



Ohio Administrative Code Rule 5120:1-10-12 Prisoner discipline.

Effective: February 16, 2016

(A) (Important) Written inmate rules will identify prohibited acts and/or conduct, degrees of violations, ranges of penalties and disciplinary hearing and grievance procedures.

(B) (Important) There shall be a sanctioning schedule for rule violations.

(1) The jail administrator or designee shall approve any penalty exceeding suspension of rights or disciplinary isolation for more than twenty-four hours.

(2) The jail administrator or designee shall approve any penalty exceeding suspension of privileges for more than seventy-two hours.

(3) The maximum sanction for a rule violation(s) shall be no more than two hundred eighty-eight hours.

(C) (Important) Inmate rules shall identify the fundamental rights that cannot be suspended except in an emergency, and/or other condition(s)/circumstance(s) beyond the control of the jail administrator or their staff.

(D) (Important) If Inmate access to clothing, bed, bedding, toilet, lavatory and/or shower are suspended, there shall be a daily review for re-instatement by the jail administrator or designee.

Jail disciplinary measures shall not include corporal punishment, discipline administered by inmate(s) and/or the withholding of food or medical treatment.

(E) (Important) Pre-disciplinary hearing requirements shall include, but are not limited to, the following:

(1) A written incident report;



- (2) Written notification to the individual inmate(s) of the nature and date of the alleged violation(s);
- (3) The opportunity for the inmate to waive the pre-disciplinary hearing;
- (4) An investigation that commences within twenty-four hours of the incident and/or discovery of the incident, whichever comes last, to determine whether sufficient evidence exists to support the charge.

(F) (Important) Disciplinary hearing requirements shall include, but are not limited to, the following:

- (1) An impartial hearing officer appointed by the jail administrator or designee;
- (2) The opportunity for the inmate to be heard, present evidence and question witnesses subject to the limitations imposed by the hearing officer.

The inmate shall have a minimum of twenty-four hours after receiving notice of the rules violations to prepare for the disciplinary hearing.

- (3) The inmate shall be provided assistance if they are found by the hearing officer not to be able to communicate.
- (4) The opportunity for the inmate to waive the disciplinary hearing.
- (5) A hearing to be held within forty-eight hours excluding, holidays, weekends, and emergencies after receiving written notification if placed in isolation or within three business days if the inmate is not placed in isolation.

(a) Postponement of the hearing may be granted.

(b) Written findings prepared by the hearing officer should penalty/sanction be imposed.



(G) (Important) The assessment of penalties against an inmate shall be documented and maintained with the jail record.

(H) (Important) Inmates shall be afforded an opportunity to appeal disciplinary actions of the jail administrator or designee.