

Disciplinary Hearing Notice

Prisoner's Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Institution: \_\_\_\_\_

You are hereby advised of your scheduled appearance before the Disciplinary Committee/Hearing Officer of this institution on \_\_\_\_\_ at approximately \_\_\_\_\_ for alleged conduct in violation of:

\_\_\_\_\_ On \_\_\_\_\_  
(Citation of Prohibited Act(s)) Date of Violation

The hearing will not be held within less than 48 hours of this notice unless you waive that requirement by signing the waiver below:

\_\_\_\_\_ I waive the 48 hour requirement: \_\_\_\_\_

You are entitled to receive the assistance of a staff advisor in the disciplinary process if the infraction alleged is a low- or high-moderate or a major infraction. You may select from an advocate pool designated by the superintendent for that purpose; the present advisors are: \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ I select as my advisor: \_\_\_\_\_ 2<sup>nd</sup> choice: \_\_\_\_\_

\_\_\_\_\_ I waive the assistance of an advisor.  
(to be initialed and/or completed by subject prisoner; however, should subject be unable or unwilling to write, completed and initialed by staff delivering notice and receiving response.)

Your hearing will be postponed for two working days beyond the presently scheduled time if you request postponement in writing before the hearing. At the hearing, you may be granted a two working day postponement upon finding that good cause exists. Also, be advised you must inform the Disciplinary Committee/Hearing Officer in writing, at least 24 hours before the hearing, of witnesses you wish to call or evidence you intend to introduce at the hearing. If you refuse to attend the hearing, adjudication and disposition may be made on your behalf in your absence.

Notice received and/or delivered: (See reverse side for Agenda and further Procedural Opportunities.)

\_\_\_\_\_  
Prisoner Signature Date Time Staff Signature

Postponement Notice

Your disciplinary hearing is/was postponed for \_\_\_\_\_ working days as of \_\_\_\_\_, 20\_\_\_\_\_ and is rescheduled for \_\_\_\_\_, 20\_\_\_\_\_; or \_\_\_\_\_ for the following reasons: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Notice received and/or delivered:

\_\_\_\_\_  
Prisoner Signature Date Time Staff Signature

## Disciplinary Hearing Agenda

1. Adjudication Case. To determine if the prisoner committed the infraction(s) alleged:
  - a. the Chairperson/Hearing Officer convenes the hearing and identifies parties present for the record;
  - b. the Disciplinary Report is read aloud;
  - c. the Chairperson/Hearing Officer shall request an admission or denial for each infraction alleged;
  - d. where an admission is entered, the Disposition Phase is initiated; or
  - e. where a denial is entered;
    - (1) the committee/hearing officer shall call the author of the Disciplinary Report into the hearing and question him or her, if requested to appear by the prisoner or the committee/hearing officer;
    - (2) the committee/hearing officer shall review and/or hear witnesses and evidence cited in the report and relevant to the alleged infraction(s);
    - (3) the accused prisoner and/or advisor, if any, are heard, call witnesses, and/or offer further evidence;
    - (4) the accused prisoner and advisor are excused from the hearing and the committee/hearing officer deliberates to a finding of whether or not the prisoner has committed an infraction; and
    - (5) the prisoner and advisor, if any, return to the hearing and are informed of the committee/hearing officer's finding.
  
2. Disposition Phase. If the prisoner enters an admission or is found guilty, the committee/hearing officer shall:
  - a. consider the sanction(s) to be imposed
  - b. invite the prisoner and/or advisor to present statement(s) or information to mitigate the penalty;
  - c. consider mitigating factors;
  - d. excuse the prisoner from the hearing at this point while the committee/hearing officer determines the sanction(s) to be imposed;
  - e. deliberate to determine the penalty to be imposed
  - f. allow the prisoner to return to the hearing, if not present during the deliberation, and inform him or her of the committee/hearing officer's decision; and
  - g. provide the prisoner a handwritten summary of the hearing finding and penalty imposed on which the prisoner must indicate the intention to appeal or to waive appeal with the understanding that the penalty may then be imposed immediately. The Chairperson/Hearing Officer must inform the prisoner of the appeal opportunity and process and provide an appeal form, if the prisoner's stated intention is to appeal the committee/hearing officer's decision to the Superintendent.

Distribution: Original to Disciplinary Chairperson  
Advisor  
Prisoner