



Category I Code of Offenses

Mandatory Penalty - A lesser penalty cannot be offered during the penalty offer process or imposed as a result of the Disciplinary Hearing.

Code	Offense Title
100 a	Killing or attempting to kill any person (Mandatory Penalty - Loss of all accumulated good time) <i>The Disciplinary Hearing should be postponed until after all pending criminal proceedings are concluded</i>
100 b	Making threats or plans to kill any person
101 a	Escape or attempted escape (Mandatory Penalty - Loss of all accumulated good time) <i>Upon return of an escaped inmate to custody, the institution from which the inmate escaped must be responsible for the Disciplinary Offense Report and for conducting a Disciplinary Hearing for this offense.</i> <i>Where criminal charges are pending, the Disciplinary Hearing may be postponed until after the criminal proceedings are concluded.</i>
101 b	Making threats or plans to escape
102 a	Possession or use of a weapon, sharpened instrument, ammunition, explosive or incendiary device (weapons include facsimiles of these devices)
102 b	Unauthorized possession or use of any chemical, poison, substance or other object in a manner capable of maiming, blinding, disfiguring, or causing serious injury or death
103 a	Inciting to riot or rioting
103 b	Acting in a manner that significantly disrupts the orderly operation of the institution <i>If an inmate receives this charge due to disruptive behavior, that behavior must be significant enough to call for assistance and/or seriously impact facility operations. Staff should describe in detail the manner and extent of the disruption caused in the Description of Offense.</i>
104	Setting a fire resulting in actual damage or injury to persons or property
105 a	Any physical assault upon or altercation with a non-inmate resulting in serious bodily harm <i>For the purposes of this operating procedure, "Serious Bodily Harm" may include (but is not limited to) any injury that requires urgent and/or immediate medical treatment. Such injuries may restrict the injured person's usual activities, and generally involve at least one of the following criteria:</i> <i>Broken/Fractured Bones</i> <i>9+ Stitches</i> <i>3rd degree burns (2nd degree is up to discretion)</i> <i>Concussion</i>





Code	Offense Title
	○ Extended stay in outside medical (more than 24 hours) ○ Restriction to usual activity (i.e., Officer cannot work due to the injury) <i>Note: This is not an exhaustive list of all possible injuries that may be considered serious.</i>
105 b	Any physical assault upon or altercation with an inmate resulting in serious bodily harm • For the purposes of this operating procedure, "Serious Bodily Harm" may include (but is not limited to) any injury that requires urgent and/or immediate medical treatment. Such injuries may restrict the injured person's usual activities, and generally involve at least one of the following criteria: ○ Broken/Fractured Bones ○ 9+ Stitches ○ 3rd degree burns (2nd degree is up to discretion) ○ Concussion ○ Extended stay in outside medical (more than 24 hours) ○ Restriction to usual activity
106 a	Sexual assault upon or making forcible sexual advances toward a non-inmate (§115.78[e])
106 b	Sexual assault upon or making forcible sexual advances toward an inmate (§115.78[a, g])
108 a	Seizing, holding hostage, or in any manner unlawfully detaining any non-inmate against their will
108 b	Seizing, holding hostage, or in any manner unlawfully detaining any inmate against their will
110	Possession of a Corrections Officer's or other corrections employee's uniform or parts thereof
111 a	Intentionally destroying, altering, damaging, or defacing state or any person's property
111 b	Stealing state or any person's property • This charge should not be written for food removed from a kitchen / dining area, unless it can be shown that the food was not made available to the inmate on the date and time in question.
111 c	Possession of state or any person's property which has been intentionally altered, damaged, defaced, or stolen
111 d	Intentionally destroying, altering, damaging, or defacing state-issued or state-owned medical equipment (Mandatory Penalty - Restitution) • Based on the specifics of the charge, the Hearings Officer may impose any additional penalty authorized for the offense.
112	Demanding or receiving anything of value under threat of any kind, including by extortion or blackmail • The threat may be verbal, including in person or by telephone, or in writing, including by mail. • When a Disciplinary Offense Report for this offense code is written, the Reporting Officer must describe the type of threat used in the commission of this offense.
116 a	Refusal to provide sample for DNA analysis (First refusal) (Mandatory Penalty - Loss of 90 days accumulated good time)





Code	Offense Title
	After an inmate provides a blood sample for DNA analysis, Good Conduct Time/Earned Sentence Credits that were lost as a result of the conviction, may be administratively restored. No Good Conduct Time or Earned Sentence Credits lost as a result of these offenses will be restored until the inmate complies with DNA testing requirements.
116 b	Refusal to provide sample for DNA analysis (Second refusal) (Mandatory Penalty - Loss of 180 days accumulated good time) - After an inmate provides a blood sample for DNA analysis, Good Conduct Time/Earned Sentence Credits that were lost as a result of the conviction, may be administratively restored. - No Good Conduct Time or Earned Sentence Credits lost as a result of these offenses will be restored until the inmate complies with DNA testing requirements.
116 c	Refusal to provide sample for DNA analysis (Third and subsequent refusals) (Mandatory Penalty - Loss of all accumulated good time) - After an inmate provides a blood sample for DNA analysis, Good Conduct Time/Earned Sentence Credits that were lost as a result of the conviction, may be administratively restored. - No Good Conduct Time or Earned Sentence Credits lost as a result of these offenses will be restored until the inmate complies with DNA testing requirements.
119	Refusal to participate in testing, classification, or reentry preparation An inmate may be charged only once during a continued period of refusal of the same requirement.
119 a	Refusal to participate in preventative/prophylactic therapies and/or treatment for contagious diseases which are determined by the medical authority or state/federal law or regulation to present a public health risk (Mandatory Penalty – Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.)
119 b	Refusal to participate in Diagnostic, educational, psychological, or other required evaluation (Mandatory Penalty – Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.)
119 c	Refusal to participate in reentry planning or preparation, or removal from a reentry program (Mandatory Penalty - Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.) - Includes such actions as refusal to obtain birth certificate (unless no birth certificate exists), refusal to obtain DMV identification, refusal to provide a viable home plan or assist in home plan development within 12 months of projected release date, refusal to assist in application for benefits, and refusal to participate in other re-entry planning and preparation.
119 d	Refusal to participate in required sex inmate/crimes against minors registration (Mandatory Penalty - Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.) - Includes refusal to provide fingerprints, sign registration form, etc. A Disciplinary Offense should not be written for 119d until the Virginia State Police confirm that the inmate is required to register.
119 e	Refusal to participate in or removal from a residential cognitive community program (Mandatory Penalty - Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.) - Includes cognitive therapeutic community programs, cognitive community re-entry programs, and Sex Inmate Residential Treatment (SORT) programs.





Code	Offense Title
	• A member of the cognitive community treatment team, based on a treatment team decision to remove the inmate from the community or the inmate's voluntary withdrawal, should write this charge. • The Description of Offense should cite any pattern of inappropriate behaviors and resulting interventions imposed by the community. • This charge may be written in addition to any charges relating to specific incidents that may have been a factor in the treatment team's decision to remove the inmate from the community.
119 f	Refusal to participate in the restorative housing unit assignment • (Mandatory Penalty - Loss of 90 days accumulated good time. A lesser penalty cannot be offered during the penalty offer process.)
120 a	Possession or unauthorized use of materials, devices, or equipment related to the security or safety of the institution • Security materials, devices, and equipment include, but are not limited to, security keys, handcuffs, locking devices, communications equipment, maps, security cameras and monitors, security procedures, and instructions for the manufacture or operation of such devices or equipment. • Safety materials, devices, and equipment include, but are not limited to, fire extinguishers, emergency exits, sprinkler systems, or any other device put in place to help ensure the safety and well-being of staff and inmates within the institution.
120 b	Tampering with materials, devices, or equipment related to the security or safety of the institution • Security materials, devices, and equipment include, but are not limited to, security keys, handcuffs, locking devices, communications equipment, maps, security cameras and monitors, security procedures, and instructions for the manufacture or operation of such devices or equipment. • When in inmate obstructs the normal view of their cell or bed area (such as by blocking their cell window), the 120b charge is appropriate. • Safety materials, devices, and equipment include, but are not limited to, fire extinguishers, emergency exits, sprinkler systems, or any other device put in place to help ensure the safety and well-being of staff and inmates within the institution.
120 c	Possession of tools or implements with which to disable, alter, tamper, or interfere with materials, devices, or equipment related to the security or safety of the institution • Security materials, devices, and equipment include, but are not limited to, security keys, handcuffs, locking devices, communications equipment, maps, security cameras and monitors, security procedures, and instructions for the manufacture or operation of such devices or equipment. • Safety materials, devices, and equipment include, but are not limited to, fire extinguishers, emergency exits, sprinkler systems, or any other device put in place to help ensure the safety and well-being of staff and inmates within the institution.
121 a	False statements or charges against an employee • Due to the sensitive nature of this offense, it is important that it is handled with utmost caution and fairness to avoid hindering the inmate's right to file complaints against employees. The purpose of this offense is to prevent inmates from fabricating charges against corrections employees. • Before this offense can be brought, there must be an investigation by an impartial third party to determine that there are any facts that could substantiate the statement or charge. The investigation should include, but is not limited to, interviewing the inmate who made the allegation and the employee who is the subject of the allegation. • The employee who is the subject of the statement/charge will not be the Reporting Officer. • This offense code excludes reports of sexual abuse and inmate grievances made in good faith, based upon a reasonable belief that the alleged conduct occurred. Such a report shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. (§115.52[g], §115.78[f])
121 b	False statements or charges against an inmate





Code	Offense Title
	- Due to the sensitive nature of this offense, it is important that it is handled with utmost caution and fairness to avoid hindering the inmate's right to file complaints against employees. The purpose of this offense is to prevent inmates from fabricating charges against their peers. - Before this offense can be brought, there must be an investigation by an impartial third party to determine that there are any facts that could substantiate the statement or charge. The investigation should include, but is not limited to, interviewing the inmate who made the allegation and the inmate who is the subject of the allegation. - This offense code excludes reports of sexual abuse and inmate grievances made in good faith, based upon a reasonable belief that the alleged conduct occurred. Such a report shall not constitute falsely reporting an incident or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation. (§115.52[g], §115.78[f])
122 a	Possession of unauthorized or un-prescribed drugs
122 b	Possession of paraphernalia for administration of drugs
122 c	Under the influence of drugs (pertains to any use of un-prescribed drugs)
122 d	Refusal to submit to drug test
122 e	Distribution of unauthorized or un-prescribed drugs
122 f	Adulteration, dilution or substitution of specimen for the purpose of compromising the results of the drug test - An inmate, who tests positive for dilution of the specimen due to ingesting excessive liquids, should be given a warning with no disciplinary charge and retested. - An inmate who tests positive for dilution of the specimen on any subsequent test after receiving one warning should be charged with Offense Code 122f. See Operating Procedure 841.5, Inmate Substance Use Testing and Treatment Services, for further guidance. - An inmate who is discovered to be adulterating or substituting their specimen will not receive a warning prior to being charged for a violation of this offense code.
122 g	Transfer of funds in relation to drug activity Funds include any negotiable instrument, including, but not limited to, cash, checks, money orders, lottery tickets, savings, treasury or other bonds, stock certificates, certificates of deposit, etc.
122 h	Violating the terms of the self-medication contract (i.e. by hoarding medications, storing medications in an unauthorized container, etc.)
123	Commission of fraud or bribery by any means of communication
124	The spitting/throwing or otherwise transferring of bodily waste/fluids on another person
125 a	Intimidation of any person in the furtherance of gang activities
125 b	Recruitment of any person into gang participation or activities
125 c	Possession of gang related materials or paraphernalia
125 d	Using or attempting to use codes, signs, dress, or other outward manifestations of gang involvement or association The Description of Offense must be specific to support the charge
125 e	Involvement in gang activities not otherwise listed as an offense in this operating procedure



Code	Offense Title
128	Participating in, or encouraging others to participate in, a work stoppage, or a group demonstration
129	Threatening bodily harm to any person verbally, by gesture or actions, or in writing When a Disciplinary Offense Report for this offense code is written, the Reporting Officer must quote the threatening language or describe the gestures, actions, or behavior observed.
130	Failure to comply with the rules and regulations of any community release, work release, or pre-release program not otherwise listed as a Category I offense in this operating procedure, or a Disciplinary Offense Report that resulted in a loss of Good Conduct Time - The imposition of this offense code is not limited to Category I Offenses. - If the Disciplinary Offense Report written by the local jail resulted in loss of Good Conduct Time, but is a Category II Offense then offense code 130 should be used.
131	Possession or use of unauthorized communication devices, to include, but not limited to, cell phones, pagers, personal digital assistants, 2-way communication devices, and any enabling components such as chargers, power cords, batteries, connectors/adapters, etc.
132	Possession/construction of a device designed to deceive staff, to include, but not limited to, the fabrication of a dummy.
134	The malicious wounding or to otherwise cause bodily injury to, administering poison to, or exposing poison with the intent that it be consumed by canines working in DOC facilities or other animals under DOC care.
135	Solicitation of staff misconduct - An inmate commits this offense when he/she attempts or is complicit to an act(s) where the inmate seeks to obtain by coercion, persuasion, intimidation, or influence, the enticement of any staff into an unlawful act and/or violation of DOC policy or procedure. - A Disciplinary Offense Report for this offense code should be written only after the completion of a third party investigation. If a Disciplinary Offense Report is appropriate, the employee investigating the incident will serve as the Reporting Officer. - Before writing this charge, the Regional PREA Analyst must be contacted for approval.
136 a	Threats or intimidation of public officials - An inmate commits the offense when they communicate to a public official (i.e. Judge or elected official) resulting in the fear of death, injury, terrorism, or intimidation. - Such communication may be verbal, physical, or written.
136 b	Threats or intimidation of a member of the general public or violation of any court ordered prohibition of contact with any individual - An inmate commits the offense when they communicate to a member of the general public resulting in the fear of death, injury, terrorism, or intimidation, or when they communicate with any individual with whom contact is prohibited due to a court order, either directly or through an intermediary. Such communication may be verbal, physical, or written. - A Disciplinary Offense Report, for this offense code, will be written after completion of a third party investigation only and should describe the specific nature of the communication that occurred.
137 a	Lewd or obscene acts directed toward or in the presence of another - This charge may be written when an inmate is observed committing such an act regardless of where the accused is located when the behavior was observed. - Unlike cases of Indecent Exposure, there is no allowance for "accidental observation" of such an act when the accused is inside their cell, the shower area, etc. - As staff of any gender may write this charge, claiming that the accused was unaware that a specific staff member was in the area is not considered a valid defense.



Code	Offense Title
137 b	Indecent exposure <i>Indecent exposure is any nudity in public or intentional exposure of intimate parts when such exposure of flesh is likely to be observed by non-consenting persons.</i> <i>This does not apply to the accidental observation of nudity at such time and place where the inmate would not reasonably expect to be observed as required for, but not limited to, medical or security purposes.</i>
137 c	Lewd, obscene, or indecent acts during in-person or video visitation <i>In addition to acts committed by the accused, this charge may also be written if the accused's visitor commits such acts for the benefit of the accused and it appears that such acts were requested, encouraged, or premeditated in nature.</i>
138	Breach or attempting to breach the security perimeter with contraband
139	Self-mutilation or other intentionally inflicted self-injury <i>This offense should only be served when a Psychology Associate has established that the inmate can be held accountable for their behavior as documented on an Inmate Mental Health Assessment 861_F2.</i>
140 a	Possession of tobacco or any other not illegal substance/drug
140 b	Possession of tobacco related paraphernalia <i>Includes but is not limited to lighters, matches, pipes, rolling papers, tobacco pouches, ash trays, cigarette rolling machines, and cigarette cases</i>
140 c	Smoking tobacco or any other substance (not illegal substance/drug) or using e-cigarettes
140 d	Refusal to submit to testing for use of tobacco or any other not illegal substance/drug
141	False claim of medical emergency resulting in unnecessary off-site testing or treatment <i>A Disciplinary Offense Report for this offense code must be based on definitive medical proof that the claim is false.</i>
142	Possession of Personal Information <i>Personal information concerning former or currently employed staff, contractors, volunteers or their immediate family member not voluntarily given to the inmate by the individual involved; including, but not limited to, social security numbers, unpublished home addresses or telephone numbers, driver's license number, or other like information not authorized for the inmate to possess</i>
145 a	Possession of intoxicants
145 b	Possession of paraphernalia for manufacture of intoxicants
145 c	Under the influence of intoxicants
145 d	Refusal to submit alcohol testing
197	Gang activity related to any of the offenses in Category I <i>Before a Disciplinary Offense Report for this offense code is written, sufficient information must exist to establish that the offense code violated was related to a gang. To identify behavior related to gang activity, place offense code 197 after the appropriate Category I offense code.</i>





Code	Offense Title
198 a	Conspiracy or making plans to commit any of the offenses in Category I
198 b	Attempting to commit any of the offenses in Category I When attempting is not separately defined as an offense, 198b is the appropriate charge for any inmate attempting to commit any of the Category I offenses.
198 c	Aiding and abetting another to commit any of the offenses in Category I
198 d	Threaten to commit any of the offenses in Category I When threatening is not separately defined as an offense, 198d is the appropriate charge for any inmate threatening to commit any of the Category I offenses.
198 e	Coercing, encouraging, or persuading another to commit any of the offenses in Category I When coercing, encouraging, or persuading are not separately defined as an offense, 198e is the appropriate charge for any inmate coercing, encouraging, or persuading others to commit any of the Category I offense.
To identify behavior related to any of the above (a-e), place offense code 198 (a-e) after the appropriate Category I offense code	

