

MDOC Policies Supporting Extradisciplinary Punishment

Language exists throughout MDOC's policies that supports the imposition of punishments on incarcerated Mainers above and beyond the formal disciplinary process. Below, you will find the core disciplinary policy language, followed by many others that support it through unrestrained discretion on severity or duration of punishment. While extensive, this is not an exhaustive list.

- [Policy 20.1](#) - **Adult Prisoner Discipline, Proc. O, par. 21**: Conduct constituting a disciplinary violation may result in a change in custody level, transfer to another housing unit or facility, change in housing status, drop in privilege level, issuance of a resident performance report, modification of a case plan, restriction or suspension of privileges, including, but not limited to, mail, phone, in-person or video visits, text messaging, state-issued or personal tablet, and computer and/or internet access privileges, or the taking of any other action based on a determination that such action is in the interest of the resident, in the interest of the resident population, or in the interest of safety, security, or orderly management, regardless of whether the disciplinary process is initiated and, if initiated, regardless of whether the conduct leads to an informal resolution or formal resolution of the violation. A dismissal or a finding of not guilty does not preclude taking any such action. Such action is not in the nature of a disciplinary sanction.
- [Policy 11.5](#) - **Calculation of Sentence and Release, Proc. E, par. 3**: By the end of each calendar month, a housing unit supervisor or any security supervisor may initiate the appropriate Resident Performance Report (Attachment A2) on any adult resident whose conduct in the housing unit or at any other location, except for an assigned work or program site, they believe was unsatisfactory during that month but that did not result in a formal disciplinary report for a Class A or B violation. This may include any such unsatisfactory conduct, regardless of whether it resulted in a formal disciplinary report for a Class C disciplinary violation, an informal resolution of a disciplinary violation, or no disciplinary action.
- [Policy 11.5](#) - **Calculation of Sentence and Release, Proc. F, par. 9**: A Unit Team shall not issue a conduct Resident Performance Report based on conduct that resulted in a formal disciplinary report if the report was dismissed or the resident was found not guilty, regardless of the reason.
- [Policy 21.2](#) - **Mail, Proc. J, par. 3**: The Chief Administrative Officer, or designee, may impose a suspension or restriction of mail privileges for any other reason of safety, security, or orderly management.
- [Policy 21.2](#) - **Mail, Proc. J, par. 10**: If the suspension or restriction is imposed on the prisoner, the suspension or restriction may be imposed for either a definite or indefinite period of time. A restriction or suspension of a prisoner's mail privileges may only be imposed by the Chief Administrative Officer.
- [Policy 21.2](#) - **Mail, Proc. J, par. 14**: Nothing in this mail policy and procedures applies to a prisoner who receives a disciplinary disposition of loss of mail privileges for a disciplinary violation related to visits in accordance with the Department's disciplinary policy.

- [Policy 21.3](#) - **Phone, Proc. F, par. 2:** The Chief Administrative Officer, or designee, may impose a restriction or suspension of a resident's telephone privileges at any time for any other reason of safety, security, or orderly management of the facility.
- [Policy 21.3](#) - **Phone, Proc. F, par. 5:** A restriction or suspension may be imposed for either a definite or indefinite period of time.
- [Policy 21.3](#) - **Phone, Proc. F, par. 9:** Nothing in this policy prevents a resident from receiving a disciplinary disposition of loss of telephone privileges for a disciplinary violation related to phone calls in accordance with Department Policy (AF) 20.1, Resident Discipline.
- [Policy 21.4](#) - **Visits, Proc. M, par. 2:** The Chief Administrative Officer, or designee, may impose a suspension or restriction of visiting privileges for any other reason of safety, security, or orderly management.
- [Policy 21.4](#) - **Visits, Proc. M, par. 6:** If the suspension or restriction is imposed on the visitor, the suspension or restriction may be imposed for either a definite or indefinite period of time. An indefinite suspension or restriction may be imposed on a visitor only by the Chief Administrative Officer.
- [Policy 21.4](#) - **Visits, Proc. M, par. 16:** Nothing in this visitation policy applies to a prisoner who receives a disciplinary disposition of loss of visiting privileges for a disciplinary violation related to visits in accordance with the Department's disciplinary policy.
- [Policy 21.4.1](#) - **Video Visits, Proc. A, par. 9:** A resident's participation in video visits is considered a privilege and not a right and the privilege may be terminated at any time for any reason at the complete discretion of the Commissioner, or designee.
- [Policy 21.4.1](#) - **Video Visits, Proc. C, par. 8:** A resident who violates this policy or other applicable Departmental policies may be subject to suspension or restriction of video visit privileges, disciplinary or other administrative action, and/or criminal prosecution.
- [Policy 21.4.1](#) - **Video Visits, Proc. C, par. 9:** A video visitor who violates this policy or other applicable Departmental policies may be subject to suspension or restriction of video visit privileges.
- [Policy 23.1](#) - **Classification, Proc. E, par. 6:** Based on this information and discussion, the Unit Management Team (UMT) shall make a recommendation as to the appropriate custody level and, if applicable, make a recommendation for transfer to another Department facility or to a minimum security housing unit or placement in another housing unit.
- [Policy 23.6](#) - **Privilege Level System, Proc. G, par. 5:** The UM may override a Unit Team's decision to not reduce a resident's level if it is determined by the UM to be in the interest of safety or security to reduce the privilege level.
- [Policy 24.10](#) - **Computer Access, Proc. A, par. 6:** The Commissioner, or designee, may restrict, suspend, or terminate a resident's computer use and/or internet access at any time for any reason at their complete discretion.
- [Policy 24.10](#) - **Computer Access, Proc. A, par. 19:** Nothing in this policy prevents a resident from receiving a disciplinary sanction for a disciplinary violation related to computer use and/or internet access in accordance with Department Policy (AF) 20.1, Resident Discipline.

- [Policy 24.10.1](#) - **Tablet Access, Proc. A, par. 6:** A prisoner's use of a Department-issued computer tablet is considered a privilege and not a right and the privilege may be terminated at any time for any reason at the complete discretion of the Commissioner, or designee.
- [Policy 24.10.1](#) - **Tablet Access, Proc. K, par. 5:** The Chief Administrative Officer, or designee, may impose a suspension or restriction of computer tablet use privileges for any other reason of safety, security, or orderly management.
- [Policy 24.10.1](#) - **Tablet Access, Proc. K, par. 8:** Nothing in this computer tablet policy applies to a prisoner who receives a disciplinary disposition of loss of computer tablet use privileges for a disciplinary violation related to computer tablet use in accordance with the Department's disciplinary policy.
- [Policy 24.10.1](#) - **Tablet Access, Proc. L, par. 2:** The Chief Administrative Officer, or designee, may impose a suspension or restriction of text messaging privileges for any other reason of safety, security, or orderly management.
- [Policy 24.10.1](#) - **Tablet Access, Proc. L, par. 4:** A suspension or restriction may be imposed for either a definite or indefinite period of time.
- [Policy 24.10.1](#) - **Tablet Access, Proc. L, par. 10:** Nothing in this computer tablet policy applies to a prisoner who receives a disciplinary disposition of loss of text messaging privileges for a disciplinary violation related to text messaging in accordance with the Department's disciplinary policy.
- [Policy 25.1](#) - **Work, Proc. E, par. 7:** A prisoner may be terminated from a work, industry or vocational training program assignment by the Classification Committee/Unit Team for any other reason of safety, security, or orderly management of the facility. If a prisoner is terminated from an assignment for this reason, the Classification Committee/Unit Team shall inform the IPS Commander and correctional investigator, if any, of the specific grounds for the decision.
- [Policy 25.1](#) - **Work, Proc. E, par. 9:** A prisoner may be terminated from a work, industry or vocational training program assignment for reasons other than those set out above (e.g., at court, in the hospital, in the infirmary, inability to perform the work due to an injury, elimination of a job position, keep separate considerations, facility's need for prisoner to be in another work assignment due to special skills, etc.). The prisoner may be immediately eligible to apply for another work, industry or vocational training program assignment, including paying work assignments.
- [Policy 25.4](#) - **Dog Training Program, Proc. C, par. 3(d):** A resident may be removed from the assignment for any of the following reasons: at any time for any reason at the complete discretion of the Commissioner, or designee.
- [Policy 25.5](#) - **Resident Restorative Practices Mentor, Proc. F, par. 4:** An RRPM may be terminated from their assignment as an RRPM at any time for any reason in the complete discretion of the Commissioner, or designee.
- [Policy 25.7](#) - **Remote Work, Proc. G, par. 6:** A resident may be terminated from their remote work employment at any time for any reason at the complete discretion of the Commissioner, or the Chief Administrative Officer, or their designees.