



Ohio Administrative Code Rule 5120:1-8-12 Prisoner discipline.

Effective: April 20, 2014

(A) (Important) Written inmate rules shall specify prohibited acts or conduct, degrees of violations, ranges of penalties and disciplinary hearing procedures.

(B) (Important) There shall be a sanctioning schedule for rule violations. The jail administrator or designee shall approve any penalty exceeding suspension of rights or disciplinary isolation for more than one hundred twenty hours. The maximum sanction for rule violations shall be no more than sixty days for violations arising out of one incident. Continuous confinement for more than thirty days requires the review and approval of the jail administrator or designee.

(C) (Important) Inmate rules shall specify the fundamental rights that cannot be suspended except in an emergency or other condition beyond the control of the jail administrator.

(D) (Important) Jail disciplinary measures shall not include corporal punishment, discipline administered by inmates and withholding food.

(E) (Important) Each jail shall have a written policy that specifies the circumstances under which a disciplinary hearing is conducted.

(F) (Important) Pre-disciplinary hearing requirements shall include, at minimum a written incident report, an inmates opportunity to waive in writing the disciplinary hearing, an investigation that commences within twenty-four hours of the incident to determine whether sufficient evidence exists to support the charge, and written notification to the inmate of the nature and date of the violation within twenty-four hours of the alleged violation(s) or discovery of the alleged violation(s).

(G) (Important) The inmate shall have a minimum period of twenty-four hours after receiving written notification of the rule violation(s) to prepare for the disciplinary hearing. The inmate may waive the twenty-four hour period. The inmate is given a hearing within forty-eight hours excluding holidays, weekends, and emergencies after receiving the written notification if placed in isolation or



within three business days if the inmate is not placed in isolation. Postponement of the hearing may be granted.

(H) (Important) Disciplinary hearing requirements shall include an impartial hearing officer appointed by the jail administrator or designee, the inmates opportunity to be heard, present evidence and question witnesses subject to limitations imposed by the hearing officer, the hearing officer shall state the reasons for any limitations in writing, a written statement by the hearing officer of the facts relied upon and reasons for the imposition of any penalties shall be provided to the inmate and a copy placed in the inmates file, and selection by the jail administrator or designee of a staff person to assist an inmate when the inmate is unable to effectively communicate.

(I) (Important) Jail inmates shall be afforded an opportunity to appeal disciplinary actions to the jail administrator or designee.