

This information was provided to Loyola Law students in response to a public records request in Fall 2021 for the facility's "inmate manual/handbook." These rules are current as of Jan. 14, 2022.

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## SECTION I

## POSTED POLICY:

This part of the HANDBOOK constitutes clear and proper notice for every adult inmate within the confines of the Ouachita Correctional Center and supersedes any and all posted policy of this institution.

Any additions to, deletions, and/or changes will be amended in this HANDBOOK to ensure it remains complete and up-to-date.

This posted policy must be adhered to at all times. The purpose of this HANDBOOK is to ensure all inmates of clear-cut guidelines governing inmate conduct and a clean, healthy living environment with fair and equal treatment for everyone.

1. Head counts are made with lights turned on
2. All dorms will be fed in the day room of the respective pods at approximately the same times daily.

Breakfast 0330 hours

Lunch 1030 hours

Dinner 1530 hours

3. The inmate(s) issued clothing and shoes will be worn unless you are in your bunk, showering or unless otherwise specified, such as per doctors orders.
4. Beds must be made before 0700 hours. Beds will be made in the manner shown. Inmates will stay in assigned bunk unless moved by Security.
5. All clean clothing and personal belongings will be kept in the locker underneath the inmate s bed. Nothing will be left on the bed between 0700 hours and 1700 hours. No inmate will be allowed to use any locker other than the one assigned to his bed.
6. Dirty clothing will be kept in the laundry bag or in the inmate s locker.
7. When notified by a deputy that a head count is to be made, the inmate will stand quietly where directed until released by the deputy making the count. No talking is allowed during any count.
8. No repairs or alterations to any utilities, clothes, or any parish property will be made without the permission of a deputy and only under their direct supervision.
9. No inmate will be allowed to visit other dormitories without the permission of a deputy.
10. Inmates will have no ducktails, mohawks, hippie-style or any extreme haircuts. Afro-style haircuts will be kept reasonably short, neatly trimmed, and not over 2 ½ inches long. Sideburns should be neatly trimmed and not allowed to grow below the bottom of the ear. Hair will not be allowed to grow longer than the collar of the work shirt or detention suit as it is normally worn, nor over the ears. Offenders cannot change hair color while incarcerated. ½ inch beards and mustaches will be allowed. Male and Female offender finger nails will be kept at no longer than 1/8<sup>th</sup> of an inch beyond end of fingertip. Facial hair, other than moustaches is prohibited for anyone whose primary assigned job is in the kitchen, requires handling food OR assigned a trustee job. Appropriate disciplinary and enforcement action shall be taken if voluntary compliance by an offender is not achieved.
11. Do not attract attention to oneself or attempt to engage visitors in conversation unless given permission by a deputy.
12. Inmates will not buy, trade, or obtain any article of food, clothing, equipment, or supplies from anyone unless authorized by a deputy.
- 12 (A) Offenders are responsible to keep any and all receipts for items purchased from commissary. Any items found without proof of purchase shall be taken as a violation of item (12).
13. Newspapers, books, or radios will not be taken on any work detail at any time.
14. Lockdown and phones turned off will be at 2100 hours each night, with lights out at 2230 hours.
15. TV hours are after dorm inspection by duty deputy to 2230 hours each day except during church services. Any recreational activity allowed in the dormitories will cease at 2230 hours and all inmates will be in their assigned bunks. There will be no visitation or loud talking allowed.
16. Before entering any office, an inmate will knock on the door and wait for permission to enter.
17. Under no conditions will an inmate change beds without the permission of a deputy.

18. The laundry, kitchen, shop, greenhouse, produce house, and storage areas are off limits except to authorized personnel.
19. Do not use the restrooms in the lobby; they are for deputies and guests only. No loitering is allowed in the Administration building at any time.
20. Collect telephones are provided for each dormitory. No calls will be made to any elected officials.
21. Smoking is not permitted by any inmate while incarcerated at the Ouachita Correctional Center .
22. Inmates will be fully clothed at all times while around the main compound area. This includes shirttail inside of pants. Inmates will be permitted to remove their top garment in the field only. Warm-up suits and recreation suits are allowed in the recreational yard. Inmates will be clean and properly dressed any time they leave this facility. Headdress must be removed while inside the Administration building. Bandanas or headbands will not be worn around the compound area at any time.
23. Under no circumstances and at no time while outside the facility will inmates be allowed to make any phone calls, buy anything, or visit with anyone except with the permission of a deputy.
24. Inmates will not be allowed in any dormitory during duty hours unless assigned or authorized by a deputy.
25. Inmates are not allowed to drive or use any vehicle, tractor, lawnmower, motorboat, or any type of power equipment unless authorized by a deputy.
26. Money for inmates must be sent in the form of a post office money order. It is deposited in the inmate s account. Only \$300.00 is allowed in inmate account. Only \$300.00 per week may be spent in the store (\$150 on Store & \$150 on debit phone time). Money order must be filled out COMPLETELY including inmate s full name, State ID Number, sender s full name and complete address.
27. No radios or similar appliances area allowed with AC power cords. Those allowed will be played only with the headphones or earphones at all times. Headphones must be plugged into radio at all times. No external speakers are allowed.
28. ID cards are issued to you at dress out, they ID card should be with you at all times!
29. Balances are carried forward in regard to monies owed medical, etc.
30. Offenders are prohibited from establishing or maintaining an account on any Internet-based, social networking website.
31. Do not sit on any thing not designed to be sat on. For example: do not place your butt on the table top where you eat.
32. You should only stand on the floor. Do not stand on coolers, tables, benches, bunks, buckets, etc.
33. If anyone puts any items down the toilet other than urine/feces/toilet paper; the TV's will be removed from that area.

**1. CONTRABAND (Schedule B):**

No offender shall have under his immediate control any illicit drugs, any product that could be used to adulterate a urine sample, unauthorized medication, alcoholic beverage, yeast, tattoo machine, or tattoo paraphernalia, syringe or any type weapon, cellular phone or electronic communications device, or any other item not permitted by Department Regulation or institutional posted policy to be received or possessed or any other item detrimental to the security of the facility. Money is contraband. Any item not being used for the purpose for which it was intended will be considered contraband if it being used in a manner that is clearly detrimental to the security of the facility. Possession of cigarettes and other smoking materials, i.e. cigarette lighters, pipes, etc., are deemed to be contraband.

**2. CONTRABAND - ATTEMPTED POSSESSION (Schedule A):**

To smuggle or attempt to smuggle prohibited items into or out of the facility will be in violation of this rule.

The area of immediate control is an offender's person, his locker(s) or storage area, his cell, his room, his bed, his laundry bag and his assigned job equipment (such as, but not limited to, his desk, his tool box or his locker at the job) or the area under his bed on the floor unless the evidence clearly indicated that it belonged to another offender. Contraband found in a cell shared by two or more offenders will be presumed to belong to all equally.

Any offender who is tested and has a positive reading on a urinalysis or breathalyzer test will be considered in violation of this rule. An offender who refuses to be tested or to cooperate in testing, as well as an offender who alters his urine specimen, will also be found in violation of this rule (including being unable to provide a urine specimen within three hours of being ordered to do so.)

**3. DEFIANCE (Schedule B):**

No offender shall commit or threaten physically or verbally to commit bodily harm upon an employee, visitor, guest or their families. This includes throwing any object, liquid or substance, or spitting or attempting to spit on an employee, visitor, guest or their families. No offender shall curse or insult an employee, visitor, guest or their families. No offender shall threaten an employee, visitor, guest or their families in any manner; however, an offender may advise an employee of planned legal redress even during a confrontational situation (although an offender's behavior in such a situation shall not be disrespectful or violate any other disciplinary rule). No offender shall obstruct or resist an employee who is performing his proper duties. No offender shall try to intimidate an employee to make the employee do as the offender wants him to do. An employee, visitor, guest or their families shall not be subject to abusive or insulting conversation, correspondence, phone calls or gestures.

**4. DISOBEDIENCE (Schedule A):**

Offenders must obey the posted policies for the facility. They must obey signs or other notices of restricted activities in certain areas, safety rules or other general instructions. The only valid excuse for Disobedience or Aggravated Disobedience is when the immediate result of obedience would result in bodily injury (this includes incapacity by virtue of a certified medical reason).

**5. DISOBEDIENCE - AGGRAVATED (Schedule B):**

Offenders must obey direct verbal orders cooperatively and promptly and not debate, argue or ignore the orders before obeying. The last order received must be obeyed when orders conflict. Even orders the offender believes improper must be obeyed; grievances must be pursued through

proper channels. Sanctions imposed by the Disciplinary Deputy/ Disciplinary Board are to be carried out by the offender. Violations of duty status will apply to this rule as will a violation of an order from the Disciplinary Board. The only valid excuse for Disobedience or Aggravated Disobedience is when the immediate result of obedience would result in bodily injury (this includes incapacity by virtue of a certified medical reason).

**6. DISORDERLY CONDUCT (Schedule A):**

All disruptive and excessively boisterous behavior is forbidden. This includes, but is not limited to, horseplay and/or disorderly conduct. Offenders shall not jump ahead or cut into lines at the canteen, recreational activities, dining/kitchen area or during group movements of offenders. Visitors and guests shall be treated courteously and not be subjected to disorderly or intrusive conduct. Offenders shall not communicate verbally into or out of cellblocks or other housing areas.

**7. DISRESPECT (Schedule A):**

Employees, visitors, guests or their families shall not be subject to disrespectful conversation, correspondence, phone calls, actions or gestures. Offenders shall address employees, visitors, guests or their families by proper title, rank or by "Mr.", "Mrs." or "Miss" whichever is appropriate.

**8. ESCAPE OR ATTEMPT TO ESCAPE (Schedule B):**

- a. Attempted escape: The attempt to commit a simple or aggravated escape as defined herein.
- b. Simple escape: The intentional, unauthorized departure of an offender under circumstances in which human life was not endangered, including but not limited to: from the grounds of an institution, a designated area or place within an institution, the custody of a Corrections' employee while off the grounds of an institution or the custody of any law enforcement Deputy; the departure of a work release offender from the designated area where he is legally confined; the failure of an offender participating in a work release program to report or return from his planned employment or other activity at the appointed time, or who leaves the job site for any reason without permission; or the failure of an offender on furlough to return to his place of confinement at the appointed time.
- c. Aggravated escape: The intentional, unauthorized departure of an offender under circumstances in which human life was endangered, including but not limited to: from the grounds of an institution, a designated area or place within an institution, the custody of a Corrections' employee while off the grounds of an institution or the custody of any law enforcement Deputy; the departure of a work release offender from the designated area where he is legally confined; the failure of an offender participating in a work release program to report or return from his planned employment or other activity at the appointed time, or who leaves the job site for any reason without permission; or the failure of an offender on furlough to return to his place of confinement at the appointed time. For the purpose of this rule, the commission of a crime while on escape constitutes aggravated escape.

**9. FIGHTING ( Schedule B):**

Hostile physical contact or attempted physical contact is not permitted. This includes fist fighting, shoving, wrestling, kicking and other such behavior. Contact does not necessarily have to be made for this rule to be violated. Self Defense Clarification: Self-defense is a complete defense and can be established to the Board by the offender demonstration that his actions did not exceed those necessary to protect himself or others from injury.

**10. FIGHTING - AGGRAVATED (Schedule B):**

Offenders shall not fight with each other using any object as a weapon (including any liquid or solid substances thrown or otherwise projected on or at another person). When two or more offenders attack another

offender without using weapons, the attackers are in violation of this rule, as are all participants in a group or "gang" fight. The use of teeth will also be sufficient to constitute a violation of this rule. No offender shall intentionally inflict serious injury or death upon another offender. Contact does not necessarily have to be made for this rule to be violated. Self-Defense Clarification: (Refer to clarification under Rule No. 9)

**11. GAMBLING (Schedule B):**

No offender shall operate or participate in any game of chance involving bets or wagers or goods or other valuables. Possession of one (1) or more gambling tickets or stubs for football or any other sport is a violation. No offender shall operate a book-making scheme. Possession of gambling sheets with a list of names or codes, point spreads, how much owed, or how much wagered will be considered a violation.

**12. HABITUAL OFFENDER (Schedule B):**

An offender who has established a documented pattern of behavior indicating that he is an escape risk or that he is dangerous to himself or others is a habitual offender. An offender who has established a documented pattern of hostile, disruptive behavior by accumulating three (3) major violations or a total of five (5) violations within a six (6) month period is also considered a habitual offender. Major violations are as follows: Rules 1,2,3,5, 8, 10, 14, 15, 17, 19, 20, 21, 26, and/or Incident Reports concerning escape, violence, strong-arming, theft or smuggling of contraband.

**IMPLEMENTATION:** No Disciplinary Report can be filed for violation of this rule. An accelerated penalty (Schedule B) may be used by the Board at their discretion following conviction of a Disciplinary or Incident Report. This rule is properly invoked to impose Schedule B penalties following a conviction of a Schedule A offense or an Incident Report. Use of this rule must be documented in the oral and written summaries, and cannot be used to impose an additional penalty. An offender cannot be sentenced for the violation itself and then given an additional sentence for being a habitual offender.

**13. INTOXICATION (Schedule A):**

No offender shall be under the influence of an intoxicating substance while in physical custody.

**14. MALINGERING (Schedule B):**

- a. A qualified medical staff person determines that an offender has made repeated and frequent complaints at sick call having little or no merit; or
- b. A qualified medical staff person determines that an offender has sought emergency medical treatment, not during scheduled sick call, when there was no ailment or when there was a minor ailment that was or could have been properly handled at sick call.

**15. PROPERTY DESTRUCTION (Schedule B):**

No offender shall destroy the property of others, the Parish, or the State. No offender shall alter his own property when the result of such alteration is to render the article unsuitable according to property guidelines. Flooding an area and the shaking of doors ("racking down") are not permitted. Standing or sitting on face bowls (sinks) is a violation. Whether the offender intended to destroy the property and/or degree of negligence involved may be utilized in defense of the charge.

An offender found in possession of damaged clothing, bedding, or facility equipment shall replace the item(s) at cost to the offender.

Subject to the rules and regulations of Ouachita Correctional Center, the accused offender has the option, in cases involving damage to property of forty (\$40) dollars or less, of making immediate restitution or requesting the case be heard by the Disciplinary Board.

If the accused offender requests to make immediate restitution, a facility

incident report, detailing the damaged item(s), shall be issued by the accusing officer. This report shall be accompanied by a restitution form, detailing the total cost, and signed by the offender, accusing officer and a witness. If the accused offender request the case be heard by the Disciplinary Board, a facility disciplinary report, detailing the damaged item (s), shall be issued by the accusing officer. This report shall be accompanied by a restitution form, detailing the total cost, and signed by the deputy. In such a case, if the accused receives a guilty verdict, the offender is subject to a sentence that could result in additional penalties.

**16. RADIO/TV ABUSE (Schedule A):**

Radios must be used in accordance with the approved posted policies of the facility. Televisions must be played at a reasonable volume so as not to disturb others. In addition to any penalty that is imposed by the Disciplinary Officer or the Disciplinary Board, the ranking employee on duty may confiscate the radio and it will be stored until the offender is released.

**17. SELF - MUTILATION (Schedule B):**

No offender shall deliberately inflict an injury upon himself, upon a consenting offender, or consent to have an injury inflicted upon oneself. Tattooing another person, tattooing oneself, piercing of any parts of the body and alterations to teeth are specifically included in this rule. Not included are obvious suicide attempts.

**18. SEX OFFENSE - AGGRAVATED (Schedule B):**

Non-consensual and/or consensual sexual acts involving offender-on-offender, offender-on-staff or non-incarcerated persons are strictly prohibited. Contact by an offender of any person without the person's consent or of a person who is unable to consent or refuse through coercion is strictly prohibited. (There is no consensual sex in a custodial or supervisory relationship) The following sexual behaviors are prohibited:

- a. Nonconsensual Sexual Act (offender-on-offender): Contact between the penis and the vagina or the penis and the anus including penetration, however slight; contact between the mouth and the genitalia, anus, groin, breast, inner thigh or buttocks; penetration of the genitalia of another offender by a hand, finger or other object. No offender shall sexually harass another offender by force or threat of force;
- b. Abusive Sexual Contact (offender-on-offender): Contact such as, but not limited to, intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, buttocks and/or mouth of any person. No offender shall sexually assault another offender by force or threat of force.
- c. Sexual Misconduct (offender-on-offender): Contact or attempted contact between the penis and the vagina or the penis and the anus including penetration or attempted penetration, however slight; contact or attempted contact between the mouth and the opening of another offender by a hand, finger, or other object; carnal copulation by two or more offenders with each other, or by one or more offenders with an implement or animal(s); two or more offenders who have obviously been interrupted immediately before or after carnal copulation. Use of the genital organs of one of the offenders is sufficient to constitute the offense. Offenders may not participate in any sexual activity with each other;
- d. Sexual Misconduct (offender-on-staff or non-incarcerated person): Contact or attempted contact between the penis and the vagina or the penis and the anus including penetration or attempted penetration, however slight; contact or attempted contact between the mouth and the opening of another offender by a hand, finger, or other object; two or more offenders who have obviously been interrupted immediately before or after carnal copulation. Offenders may not participate in any overt sexual activity with staff or non-incarcerated persons. Offenders may not participate in any sexual activity with staff or non-incarcerated persons;
- e. Obscenity: NO offender shall deliberately expose the genital organs and/or masturbate in view of staff or non-incarcerated persons;

f. Other Prohibited Sexual Behavior (offender-on offender, offender-on-staff or non-incarcerated person): No offender shall: make sexual remarks, gestures or sounds; flirt; exchange personal items, etc. or make sexual threats in conversation by correspondence or telephone;

g. Overt display of affection in a manner that may elicit sexual arousal with anyone is prohibited;

h. There can be no consensual sex between employee and an offender. Failure to report any improper advances made by an employee on an offender may result in a violation of this rule.

#### **19. THEFT (Schedule B):**

No offender shall steal from anyone.

**FORGERY:** A form of theft which is defined as the unauthorized altering or signing of a document(s) to secure material return and/or special favors or considerations. (The very act of forgery will constitute proof of the crime. It need not have been successful in its conclusion)

**FRAUD:** A form of theft which is defined as the deliberate misrepresentation of fact to secure material return and/or special favors or consideration.

#### **NEITHER IS PERMITTED**

An offender who knowingly submits obviously false information to any employee within the Department of Public Safety and Corrections is guilty of this violation. Lying to the Secretary or Warden on appeal or in any other part of the Administrative Remedy Procedure or in correspondence will also be in violation. Those who file Administrative Remedy Requests that are frivolous or deliberately malicious may be disciplined under this rule. No offender shall have stolen items under his immediate control unless he has specific permission; this includes institutional food stuffs. (Refer to Rule No. 1 for the definition of "area of immediate control").

#### **20. THEFT - ATTEMPTED (Schedule A):**

Attempts to steal or to perpetrate a fraud or forgery are not permitted. This rule applies to such attempts in which the perpetrator received no return for his effort. Stolen property or unauthorized institutional property (including any amount of institutional food items) discovered in a location that raises a presumption of guilt against a specific offender, but not discovered in his area of immediate control as defined in Rule #1, shall be a violation of this rule.

#### **21. UNAUTHORIZED AREA (Schedule A):**

An offender must be in the area in which he is authorized to be at that given time and date or he is in an unauthorized area. No offender shall go into any housing unit other than that to which he is assigned (this includes standing in the doorway) unless he has permission.

#### **22. UNAUTHORIZED FOOD (Schedule A):**

No offender shall have under his immediate control any food not sold by the commissary or otherwise permitted. No offender shall possess institutional food items under his immediate control outside the area where meals are served without permission. No offender shall take extra portions of rationed food items served at mealtime.

#### **23. UNSANITARY PRACTICES (Schedule A):**

Offenders must not spit or drop litter anywhere except into a proper receptacle. Offenders must not smoke. Offenders must maintain themselves, their clothing, and their shoes in presentable condition under prevailing circumstances. Each offender is responsible for keeping his bed and area reasonably clean, neat, and sanitary. Beds will be made according to the approved posted policy at the facility. Offenders must wear issued uniforms in dayroom at all times. This means the uniform must be completely zipped or buttoned.

#### **24. WORK OFFENSES (Schedule A):**

Offenders must perform their assigned tasks with reasonable speed and efficiency. Though offenders have specific job assignments, it may be required that they do



work other than what their job assignments require. This work shall also be done cooperatively and with reasonable speed and efficiency. Being present but not answering at the proper time at work roll call is a violation. (A school assignment is considered to be a work assignment for the purposes of this rule.) Offenders operating vehicles or machinery will do so in a cautious and safe manner in conformity with state laws and institutional policies. Minor misbehavior such as, but not limited to, talking instead of working.

**25. WORK OFFENSES - AGGRAVATED (Schedule B):**

An offender who flatly refuses to work or go out to work, or who ask to go to Administrative Segregation rather than work, is in violation of this rule as is an offender who disobeys repeated instructions as to how to perform his work assignment. Falling far short of fulfilling reasonable work quotas is not permitted. Other violations include the following: being absent from work roll call without a valid excuse (such as no duty or call out), as is not reporting for extra duty assignment, being late to work or to school assignment is a violation. (A school assignment is considered to be a work assignment for the purposes of this rule.) Offenders must perform their work assignments cooperatively and satisfactorily. If an offender refuses to report for work duty, he will be placed in the security cell pending disciplinary action.

**26. POSTED POLICY VIOLATION (Schedule B):**

Any violation of properly posted policy, which may be changed at any time to meet the needs of this facility, will be chargeable under one or more of the above rules and regulations and penalties applicable to said rule.

**27. SECURITY RISK:**

Any offender determined to be a security risk will be assigned to a security cell until it is determined he is no longer a risk.

**28. DISTURBANCE (Schedule B):**

No offender shall create or participate in a disturbance. No offender shall incite any other person to create or participate in a disturbance. A disturbance is considered as two (2) or more offenders involving acts of force or violence toward persons or property or acts of resistance to the lawful authority of correctional officers and/or other law enforcement officers under circumstances which present a threat of injury to persons, to property, or to the security and good order of the institution.

**29. GENERAL PROHIBITED BEHAVIORS (Schedule B):**

The following behaviors which may impair or threaten the security or stability of the unit or well-being of an employee, visitor, guest, offender, or their families are prohibited:

- A. Strong-arming or using threats of violence or perceived harm or reprisal to secure gain or favor for oneself or others;
- B. Directly or indirectly threatening harm to oneself (except obvious suicide attempts), another offender, an employee, visitor, guest or their families;
- C. Threatening, planning, conspiring, or attempting to commit a violation of the rules of behavior for adult offenders, state or federal laws. Aiding or abetting another offender involved in committing a violation of the rules or state or federal laws;
- D. Engaging in or attempt to engage in a non-professional relationship with an employee, visitor, or guest or other person the offender may come in contact with; or while working on outside crews;
- E. Trafficking in drugs or alcohol, stolen goods, or sexual favors.
- F. Organizing or participating in a scam or similar behavior, i.e. attempting to hoard prescription drugs;
- G. Making unsolicited contact or attempted contact with the victims of one's criminal activity or any immediate family member of the victim;
- H. Bribing, influencing, or coercing anyone to violate institutional policies, procedures, rules, or state or federal laws, or attempting to do so;
- I. Giving an employee anything of any value;

- J. Harassing behaviors conducted via telephone, correspondence, or during other activities, etc.;
- K. The communication of malicious, frivolous, false, and/or inflammatory statements or information, the purpose of which is reasonably intended to harm, embarrass, or intimidate an employee, visitor, guest, offender or their families; (this rule shall not apply to information and/or statements communicated for the express purpose of obtaining legal assistance.)
- L. Unapproved use of telephones, computers and/or office equipment without approval; including but not limited to using another offender's State ID to place calls, 3-Way calling, contacting victim, chirping and selling or trading phone time.
- M. Purchasing or trading for offender legal or other services. Performing legal work for another offender or being in possession of an offenders legal work when not assigned as a counsel substitute or when not approved by the Warden. (It is a violation for any offender to give or receive anything of value relative to the provision of paralegal services.) An offender may not perform or be in possession of staff legal work.
- N. Communicating or visiting with non-incarcerated persons when not approved or communicating or visiting with any person after being given instructions not to communicate or visit with that person;
- O. Participating in a loud or boisterous argument or dispute even when a fight does not ensue;
- P. Participating in, organizing, or advocating a work stoppage;
- Q. Making or attempting to make credit purchases;
- R. Abusing the Administrative Remedy Procedure;
- S. Belonging to a gang, advocating membership in a gang, or participating in any gang related activities, including any form of gang or group identification or signaling;
- T. No offender shall misrepresent himself to an employee, visitor, guest or the public;
- U. Starting or attempting to start a fire and/or attempting to heat substances utilizing electrical/mechanical devices or any other means;
- V. Failing to cooperate with an investigation;
- W. Any behavior not specifically enumerated herein that may impair or threaten the security or stability of the unit or the well-being of an employee, visitor, guest, offender, or their families may still be the subject of a Disciplinary Report and all Schedule B penalties except forfeiture of good time.

## PROCEDURES

### APPEALS TO THE DISCIPLINARY BOARD:

An inmate who wants to appeal a case heard by the Disciplinary Officer (Low Court) must appeal to the Disciplinary Board (High Court) as soon as the sentence is passed by the Disciplinary Officer. The inmate who wants to appeal must clearly inform the Disciplinary Officer at that moment. The Disciplinary Officer automatically suspends the sentence and schedules the case for the next meeting for the Disciplinary Board. The appeal hearing before the Disciplinary Board is a full hearing, the same as any other hearing conducted by the Disciplinary Board.

### APPEALS TO THE SHERIFF:

An inmate who wants to appeal a case heard by the Disciplinary Board must appeal to the Sheriff and/or his Designee. The Board may suspend the sentence pending appeal, if they so desire. The inmate may appeal himself or through his counsel or counsel substitute. The Sheriff and/or his Designee base their decision on the record (written documents for or against the inmate) and/or any physical evidence. No new oral testimony is considered either for or against the inmate.

Appeals must be filed within seven (7) days of the Disciplinary Board decision (hearing). All appeals submitted will be viewed for proper form and content. If it is not correct, it will be returned so that it can be corrected and resubmitted. Statement of facts should be checked; false statements may damage credibility.

**Appeals will be clearly written or, preferably, typed on regular size paper (8-1/2 by 11) and contain the following:**

1. Heading: Appeal from the Disciplinary Board
2. Full name and location of appealing inmate
3. Date report was filed and original charge, if it was reduced
4. Rule number and/or the charge inmate found guilty of committing
5. Date(s) case was heard by the Board
6. Names of the Chairman and Board Members
7. Sentence imposed and whether it was suspended
8. Plea: Guilty or Not Guilty
9. State in clear, simple language the grounds for reversal, the arguments for reversal, and what relief is desired
10. Full name and location of counsel or counsel substitute filing the appeal
11. Date appeal is filed
12. Copy of report should be attached, if possible, together with any other evidence considered favorable to the appealing inmate

When an inmate is found guilty on the basis of an Incident Report, he has been found guilty of being physically dangerous to himself or others and/or of being a clear threat to the security of the facility through the specific incident described. Rule numbers, definitions, or penalties for violating rules have nothing to do with Incident Report cases.

### **PENALTIES:**

Sentences must fit the offense and the offender. An inmate with a poor conduct record may receive a more severe sentence than an inmate with a good conduct record for the same offense. Even so, minor offenses call for relatively minor penalties. Maximum, double penalties, or loss of good time should only be imposed for the most serious violations. An inmate who violates more than one (1) rule or the same rule more than once during an incident may receive a permissible penalty for each violation. After a finding of guilty of a new violation, a previously suspended sentence may be imposed as well as a new sentence. State and federal laws apply to inmates. In addition to being punished by the facility authorities, therefore, inmates may also be prosecuted in District Court for criminal conduct. No inmate may be punished except after a finding of guilty of a specific violation by the Disciplinary Officer or Disciplinary Board, and then only according to the penalty schedule for that violation.

### **PENALTY SCHEDULE FOR DISCIPLINARY REPORT**

#### **(HEARD BY DISCIPLINARY OFFICER):**

After a finding of guilty, the Disciplinary Officer may impose one or two of the below penalties:

1. Reprimand
2. Extra duty (up to four [4] days for each violation)
3. Loss of minor privileges for up to two (2) weeks

**NOTE:** Extra duty is defined as work to be performed in addition to the regular job assignment as specified by the proper authority. One (1) day of extra duty is eight (8) hours of work.

Minor privileges are as follows:

1. Loss of store privileges
2. Any other similar privilege

### **PENALTY SCHEDULE FOR DISCIPLINARY REPORT**

#### **(HEARD BY DISCIPLINARY BOARD):**

After a finding of guilty, the Disciplinary Board may impose one or two of the below penalties:

#### SCHEDULE A

1. Reprimand
2. Loss of minor privileges for up to two (2) weeks
3. Extra duty - up to four (4) days for each violation
4. Housing change
5. Job change, if the violation involves the job

#### HEARINGS - DISCIPLINARY BOARD:

The accused inmate must be given a written copy of the Disciplinary Report or Incident Report describing the charges against him at least twenty-four (24) hours before the hearing begins.

Before the hearing can begin, the accused inmates must have their rights read to them. These rights are as follows:

1. The right to present evidence and witnesses in his behalf provided it is relevant and not repetitious. (The Board has the option of stipulating expected testimony from witnesses.)
2. The right to counsel or counsel substitute.
3. The right to remain silent and that anything he does say may be used against him or at later proceedings.
4. The right to cross-examine his accuser provided it is relevant and not repetitious. (Incident Report cases the accusing employee and accusing inmate victim must be summoned on request.) Confidential informants will **NEVER** be summoned. (Disciplinary Report cases a good reason must be given to summon the employee accuser.)
5. The right to an oral summary of the evidence and reasons for judgment. This includes the reasons for the sentence imposed.
6. The right to a written summary of the evidence and reasons for the judgment (including reasons for the sentence imposed when the accused pled not guilty). This will usually appear on the finalized report.
7. On written request, the right to a finalized copy of all reports introduced at the hearing, except confidential information.
8. The right to ask for a rehearing.
9. The right to appeal to the Sheriff and/or his Designee within seven (7) days of the Board decision-hearing.

#### HEARING MUST BE CONDUCTED AS FOLLOWS:

1. The accused states his name, as does his counsel or counsel substitute (if any), and confirms that he has been read his rights and understands them.
2. The Chairman reads the Disciplinary and/or Incident Report to the accused and asks for a plea. Available pleas are Not Guilty or Guilty. The accused will have full opportunity to present his entire defense. If the accused enters no plea or attempts to enter an unavailable plea, the Chairman automatically enters a Not Guilty plea for him and proceeds with the case.
3. Motions, if any, by the defense should be made. Such motions may be as follows:
  - a. To dismiss or amend the charge(s)
  - b. For a continuance (must be granted on showing good cause; when accused did not receive adequate written notice of at least twenty-four (24) hours before the hearing, to contact an attorney, and so forth)
  - c. To conduct an investigation (must be granted on a showing of the need for an investigation, for clarification, and so forth)
  - d. Any other appropriate motions
4. The Board will rule on motions at the appropriate time. All motions must be ruled on before the hearing ends and a reason given for the ruling.
5. After entering his plea, the accused may then present his defense limited solely by the tests of relevance and non-repetition. The Board may ask relevant questions to the accused, his witnesses, and/or his accuser. The accused may remain silent if he so desires. In any event, no inmate can be compelled to incriminate himself.
6. During deliberations, everyone except the Board, the security officer, and any official observers must leave the room and the Board will decide the case on the basis of evidence presented at the hearing. Official observers must not take part in the hearing or deliberations. The security officer cannot participate in deciding the case or the sentence and must not participate in the hearing at all when he is the accusing employee unless he is summoned to testify under cross-examination. The accused's record may be examined following a finding or a plea of guilty in order to discover a pattern of similar misbehavior or pending a suspended sentence. The accused may request that his record be entered into evidence to reflect his conduct while incarcerated at the facility. It may be examined at any time following the request. As a rule, the record is examined in order to determine an appropriate sentence.
7. Following the deliberations, the Chairman will announce the verdict, giving an oral summary of the evidence presented and reasons for the verdict. If the verdict is guilty, the Chairman will then announce the sentence, giving an oral summary of the reasons for imposing the sentence selected. The Board has full authority to suspend any sentence they impose, including suspending the sentence pending appeal.

In conclusion, the Chairman will restate to the accused that he has the right to appeal to the Sheriff and/or his Designee within seven (7) days.

Either during or following the hearing, a written summary of the evidence presented and reasons for the judgment (including reasons for the sentence imposed) will be prepared in all cases that the accused pled not guilty and was found guilty. The convicted inmate will automatically be given or sent a written summary. Written summaries must accurately reflect the oral summaries.

#### SCHEDULE B

1. Reprimand
2. Loss of minor privileges for up to four (4) weeks
3. Loss of major privileges as designated below
4. Extra duty up to eight (8) days for each violation
5. Custody change to maximum security
6. Loss of good time up to thirty (30) days per calendar month, parish inmate only

7. Housing change
8. Job change
9. Placed on No Good Time status with forfeiture of all good time earned

**NOTE: Each privilege loss is a separate penalty; therefore, loss of two (2) privileges is the maximum penalty permitted for one violation. One (1) privilege loss may be imposed in addition to another penalty or by itself. Custody change to Medium Security status can be imposed for one violation.**

**MAJOR PRIVILEGES ARE AS FOLLOWS:**

1. Visiting if the violation involves visiting for up to three (3) months
2. Permanent loss of visiting privileges
3. Any other similar privilege

**PENALTY SCHEDULE FOR INCIDENT REPORT**

**(HEARD BY DISCIPLINARY BOARD):**

After a finding of guilty, the Disciplinary Board may impose one (1) or two (2) of the below penalties:

1. Reprimand
2. Job change, if the violation involves the job, or if it is required by a housing or custody change
3. Custody change to Medium or Maximum Security status

**POSTED POLICY:**

The Sheriff and/or his Designee, before taking effect, must approve proposed-posted policies. Approved posted policies must be posted in such a manner that every inmate affected is placed on clear notice as to what behavior is required or forbidden, and the action that may be taken against him should he violate the policy.

**RE-HEARINGS:**

An inmate may request a re-hearing of his case by asking the Board at the conclusion of the hearing by stating the reasons he feels a re-hearing should be held. The decision of the Board may be appealed to the Sheriff and/or his Designee.

**SUSPENDED SENTENCES:**

The Disciplinary Officer or the Disciplinary Board may suspend any sentence they impose for a period up to ninety (90) days. The period of suspension begins at the date of sentence. The sentence may not be revoked after ninety (90) days.

#### **HEARINGS DISCIPLINARY REPORTS:**

Before the hearing begins, the Board should change the rule number to match the description of alleged misbehavior, if necessary. They may also change the rule number at any point prior to the deliberations and offer the accused a continuance to prepare the defense. The continuance may be waived. (This does not apply to finding an accused guilty of a lesser, included offense.) A reviewing employee may change the rule number to fit the description prior to the hearing and ensure that the accused gets a corrected copy of the report at least twenty-four (24) hours before the hearing begins. Rule number(s) may be added if the offense is clearly described on the report, but an inmate cannot be charged with violating two rules for the same event. An incident may consist of several related events, each a separate, distinct rule violation.

#### **HEARINGS INCIDENT REPORTS:**

When the report is based solely on information from a confidential informant, it must be corroborated by witnesses (who may also be confidential informants), the records, or other evidence. On request, the accusing employee must be summoned to testify under cross-examination about the substance of the information received and the reasons he believes it to be true, including whether he considers the informant(s) to be reliable. In order for him to attest to the reliability of the information received from a confidential informant, the informant must have been reliable in the past and must have firsthand knowledge of the present incident(s).

When the report is based solely on information from an inmate who does not want to remain anonymous, it must be corroborated by witnesses (who may be confidential informants), the record, or other evidence. On request, the accusing inmate must also be summoned to testify under cross-examination.

The Board must exercise caution in cases based solely on an inmate(s) accusing another inmate(s), as information thus obtained is a poor substitute for firsthand knowledge by an employee of inmate misbehavior.

In conclusion, the Chairman will restate to the accused that he has the right to appeal to the Sheriff and/or his Designee within seven (7) days.

Either during or following the hearing, a written summary of the evidence presented and reasons for the judgment (including reasons for the sentence imposed) will be prepared in all cases that the



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**Administration Remedy Procedure****A R P**

**An offender should always try to solve the problem without filing a grievance.**

**All offenders will have reasonable access to a grievance remedy procedure that includes at least two levels of review if necessary.**

**The grievance remedy procedure shall be an administrative means through which an offender may seek formal review of a complaint**

**which relates to any aspect of his imprisonment if less formal procedures have not resolved the matter.**

**The following matters are not reviewable through the ARP:**

**A. Court decisions (habeas corpus proceedings, pending criminal matters, etc.). The Ouachita Sheriff's Office**

**has no control or jurisdiction over these matters.**

**B. Pardon and Parole decisions.**

**The following is a list of reasons for rejecting a grievance:**

**1. The matter is not reviewable through this procedure. This includes:**

**a. Court decisions**

**b. Parole/Pardon decisions**

**c. Disciplinary Review Board decisions**

**d. Work release decisions**

**2. A similar case is under consideration. When several offenders file similar or identical grievances, only the first grievance filed will be reviewed.**

**3. The grievance concerns an action not yet taken or a decision which has not been made.**

**4. Another offender has already requested a review of the same issue.**

**5. The offender has filed the grievance for another offender.**

**6. The grievance is not on an ARP, which is supplied by Ouachita Correctional Center.**

**7. Established rules and procedure were not followed.**

**8. Only one grievance per ARP is acceptable.**

**9. Duplicate grievances have been submitted.**

**10. If the grievance is unclear or the attached material is too great.**

**If the ARP is rejected; the offender will receive a copy of that ARP with the reason it was rejected.**

**As of December 1, 2015, the (ARP) Administrative Remedy Procedure document has been updated to contain three steps.**

**Offender may obtain an ARP by asking a Deputy for an ARP.**

**The offender has 48 hours of an incident to file the initial grievance.**

**The First Step is to be answered and returned within 72 hours of the Sergeant/Designee's decision.**

**The Second Step is to be answered and returned within 72 hours of the Lieutenant/Designee's decision.**

**The Third Step is completed by the Warden/Asst. Warden within 30 days of receipt.**