

Double Punishment: A Guide to Offenses for Illinois Prisoners

Prisoners can be charged with and convicted of offenses while incarcerated. Punishment for these offenses can include anything from a loss of privileges such as enrollment in educational classes to administrative segregation (solitary confinement). The following is a comprehensive listing of the offenses that prisoners can be charged with as well as the maximum penalties a prison can enforce for each offense. All information comes directly from Title 20, part 504 the Illinois Administrative Code.

Definitions of Prison Offenses by Number and Name:

100. VIOLENT ASSAULT OF ANY PERSON

Causing a person or an object to come into contact with another person in a deadly manner or in a manner that results in or is likely to result in serious bodily injury.

101. ARSON

Setting fire in any location whether public or private, including, but not limited to, any part of the facility, its grounds, or State vehicles.

102. ASSAULTING ANY PERSON

Causing a person, substances, or an object to come into contact with another person in an offensive, provocative, or injurious manner or fighting with a weapon.

103. BRIBERY & EXTORTION

Demanding or receiving anything of value in exchange for protection, to avoid bodily injury, or through duress or pressure. Giving or receiving money or anything of value to violate State or federal law or to commit any act prohibited under this Part.

104. DANGEROUS CONTRABAND

Possessing, manufacturing, introducing, selling, supplying to others, or using without authorization any explosive, acid, caustic material for incendiary devices, ammunition, dangerous chemical, escape material, knife, sharpened instrument, gun, firearm, razor, glass, bludgeon, brass knuckles, cutting tools, tools which may be used to defeat security measures such as hacksaw blades, keys, and lock picks, any other dangerous or deadly weapon or substance of like character, or any object or instrument that is made to appear to be or could be used as a deadly or dangerous weapon or substance.

105. DANGEROUS DISTURBANCES

Causing, directing, or participating in any action or group activity that may seriously disrupt activities or endanger the facility, persons, or property, including the taking or holding of hostages by force or threat of force and engaging in prohibited group activities such as work stoppages or hunger strikes.

106. ESCAPE OR RUNAWAY

For escape of a felon or runaway of a juvenile delinquent, leaving or failing to return to lawful custody without authorization, including the failure to return from furlough, leave, or authorized absence within 2 hours after the designated time.

107. SEXUAL MISCONDUCT

Engaging in sexual intercourse, sexual conduct, or gesturing, fondling, or touching done to sexually arouse, intimidate, or harass either or both persons; or engaging in any of these activities with an animal.

108. SEXUAL ASSAULT

Causing unwilling contact between the sex organ of one person and the sex organ, mouth, or anus of another person or any intrusion of any part of the body of one person or object into the sex organ or anus of another person by use of force or threat of force, including pressure, threats, or any other actions or communications by one or more persons to force another person to engage in a partial or complete sexual act.

109. ELECTRONIC CONTRABAND

Possessing, selling, receiving, supplying to others, or using without authorization any electronic device, video recording device, computer, or cellular communications equipment, including, but not limited to, cellular telephones, cellular telephone batteries, pagers, computers, and computer peripheral equipment.

110. IMPEDING OR INTERFERING WITH AN INVESTIGATION

Obstructing, impeding, or refusing to provide information relevant to an investigation.

201. CONCEALMENT OF IDENTITY

Wearing a disguise or a mask, impersonating another, or otherwise concealing one's identity.

202. DAMAGE OR MISUSE OF PROPERTY

Destroying, damaging, removing, altering, tampering with, or otherwise misusing property belonging to the State, another person, or entity, including the obstruction of locks or security devices, destroying or tampering with bar codes or identification cards, or the use of another person's identification card.

203. DRUGS AND DRUG PARAPHERNALIA

Possessing, manufacturing, introducing, selling, supplying to others, or receiving alcohol, any intoxicant, inhalant, narcotic, syringe, needle, controlled substance, or marijuana; or being under the influence of any of the above substances; or refusing to be tested for drug or alcohol use, including failure to provide a specimen within 2 hours after the request; or destroying or tampering with drug or alcohol tests or testing equipment. This offense includes medication misuse, for example, the possession or use of unauthorized amounts of prescribed medication, or selling or supplying prescribed medication to others.

204. FORGERY

Forging, counterfeiting, or reproducing without authorization any document, article of identification, money, security, or official paper.

205. SECURITY THREAT GROUP OR UNAUTHORIZED ORGANIZATIONAL ACTIVITY

Engaging, pressuring, or authorizing others to engage in security threat group or unauthorized organizational activities, meetings, or criminal acts; displaying, wearing, possessing, or using security threat group or unauthorized organizational insignia or materials; or giving security threat group or unauthorized organizational signs. Unauthorized organizational activity shall include engaging in the above activities by or on behalf of an organization that has not been approved pursuant to 20 Ill. Adm. Code 445 or 450.

206. INTIMIDATION OR THREATS

Expressing by words, actions, or other behavior an intent to injure any person or property that creates the reasonable belief that physical, monetary, or economic harm to that person or to another will result.

207. POSSESSION OF MONEY

Possessing or causing to be brought into the facility any coin, currency, or other negotiable instrument without authorization or for residents of transition centers, failure to promptly submit all

income to center staff, including wages, tips, gifts, or any check for social security, disability, veteran's benefits, grants, scholarships, or loans.

208. DANGEROUS COMMUNICATIONS

Engaging in verbal or written communication that is likely to encourage violence against persons or that is likely to disrupt or endanger the safety and security of the facility, including, but not limited to, escape plans and manufacture of weapons.

209. DANGEROUS WRITTEN MATERIAL

Possessing or causing to be brought into the facility written material that presents a serious threat to the safety and security of persons or the facility, including, but not limited to, written material relating to methods of escape and the manufacture of weapons.

210. IMPAIRMENT OF SURVEILLANCE

Using curtains, coverings, or any other matter or object in an unauthorized manner that obstructs or otherwise impairs the line of vision into an offender's cell or room or which obstructs or otherwise impairs any viewing panel or surveillance equipment, both audio and visual, within the facility.

211. POSSESSION OR SOLICITATION OF UNAUTHORIZED PERSONAL INFORMATION

Possessing or soliciting unauthorized personal information regarding another offender, releasee, employee, or former employee, including, but not limited to, personnel files, master files, medical or mental health records, photographs, social security numbers, home addresses, financial information, or telephone numbers except as authorized by a court order or as approved in writing by the Chief Administrative Officer.

212. FRIVOLOUS LAWSUIT

A pleading, motion, or other paper filed by the offender for which the court, in accordance with 730 ILCS 5/3-6-3, has found to be frivolous.

213. FAILURE TO REVEAL ASSETS

For adult offenders and juvenile offenders tried as adults, failing to fully cooperate in revealing financial assets on the form provided, including tangible and intangible property and real and personal property; providing false or inaccurate information regarding financial assets or dependants on the forms provided; or refusing to cooperate in revealing financial assets on the form provided.

301. FIGHTING

Fighting with another person in a manner that is not likely to cause serious bodily injury to one or the other and that does not involve the use of a weapon.

302. GAMBLING

Operating or playing a game of chance or skill for anything of value, making a bet upon the outcome of any event, or possessing any gambling device. This shall include participating in any lottery.

303. GIVING FALSE INFORMATION TO AN EMPLOYEE

Lying or knowingly providing false information to an employee, either orally or in writing.

304. INSOLENCENCE

Talking, touching, gesturing, or other behavior that harasses, annoys, or shows disrespect.

305. THEFT

Taking property belonging to another person or entity or the facility without the owner's authorization.

306. TRANSFER OF FUNDS

Causing money to be transferred from one trust fund to another or through an outside source to the account of another offender or entering into contracts or credit agreements without written approval from the Chief Administrative Officer.

307. UNAUTHORIZED MOVEMENT

Being anywhere without authorization or being absent from where required to be or returning late or not traveling directly to or from any authorized destination without prior staff approval.

308. CONTRABAND OR UNAUTHORIZED PROPERTY

Possessing, giving, loaning, receiving, or using property that an offender has no authorization to have or to receive and that was not issued to the individual through regular procedures, including

the unauthorized possession of food or clothing or the possession of property in excess of that which is authorized by the facility; or property that has been altered from its original state.

309. PETITIONS, POSTINGS, AND BUSINESS VENTURES

Writing, signing, or circulating a petition without authorization; unauthorized distributing or posting of any printed or written materials, including surveys; engaging in an unauthorized business venture; or representing oneself as a corporation or official of a corporation without authorization.

310. ABUSE OF PRIVILEGES

Violating any rule regarding visits, mail, the library, yard, commissary, telephone, or recreational activities. This includes corresponding or communicating with a victim, a victim's family member, or any other person after the offender has received notice that such person has informed the Department that he or she does not wish to receive correspondence from the offender. However, if the conduct also constitutes a violation of federal or State law, a committed person may also be charged under #501.

311. FAILURE TO SUBMIT TO MEDICAL OR FORENSIC TESTS

Willfully refusing to submit to, or cooperate with, testing, examinations, or the provision of samples required by court order, State law, or current standards of public health and safety, including the refusal to submit to annual tuberculosis screening and mandatory HIV or DNA testing.

402. HEALTH, SMOKING, OR SAFETY VIOLATIONS

Smoking in an unauthorized area; tattooing or body piercing, including, but not limited to, piercing of the ear, nose, or lip; or disregarding basic hygiene of any person, cell, living or work area, or other place in the facility or its grounds.

403. DISOBEYING A DIRECT ORDER

Willfully refusing or neglecting to comply with an order, including the refusal to participate in educational testing; to accept a work, educational, or housing assignment; or to perform a work assignment.

404. VIOLATION OF RULES

Willfully disobeying any rule of the facility. If the specific offense is stated elsewhere in this Part, a committed person may not be charged with this offense. The rule violated must be specified in the disciplinary report.

405. FAILURE TO REPORT

Failure to report for a work, educational, or program assignment or for transport.

406. TRADING OR TRAFFICKING

Trading or trafficking with any person.

501. VIOLATING STATE OR FEDERAL LAWS

Committing any act that would constitute a violation of State or federal law. If the specific offense is stated elsewhere in this Part, an offender may not be charged with this offense except as otherwise provided in this Section. The State or federal offense must be specified in the disciplinary report.

601. AIDING AND ABETTING, ATTEMPT, SOLICITATION, OR CONSPIRACY

Aiding and abetting any person in the commission of any of these offenses; attempting to commit any of these offenses; making plans to commit any of these offenses; soliciting another to commit any of these offenses; or conspiring to commit any of these offenses shall be considered the same as the commission of the offense itself and shall carry the penalty prescribed for the underlying offense.

(Source: Added at 27 Ill. Reg. 6214, effective May 01, 2003)

Maximum Penalties for Being Found “Guilty” of these Offenses:

Offense	Maximum Penalties for Adult Offenders			
	Loss or Restriction of Privileges	B or C Grade	Good Time Revocation	Segregation
100. Violent Assault of any Person	1 year	1 year	1 year	Indeterminate
101. Arson	1 year	1 year	1 year	1 year
102. Assaulting any Person	1 year	1 year	1 year	1 year
103. Bribery & Extortion	1 year	1 year	1 year	1 year
104. Dangerous Contraband	1 year	1 year	1 year	1 year
105. Dangerous Disturbance	1 year	1 year	1 year	1 year
106. Escape or Runaway	1 year	1 year	1 year	1 year
107. Sexual Misconduct	1 year	1 year	1 year	1 year
108. Sexual Assault	1 year	1 year	1 year	Indeterminate
109. Electronic Contraband	1 year	1 year	1 year	1 year
110. Impeding or Interfering with an Investigation	1 year	1 year	1 year	1 year
201. Concealment of Identity	6 months	6 months	6 months	6 months
202. Damage or Misuse of Property	6 months	6 months	6 months	6 months
203. Drugs and Drug Paraphernalia	6 months	6 months	6 months	6 months
204. Forgery	4 months	4 months	4 months	4 months
205. Security Threat Group or Unauthorized Organizational Activity	1 year	1 year	1 year	1 year
206. Intimidation or Threats	6 months	6 months	6 months	6 months
207. Possession of Money	6 months	6 months	6 months	6 months
208. Dangerous Communications	6 months	6 months	6 months	6 months
209. Dangerous Written Material	6 months	6 months	6 months	6 months
210. Impairment of Surveillance	6 months	6 months	6 months	6 months
211. Possession or Solicitation of Unauthorized Personal	6 months	6 months	6 months	6 months

Offense	Maximum Penalties for Adult Offenders			
	Loss or Restriction of Privileges	B or C Grade	Good Time Revocation	Segregation
Information				
212. Frivolous Lawsuit	0 days	0 days	6 months	0 days
213. Failure to Reveal Assets	6 months	6 months	6 months	6 months
301. Fighting	1 month	1 month	1 month	1 month
302. Gambling	2 months	2 months	1 month	1 month
303. Giving False Information to an Employee	3 months	3 months	3 months	3 months
304. Insolence	3 months	3 months	1 month	1 month
305. Theft	6 months	6 months	3 months	3 months
306. Transfer of Funds	3 months	3 months	3 months	3 months
307. Unauthorized Movement	2 months	2 months	2 months	2 months
308. Contraband or Unauthorized Property	3 months	3 months	3 months	3 months
309. Petitions, Postings, and Business Ventures	6 months	6 months	3 months	3 months
310. Abuse of Privileges	3 months	3 months	3 months	3 months
311. Failure to Submit to Medical or Forensic Tests	3 months	3 months	3 months	3 months
402. Health, Smoking, or Safety Violations	3 months	3 months	3 months	3 months
403. Disobeying a Direct Order	3 months	3 months	3 months	3 months
404. Violation of Rules	1 month	1 month	1 month	1 month
405. Failure to Report	1 month	1 month	1 month	1 month
406. Trading or Trafficking	2 months	2 months	1 month	1 month
501. Violating State or Federal Laws	1 year	1 year	1 year	1 year
601. Aiding and Abetting, Attempt, Solicitation, or Conspiracy	Same as underlying offense	Same as underlying offense	Same as underlying offense	Same as underlying offense

(Source: Amended at 27 Ill. Reg. 6214, effective May 1, 2003)