

**33-601.314 Rules of Prohibited Conduct and Penalties for Infractions.**

Section 1 through 10 below show the maximum penalties allowed for the listed offenses. Section 11 shows the penalties that will be imposed for the listed offenses based on the time since an inmate’s last disciplinary infraction absent a statement in the written findings of the disciplinary team or hearing officer justifying an upward deviation. As used in this rule, “DC” means the maximum number of days of disciplinary confinement that may be imposed, and “GT” means the maximum number of days of gain time that may be taken. The imposition of DC and GT penalties are independent of one another and do not have to be imposed together; i.e., an inmate may be placed in DC without losing GT, and vice versa.

		Maximum Actions	Disciplinary
SECTION 1 – No change.			
SECTION 2 – RIOTS, STRIKES, MUTINOUS ACTS AND DISTURBANCES			
2-1	No change.		
2-2	No change.		
2-3	Creating, participating in or inciting a minor disturbance	30 DC + 60 GT	
2-4	No change.		
SECTION 3 – SECTION 10 No change.			

**SECTION 11 – PENALTY SCALE**

(1) The penalties set forth in subsection (2) below will be imposed for the offenses listed below based on the time since an inmate’s last disciplinary infraction absent a statement in the written findings of the disciplinary team or hearing officer justifying an upward deviation. At no time will the maximum penalties set forth in Sections 1 through 10 ~~11~~ above be exceeded. The written findings must be based on the nature of the infraction and its impact on the secure and orderly operation of the institution or facility where the infraction occurred. The time since the last disciplinary infraction is calculated from the date the last infraction was committed during an inmate’s current commitment. The imposition of DC and GT penalties are independent of one another and do not have to be imposed together; i.e., an inmate may be placed in DC without losing GT, and vice versa.

(2)(a) through (c) No change.

(d) If the time since the last disciplinary infraction is more than 120 days or if there is no prior infraction, the penalty will be any sanction authorized by Rule 33-601.308, F.A.C., excluding DC.

1-4 through 10-9 No change.

~~11-1 Violation of the terms and conditions of the Supervised Community Release Agreement assignment to a designated facility~~

*Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.115, 944.14, 944.279, 944.28 FS. History—New 3-12-84, Amended 1-10-85, Formerly 33-22.12, Amended 12-30-86, 9-7-89, 11-22-90, 6-2-94, 10-1-95, 3-24-97, 7-9-98, 8-13-98, Formerly 33-22.012, Amended 9-30-99, 6-7-00, 4-18-02, 10-10-04, 1-9-05, 4-17-05, 6-5-05, 10-27-05, 10-12-06, 11-8-07, 5-18-08, 11-9-08, 5-11-09, 12-12-10, 10-1-11, 6-18-13, 11-14-13, 11-4-14, 1-18-21, \_\_\_\_\_.*