

**Texas Department of Criminal Justice
Guidelines for Disciplinary Actions
Level Two Violations**

NO.	DESCRIPTION
3.	Sleeping on Duty
4.	Leaving a Security or Duty Post
5b.	Reckless Endangerment: Endangerment Less than Life Endangerment
10.	Falsification of Records - Does not include falsification relating to the State of Texas Application for Employment - See Rule Number 46
11.	Unauthorized Taking or Use of Personal Property
13.	Failure to Obey a Proper Order from an Authority
14b.	Use of Offensive Words or Actions – Protected Class
14c.	Use of Offensive Words or Actions – Protected Class – Toward an Offender
15b.	Instigating or Participating in a Physical Confrontation or Altercation
16.	Improper Operation of a TDCJ Vehicle
18c.	Possession of any Contraband Other than Those Items Listed in Rule Number 18a
18d.	Trafficking or Trading of any Contraband Other than Those Items Listed in Rule Number 18a or 18b
20.	Violation of Statutory Authority, Court Order, Rules, Regulations, or Policies
22a.	Harassing or Retaliating Against Another Individual
23.	Mistreatment of Offenders
24b. *	Use of Excessive or Unnecessary Force - Provoked with Serious Injuries
24c.*	Use of Excessive or Unnecessary Force - Non-Provoked without Serious Injuries
25b. *	Failure to Report: Relating to a Use of Deadly, Excessive, or Unnecessary Force - Provoked with Serious Injuries
25c.*	Failure to Report: Relating to a Use of Deadly, Excessive, or Unnecessary Force - Non-Provoked without Serious Injuries
<p>*Aggravated Use of Excessive Force Provision - Applies to Violations of Rule Numbers 24b, 24c, 25b, and 25c: See the Aggravated Use of Excessive Force Provision on the Listing of Employee General Rules of Conduct And Disciplinary Violations (Attachment A) to determine whether the violation of Rule Number 24b, 24c, 25b, or 25c involved an aggravated use of excessive force. If so, the disciplinary action imposed shall be based on the guidelines for the next range of severity within that level. For example, if a violation of Rule Number 24 or 25 is the employee’s first offense and it is determined the violation involved an aggravated use of excessive force, the disciplinary action shall be based on the range for a second offense. The disciplinary action imposed shall include, at a minimum, probation and one or more of the following: suspension, reduction in pay, or demotion.</p>	
29.	Damage, Destruction, Misappropriation, or Unauthorized Use of Equipment or Property Owned or Leased by the TDCJ
30.	Refusal to Cooperate with an Official Inquiry or Investigation
32.	Destroying Evidence or Giving False Testimony or Information
33.	Release of Confidential Information
34b.	Accepting Goods, Money, Services, Favors, or Honoraria
41.	Denial of Uniform Access to Courts
42b.	Failure to Provide Notification of Offender Relationship
42c.	Continuation or Establishment of Offender Relationship that Jeopardizes Security or Compromises the Employee, Other than Cohabitation or Sexual Misconduct
50.	Discourteous Conduct of a Sexual Nature

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RANGE OF DISCIPLINARY ACTION				
	FIRST	SECOND	THIRD	FOURTH
Probation	6 - 9 months	10 - 12 months		
Withdrawal of Pay Increase	Yes	Yes		
Suspension without Pay	1 - 20 workdays	1 - 30 workdays		
Reduction in Pay ⁽¹⁾	1 - 2 increments or at least 3.4% or 6.8%	2 - 3 increments or at least 6.8% or 10.2%		
Involuntary Demotion ⁽¹⁾ (shall be to a budget authorized position)	1 - 2 salary groups	1 - 3 salary groups		
Dismissal	Yes ⁽²⁾	Yes	Only	

⁽¹⁾ Reductions in pay and involuntary demotions shall be in accordance with PD-72, "Employee Salary Administration."
⁽²⁾ Reprimanding Authorities recommending dismissal for the first violation of a level 2 offense shall submit sufficient reason and documentation justifying the recommendation.