules of inmate conduct
2. Procedure by which violations of rules will be determined
3. Procedures for appeal from such determination
4. Disciplinary actions which may be taken upon the finding of specific rules violation

Inmates will receive written notice of any amendment to the rule book forty-eight (48) hours prior to becoming effective.

Inmates shall receive assistance in understanding the rule book if they possess any problem in reading and understanding said rule book.

- B. Three (3) methods are used to resolve disciplinary incidents in the Correctional Center. These resolutions are Staff, Informal and Administrative. The resolution of an incident shall be addressed by officers without prejudice.
- C. Violations will be classified as minor, medium, and major (with major violations being the most serious (criminal act) and minor being the least serious). All prohibited acts will be reported accurately and in compliance with the acts listed in the Inmate Rule Book. Disciplinary sanctions will not be arbitrarily administered.
- D. Issuing a citation:
  - 1. A citation will be issued for every disciplinary action initiated. The citation may be used for warnings as well as to start the disciplinary process at all levels.
  - 2. A citation will be completed in full and signed by the witnessing officer for each violation.
  - 3. The citation shall contain the inmate's name, date of offense/violation, time of offense, a brief narrative of the offense, specific rule violated and the officer's signature
  - 4. The inmate may be informed verbally of the offense by the officer and issued a citation within 24 hours of the incident.
  - 5. Upon delivery of the citation, the inmate will be provided the opportunity to make a statement. The statement will be written on the reverse side of the original copy.
  - 6. Once completed, a copy will be given to the inmate, the original and the original report forwarded to the Jail Administrator for review/approval and subsequent filing. (The officer issuing the citation will ensure that a copy is placed in the inmate's record within the control room along with a copy of the original report.

7. Except for Administrative Segregation Lockdown, sanctions will not be imposed for twenty-four (24) hours after the citation is issued, unless it is an emergency, to allow the inmate time to exercise their appeal rights.
  8. Upon issuance of the citation, the Officer will advise the inmate of the action taken. Citations and reports will be accomplished by the Corrections Officer who originally issued a citation for any violation.
- E. **REPORTS:**
1. If the citation is for a disciplinary sanction, a report will be completed; no report is required for issued warnings. Reports will include the following information:
- F. **CORRECTIONS OFFICER'S RESOLUTION: (Staff Resolution)**

### **WARNINGS**

1. The Corrections Officer issuing the citation as a warning may impose a constructive sanction for minor rule violations only.
2. A warning may be sanctioned by the Corrections Officer issuing the citation. If issuing a warning, "WARNING" will be written in the sanction area of the citation form.
3. Upon receipt of a citation issued as a warning, the Corrections Officer, at his/her discretion, may negotiate with the inmate for a constructive sanction in lieu of having the violation processed as a minor violation and losing privileges. The inmate will be reminded that if the warning is processed as a minor violation all documentation will be kept on file in their permanent inmate jail record. A constructive sanction may include having the inmate agree to do extra cleaning for that day. In all cases involving constructive sanctions, the inmate will agree and will be willing to submit to the constructive sanctioning agreed upon by the inmate and the Corrections Officer issuing the citation warning. Agreed upon constructive sanctioning will be noted on the back of the citation with the inmate's initials being placed beside the agreed upon constructive sanction citing.

4. A constructive sanction should not exceed three (3) hours in length with the constructive sanction being completed by the inmate within 24 hour period after the citation warning is issued.
5. If an inmate doesn't agree with constructive sanctioning or fails to satisfactorily complete agreed upon constructive sanctioning, the citation warning will be processed as a minor violation. Another citation will be issued indicating the surrounding circumstances.
6. Warnings may not be appealed.
7. No report is required for warnings; however, if the warning is processed as a minor violation, a report will be completed.

#### **MINOR VIOLATIONS**

1. The Corrections Officer issuing the citation may impose sanctions for minor rule violations. If an inmate voluntarily waives appeal rights in writing, sanctions may be imposed immediately.
2. The inmate will have 24 hours to appeal to the Jail Administrator. If the inmate does not exercise the right of appeal within the 24 hour time limit, the appeal process is terminated.
3. Upon receipt of a citation appeal, the Jail Administrator will address the appeal within 48 hours, excluding holidays and weekends. The appeal response will be in writing prior to any imposition of any sanction.
4. If an immediate lockdown is necessary, the citation will be issued and the sanction imposed. The immediate imposition of any sanction will cause an immediate and automatic review by the Jail Administrator.
5. When a minor violation is part of an incident that includes citations issued for a medium or major violation, all citations will be forwarded for resolution at the level of the most serious violation.

**G. INFORMAL RESOLUTION:****1. MEDIUM VIOLATIONS**

- a. An informal resolution will be used for medium violations. Sanctions will be imposed by the Jail Administrator. If an inmate voluntarily waives appeal rights in writing, sanctions may be imposed immediately.
- b. The Corrections Officer issuing the citation will forward the citation along with the report to the Jail Administrator, who will give written notice of sanction to be imposed to the inmate within 48 hours, excluding holidays and weekends, after receipt of citation.
- c. At the discretion of the Jail Administrator, the medium class violation may be referred back to the Corrections Officer and addressed as a minor violation. Notice will be sent to the inmate stating what has taken place.
- d. The inmate will have 24 hours to appeal to the Sheriff. If the inmate does not exercise the right of appeal within the 24 hour time limit, the appeal process is terminated.
- e. Upon receipt of an appeal, the Sheriff will address the appeal in writing. The Sheriff will have 72 hours, excluding holidays and weekends, to answer an appeal.
- f. An appeal to the Sheriff will delay the imposition of sanctions.
- g. If an immediate lockdown is necessary, the citation will be issued and the sanction imposed. The immediate imposition of any sanction will cause an immediate and automatic review by the Jail Administrator.

**H. ADMINISTRATIVE RESOLUTION:****1. MAJOR VIOLATIONS**

- a. All major rule violations require an Administrative Resolution.
  1. A citation will be issued by a Corrections Officer after completion of the investigation. In addition to the citation, a supplemental report will be prepared.
- b. The citation and all reports will be forwarded to the Jail Administrator, who will review all reports, and if approved, will request a disciplinary board be convened.

- c. At the discretion of the Jail Administrator, the major violation may be addressed as a medium violation. Notice will be sent to the inmate stating what has taken place.
- d. The Jail administrator will forward a memo and all reports to the Disciplinary Board requesting a disciplinary hearing be convened.
- e. Time frame after request for disciplinary hearing:
  - 1. The Disciplinary Board will prepare a Disciplinary Hearing Notification and Inmate Rights and Disciplinary Board Forms and deliver them to the inmate within seventy-two (72) hours of the receipt of the reports from the Jail Administrator. The Rights Form will be completed and signed by the inmate and returned to the Disciplinary Board.
  - 2. The Disciplinary Hearing Chairman may postpone the hearing for good cause documenting the reason for the delay.
  - 3. The Disciplinary Committee will be composed of three staff members. No individual involved in the incident will be appointed to the hearing committee.
  - 4. Sanctions, if imposed, will take effect immediately after allegations are found to be valid by the Disciplinary Committee.
  - 5. Inmate must be informed of the right to appeal. The inmate will have 24 hours to appeal to the Sheriff. If the inmate does not exercise the right of appeal within the 24 hour time limit, the appeal process is terminated.
  - 6. Upon receipt of an appeal, the Sheriff will have 72 hours, excluding holidays and weekends, to answer an appeal. An appeal to the Sheriff does not delay sanctions.
  - 7. The postponement or continuance of the disciplinary hearing will be rescheduled in a reasonable period and for good cause. Reasons for postponement or continuance shall be documented and delivered to the inmate in writing.
- f. Requirements/rules of an Impartial Disciplinary Hearing:
  - 1. The inmate will be advised of the guidelines that the disciplinary board members will follow upon the disciplinary hearing committee convening.

2. The inmate will have the right to Correctional Officer assistance when the complexity of the issue(s), or a language barrier, makes it unlikely that the inmate will be able to understand the case.
3. The inmate may call witnesses and present documentary evidence on his/her behalf. The inmate does not have the right to cross-examine witnesses. Witnesses may present written statements in lieu of appearing at the hearing if it is deemed by the committee that detention center security would be in jeopardy by the appearance of the witness. The inmate may be present at all hearings unless the inmate is a threat to security or safety of others. If this is the case, this fact shall be documented in the records of the committee hearing. The inmate shall not be present during deliberations by committee.
4. If found guilty, the inmate has the right to appeal the finding within twenty-four (24) hours to the Sheriff.
5. The disciplinary board may:
  - a. Dismiss the charges where appropriate and order the record of charges expunged if the inmate is deemed innocent.
  - b. Impose sanctions set out for the violation for which the inmate was found guilty.
  - c. Suspend or modify the execution of any sanction it imposes. Modification may be up to ninety (90) days probation. Probation may be revoked if another violation is filed within the probation period.
6. The disciplinary board will prepare a record of its proceeding which need not be verbatim. This record must be sufficient to document the committee's written finding, its decisions, the specific evidence relied on by the committee, and a brief statement of the reasons for the sanctions imposed. The evidence relied upon for the decision should be set out in specific terms unless doing so would jeopardize the Center's security. Disciplinary Hearing Records will be stored in the inmate's file.

7. An inmate may waive his/her rights to a hearing and have an officer impose sanctions. Waiving rights to a hearing terminates any and all appeal rights. The inmate must complete the form for this.
- g. Rules of Procedure After hearing:
1. If allegations are founded, the inmate has the right to appeal (within 24 hours) to the Sheriff. If the allegations are not founded, return of inmate to previous status to filing of allegations and erasure of proceedings from inmate's record. Records of Administrative Disciplinary Proceedings and any subsequent appeals and findings will be kept on file by the jail Administrator for a period of two (2) years, no matter what the outcome is.
  2. Execution of Administrative Disciplinary action(s) to be taken.
- h. Managing Records of Dismissed Rule Violations.
1. Dismissed records are kept separate from the inmate's record file and facts cannot be used in subsequent hearings. If several acts appear on an incident report, and part of the acts are found not guilty, the record shall clearly reflect those charged found not guilty and the incident report may be filed so the guilty charges are in the inmate's file
- i. Criminal Prosecution.
1. In instances where an inmate is alleged to have committed a crime, the case will be referred to appropriate law enforcement officials for possible prosecution.
  2. It is not necessary to await the outcome of a criminal trial before pursuing disciplinary action when the criminal trial charges and disciplinary action charges are the same. Disciplinary action taken shall not constitute double jeopardy.

- j. Sanction Application Restrictions.
  - 1. Suspension of commissary shall not include necessary hygiene items and writing materials. Access to the law library shall not be a sanction unless the violation is directly related to its use.
  - 2. Suspension of visitation should be as a result of a violation that is directly related to visitation or when all other privileges have been previously withdrawn.
  - 3. If more than one (1) citation is written, sanctions for each violation will run concurrently, unless at imposition of sanctions it is stated to run consecutively. In the cases of major violations, the disciplinary board will decide if sanctions will run concurrently or not.
  - 4. If disciplinary segregation is imposed, all privileges are automatically suspended for that period, except visitation, unless waived by the sanctioning officer.
  
- k. Disciplinary Sanctions:
  - 1. Minor Violations Sanctions:
    - a. Lockdown in your cell for up to 23 hours per incident.
    - b. Restriction of the following privileges, not to exceed one day per incident. Activities in the Davis County Jail which are defined as privileges are as follows:
      - 1. Newspapers, books, magazines, or any other reading material excluding religious or legal reading
      - 2. Use of cell block phones
      - 3. Cards and games
      - 4. Personal visitation
      - 5. Watching television
      - 6. Commissary
    - c. Loss of 25% good time.
  
  - 2. Medium Violation Sanctions:
    - a. Lock down in cell for up to five (5) days per incident.
      - 1. Restrictions of the following privileges, not to exceed five (5) days per incident. Activities in the Davis County Jail which are defined as privileges.
    - b. Loss of 50% good time.

3. Major Violation Sanctions:
  - a. Lock down in cell for up to ten (10) days per incident.
    1. Restrictions of the following privileges, not to exceed ten (10) days per incident. Activities in the Davis County Jail which are defined as privileges
  - b. Loss of 100% good time.
4. Habitual Misconduct:
 

The only exception to the above is for habitual misconduct. Upon finding of guilty for habitual misconduct, a mandatory sanction of ten (10) days lock down in cell will be imposed with a mandatory loss of all privileges for the same time period. Habitual misconduct is evident when an inmate receives any kind or combination of one (1) major violation, and three (3) medium violations with sanctions, or six (6) or more minor violations of any kind; combination with sanctions within a 45 day period.

**DAVIS COUNTY CORRECTIONAL CENTER  
DISCIPLINARY CODE**

**ACTS PROHIBITED FOR INMATES AND PENALTIES FOR SUCH  
ACTIONS**

AUTHORITY: 291 – 50.21 of the Iowa Administrative Code shall be the governing standard for the Davis County Jail Disciplinary code.

PURPOSE: To set forth acts of inmate conduct which are prohibited and the possible penalties which may be imposed for violations. To inform all inmates and staff of Davis County Jail rules to govern inmate conduct.

APPLICABILITY: To all employees and inmates of the Davis County Jail.

DEFINITIONS: As used in this document, the following definitions shall apply:

- A. Administrative Segregation: The placement of an inmate in Administrative Segregation pending a hearing for a serious or chargeable violation, when the continued presence of the inmate in general population would pose a serious threat to the security or orderly operation of the facility.

- B. Disciplinary Detention: The placement of an inmate in a segregation unit separated from the general population as a result of a chargeable or serious violation of conduct regulations after an upholding of allegations made against the inmate by Presiding Officer in a Disciplinary Hearing.

IMMEDIATE ADMINISTRATIVE SEGREGATION:

- A. An inmate may be immediately placed in Administrative Segregation if there is reasonable cause to believe the inmate is:
  - 1. dangerous to self.
  - 2. dangerous to others.
  - 3. in danger from others.
  - 4. An immediate threat to the Jail’s safety and security.
- B. If an immediate lock down in administrative segregation is necessary, and is so executed by the Corrections Officer, a report will be completed and turned over to the Jail Administrator and Sheriff within twenty-four (24) hours of the incident.

- **ALL TIME FRAMES ABOVE EXCLUDE WEEKENDS AND HOLIDAYS!**

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DAVIS COUNTY JAIL DISCIPLINARY CODE  
Chapter 100  
General Provisions

- 100.1 Short Title  
Chapter 100 shall be known as the Disciplinary Code.
- 100.2 Rule Violation  
A rule violation is that which is prohibited by the Disciplinary Code and certain penalties are set forth for the violation.
- 100.3 Chargeable Violation Defined and Classified  
A rule violation is a chargeable violation when the Disciplinary Code declares it to be a chargeable offense. A chargeable violation is one in which the violation may be given to the Davis County Attorney to be pursued through the Iowa Criminal Code or Bloomfield Municipal Code as well as the Davis County Jail Disciplinary Code.

A chargeable violation may result in any combination of the following penalties:

- (1) Transfer of violation to Davis County Attorney to be pursued through the Iowa Criminal Code or Bloomfield Municipal Code
- (2) Disciplinary segregation up to 10 days
- (3) Loss of all good time
- (4) Loss of privileges for up to 10 days
- (5) Loss of work release privilege by application to the court

Those acts listed below shall be considered to be chargeable violations:

A chargeable violation is any violation which is a violation of any Federal, State, County, or City Ordinance or Law.

Attempt to commit any of the above violations or conspire with other(s) to commit any of the above acts.

#### 100.4 Major Violation Defined and Classified

A rule violation is a major violation when the Disciplinary Code declares it to be a serious violation. A serious violation may result in any of the following penalties:

- (1) Disciplinary segregation up to 10 days
- (2) Loss of privileges for up to 10 days
- (3) Loss of up to 50% of good time
- (4) Loss of work release privilege for 10 days by application to court

Those acts listed below shall be considered to be serious violations:

- 100.4 - 1 Killing
- 100.4 - 2 Assaulting another person
- 100.4 - 3. Fighting
- 100.4 - 4. Extortion, blackmail, protection, demanding or receiving money or anything of value in return for protection against another, to avoid bodily harm, or under threat of informing
- 100.4 - 5. Engaging in sexual acts with another
- 100.4 - 6. Escape
- 100.4 - 7. Attempting or planning escape
- 100.4 - 8. Setting fire of any nature

100.4 - 9. Destroying, altering, or damaging issued clothing, mattresses, bedding or property of another person

100.4 - 10. Stealing (theft)

100.4 - 11. Tampering with or blocking any locking device, damaging, tampering with or mutilating any locking device, fixture, or other property belonging to the facility

100.4 - 12. Possession or introduction of an explosive or ammunition

100.4 - 13. Possession or introduction of a gun, firearm, weapon or sharpened unauthorized tool that could be used to bring harm or damage to any person or item

100.4 - 14. Possession, introduction or use of any narcotics, narcotic paraphernalia, drugs, or intoxicants not prescribed for the individual

100.4 - 15. Mutilating or altering clothing or any county property issued by the jail

100.4 - 16. Rioting

100.4 - 17. Encouraging others to riot

100.4 - 18. Threatening an employee (any county employee) or visitor, or other person

100.4 - 19. Lying or providing a false statement to an officer or staff member

100.4 - 20. Counterfeiting, forging, or unauthorized reproduction of any document, article of identification, money, security, or official paper

100.4 - 21. Being intoxicated

100.4 - 22. Gambling

100.4 - 23. Possessing any officer's or staff clothing

100.4 - 24. Causing or engaging in a disturbance in court or on the way to or from court or other place outside the Jail

100.4 - 25. Engaging in or encouraging a demonstration

100.4 - 26. Possession of any item that may be used as a weapon or may be used to disable or injure another person

100.4 - 27. Acting as cell or ward boss

100.4 - 28. Violation of court appearance rules

100.4 - 29. Making intoxicants

100.5 Medium Violation Defined and Classified

A rule violation is a medium violation when the Disciplinary Code declares it to be a medium violation. A medium violation may result in any of the following penalties:

(1) Disciplinary segregation up to 5 days

- (2) Loss of privileges for up to 5 days
- (3) Loss of up to 50% of good time
- (4) Loss of work release privilege for 5 days by application to court

Those acts listed below shall be considered to be medium violations:

- 100.5 - 1. Indecent Exposure
- 100.5 - 2. Taking another detainee's food or giving food to another
- 100.5 - 3. Misuse or hoarding of authorized medication
- 100.5 - 4. Encouraging others to refuse to participate in the cleaning detail; refusal to clean
- 100.5 - 5. Conduct which disrupts or interferes with the security or orderly running of jail
- 100.5 - 6. Threatening another with bodily harm, or with any offense against his person or his property
- 100.5 - 7. Making sexual proposals or threats to another
- 100.5 - 8. Refusal to obey an order of any staff member
- 100.5 - 9. Making derogatory comments to staff which is intended to embarrass or be harassing in nature
- 100.5 - 10. Unexcused absence from work release
- 100.5 - 11. Hanging blankets, clothing or other items in cell to obstruct view of the cell interiors
- 100.5 - 12. Using any equipment or machinery which is not specifically authorized
- 100.5 - 13. Refusal to work

#### 100.6 Minor Violations Defined and Classified

A rule violation is a simple violation when the Disciplinary Code declares it to be a simple violation. A simple violation may result in any one of the following penalties:

- (1) Verbal reprimand
- (2) Written reprimand
- (3) Loss of privileges for up to 23 hours per incident
- (4) Loss of 25% of good time
- (5) Disciplinary segregation up to 23 hours per incident

Those acts listed below shall be considered to be simple violations:

- 100.6 - 1 Possession of unauthorized clothing
- 100.6 - 2 Writing or pasting on walls

- 100.6 - 3 Misuse of County property
- 100.6 - 4 Food waste
- 100.6 - 5 Failure to maintain personal hygiene
- 100.6 - 6 Failure to maintain sanitary and orderly housing conditions
- 100.6 - 7 Use of obscene language directed toward Staff or others
- 100.6 - 8 Barter
- 100.6 - 9 Tattoo activities
- 100.6-10 Malingering
- 100.6-11 Gambling
- 100.6-12 Failure to perform assigned tasks
- 100.6-13 Disorderly conduct
- 100.6-14 Failure to obey verbal order from Staff (1st Violation)
- 100.6-15 Any violation not classified as chargeable or serious is a simple violation
- 100.6-16 Attempt to commit any of the above violations or assist others to commit any of the above acts

### INMATE GRIEVANCES

#### POLICY

The purpose of this program is to describe a grievance procedure, which permits inmates to have available to them, an orderly, fair, simple and expeditious method of resolving grievances. Inmates are required to use this program in a responsible manner.

#### COMMENTARY

1. According to in-house and posted procedures, all inmates must attempt informal resolution before filing a written grievance.
2. The Jail Administrator shall appoint a Grievance Officer.
3. Inmates, regardless of physical condition or security status, shall be entitled to file grievances within this program. Assistance shall be available to inmates who cannot complete the forms themselves. This assistance shall be initiated through the Corrections Officer on-duty or other correctional personnel. Legal assistance by other inmates will not be allowed in the grievance process without prior approval of the Corrections Officer.

4. Inmates may grieve policies and conditions within the jurisdiction of the jail that affect them personally, as well as actions by employees and inmates. This includes impaired, handicapped, and illiterate inmates.
  - A. Types of Grievances:
    - (1) None: Non-Grievable Complaints: Policies which have formal appeal mechanisms (disciplinary process, work release decisions). These are the only exclusions from the Grievance program.
    - (2) Emergency: When there appears to be a substantial risk of physical injury or other serious and irreparable harm if regular time limits are followed.
    - (3) Standard: All complaints, which are not emergency, or none.
5. No inmate or employee who appears to be involved in a complaint shall participate in any capacity of the resolution process. If a complaint is filed against the Grievance Officer or appealing authority, the grievance shall be resolved by an alternate grievance officer or next highest authority.
6. In all grievances (except emergency), the Grievance Officer shall provide the initial response. The grievance response form must be used by both sources.
7. An appeal form must be attached to each response that is entitled to further review. The response shall include simple instructions, as well as the time limit and place for obtaining the next review.
8. To eliminate copying costs for inmates, it is only necessary for the grievant to submit a completed complaint form or appeal form for whichever level is being reviewed. Each complaint and appeal must contain an appeal statement which includes a description of the complaint (circumstances, facts, persons involved, dates, and times) and action requested. Referencing this information will not be acceptable. The Grievance Officer will furnish the appealing authorities with any other necessary documents. Inmates may submit additional information at their own expense.

9. The Sheriff or his designee shall serve as Grievance Program Coordinator. Responsibilities shall include ensuring that all appeals are responded to by appropriate persons within the fixed time limits.
10. The Inmate Grievance Program shall be evaluated annually. Comments on the grievance procedure from the jail's employees and inmates will be accepted by the Jail Administrator and review as a part of the evaluation. Past evaluations shall be made available for review.
11. All grievance records shall be marked "confidential" and kept separate from the inmate master file. Staff or inmates shall not have access to records except to the extent necessary for clerical processing, grievance resolution, or compliance monitoring.
12. No reprisals or disciplinary action shall be taken against any inmate for good faith use or participation in the grievance program. If an inmate feels that a reprisal has occurred, a grievance stating the reprisal action may be filed directly to the Sheriff. Appropriate disciplinary action may be taken for repeated abuse (improper or deceitful use) of the grievance program. In these cases, the Sheriff may limit the number of grievances that can be filed per week. The Sheriff shall review these cases monthly and the limit will be lifted when there is no further cause.
13. Inmates may at any time seek assistance through the Office of Citizens' Aide/Ombudsman. (I.C. 601G)
14. The maximum period between receipt of a grievance and final appeal response shall not exceed ninety (90) calendar days unless the grievant agrees in writing to an extension. Expiration of a time limit at any step entitles the grievant to move to the next step unless the grievant agrees upon an extension in writing. Upon expiration of a time limit by a grievant, the complaint will become exhausted at the next step. In these cases, the grievant shall be notified in writing.
15. New employee training shall include written and oral instruction in the grievance program. Inmates who have questions regarding the grievance procedure shall consult the Correction Officer on-duty.

16. Inmate admission procedures shall include written and oral instruction in the grievance program.
17. The policy shall be incorporated in the Inmate Rule Booklet. The policy shall also be placed in the operations manual, which is available to staff at all times. At any time, comments by staff or inmates will be accepted and considered the next time the Evaluation Committee meets. These comments should include the effectiveness and credibility of the Grievance Program. The policy must be kept current.

### PROCEDURE

I. "Inmate Grievance Complaint" and "Grievant Appeal" forms must be used and all information complete. If not all information is complete, complaint and/or appeal form will be returned to be completed properly and resubmitted. Complaint forms are available from the Correctional Officers on-duty and the Grievance Officer. The Grievance Officer must attach an appeal form to each response.

1. Upon receipt, the Grievance Officer shall:  
WITHIN SEVEN (7) DAYS:
  - A. Number each grievance
  - B. Determine the process to be used:
    - (1) None (non-grievable issues by policy)
    - (2) Standard or
    - (3) Emergency
  - C. Notify the inmate in writing of:
    - (1) Receipt of each grievance
    - (2) Process to be used
    - (3) Which attempt for resolution will be used (as in 2 [D])

### WITHIN FOURTEEN (14) DAYS:

- D. Ensure initial written response
3. If this time frame expires prior to initial response, the grievant may file appeal unless an extension agreed to in writing.

4. If an emergency is declared by the grievant, but not determined as such by the Grievance Officer, the denial shall be explained in writing.
5. If the Grievance Officer determines, upon initial review, that an emergency grievance exists, the grievance shall be forwarded immediately, without substantive review, to the level at which corrective action can be taken. All time periods for response to an emergency grievance shall be reduced by one-half (1/2).
6. If the Grievance Officer determines that a grievance is not grievable, written notice shall be sent to the inmate within seven (7) days stating the reasons. Although there is no appeal of these grievances, these complaints can be filed with the Citizens' Aide/Ombudsman's Office.
7. All grievances that are processed/numbered shall be investigated.
8. If further action is necessary to respond to a grievance, the initial response shall state what action is anticipated and approximate time for completion. All grievances shall be processed from initial receipt to final decision within ninety (90) days.
9. If more than one inmate files a grievance concerning the application of general jail policies, practices, or conditions, the Grievance Officer may process these grievances as a group, therefore providing the same response to each grievant.
10. When a grievance concerns an issue of policy, conditions, or general nature, and is of non-confidential nature, the inmate may solicit comments of other inmates. This must be completed prior to filing the grievance.
11. The grievant may appeal the initial response of the Grievance Officer in writing to the Sheriff within seven (7) days of receipt of the decision. The Sheriff or designee shall respond in writing to the appeal within fifteen (15) days. The appeal response shall include the reasons for the decision.
12. The Sheriff shall ensure response to all appeals from the appropriate source within fifteen (15) days of receipt. If an appeal to the Sheriff is not answered within fifteen (15) days, the decision of the grievance officer is upheld and also stands as the Sheriff's decision.

13. The Grievance Officer shall keep a log of each grievance.
14. The Grievance Officer shall file each grievance under a unified and confidential system to be kept separate from the inmate master file. These records must be kept for a minimum of five (5) years from the date of final disposition.

#### MEDICAL CARE

- a. An inmate will be provided with the opportunity to receive prompt medical attention for illness, injury, necessary dental care and necessary, ordered psychological counseling. Request must be made to the Corrections Officer on-duty explaining the nature of the medical need. Requests for non-essential care will not be honored.
- b. Any medication given to an inmate must be prescribed by a physician or other person authorized to dispense medication. (EXCLUDE: reasonable amounts of aspirin.)
- c. NO inmate will be allowed to administer medication.
- d. If an inmate intentionally falsifies a report of illness, which results in transfer to the hospital or imposes on a physician to come to the jail, a disciplinary report will be written.

#### MEDICAL COSTS

Medical costs for necessary health care services administered to the inmate shall be the responsibility of the inmate. In no event will the delivery of necessary health care be denied because of an inmate's inability to pay.

#### RELIGION

All inmates will be afforded a reasonable opportunity to participate in religious expression, worship, and guidance of recognized faiths.

#### ACCESS TO COURTS

Attorneys shall be permitted to visit inmates between 8:00 a.m. and 4:00 p.m., Monday through Friday, or at other times as previously arranged providing jail security and daily routine are not unduly interrupted. All such consultations shall be held in privacy in the visitation room at the attorney's request.

Inmates shall have access to the courts by being provided with the following:

- 1) Sufficient writing materials, postage, and addresses as necessary to insure adequate communication with the court.
- 2) Inmates will request legal materials from their attorney. However, if the inmate has no attorney or the attorney refuses to provide the legal materials, the Jail will provide:
  - \* Iowa Code (current)
  - \* Iowa Code Annotated for criminal chapters and chapters on civil and criminal procedure
  - \* Dictionary
  - \* The rules of court
  - \* A list of all lawyers in the county with their phone numbers and business addresses

Upon request, staff will provide the Code index at jail check time. The index will be removed at the next jail check along with the written request for the specific code sections.

Inmates requesting other legal materials are to be as specific as possible, including the name of the book or document and specific section, chapter, page, etc. However, reasonable inability to specify a particular section, chapter, page, etc. of a legal book shall not bar inmates from access to the above-stated materials. Requests will be handled Monday through Friday from 8 a.m. to 3 p.m. Requests will not be processed on weekends or holidays.

- 4) If an inmate has no attorney, the Staff will make the photocopies for the inmate. An inmate will be provided with ten (10) photocopies at no cost. A fee of fifty (50) cents per copy will be charged to the inmate for any amount over ten (10) copies.

### DOCUMENTATION

All requests by inmates shall be documented by jail staff noting time, date, and disposition of each request. Any legal papers an inmate may have can be retained by him/her in cell or stored in their locker.

### SMOKING

It shall be the policy of the Davis County Jail to prohibit the use of tobacco products in any area of the facility. Tobacco products and lighting materials will be considered contraband.

### LAUNDRY

Laundry will be exchanged on Mondays and Thursdays.

### SERVICES AVAILABLE

1. Drug and Alcohol Counseling: counselors available
2. Mental Health: local mental health
3. G.E.D.: for inmates in custody over a long period (6 months)
4. Work Release: must be court ordered

### BUSINESS TRANSACTIONS

No person working in the Davis County Jail shall transact any business with any inmate or member of any inmate's family, nor shall any person working in the Davis County Jail arrange through another party any business transactions with any inmate. Also no inmate will transact any business with another inmate while in the Davis County Jail.

This rule should not be construed to mean that Staff during the course of their duties are prohibited from commissary type transactions on behalf of the inmate.

INMATE REQUEST FORMS

The Inmate Request Forms are available from the staff at breakfast time and will be picked-up at noon only, Monday through Friday.

Forms must be completed detailing in writing the items/services requested.

HAIR CARE

Inmates shall request in writing that the Sheriff arrange for hair care services.

The costs for hair care services are to be paid by the inmate. In any event, unless medically or judicially contraindicated, no inmate shall have access to hair care services more than once every thirty (30) days. An inmate must be incarcerated for at least 30 days before receiving a haircut.

Shaving shall be with a disposable safety razor furnished by the county and retained by the Sheriff or his designee. The sharing of instruments subject to blood contamination such as non-electric razors and toothbrushes is prohibited.

READING MATERIALS

Inmates may have any one (1) of the following reading materials in their cell, at a time:

Newspapers                  Paperbacks                  Magazines

The jail will allow visitors to provide paperback books belonging to the public library with the understanding that the facility and staff are not responsible for the books. While the Davis County Jail has no library as such, occasionally books are donated to the jail. These materials will be available to inmates.

Reading material mailed from the distributor/publisher only will be accepted into the Davis County Jail.

Inmates will be allowed publications outlined above which the Corrections Officer deems appropriate in a jail setting and consistent with Iowa Law.

An inmate dissatisfied with the decision of the Correctional Officer regarding the denial of access to reading material may within 24 hours file a written appeal to the Sheriff

The Sheriff or in his absence, the Chief Deputy, shall make a written response affirming or reversing the Correctional Officer's decision within 72 hours (excluding weekends and holidays) and that decision will be final.

### TRANSPORTATION/COURT APPEARANCES

During court appearance and while being transported, inmates:

- 1) will not smoke;
- 2) will not communicate with anyone en route to court;
- 3) will not communicate with anyone in court, except their; attorneys or except with the permission of the court attendant;
- 4) will show proper respect to the judge; and
- 5) will not leave their assigned seating area.

### TELEVISIONS

Televisions may be permitted in the cell block area as a privilege. Televisions may be played at or about 8:00 am. until 11:00 p.m.

Yelling, loud talk, banging on bunks, is prohibited and may result in loss of television privileges.

### INMATE PERSONAL SAFETY

If an inmate becomes aware of any emergency, he/she will:

- (1) Immediately notify the jailer of the type of emergency (fire or other emergency).
- (2) Listen for specific instructions from the jailer.

These instructions could include, but not be limited to:

- (1) Get on the floor away from the fire.
- (2) Use the stop, drop, and roll method for clothing fire.

LIGHTS OUT & LOCK DOWN

Lock down and lights out will be at or about 11:00p.m.

EXERCISE AND RECREATION

Inmates held over seven (7) days and not involved in a work release program or other activities allowing the inmate to be outside the jail, will be permitted exercise. There will be no exercise on weekends or holidays.

There is no set time for exercise and is done at the discretion of the Sheriff or Jail Administrator.

Exercise may be suspended for short periods of time for security reasons. Exercise may also be suspended for disciplinary purposes after an appropriate administrative hearing.

CONTRABAND

Inmates shall have nothing in their possession that is not specifically provided by Jail staff. Contraband is anything that is not introduced to an inmate by the Davis County Jail Facility staff members. Any altered or misused material or items provided by staff that can cause injury or death.

Criminal Penalties may result. It is a Class C Felony to provide an inmate or have an inmate possess a dangerous weapon. It is a Class D Felony to provide or possess any other item or material that was not introduced to the inmate by Davis County Jail Staff. It is an aggravated misdemeanor to fail to report a known violation or attempted violation of possession of contraband by an inmate.

Visitors or anyone who knowingly introduced contraband into or onto the grounds of the Davis County Jail may also be prosecuted.

SEXUAL ASSAULT

Inmates have a right to be free from sexual abuse and sexual harassment at the Davis County Jail. In the event you have been sexually abused or harassed at the Davis County Jail by staff, other inmates or any other individual, promptly notify correctional officers, Jail Administrator, medical staff or the Iowa State Ombudsman. Your notice may be in writing or verbal and may be anonymous. Upon notice, an investigation will be conducted promptly.