Notice of Rights

An incarcerated individual has the right to:

- Receive a published list of charges and penalties.
- Receive a Notice of Violation containing the charge, rule name, maximum penalties, incident description, witnesses, evidence, tentative hearing date, and notice of rights.
- Adequate notice of hearing date at least 24 hours prior to the hearing.
- An opportunity to appear in person and be heard before a hearing officer.
- An impartial hearing officer who is not the reporting staff, a witness, or anyone who will review the proceedings on appeal.
- Bring relevant physical evidence to the hearing.
- Request up to three witnesses at major hearings only.
- Request a continuance for good cause for major and minor hearings.
- Obtain a representative for major hearings only. If the incarcerated individual has a representative, the representative will have access to the incarcerated individual throughout the process from the point of notice.
- A written statement of the hearing officer's findings, disposition, and the rationale for both.
- Appeal the hearing officer's decision to the warden/designee.
- Access the Department of Corrections Discipline Policy.

Waiver:

- A waiver is the incarcerated individual's admission to a charged violation prior to a hearing and an agreement to the disposition and penalty offered by discipline staff.
- Discipline staff are not required to make a waiver offer.
- By signing a waiver, incarcerated individuals waive their rights to a hearing and to appeal.

Witness Request (major hearing only)

Must be returned within two working days of receiving the Notice of Violation

made 20 retained mains are norming days or receiving the retailed or violation
Incarcerated Individual Name & OID:
Report Number:
List witnesses and testimony they will offer:
1.
2.
3.
Date received by Discipline Unit: Staff initials:

NOTE: Failure to request witnesses or failure to return this Witness Request forfeits the right to have the witnessed called to appear at the hearing.