

Texas Commission on Jail Standards	Handbook
Inmate Handbook	March 2024

These rules apply to you as long as you are in the custody of the Harris County Sheriff's Office. For the purposes of inmate discipline, violations of jail rules and regulations, as published in and provided to you by this Inmate Handbook, shall be divided into two (2) categories – Minor Infractions and Major Infractions.

A. Minor Infractions

- a. Minor infractions are violations of rules and regulations, which do not represent serious offenses against persons and do not pose a serious threat to institutional order and safety.
- b. Sanctions for minor infractions are limited to:
 - i. Counseling
 - ii. Verbal or written reprimand
 - iii. Temporary restriction to housing cells for a period not to exceed twenty-four (24) hours
 - iv. Loss of privileges for a period not to exceed fifteen (15) days
 - v. Confinement to disciplinary separation housing for a period not to exceed fifteen (15) days
- c. Probation
 - i. Each of these sanctions may be probated by the Disciplinary Committee for a period not to exceed thirty (30) days.
 - ii. Probation means the sanction awarded by the Disciplinary Committee shall be temporarily suspended for a limited period.
 - iii. If, during the specified period of probation
 1. The inmate is involved in a subsequent act or omission
 2. The Disciplinary Committee for said act or omission finds the inmate guilty.
 3. The inmate shall be deemed to have violated the probation and shall serve and complete the entire term of sanction previously probated in addition to any sanction awarded for the subsequent violation.
 - iv. If the inmate satisfactorily completes the specified period of probation, the punishment imposed against said inmate shall be dismissed.
 - v. Regardless of the successful completion of a probationary period, any conviction(s) for infraction(s) of the inmate rules shall remain on the inmate's disciplinary record.

B. Major Infractions

- a. Major infractions are violations of rules and regulations, which constitute serious offenses against person and/or property, and/or, pose a serious threat to institutional order safety. Inmate causing damage to jail property may have the actual costs incurred, deducted from his/her commissary account, if found guilty at the institutional due process hearing.
- b. Sanctions for major infractions shall be one or more of the following:
 - i. Loss of County "Good Time" credit

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- ii. Monetary restitution (from Inmate's Trust Fund account) for Major Infraction - #1001 "Acts Referred for Prosecution under State Law" when County property is damaged, or #1421 "Destroying, Altering, or Damaging County Property."
 - 1. If you are released from custody before restitution is made, the negative balance will remain on your account, which will be debited upon receipt of any future deposits.
 - 2. Negative balances remain in effect, even upon your release. If you have a negative balance upon returning to jail, any deposits will be used to satisfy any outstanding negative balances.
 - 3. If you are transferred to The Texas Department of Criminal Justice, Harris County will deduct any owed monies from your TDCJ account.
 - 4. Restitution may be sought via administrative and/or judicial channels.
 - iii. Loss of visitation privileges for a period not to exceed thirty (30) days
 - iv. Loss of commissary privileges for a period not to exceed thirty (30) days
 - v. Removal from work details or any inmate programs
 - vi. Confinement to disciplinary separation housing for a period not to exceed thirty (30) days
 - c. Probation
 - i. Each of these sanctions may be probated by the Disciplinary Committee for a period not to exceed ninety (90) days.
 - ii. Probation means the sanction awarded by the Disciplinary Committee shall be temporarily suspended for a limited period.
 - iii. If, during the specified period of probation:
 - 1. The inmate is involved in a subsequent act or omission
 - 2. The Disciplinary Committee for said act or omission finds the inmate guilty
 - 3. The inmate shall be deemed to have violated the probation and shall serve and complete the entire term of sanction previously probated in addition to any sanction awarded for the subsequent violation.
 - iv. If the inmate satisfactorily completes the specified period of probation, the sanction imposed against said inmate shall be dismissed.
 - v. Regardless of the successful completion of a probationary period, any conviction(s) for infraction(s) of the inmate rules shall remain on the inmate's disciplinary record.

C. Disciplinary Due Process

This Plan shall require the following Due Process procedures:

- a. Provisions shall be made for a disciplinary hearing before a neutral and impartial board that shall not include anyone involved in the claimed violation or charge.
- b. Provisions shall be made for the selection of the Disciplinary Committee
- c. Provisions shall be made for at least twenty-four (24) hours written notice be given to you of the claimed violation or charges against you.

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- i. Notification may be delivered either physically or electronically to the inmate.
- d. Provisions shall be made for the disclosure of the evidence against the person charged with the violation, although confidential informants may be protected.
- e. The accused inmate shall have the opportunity to be heard in person, present evidence, and shall have an opportunity to call relevant witnesses when not unduly hazardous to institutional safety or correctional goals.
- f. The accused inmate may seek the aid of another inmate if:
 - i. The accused inmate is illiterate; or
 - ii. When the complexity of the issue makes it unlikely that the accused inmate will be able to collect and present the evidence necessary for an adequate comprehensive defense; or
 - iii. If that not permissible, assistance from the staff or from an inmate designated by the staff should be provided.
- g. Inmates may waive the right to a Disciplinary Hearing provided proper notification is given prior to the signing of the waiver. The waiver shall include the appropriate identification of charges, the allowable sanctions, and the sanctions offered by the waiver. A waiver shall not include the Loss of Good Times as a sanction.
 - i. Waivers may be delivered and signed either physically or electronically to the inmate.
- h. The Disciplinary Committee shall provide a written determination at the conclusion of the Hearing, indicating the evidence relied upon and reasons for the Disciplinary action taken. This determination shall be delivered to the inmate, the Sheriff/Operator, and shall be placed in the inmate's Classification file.
- i. Provisions shall be made for a documented appeals process. All appeals shall be in writing and submitted within five (5) working days of the disciplinary hearing. The decision of the appeal shall be final.

D. The Disciplinary Rules

The maintenance of safety and order in an institutional setting depends on the firm, fair, and consistent application of rules and regulations. For the purposes of inmate discipline, violations of institutional rules and regulations shall be divided into two categories: Major and Minor Infractions. Charges found within this Inmate Handbook are considered an administrative function to maintain order and discipline.

a. Major Infractions

Are violations of rules and regulations, which constitute serious offenses against persons and/or property, and/or pose a serious threat to institutional order and safety.

(1001) ACTS REFERRED FOR PROSECUTION UNDER STATE LAW:

There is no double jeopardy within an administrative charge; the actual case is referred for prosecution under State Law.

(1002) ACTS REFERRED FOR PROSECUTION UNDER FEDERAL LAW:

There is no double jeopardy with an administrative charge; the actual case is referred for prosecution under Federal Law.

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(1103) ASSAULT OF ANY STAFF MEMBER:

No inmate shall strike, physically touch or cause contact with any staff member by any means or make any legitimate attempt to do so.

(1004) ASSAULT OF ANY INMATE:

No inmate shall strike, kick or cause any unwanted contact with another inmate that causes pain or injury or make any legitimate attempt to do so.

(1105) FIGHTING:

No inmate shall involve themselves in any mutual physical combat such as striking, kicking, choking, or grappling. There shall be enhanced disciplinary action if any object/weapon is used. (Self-Defense is not an acceptable defense.)

(1006) RESISTING RESTRAINT:

No inmate shall refuse or resist being handcuffed, leg ironed or restrained by any lawful means by a Detention Officer, Deputy, or Staff Member.

(1107) THREATENING STAFF:

No inmate shall make any physical, verbal or written threat against any Detention Officer, Deputy or Staff Member.

(1108) EXTORTION:

No inmate shall attempt to control another inmate by force, threats or intimidation.

(1109) ENGAGING INSEXUAL ACTS/PREA:

No inmate shall take part in any sexual act to include but not limited to: sexual assault, sexual abuse, sexual intercourse, masturbation of oneself or another, anal sex, oral sex or manipulation or stimulation of any person's private parts. The touching, directly or through the clothing, of the genitalia, breasts, inner thighs or buttocks of another person.

(1110) POSSESSION OF OR MANUFACTURE OF ANY WEAPON:

No inmate shall possess or make any item, which could be used to inflict injury.

(1111) SELF-MUTILATION OR INJURY TO ONE'S SELF:

No inmate shall cause, or attempt to cause injury to him/herself, to include but not limited to hanging, cutting, and slicing.

(1112) TATTOOING OR TATTOO PARAPHERNALIA:

No inmate shall tattoo, pierce, disfigure, or alter their body (body jewelry, body art, etc.); nor shall they perform it upon any other inmate. No inmates shall possess items used to tattoo, alter, pierce or disfigure the body.

(1210) RIOT:

No inmate shall encourage, or be involved in, any act or acts of violence by one or more inmates as part of an assemblage of three or more inmates.

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(1211) GROUP DEMONSTRATION:

No inmate shall participate in a group demonstration of opinion, support, or disobedience involving two or more inmates.

(1213) SETTING OR CAUSING A FIRE:

No inmate shall cause or set a fire of any kind.

(1214) FORGING OR POSSESSION OF OFFICIAL IDENTIFICATION OR DOCUMENTS:

No inmate shall make, alter or possess any item of identification not authorized by proper authority, such as transit passes, medical paperwork or any legal document.

(1215) TAMPERING:

No inmate shall modify or alter any item from its original condition or its intended use, to include but not limited to – Doors, Alarms, Fire Equipment, Intercoms, Plumbing, Telephones, Monitoring Devices, Televisions, Locking Devices, Light Fixtures, Electrical Devices, Windows, Safety or Security Devices, or any County equipment.

(1216) TRAFFICKING:

No inmate shall buy, sell, trade or transfer such items as: Weapons, Intoxicants, Escape Devices, Contraband, Commissary, Inhalants, Chemical Agents, Tobacco, Clothing Unauthorized Medications, Authorized Medications, or Tattoo Paraphernalia.

(1217) DISRUPTING A SCHOOL FUNCTION/PROGRAM:

No inmate shall disrupt the orderly running of an education program.

(1316) UNAUTHORIZED CONTACT WITH PUBLIC:

No inmate shall make or attempt to make physical, verbal or written contact of any kind with any person not a fellow inmate, institutional volunteer, or Staff Member unless authorized by proper authority.

(1317) UNAUTHORIZED CONTACT WITH ANY STAFF MEMBER:

No inmate shall make any written, verbal, or physical contact of a personal nature with any staff member. For purposes of this infraction, "Staff Member" includes any detention officer, deputy, supervisor, civilian employee, contractor, volunteer, or visiting officer." No inmate shall solicit any unauthorized items from an employee; candy, gum, extra food, cigarettes, phones calls, clothing, etc.

(1318) SOLICITING A STAFF MEMBER:

No inmate shall ask a staff member, as defined above in (1317) UNAUTHORIZED CONTACT WITH ANY STAFF MEMBER, for any item, service, exercise of judgement or discretion, or the performance of any act or omission prohibited by law or Sheriff's Office policies or procedures.

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This infraction applies whether or not the solicitation is made directly by the offending inmate or through a third party. Soliciting a staff member is prohibited whether or not the inmate offers something in return or exchange for meeting the inmate's request. This infraction does not apply to those items, services, etc....that are authorized by Sheriff's Office policies or procedures to be provided to inmates by staff members.

(1319) FAILURE TO WEAR ARMBAND OR OTHER AUTHORIZED IDENTIFICATION:

No inmate shall damage, alter or remove any armband or any other form of identification issued to them for any reason; this includes switching armbands with another inmate.

(1320) BEING IN AN UNAUTHORIZED HOUSING AREA/LOCATION:

No inmate shall enter an unauthorized area/housing location, without permission of any Detention Officer, Deputy, or Staff Member.

(1421) DESTROYING, ALTERING OR DAMAGING COUNTY PROPERTY:

No inmate shall destroy, alter, or damage any county property.

(1422) STEALING OR POSSESSION OF STOLEN PROPERTY:

No inmate shall take, steal, or have in their possession any property belonging to another.

(1423) LENDING OR LOANING ANYTHING FOR PROFIT:

No inmate shall give, borrow, receive, accept, lend or hold any item for profit or gain.

(1424) POSSESSION OF PROPERTY OF ANOTHER:

No inmate shall have in his or her possession any property of another inmate, even with that inmate's consent.

(1524) POSSESSION OF NARCOTICS, DRUGS OR DRUG PARAPHERNALIA:

No inmate shall make, obtain, trade, use, sell, or possess any drug, drug paraphernalia, narcotic, or controlled substance not issued to them.

(1525) MANUFACTURE OF POSSESSION OF AN INTOXICANT OR BEING INTOXICATED:

No inmate shall make or possess any type of intoxicant or being intoxicated.

(1526) SMOKING AND/OR POSSESSION OF ANY TOBACCO PRODUCT OR PARAPHERNALIA:

No inmate shall possess tobacco products or attempt to smoke any item. No inmate shall possess any tobacco or tobacco related product(s) – To include, but not limited to, matches, lighter, rolling papers, etc.

(1527) MISUSE OF ANY MEDICATION:

No inmate shall use any medication in any manner other than as directed by label or prescription. This is not limited to hoarding medications, combining medications in one container, and possessing expired medications. You have right to refuse health care including refusal of medications. It is not a violation of this rule to refuse your prescribed

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medication. Your refusal to take your prescribed medication will be documented.

(1528) UNAUTHORIZED USE OF EQUIPMENT:

No inmate shall use any mechanical or office equipment in any way not authorized by proper authority.

FOR USE BY CLASSIFICATION PERSONNEL ONLY

(1629) REFUSING TO PARTICIPATE IN A WORK PROGRAM:

Any inmate who refuses to participate in an authorized work program may be subject to loss of County Good Time Credit.

2000 MINOR INFRACTIONS

Minor infractions are violations of rules and regulations, which do not represent serious offenses against persons and/or do not pose a serious threat to institutional order and safety.

(2101) SIMPLE ASSAULT:

No inmate shall touch, push, shove or have any unwanted physical contact with another inmate. Such contact may not necessarily cause pain or injury.

(2102) ALTERCATION/HORSE PLAYING:

No inmate shall engage in any form of wrestling, sparring, shoving, pushing, or encourage others to do so. This includes, but is not limited to, holding, grabbing, shadowboxing or rowdy play.

(2103) THREATENING:

No inmate shall place another in fear of physical injury by verbal or physical conduct, or by written communications.

(2104) SEXUAL CONDUCT/PREA:

No inmate shall kiss or hug another person; expose his or her breast(s), buttocks or genitals in any manner; or make any sexual comment that may be offensive to another person. This includes but is not limited to: sexual harassment, unwelcome sexual advances, proposals or requests for sexual favors, verbal comments, gestures, demeaning references to gender, voyeurism or actions of a derogatory or offensive sexual nature.

(2305) REFUSING TO OBEY AN ORDER:

No inmate shall refuse to obey any standing order(s) (written or verbal) issued by a Detention Officer, Deputy, or Staff Member.

(2306) POSSESSION OF CONTRABAND:

No inmate shall possess any item not available from, issues, distributed, approved, or authorized by the Harris County Sheriff's Office. No inmate shall possess any item that has been altered or is being used in any way other than its intended purpose. Any item not stored in its proper

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container or place. This includes all items that should be stored in a county-issued property container but are found elsewhere.

(2307) PARTICIPATING IN WORK STOPPAGE:

No inmate shall plan or participate in any action or activity that slows, delays, prevents, or stops any work assignment. This includes an inmate's refusal to work or request to have their armband cut.

(2308) UNAUTHORIZED ABSENCE:

No inmate shall be absent from work, school or other activity without having been officially excused.

(2309) LYING OR PROVIDING FALSE STATEMENTS:

No inmate shall make any statement (written or verbal) to a Detention Officer, Deputy, or Staff Member that is untrue.

(2310) GAMBLING OR POSSESSION OF GAMBLING PARAPHERNALIA:

No inmate shall plan or participate in any game of chance or possess/manufacture any item that could be used for gambling.

(2311) UNAUTHORIZED USE OF SHERIFF'S OFFICE OR U.S. MAIL:

No inmate shall use Sheriff's Office or U.S. mail for any purpose other than that for which it is intended. This includes the use of Indigent envelopes belonging to others.

(2312) UNAUTHORIZED USE OF TELEPHONE:

No inmate shall use any telephone in violation of established facility rules, State Law, or Federal Law.

(2313) FAILURE TO BE PROPERLY DRESSED:

All inmates shall be properly dressed in accordance with established facility rules.

(2314) POSSESSION OF AUTHORIZED ISSUED CLOTHING, BEDDING, OR TOWELS:

No inmate shall possess any item of clothing, bedding, towels or other item in excess of the number issued to them.

(2315) CONDUCT THAT DISRUPTS:

No inmate shall physically or verbally interfere with the normal orderly running of the institution.

(2316) UNAUTHORIZED PASSING OF ITEMS:

No inmate shall give or receive any item from another inmate without proper authority.

(2317) INTERFERING WITH COUNT:

All inmates shall be properly dressed and ready for count and shall not talk, disrupt or interfere with count.

(2318) BEING IN AN UNAUTHORIZED AREA:

No inmate shall be in or at any location not specified by Detention Officer, Deputy, or Staff Member.

(2319) ABUSIVE OR OBSCENE LANGUAGE:

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No inmate shall directly or indirectly, use abusive, indecent, insulting, or obscene language.

(2419) POSSESSION OF ALTERED COUNTY PROPERTY:

No inmate shall possess any altered county property.

(2420) POSSESSION OF MONEY OR CURRENCY:

No inmate shall possess any form of currency or coin or any other instrument of value without proper authority.

(2521) FAKING INJURY OR ILLNESS:

No inmate shall pretend to be sick or injured for any reason.

(2522) FAILURE TO FOLLOW SAFETY OR SANITARY REGULATIONS:

All inmates are equally responsible for the upkeep and cleanliness of the common areas of your cellblock. You also are required to keep yourself and your personal area clean.

(2523) THROWING OR PROPELLING OBJECTS OR SUBSTANCES:

No inmate shall throw any object or substance within this facility.

E. Grievance Procedure

- a. You may file a grievance if you are subjected to any of the following:
 - i. A violation of Civil Rights
 - ii. A criminal act
 - iii. An unjust denial or restriction of inmate privileges
 - iv. A prohibited act by any Staff Member
- b. Notify any staff member on duty if your grievance is an emergency in which delay could subject you to personal injury, property damage, or property loss.
- c. If you have an issue, you are first required to try to resolve it with the Detention Officer, Deputy, or Staff Member on duty.
 - i. If the issue is not resolved, you should request to speak with the Floor Supervisor in an effort to resolve the issue.
 - ii. If these attempts are exhausted without a resolution, you may then file a grievance.
- d. Filing a Grievance:

A Grievance

 - i. Is a written statement by you on a grievance form or any piece of paper.
 - ii. Fully and truthfully explains the incident that occurred.
 - iii. Gives the date, time, and location of the incident.
 - iv. Includes the names of any Detention Officers, Deputies, Staff Members, or inmates who were involved or were witnesses.
- e. Submitting your Grievance:
 - i. Put the grievance in the grievance box, interdepartmental mail, or the U.S. Mail.
 - ii. Grievance boxes are in various locations throughout every floor and are accessible to all inmates.
 - iii. An interim response will be provided within 15 days of original receipt of grievance.

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- f. Investigation of Grievances
 - i. Investigations are conducted by an assigned supervisor not involved in the grievance.
 - ii. You will be provided a copy of the investigators decision.
- g. Grievance Appeals Process:
 - i. Any Unfounded and/or Founded/Resolved grievance may be appealed to the Grievance Board. All appeals must be in writing and submitted within five (5) working days of the investigating supervisor(s) decision (excluding holidays).
 - ii. All Founded/Unresolved grievances will result in an automatic appeal to the Grievance Board, whose decision will be final in all instances.
 - iii. The Grievance Board will conduct a hearing with you, unless cause can be shown where it would present a hazard to institutional safety and/or correction goals.

F. Complaint Process

- a. The Texas Commission on Jail Standards will investigate any complaint regarding a violation of minimum jail standards. If you have a complaint about a county jail, you may write to the Texas Commission on Jail Standards. Once your complaint is received, it will be reviewed to determine if the complaint falls within the purview of the Texas Commission on Jail Standards. Non-jurisdictional complaints **will not** be reviewed. If the complaint is determined to be within the purview of the Texas Commission on Jail Standards, it will be reviewed in the order it was received (emergency complaints will be given priority). If your complaint has not been resolved within 45 days of receipt by the Texas Commission on Jail Standards, you will be provided an interim response. If you disagree with the findings of the investigation, you may appeal, in writing, to the Texas Commission on Jail Standards. All appeals must be received within 30 days after the complaint is closed.
- b. Mail complaints to:

Complaint Inspector
 Texas Commission on Jail Standards
 P.O. Box 12985
 Austin, TX 78711
- c. Please be aware that the Texas Commission on Jail Standards cannot investigate certain claims, these include:
 - i. Violation of Civil Rights as defined by state or federal statute
 - ii. Criminal acts committed by staff or others
 - iii. Unjust denial or restriction of privileges prior to a disciplinary hearing (visitation, phone access, commissary, etc.)
 - iv. Acts by staff prohibited by departmental policy
 - v. Staff conduct (rudeness or unprofessionalism, etc.)
 - vi. Concerns related to your arrest, your attorney, the judge, or your case
 - vii. PREA (Prison Rape Elimination Act) Complaints
 - viii. Allegation of excessive force

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- d. If you have a complaint or concern that is listed above, you are required to use the local grievance process. The Texas Commission on Jail Standards will only review to ensure grievance procedures have been followed and will only override the decision of the Grievance Board or appeal decision if it is determined minimum jail standards have been violated. Alleged criminal acts will be referred to the appropriate law enforcement entity for investigation.

TCJS approved – March 21, 2024