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

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.