

# BEHAVIOR ACCOUNTABILITY GUIDE

VIOLATIONS	
<p style="text-align: center;"><b><u>High Level Violations</u></b></p> <ul style="list-style-type: none"> <li>• 6<sup>th</sup> or subsequent low level violation process on an open cause</li> <li>• Weapons use/possession</li> <li>• Contact with a prohibited business/location or person</li> <li>• Domestic Violence related violation behavior</li> <li>• Threatening/Assaultive behavior</li> <li>• Search refusal</li> <li>• Use of device/adulterants to interfere with/alter the urinalysis (UA) process</li> <li>• Unauthorized possession of ammunition or explosives</li> <li>• Absconding from supervision as defined in DOC 350.750 Warrants and Detainers</li> <li>• Unapproved residence for a sex offender (current offense)</li> <li>• Failure to submit to a scheduled polygraph test</li> <li>• Any behavior resulting in a new misdemeanor, gross misdemeanor, or felony arrest that requires a Failure to Obey All Laws violation hearing (Underlying Felony offenders only)</li> </ul> <p style="text-align: center;"><i>*A low level violation can be addressed through a Department hearing if defined aggravating factors are present and validated per DOC 460.130 Violations, Hearings, and Appeals</i></p>	<p style="text-align: center;"><b><u>Low Level Violations</u></b></p> <ul style="list-style-type: none"> <li>• All violations not listed as High</li> </ul>
VIOLATION PROCESSES	
<p><b>1<sup>st</sup> Low Level Violation Process or a Mitigated Arrest – Stipulated Agreement</b></p> <ul style="list-style-type: none"> <li>• If the offender refuses to sign the Stipulated Agreement or is arrested on a Secretary's Warrant, s/he is ineligible for the non-confinement option</li> </ul> <p><b>2<sup>nd</sup> - 5<sup>th</sup> Low Level Violation Process – Mandatory Arrest</b></p> <ul style="list-style-type: none"> <li>• 1-3 days confinement</li> <li>• Misdemeanor offenders with insufficient suspended confinement time remaining will be referred back to the sentencing court for revocation/termination</li> </ul> <p><b>6<sup>th</sup>+ Low Level Process, all High Level Violations, Low Level Violations with validated aggravating factor(s), and all Combination Violations (contains both High and Low Violations) – Mandatory Arrest</b></p> <ul style="list-style-type: none"> <li>• Proceed with a Department hearing with a maximum of 30 days confinement                             <ul style="list-style-type: none"> <li>○ Mandatory 30 days confinement for threats/assault violations committed against employees or their families</li> </ul> </li> <li>• Misdemeanor offenders with suspended confinement time remaining may have a Department hearing or be referred back to the sentencing court for revocation/termination. Misdemeanor offenders with no suspended confinement time remaining <u>must</u> be referred back to the court.</li> </ul>	
AGGRAVATING FACTORS to address Low Level Violation through a Department Hearing	
<p style="text-align: center;"><b>(must be directly related to the alleged violation)</b></p> <ul style="list-style-type: none"> <li>• Escalating aggression</li> <li>• Behavior during the commission of the violation that manifested deliberate harm, cruelty, or intimidation of the victim(s)</li> <li>• Physical resistance</li> <li>• Posing a significant risk to public safety while failing to comply with Department imposed electronic monitoring</li> <li>• Offense Cycle Behavior that indicates potential harm or threat of harm to a previous or potential victim(s)</li> </ul>	