

## Chapter A: Interpretations

### Definitions

1. In this ordinance –

“Prisoner” – a person lawfully held in confinement in a prison;

“Civil prisoner” – a prisoner who is not a criminal prisoner;

“Criminal prisoner” – a prisoner under a warrant issued by a court or other authority that hears criminal cases, or a warrant issued by a court-martial;

“Sentenced prisoner” – a criminal prisoner who has been sentenced;

“Court” – Disciplinary Court or Appellate Tribunal established according to Articles I-2 and I-3 in Chapter 3;

“The commissioner” – the senior Israel Prison Service officer who serves as the commissioner of prisons at the time, including the deputy commissioner of prisons;

“Penal Code” – Penal Code-1977;

“Defense Service Law” – Defense Service Law [Consolidated Version] -1986

“Object” – an object of any type, including money, clothing, food, beverages, tobacco of any form, a letter, paper and an instrument;

“Prohibited object” – an object that this ordinance or regulations do not allow to be brought into a prison, to be removed from a prison or to be held by a prisoner;

“Veteran, Ex-Serviceman” – As defined in the Defense Service Law;

“Veteran, Ex-Serviceman in regular service” – veterans or ex-servicemen who fulfill their regular military obligations in the prison service according to the Defense Service Law;

“Punitive diet” – (annulled);

“Reduced diet” – (annulled);

“Lieutenant” – including a prison officer whose rank includes the word “lieutenant,” and including an acting officer;

“Prison warden” – the senior officer in charge of a prison, including a person appointed to administer a prison or to perform a warden’s roles, all or part of them;

“Sergeant” – including a prison officer whose rank includes the word “sergeant”;

“Prison officer” – any member of the Israel Prison Service;

“Senior prison officer” – a prison officer with the rank of lieutenant colonel or higher;

“Junior prison officer” – a prison officer who is not a senior prison officer;

“Orders of the Service” – directives of the Israel Prison Service and orders of the Israel Prison Service Commission issued under Section 80A;

“Minor” – a person under 18 years old;

“Judicial Officers” – prison officers with the rank of Captain or higher, trained to serve as Judicial Officers according to the Prison Service Ordinance, whom the Commissioner has granted the authority of Judicial Officer in writing and who are not Senior Judicial Officers;

“Senior Judicial Officers” – Senior prison officers whom the Commissioner has granted the authority of Senior Judicial Officer in writing;

“Disciplinary officer” – a prison officer with the rank of captain or higher who has been assigned by the commissioner, in writing, the authority of a disciplinary officer, and is not a senior disciplinary officer;

“Senior disciplinary officer” – a senior prison officer including a prison warden, who has been assigned by the commissioner, in writing, the authority of a senior disciplinary officer;

“Sole judge” – a disciplinary officer or a senior disciplinary officer;

“Disciplinary infraction” – an infraction as defined in Section 103;

“Physician” – a prison physician;

“The minister” – the minister of police.

## Chapter B: Prisoners

### Article A: Admission and Confinement of Prisoners

#### Admission of prisoners

2. No person shall be admitted into a prison unless accompanied by a warrant of imprisonment or warrant of arrest; however, the child of a female prisoner may be admitted into a prison with its mother if it is at the breast and less than two years old.

#### Identification

3. The prison warden shall verify that the warrant bears the signature of the proper authority and is validly made and that the prisoner is the person named therein.

## Particulars to be recorded

4. Upon the admission of any person to prison, the prison warden shall cause to be recorded such particulars regarding such person as may be prescribed.

## Admission to confinement

5. A prison officer who admits a prisoner to confinement will conduct a body search as stipulated in Article G1 of Chapter C, and will take prohibited objects from him.

## Medical examination

6. (A) Every prisoner shall, as soon as possible after his admission, be separately examined by the physician, and until so examined such prisoner shall so far as is possible be kept apart from other prisoners.

(B) The physician shall record the state of health of the prisoner and such other particulars as prescribed.

## Prisoner's effects to be kept in custody

7. Money, clothes and other objects brought into the prison by any prisoner which he is not allowed to retain shall be placed in the custody of the prison warden. The prison warden shall keep an inventory of the said objects, and they shall be returned to the prisoner when he is released.

## Destruction of clothes

8. In any case where clothes of a prisoner are so old worn-out or filthy as to be unsuitable for further use, the prison warden may order them to be destroyed.

## Refusal to accept custody

9. The prison warden may refuse to take into prison any property of a prisoner which by reason of its bulk or excessive quantity cannot be conveniently stored in the prison.

## Segregation of sexes and separation of different classes

10. (A) Male and female prisoners shall be confined in separate parts of the prison in such manner as to prevent their seeing or conversing or holding any intercourse with each other.

(A1) Minor prisoners shall be separated from adult prisoners pursuant to the provisions of Section B34 of the Youth Law (Judgment, Punishment and Methods of Treatment) – 1971;

(B) The prisoners of each sex shall, as far as prison accommodation renders it practicable, be divided into distinct classes, namely:

(1) prisoners awaiting trial will be kept apart from sentenced prisoners;

(2) deleted;

(3) civil prisoners will be kept apart from criminal prisoners;

(4) first offenders will be kept apart from recidivists.

(C) The directive of Subsection (A), in regard to the separation of the sexes, will not apply to areas of the prison in which prisoners are held for the purpose of receiving essential medical care or detoxification treatment or rehabilitation from drugs, provided that the commissioner determined, in accordance with a physician's recommendation, that this is necessary for the purpose of administering medical treatment, or treatment or rehabilitation of drug addicts.

(D) The minister will define, in regulations, conditions that ensure the well-being and safety of the male and female prisoners held under Subsection (C), and conditions for preventing the arrangement from being abused.

## Article B: Custody and Removal of Prisoners

### Prisoner in custody of prison warden

11. (A) Every prisoner confined in any prison shall be deemed to be in legal custody of the prison warden.

(B) Every prisoner shall be subject to prison discipline and regulations during the whole time of his imprisonment, whether he is or is not within the precincts of the prison.

### Shackling a prisoner in a public place

11a. (A) a prisoner will not be shackled in a public place except under these directives:

(1) A prison officer believes that there is a reasonable concern that the prisoner would do one of the following:

(A) Escape or help another person escape;

(B) Cause bodily harm or property damage;

(C) Damage or conceal evidence;

(D) Receive or deliver an object that is liable to be used in committing an offense or in disturbing the order at the place of confinement;

(2) The prisoner was convicted of an offense under the directives of Section 23(A)(5) of the Criminal Procedure Law (Powers of Enforcement – Arrests), 1996 (in this ordinance – the Arrests Law), except if a prison officer believes that in the circumstances of the case there is no concern as stipulated in paragraphs (A) through (D) of Paragraph (1);

(3) The commissioner will define the types of prisoners whose shackling requires approval by a prison officer with the rank of captain, even if the circumstances stipulated in subparagraphs (1) and (2) exist; a decision under this

paragraph may be made via orders of the Service, and can be made via procedures or by a person he has authorized for this;

(4) Despite the stipulations in paragraphs (1) and (2), a judge is entitled to order the release of a prisoner from shackling when the prisoner is present in the courtroom;

(5) For the purpose of this section, “a public place” – a place to which the public or part of it has access.

(B) Without derogating from the provisions of subsection (a), do not shackle a juvenile prisoner if you can achieve the same goal in a manner that will cause the juvenile less harm. If it is decided to use shackles, it should be for the shortest time required to achieve its purpose; when deciding to shackle a juvenile, you should consider their age and how the shackling will affect their physical and mental well-being.

(C) Before shackling juveniles under the provisions of subsection (a), prison officers must notify them that they are about to be shackled, unless the prison officer believes that such notification may thwart achieving the purpose that required shackling.

## Transfer of prisoner

12. (A) The Commissioner may, by general or special Order, direct that any prisoner or class of prisoner be transferred to any other prison, and it shall be immaterial which prison is named in the warrant of imprisonment.

(B) Every prisoner shall be medically examined before transfer to another prison.

## Transfer of prisoners in case of infectious disease

13. (A) In case of an infectious disease occurring in any prison, it shall be lawful to transfer prisoners from such prison to another place although such place may not have been declared a prison under this Ordinance, and such place shall be deemed during the continuance of any prisoner therein to be a part of the prison from which he was removed. When the disease has ceased, the prisoner shall be taken back to the prison whence he was removed, if still liable to be confined therein.

(B) A transfer under this section will be in accordance with an order signed by the minister or the commissioner, or if urgent, by the prison warden.

## Places for treatment of mentally ill persons

14. The minister may appoint fit places, either within any prison or elsewhere, for custody and treatment of mentally ill persons.

## A mentally ill prisoner

15. (A) In this section –

“Law of Treating the Mentally Ill” – Law of Treating the Mentally Ill, 1991;

“Prisoner” – except for a person who enters prison under an arrest order;

“Ill”, “district psychiatrist,” “psychiatric examination,” “hospital,” “director of the Mental Health Services” and “director” – as defined in the Law of Treating the Mentally Ill;

“Head of the Psychiatric Department” – head of the Psychiatric Department at a hospital;

(B) If a concern arises that a prisoner is ill, the head of the Psychiatric Department is entitled to order that the prisoner be transferred to the Department so that he can undergo a psychiatric examination in order to determine whether he is ill.

(C) If the head of the Psychiatric Department finds that it is only possible to conduct a psychiatric examination under conditions of hospitalization, he will inform the commissioner and the district psychiatrist, and the prisoner will be hospitalized in the Psychiatric Department for an examination under observation.

(D) The commissioner is entitled, upon recommendation of the head of the Psychiatric Department and with the approval of the district psychiatrist, to order the prisoner’s transfer to a hospital for the purpose of conducting a psychiatric examination, including an examination under observation.

(E) If the district psychiatrist is convinced, based on a psychiatric examination, that the prisoner meets the conditions warranting his hospitalization as stipulated in the Law of Treating the Mentally Ill, he is entitled to issue a hospitalization order as defined in Section 9 of the same law.

(F) If a hospitalization order is issued as stipulated in Subsection (E), the commissioner will decide whether the prisoner will be hospitalized in the Psychiatric Department of the prison or in a hospital selected by the district psychiatrist; if the district psychiatrist opposes the prisoner’s hospitalization in the hospital selected by the commissioner, the matter will be decided by the director of Mental Health Services.

(G) An order for an examination or hospitalization of a prisoner under this section will be regarded, for all purposes and subject to the directives of this section, as an order for a forced examination or forced hospitalization as defined in the Law of Treating the Mentally Ill.

(H) As long as the prisoner is held in the hospital and his term of sentence has not ended, he will be deemed to be in lawful custody.

(I) A prisoner who is transferred to a hospital for the purpose of an examination under observation or for the purpose of hospitalization under this section, will be returned to the prison if he is still required to be imprisoned in it, in accordance with a written notification from the director to the commissioner, explaining that there is no longer a need to hold the prisoner in a hospital.

(J) If the director of the Psychiatric Department determines that there is no longer a need to hold the prisoner in the Psychiatric Department, he will notify the commissioner and the district psychiatrist, and the commissioner will order the transfer to the prisoner to an assigned prison.

## Hospitalization of sick prisoners

16. (A) in the case of the illness of a prisoner confined in a prison in which there is no suitable accommodations for such a prisoner, the prison warden may, on the certificate of a government medical officer, direct that he be

removed to a government hospital, and so long as he remains there and his sentence has not expired, he shall be deemed to be in lawful custody.

(B) The government medical officer of the hospital shall, at the end of every month, transmit to the prison warden a certificate signed by him that it is in his opinion necessary that such prisoner should remain in the hospital.

### Bringing prisoner back from hospital

17. When in the opinion of the government medical officer in charge of the hospital it is no longer necessary that the prisoner remain therein, he shall notify the prison warden, who shall forthwith cause the prisoner to be brought back to the prison.

### Prevention of escape from hospital

18. Every precaution shall be taken by the physicians and other staff of a hospital to prevent the escape of any prisoner who is under treatment therein, and it shall be lawful for them to take such measures for preventing his escape as may be necessary; provided that nothing shall be done under the authority hereof which in the opinion of the medical officer is likely to be prejudicial to the health of the prisoner.

### Special measures at hospital

19. Where in any case from the gravity of the offense for which a prisoner is in custody, or for any other reason, the prison warden considers it desirable to take special measures for the security of such prisoner while under treatment in a hospital, it shall be lawful for him to give such prisoner into the charge of fit and proper persons, not being less than two in number, one of whom at least shall always be with him day and night, and such persons shall be vested with full power to do all things necessary to prevent such prisoner from escaping, and shall be answerable for his safe custody until such time as he is handed over to the prison warden on his discharge from the hospital or until such time as his sentence expires, whichever may first occur.

## Article B1: Separate Confinement

### Definitions.

19A. In this article –

“A prisoner in separation” – a prisoner held separately from the other prisoners in one of the following –

(1) In a cell where is alone;

(2) In a cell with a prisoner or other prisoners who also need to be held separately;

“The court” – The district court whose area of jurisdiction includes the prison in which the prisoner is being held in separation;

“Prison warden” – including his deputy who is a senior prison officer.

## Goals of the separation

19B. A prisoner may be held in separation if the separation is required for one of these reasons and when it is not possible to achieve the goal of the separation in another way –

- (1) State security;
- (2) Prison security;
- (3) Protecting the well-being or health of the prisoner or of other prisoners:
- (4) Preventing substantial injury to the discipline and orderly routine of the prison;
- (5) Preventing a crime of violence, an offense under Article B of the Struggle Against Organized Crime Law, 2003 or a crime of drug transaction under the Dangerous Drugs Ordinance [New Version], 1973;
- (6) The minors' best interests require they be held in a cell of their own.

## Administrative separation

19C. (A) (1) If a senior prison officer is convinced that one of the reasons stipulated in Section 19B exists in regard to a prisoner, he is entitled to order that the prisoner be held separately for a period that does not exceed 48 hours; if no senior prison officer is present, a junior prison officer with the rank of major is entitled, if so convinced, to order that a prisoner be held separately for a period that does not exceed 12 hours, and a senior prison officer is entitled to extend this period, provided that the total period of separation does not exceed 48 hours.

(2) If a prison warden is convinced as stipulated in Paragraph (1), he is entitled to extend the period of separation from time to time for additional periods of no more than 48 hours each, provided that the total period of separation under this Subsection does not exceed 14 consecutive days or 14 non-consecutive days within a period of 30 days.

(B) A prison officer authorized by the commissioner for this purpose and whose rank is not less than colonel (in this article – authorized prison officer) is entitled, if convinced as stipulated in Subsection (A)(1), to order the following:

(1) To hold a prisoner in separation alone in a cell for a period that does not exceed one month, and he is entitled to extend the period from time to time for additional periods that are not to exceed one month each, provided that the total of the periods does not exceed half a year;

(2) To hold a prisoner in separation in a cell with a prisoner or other prisoners for a period that does not exceed two months, and he is authorized to extend the period from time to time for additional periods that are not to exceed two months each, provided that the total of periods does not exceed 12 months; holding a prisoner for a period of more than six months requires the commissioner's approval.

(C) An authorized prison officer as stipulated in Subsection (B) will only issue an order after consulting with the professionals specified in the regulations, with the approval of the Knesset's Interior and Environmental Quality Committee.



(D) If an authorized prison officer orders the extension of the period of separation under the directives of Subsection (B), the need for continuing the separation can be reviewed at any time upon the request of the prison warden or the prisoner for reasons that were not presented to the authorized prison officer.

## Hearing

19D. (A) A decision by the prison warden to extend the period of a prisoner's confinement in separation after the initial 96 hours of his confinement in separation, and a decision by an authorized prison officer as stipulated in Section 19C(B), will not be issued before enabling the prisoner held in separation to orally present his opposition before the prison warden or before an authorized prison officer, as relevant.

(A1) If the period of holding the prisoner in separation ends on one of the permanent days of rest in the State of Israel, as defined in Section 18A(A) of the Law and Administration Ordinance, 1948, or on a statutory holiday, a prisoner in separation will be given the opportunity to express his opposition under Subsection (A) on the previous day, and if it is also a day of rest or holiday as stipulated – on the day before it.

(B) The directives of Subsection (A) do not prevent a prisoner in separation from submitting in writing his opposition to the continued extension of the period of his confinement in separation under Section 19C.

## Separation by court order

19E. (A) (1) A prisoner will not be held separately in a cell alone for a period of more than six months, except if ordered by a court to do so; if a court orders this, it will specify the period of confinement in separation, provided that it does not exceed six months;

(2) A prisoner will not be held separately in a cell with a prisoner or other prisoners for a period of more than 12 months, except if ordered by a court to do so; if a court orders this, it will specify the period of confinement in separation, provided that it does not exceed 12 months;

(3) If a court issues an order as stipulated in paragraphs (1) or (2), it is entitled to reissue such order from time to time.

(B) The court hearing will be conducted in the presence of the prisoner or his representative.

## Review

19F. A prisoner in separation is entitled to submit a request to the court to review a decision it has issued if new evidence is discovered or if the circumstances have changed in a way that could affect its decision; in a review, the court is entitled to uphold the decision, cancel it or replace it with another one.

## Appeal

19G. A court decision under Section 19(E)(A) can be appealed before the Supreme Court if leave for appeal is granted by the court or by a justice of the Supreme Court.

## Evidence

19H. In a hearing under sections 19E, 19F or 19G, the court is entitled to deviate from the rules of evidence and hear evidence in the presence of one party, if convinced of the following:

- (1) It is necessary due to one of the reasons stipulated in paragraphs (1) through (5) of Section 19B;
- (2) The need to deviate from the rules of evidence takes precedence for the purpose of executing justice.

## Separation after a court decision

19I. The directives of sections 19E, 19F and 19G do not prevent taking a decision to hold a prisoner in separation if at a date subsequent to the court's decision there are circumstances that constitute one of the reasons for separation under Section 19B.

## Canceling separation

19J. (A) If a decision is issued to hold a prisoner in separation under this article, and a person authorized to decide on separation finds that there is no need to continue the prisoner's confinement in separation, he will order the cancellation of the separation.

(B) If a decision is issued by a court to hold a prisoner in separation, and the commissioner finds that there is no need to continue the prisoner's confinement in separation, he will order the cancellation of the separation.

## Obligation to explain

19K. (A) Decisions under sections 19B, 19C, 19D and 19J will include explanations and will be issued in writing, and a copy of the decision will be given to the prisoner.

(B) The prisoner will be informed of the explanations for the decision unless stipulated by the issuer of the decision that their disclosure would harm one of the reasons listed in Section 19B.

# Article C: Bringing a Prisoner to Court

## Definitions..

20. In this article –

"Matter" – includes any proceeding in a civil or criminal matter;

"Court" or "judge" – includes a court as defined in the Religious Courts Law (Imposing Obedience), 1956, a religious judge in said court, a registrar as defined in the Courts Law [Consolidated Version], 1984, and the chief secretary of a court or of a religious court as stipulated.

## Exclusive applicability of provisions of this Article

21. No prisoner shall be brought up before any court for any of the purposes set out in this Article save with the provisions of this Article.

### Order to bring up

22. Notwithstanding any provisions of the Evidence Ordinance [New Version] 1971, any Judge, on proof to his satisfaction that the presence of any prisoner before a Court as a party or a witness in a matter pending in such Court is required in the interest of justice, may issue an order under his hand, addressed to the prison warden, for bringing up such prisoner before such court.

### Custody

23. A prisoner taken from a prison in pursuance of an order under this Article shall, whilst outside the prison, be kept in such custody as may be prescribed under this Ordinance, and whilst in that custody shall be deemed to be in legal custody.

### Expenses

24. Any person making application under Section 22 in a civil matter shall deposit with the court a sum sufficient in the opinion of the judge issuing the order to cover any traveling and other expenses likely to be incurred in bringing up the prisoner as aforesaid.

## Article D: Labor

### Place of labor

25. Prison labor shall be in accordance with the provisions of Article 14 of the Penal Law (Modes of punishment) [Consolidated Version] 1970, (hereinafter referred to as the "Modes of Punishment Law") within or without the precincts of the prison in any part of the State, and in any employment that may be prescribed.

### Employment of female prisoners

26. Female prisoners shall not be employed outside the prison, except on the recommendation of the medical officer, and then only on such labor as is suitable for women.

### Supervision

27. Prison labor shall be under the supervision of the prison warden.

## Article E: License to Be at Large

28. (Annulled).

29. (Annulled).

29a. (Annulled).

30. (Annulled).

31. (Annulled).

32. (Annulled).

33. (Annulled).

34. (Annulled).

35. (Annulled).

### Special furlough

36. (A) The Minister may, on the application of a prisoner or on the recommendation of the Commissioner, grant the prisoner, on such conditions as the Minister may think fit, a special furlough not exceeding ninety-six hours; the term of imprisonment of the prisoner shall not be extended by reason of this furlough.

(B) A prisoner who receives a furlough under the directives of Subsection (A) will be given a license that stipulates the terms under which his furlough is conditioned.

(C) A policeman is entitled to do any of the following:

(1) To demand that a prisoner who is on a special furlough under Subsection (A) (in this section – a prisoner on furlough) present his license to him;

(2) To question a prisoner on furlough in order to determine whether he is fulfilling the conditions of his furlough and to question another person regarding the prisoner's fulfillment of the furlough conditions.

(3) To enter the home or the place where the prisoner is supposed to be located under the terms of his furlough in order to supervise the fulfillment of these conditions, after identifying himself to the holder of the home or place and informing him of the purpose for which he is requesting entry, and he is entitled to exercise reasonable force for the purpose of such entry;

(4) To enter a home or place where, according to the conditions of his furlough, the prisoner is prohibited from being, if he has a reasonable basis for assuming that the prisoner is present there, after he identifies himself to the holder of the home or place and informs him of the purpose for which he is requesting entry, and he is entitled to exercise reasonable force for the purpose of such entry;

### Loss of license

37. The holder of a license who proves to the satisfaction of a police officer of or above the rank of chief inspector that he has lost his license through no fault of his own shall be entitled to a duplicate of such license.

## Article F: Prohibited Articles and Communication with the Outside

## Prohibition of possession

38. No prisoner shall possess a prohibited object.

## Object sent to prisoner

39. A prohibited object sent to the prison for the use of the prisoner shall be dealt with as provided in Section 7.

## Search and seizure of a forbidden object

40. A prison officer is entitled to search any item brought to the prison or removed from it; a prohibited object will be taken from the person holding it; if a prohibited object is found, the prison officer will immediately inform the prison warden of this.

## Prohibition of introduction and removal

41. No person shall introduce, convey or throw into, or deposit in, or remove, convey or throw out of any prison any prohibited object.

## Prohibition of conveyance

42. No person shall convey to any prisoner, or convey to any other person from or on behalf of any prisoner, any prohibited object.

## Delivering a letter

42A. A person will not deliver a letter or any other document (in this article – a letter) to a prisoner, except via the prison administration and in accordance with the directives of the orders of the Service.

## Prohibition of deposit

43. No person shall deposit any prohibited object with a view to its coming into possession of any prisoner or into the possession of any other person for or on behalf of a prisoner or as a conveyance from one prisoner to another.

## Confiscation and disposal of confiscated objects

44. (A) If any person does or attempts to do any of the acts referred to in sections 41 to 43, the prison warden may at his discretion confiscate the prohibited object.

(B) The prison warden may at his discretion confiscate any prohibited object found in the possession of any prisoner.

(C) Any confiscated money shall be paid into the Treasury.

(D) If any confiscated object can be used for the benefit of deserving prisoners, it shall be used for their benefit in such manner as the prison warden may direct.

(E) If any confiscated object cannot be used for the benefit of deserving prisoners and if it is of no monetary value, it shall be destroyed under the supervision of the prison warden; if it is of monetary value, it shall be delivered up to the officer in charge of the nearest police-station, who shall sell it or cause it to be sold without delay, and the proceeds of the sale, less any expenses incurred, shall be paid into the Treasury.

## A prisoner's meeting with an attorney

45. (A) A prisoner is entitled to meet with an attorney for the purpose of receiving professional service.

(B) A prisoner's meeting with an attorney will be conducted in private and under conditions that ensure the confidentiality of the words and documents exchanged during the meeting, yet in a way that will enable supervision of the prisoner's movements.

(C) If a prisoner requests to meet with a particular attorney for the purpose of receiving professional service, or an attorney – who was given power of attorney or was appointed by the prisoner, by a person close to the prisoner, by a district or national public defender, or by the court – requests to meet with a prisoner for the purpose of providing professional service, the prison warden will allow the meeting to be held as stipulated during the regular working hours of the prison and as soon as possible; however, if the prisoner is a detainee against whom an indictment has not yet been served, the prison warden will enable the meeting to be held without delay.

(D) The commissioner will define in the orders of the Israel Prison Service Commission the way of ascertaining the prisoner's wish to meet with a particular attorney who lacks such power of attorney or appointment as stipulated in Subsection (C).

(E) The minister is entitled to define, with the approval of the Constitution, Law and Justice Committee of the Knesset, the arrangements required for an attorney to enter a prison for the purpose of meeting a prisoner under this section, and to define directives for limiting the number of attorneys allowed to meet with a prisoner during a time period to be determined, all while being attentive to the security and safety procedures at the prison, and the arrangements required for conducting meetings between prisoners and attorneys in the prison.

(F) In this section, "attorney" – as defined in Section 45A.

## Preventing a prisoner's meeting with a particular attorney

45A. (A) In this section –

"Prisoner" – not including a detainee against whom an indictment has not yet been served;

"District court" – the district court in whose area of jurisdiction the prison is located where the prisoner is being held;

"The region" and "the territories of the Palestinian Council" – as defined in the Addendum of the Law for Extending the Validity of Emergency Regulations (Judea and Samaria and the Gaza Strip – Jurisdiction in Offenses and Legal Remedy), 1967 (in this section – the Law for Extending the Validity of Emergency Regulations);

“Preventing a meeting” – including terminating a meeting;

“Offense” – a misdemeanor or crime;

“Prison offense” – as defined in Article H of Chapter B;

“Attorney” – a member of the Israel Bar Association, and in the case of a resident of the region or a resident of the territories of the Palestinian Council – also a member of the Palestinian Bar Association whose membership is confirmed by the person in charge of legal remedy as defined in the Addendum to the Law for Extending the Validity of Emergency Regulations or by the staff officer for legal affairs in the Civil Administration for the region.

(B) If the commissioner or prison warden harbors a real suspicion that a prisoner’s meeting with a particular attorney would facilitate an offense that would endanger the security of a person, the security of the public, the security of the state or the security of the prison, or a prison offense that would cause real harm to prison discipline that is liable to severely disrupt prison procedures and administration, he is entitled to order the prevention of the meeting for a period of time stipulated in Subsection (C); and the commissioner or prison warden is entitled to order that the attorney be prevented from meeting with other prisoners if he harbors a real suspicion that one of the reasons listed in this subsection exists in regard to the meeting with them.

(C) The prison warden is entitled to order the prevention of a meeting under the directives of Subsection (B) for a period not to exceed 24 hours; the commissioner is entitled, with the consent of the district prosecutor, to order as stipulated for an additional period not to exceed 5 days.

(D) The order of the commissioner or the prison warden regarding the prevention of a meeting between a prisoner and an attorney will be issued while mindful, inter alia, of the content of the information that aroused the real suspicion that is the basis for preventing the meeting, as stipulated in Subsection (B), and the level of the information’s reliability, as well as the level of danger anticipated if the meeting is held; such an order will be given after providing the prisoner and the attorney an opportunity to present their arguments as detailed below:

(1) In regard to an order from the prison warden – in writing or orally;

(2) In regard to an order from the commissioner – in writing; however the commissioner is entitled to order that these arguments be heard orally.

(E) (1) An order from the commissioner or the prison warden under this section will be issued in writing and delivered to the prisoner and the attorney without delay; the reasons for it (in this section – the reasons) will be attached to the order, as well as the information on which the order is based.

(2) Despite the stipulations in Paragraph (1), the commissioner or the prison warden is entitled to refrain from delivering to the prisoner and the attorney the reasons or the information on which the order is based, all or part of them, if he believes that this would cause one of the following:

(A) Harm to a person’s well-being or security;

(B) Harm to the security of the state;

(C) Exposure of sources of information and work methods of investigative or intelligence authorities;

(D) Disruption of investigations conducted by investigative or intelligence authorities.

(3) If the commissioner or the prison warden decides not to disclose a reason or detail from the information stipulated in Paragraph (2), he will provide the prisoner and the attorney with a summary of the reasons and the information, as much as he can without causing one of the damages described in subparagraphs 2(A) through (D).

(F) Upon receiving an order from the commissioner or the prison warden under this section, the prisoner is entitled to submit a petition, on his own or via his representative, to the district court; the directives of Article H1 of Chapter B will apply, with the requisite changes.

(G) The district court is entitled to order the extension of the periods stated in Subsection (C) for periods of not more than 21 days, each, if such a request is submitted by the representative of the attorney general and if one of the reasons listed in Subsection (B) exists, as long as the total of the periods during which the prisoner is prevented from meeting with the attorney does not exceed three months; the sides are entitled to appeal a decision of the district court under this subsection to the Supreme Court, which will hear the matter with one justice presiding.

(H) If a prisoner's meeting with the attorney is prevented under subsections (B), (F) or (G) for a period of three months, a Supreme Court justice is entitled, if so requested, with the approval of the attorney general and if one of the reasons listed in Subsection (B) exists, to extend this period for an additional period, according to his directive, and he is entitled to reissue such directives from time to time.

(I) (1) The proceedings in the court under this section will be conducted in the presence of the prisoner, unless the court believes that conducting the proceedings in this way would harm one of the matters listed in subparagraphs (A) through (D) of Subsection (E)(2).

(2) If the court orders that the proceedings be conducted in the prisoner's absence, it will order that the prisoner receive a summary of the information presented, to the extent possible, without harming one of the matters stipulated in Paragraph (1).

(3) The directives of Section 35(G), (I) and (J) of the Arrests Law will apply, with the requisite changes, in the court proceedings under this section.

(J) A decision of the court that is issued under this section will be brought to the attention of the prisoner and the attorney, without delay.

(K) The commissioner and the prison warden are entitled to delegate their authorities under this section to their deputies only.

## Reservation of laws

45B. (A) The directives of sections 45 and 45A do not derogate from the directives of any law pertaining to a prisoner's meeting with an attorney.

46. (Annulled).

## Sentenced prisoner



47. (A) A sentenced prisoner may be allowed to write a first letter upon his admission to prison.

(B) After the completion of the first three months of his sentence and thereafter every two months he may be allowed to receive a visit from friends in the sight and hearing of a prison officer and to write and receive a letter.

### Sending letters

47A. (A) A prisoner is entitled to send letters, via the prison administration and in accordance with the directives of this law, and for this purpose will be given stationery in a quantity to be determined in the orders of the Service.

(B) A prisoner is not entitled to send a letter via a visitor or in any way other than via the prison administration; however, he is entitled to give his attorney, during his meeting with him, a letter pertaining to his representation; he is also entitled to deliver to a probation officer documents required by the probation officer for the purpose of carrying out his duties.

(C) The postage for the letters will be at the prisoner's expense, unless the prison warden sees a need to exempt the prisoner from this payment due to his economic situation.

(D) (1) A prison warden or a person authorized by him (hereinafter – the examiner) is entitled for the reasons listed in Section 47C(A) and despite what is stipulated in any law, to open and examine each letter sent by the prisoner;

(2) In regard to authorization under Paragraph (1) of an examiner who is a prison officer – a prison officer will not be authorized whose rank is less than the rank of major, unless he is a captain who is serving in a major's position.

(E) Such a letter, which is opened by the examiner, will be initialed with the name of the examiner.

### Receiving a mail item or letter

47B. (A) In this section and in sections 47C and 47D, "mail item" – a letter, postcard, printed material or any other document addressed to the prisoner and sent to him via the postal services.

(B) A prisoner is entitled to receive a letter or mail item in accordance with the directives of this law.

(C) A mail item or letter will be delivered to a prisoner via the prison administration only.

(D) The examiner is entitled, for reasons listed in Section 47C(A) and despite the stipulations of any law, to open and examine any mail item or letter after it arrives at the prison and before delivering it to the prisoner.

(E) A mail item or letter opened by the examiner will be marked with the initials of the examiner's name.

### An examiner's authority to prevent delivery or receipt of a mail item

47C. (A) For the reasons listed below and despite the stipulations of any law, the examiner is entitled not to send or not to deliver a letter or mail item or parts of them that are sent by a prisoner or to a prisoner if he finds that their delivery or dispatch is liable to harm one of the following:

(1) state security;

(2) public security;

(3) prison security or discipline;

(4) the proceedings of an investigation or trial.

(B) If the examiner decides to prevent the transfer of a mail item or letter to its destination, he will explain his decision in a letter and order the mail item or letter to be stored in a special place designated for this.

(C) Preventing the transfer of a mail item or letter, or parts of them, to their destination will be brought to the attention of the prisoner, unless the commissioner approves withholding this notification for the reasons listed in Subsection (A).

(D) The directives of this section will not apply to legal documents intended for the court or documents exchanged between an attorney and his client, the prisoner, pertaining to the subject of his representation and delivered to a prisoner or by a prisoner during the attorney's meeting with the prisoner.

## Correspondence with a member of Knesset

47D. Despite the directives of sections 47A(D), 47B(D) and 47C(A), and despite the stipulations in any law –

(1)(A) A letter sent from a prisoner to a member of Knesset will not be opened unless the examiner has a reasonable basis to fear that its delivery or transfer to a member of Knesset is liable to harm one of the matters listed in Section 47C(A)(1) through (4) (hereinafter – to harm security or the proceedings of an investigation or trial);

(B) If the examiner has this fear, he will open the letter only in the presence of three members of the Intelligence Services and Security Subcommittee of the Knesset Foreign Affairs and Defense Committee, who are appointed by the chairman of the subcommittee (hereinafter – the committee); after opening and reading the letter, the examiner will indicate to the committee which parts of the letter, in his opinion, are liable to harm security or the proceedings of an investigation or trial, if there are such parts;

(C) If the committee finds, after hearing the examiner's explanations, that the delivery or transfer of the letter is liable to harm security or the proceedings of an investigation or trial, the committee will decide, in an explained decision, whether to prevent delivery of the letter, in its entirety or in part;

(D) Notification of the committee's decision will be sent by the Knesset speaker to the member of Knesset, unless the committee decides, in an explained decision, to withhold such notification for reasons of harm to security or to the proceedings of an investigation or trial;

(E) If a letter is not delivered to a member of Knesset under Subsection (C), the examiner will order that the letter be stored as stipulated in Section 47C(B).

(2) A mail item sent from a member of Knesset to a prisoner will not be opened unless the examiner has a reasonable basis to fear that its delivery or transfer is liable to harm the security of the state; the directives of Paragraph (1)(B) through (E) will apply to a mail item opened in accordance with the directives of this paragraph.

## Sick prisoner

48. Should a prisoner be seriously ill and desire to be visited by any relative or friend, the prison warden, on the recommendation of the medical officer, may give an order in writing for the admission of such relative or friend if he considers it advisable.

### Minister of religion

49. Rabbis and ministers of other religions may be admitted at proper and reasonable times to the prison to visit prisoners desirous of their services and to hold religious services at such hours and in such places as the prison warden may sanction.

### Supervision of visitors

50. The person in charge of a prison will record in a book, designed for this purpose, the name and address of each person who comes to visit a prisoner.

### Prohibition of communication

51. No person shall communicate with any prisoner save in conformity with rules and orders regulating such communication.

### Penalties

52. Without prejudice to any confiscation under Section 44, any person contravening any provision of sections 38, 41 to 43 and 51 shall be liable to imprisonment for a term of six months or a fine of 450 pounds.

## Article G: Prisoners under Sentence of Death

### Confinement

53. A prisoner sentenced to death shall be confined in some safe place within the prison and, if possible, apart from all other prisoners and shall be placed under constant observation both by day and by night.

### Access

54. Except on the written authority of the prison warden, no person other than prison officers, the physician, an visiting official and a rabbi or a minister of the religious denomination to which the prisoner belongs shall have access to the prisoner.

### Persons to attend execution

55. The execution shall be attended by –

(1) the prison warden;

(2) the physician;

(3) an officer of the district administration;

(4) two police officers or officers of the court who were present in court when the prisoner was sentenced to death and can identify him as being the person sentenced;

(5) at the request of the prisoner, a rabbi or a minister of the denomination to which the prisoner belongs.

## Article H: Discipline

### Prison offenses

56. The following acts are declared to be prison offenses when committed by a prisoner:

(1) quarrelling with any other prisoner;

(2) making groundless complaints;

(3) making false charges against prison officers in reply to any question as to matters concerning the prison or prison discipline;

(4) answering untruthfully any question as to matters contained in Section 6 put by a prison officer;

(5) holding any communication, in writing, by word of mouth or otherwise, with an outsider or with a prisoner in disobedience of the regulations of the prison;

(6) doing any act calculated to create any unnecessary alarm in the minds of the prisoners or prison officers.

(7) omitting or refusing to march as ordered when moving about the prison or proceeding to or returning from work;

(8) refusing to eat the food prescribed by the prison diet scale;

(9) eating or appropriating any food not assigned to him or taking from or adding to the portions assigned to other prisoners;

(10) without permission of a prison officer removing food from the cookhouse, or from the place where meals are served, or disobeying any order as to the distribution of food or drink;

(11) willfully destroying food, or throwing it away without orders;

(12) introducing into food or drink anything likely to render it unpalatable or unwholesome;

(13) omitting or refusing to wear the clothing given to him or exchanging any portion of it for the clothing of other prisoners, or losing, discarding, damaging or altering any part of it;

- (14) removing, defacing or altering any distinctive number, mark or badge attached to or worn on the clothing or person;
- (15) omitting or refusing to keep the person clean or disobeying any order regulating the cutting or shaving of hair;
- (16) omitting or refusing to keep clothing, blankets or bedding clean or disobeying any order as to the arrangement or disposition of such objects;
- (17) tampering in any way with prison locks, lamps or lights, or other property with which he has no concern;
- (18) stealing any part of the prison clothing or the kit of another prisoner;
- (19) committing a nuisance in any part of the prison;
- (20) defacing or damaging a wall, furniture or other property of the prison;
- (21) soiling, or spitting on, any floor, door, wall or other part of the prison building or any object in the prison;
- (22) willfully befouling the wells, latrines washing or bathing places;
- (23) omitting or refusing to take due care of, or vandalizing, destroying or misappropriating any tools or any clothing or other objects, the property of the State;
- (24) willfully causing to himself any illness, injury or disability;
- (25) causing or omitting to assist the suppressing of, violence or insubordination of any kind;
- (26) taking part in any attack upon any prison officer or upon another prisoner;
- (27) omitting or refusing to help any prison officer in case of an attempted escape or of an attack upon a prison officer or upon another prisoner;
- (28) disobeying any of the rules or any lawful order of a prison officer or omitting or refusing to perform duties in the manner prescribed;
- (29) treating with disrespect any prison officer or servant of the prison or any visitor or any person employed in connection with the prison;
- (30) refusing to work or being idle, careless or negligent at work;
- (31) leaving his cell or other appointed location or his place of work without permission;
- (32) having in his possession any object he is not entitled to have;
- (33) any assault or use of criminal force;
- (34) making unnecessary noise, cursing or swearing;
- (35) disorderly, indecent or immoral behavior;

- (36) indecent, insulting or threatening language;
- (37) malingering;
- (38) willfully bringing a false accusation against any prison officer or prisoner;
- (39) escaping or conspiring to escape or assisting in an escape;
- (40) attempting to commit or abetting the commission of any of the offenses mentioned in this section;
- (41) any other act, conduct, disorder or neglect to the prejudice of good order or discipline, though not specified in the foregoing paragraphs.

### Jurisdiction in respect of prison offenses

57. Any one of the following (hereinafter referred to as a "judicial officer") shall have the power to hear and decide a charge against any prisoner in respect of any prison offense:

- (1) The commissioner;
- (2) A prison warden authorized in that behalf by the commissioner;
- (3) A prison officer of the rank of captain or higher, whom the commissioner has so authorized;
- (4) (Annulled).

### Penalties for prison offenses

58. (A) A judicial officer who has convicted a prisoner of a prison offense may impose on him all or part of the following penalties:

- (1) a caution;
- (2) a severe warning;
- (3) a fine in an amount not exceeding the amount prescribed by the Minister by order, with the consent of the Minister of Justice and with the approval of the Interior and Environmental Committee of the Knesset;
- (4) solitary confinement for a period not exceeding fourteen days, provided that the period of solitary confinement shall not be continuous for more than seven days, and an interval of seven days shall elapse before its continuation;
- (5) reduction of days of parole for a period not exceeding twenty-one days; for these purposes, "release" shall have the same meaning as in Section 49 of the Penal Law, 1977, including the grant of a license to be at large, within the meaning of Section 28.

(B) A judicial officer who has imposed solitary confinement or loss of days of parole on a prisoner may order in the decision that all or part of the penalty be suspended and be pending for the period determined in the decision, provided that such period does not exceed one year from the date of the decision; a prisoner convicted of a

suspended penalty, as stated, shall not undergo the penalty unless he commits, within the period laid down in the decision, a similar or identical offense to that for which he was tried or any other prison offense – if the judicial officer so determined in the decision in which he imposed the suspended penalty, and he was convicted of such an offense.

(C) Notwithstanding the provisions of Subsection (A) –

(1) loss of days of parole may be imposed only by a prison warden, with the approval of the Commissioner;

(2) solitary confinement for a period exceeding seven days and a fine in excess of half of the sum prescribed by order, as stated in Subsection (A)(3), may be imposed only by a prison warden or his deputy.

(D) Where a prisoner has been sentenced to a fine, solitary confinement or loss of days of parole, the Commissioner or a senior prison officer authorized by the Commissioner for this purpose, may revoke or mitigate the penalty by reducing or replacing it with a lighter penalty where he finds that there are special reasons justifying this.

### Liability for compensation

59. (A) A judicial officer who has convicted a prisoner of a prison offense may, in addition to the penalty, order him to pay compensation to the Service for any damaged caused in consequence of the offense, provided that he shall not order him to pay compensation in an amount exceeding the amount prescribed by the Minister by order, with the consent of the Minister of Justice and the approval of the Interior and Environmental Committee of the Knesset.

(B) Where a prisoner has been ordered to pay compensation as stated in Subsection (A) , the Commissioner or a senior prison officer authorized by the Commissioner for this purpose, may, if he finds that there are special reasons justifying this, revoke or reduce the obligation.

### Collection of fine and compensation

59A. A fine, as provided in Section 58, and compensation, as provided in Section 59, may be collected by deduction from wages paid or to be paid to the prisoner or from other monies credited or to be credited to his deposit, in a lump sum, or on a monthly basis, as the judicial officer shall order, provided that the amount remaining to the credit of the prisoner after the deduction each month shall not be lower than the amount determined by the Commissioner from time to time as the amount designated for the requirements of the prisoner while in prison.

### Objective of funds

59B. Fines collected as stated in Section 59a shall be paid into a fund named "The Prisoners' Welfare Fund" and shall be used for prisoners' welfare, as determined by the Minister by regulation.

### Prisoner's right to make his defense

60. No prisoner shall be punished save after due inquiry and until he has had an opportunity of hearing the charge and evidence against him and making his defense.

## Jurisdiction of courts

61. A prisoner who has committed a prison offense may be charged before a court, and the court may sentence him to imprisonment for a term of six months, to run from the expiration of any previous sentence.

## No exemption from ordinary proceedings

62. Nothing in this Ordinance shall exempt a prisoner from being proceeded against for any offense by the ordinary courts of law; Provided that no prisoner shall be punished twice for the same offense.

# Article H1: Petitions by Prisoners

## Petition

62A. (A) A prisoner is entitled to submit to the district court whose area of jurisdiction includes the prison in which the prisoner is being held (hereinafter in this article – the court) a petition against state authorities and people serving in positions under law, in any matter pertaining to his imprisonment or detention (hereinafter in this article – a petition).

(B) The court will hear the matter with one judge presiding; the judge will be assigned to the case by the president of the court.

(C) Despite the directives of this section and of Section 62B, the directives of the Conditional Release from Imprisonment Law, 2001 will apply to a petition against a parole board and a special parole board under the directives of this law.

## Authority

62B. The court is authorized, in connection with a petition, to orders state authorities and people serving in positions under law to take an action or to refrain from taking an action pursuant to their positions in accordance with the law.

## Appeal.

62C. The court's ruling on a petition can be appealed to the Supreme Court if leave to appeal is granted by the court in the decision itself or by a Supreme Court justice.

## Reservation of authority

62D. This provisions of this article do not derogate from the authority of the Supreme Court sitting as the High Court of Justice under Section 7(B)(1) of the Courts Law, 1957.

# Article I: Discharge



## Responsibility of prison warden

63. The prison warden shall be responsible for the due discharge of every prisoner in the prison, immediately upon his becoming entitled to discharge.

## Early release due to days of rest

64. (A) A prisoner who is entitled to be released on one of the regular days of rest in the State of Israel, as defined in Section 18A(A) of the Law and Administration Ordinance, 1948, or on a statutory holiday, will be released on the previous day; and if it is also a day of rest or a holiday as stipulated – on the day before it.

(B) A prisoner who is not a Jew, and is entitled to be released on a day of rest or a holiday as stipulated in Subsection (A) on either his day of rest or his holiday as defined under Section 18A(A) of the Law and Administration Ordinance, 1948, will be released on the previous day; and if it is also one of these days – on the day before it.

## Time of release

64A. A prisoner will be released no later than the afternoon of the day on which he is entitled to be released.

## Medical examination prior to discharge

65. Every prisoner shall, prior to discharge, be examined by the medical officer.

## Discharge of sick persons

66. A prisoner suffering from any acute or dangerous illness shall not be discharged save at his own request.

## Clothing

67. Where a prisoner's clothes have been destroyed under Section 8, the prison warden may, upon discharge, give him clothing suitable to his condition in life.

## Discharge of indigent prisoner

68. When a prisoner is discharged who has no friends or means of subsistence, the prison warden may pay him a gratuity of such sum as the Commissioner may prescribe and shall provide him with free railway transport to the railway station nearest to the place where the prisoner normally resides in the State or, at the discretion of the prison warden, may in special cases provide him with free bus transport to the bus stop nearest to such place.

# Article 11: Administrative Release

## Definitions...

68A. In this article –

“Prisoner” – a sentenced prisoner;

“Remaining sentence” – the period of the sentence that remains for the prisoner to serve until his release at the end of his full sentence, or until a date set for his early release as decided by the parole board or under any law, and all according to the shortest period among them;

“Prisoner group” – a group of prisoners categorized by the length of the sentence imposed on those included in it, as detailed in the First Addendum;

“Administrative release” – the early release of prisoners under Section 68C;

“Prisoner occupancy” – the total number of prisoners held in the prison, including prisoners hospitalized in hospitals under sections 15(A) and 16, or who are on furlough under Section 36, as well as prisoners held in police facilities and detained under Section 21A of the Criminal Procedure Law [Consolidated Version], 1982, who are held in all prisons and police facilities;

“Prison capacity” – the total number of places of imprisonment in all of the prisons.

## Defining the prison capacity

68B. The minister is entitled to define in an order, from time to time with the approval of the Interior and Environmental Protection Committee of the Knesset, the prison capacity for a period that is not to exceed one year.

## Administrative release

68C. If the prisoner occupancy exceeds the prison capacity, the commissioner is entitled, according to his best judgment and at a date he determines, to order the early release of prisoners whose remaining sentence on the day the order is issued (hereinafter – the determining day), does not exceed the maximum remaining sentence defined in First Addendum for the prisoner group to which the prisoners belong.

## Priority in release

68D. (A) If the number of prisoners eligible for administrative release on the determining day is greater than the number of prisoners to be released due to prisoner occupancy that exceeds prison capacity, the administrative release will be conducted in each of the prisoner groups, and in each group the release will begin with the prisoner whose remaining sentence is the shortest.

(B) When the prisoner occupancy reaches the prison capacity – no additional prisoners will be released under administrative release.

(C) If on the determining day, prisoners belonging to the group whose remaining sentence is identical, and only some of them are slated to be released on administrative release – all of them will be released, despite the stipulations in Subsection (B), even if this brings the prisoner occupancy below the prison capacity.

## Administrative release as conditional release

68E. Administrative release will be regarded as conditional release as defined in the Conditional Release from Imprisonment Law, 2001, and the directives of this law will apply to administrative release, with the requisite changes.

Addendum (Section 15(B))

## First Addendum (Section 68C)

### Column A

### Column B

#### Prisoner Group

#### Maximum remaining sentence (in weeks)

A person who is sentenced to prison for a period of –

1. more than one month and not more than half a year	2
2. more than half a year and not more than a year	3
3. more than a year and not more than 18 months	4
4. more than 18 months and not more than 24 months	5
5. more than 24 months and not more than 30 months	6
6. more than 30 months and not more than 36 months	7
7. more than 36 months and not more than 42 months	8
8. more than 42 months and not more than 48 months	9
9. more than 48 months and not more than 54 months	10
10. more than 54 months and not more than 60 months	11
11. more than 60 months and not more than 66 months	12
12. more than 66 months and not more than 72 months	13
13. more than 72 months and not more than 78 months	14
14. more than 78 months and not more than 84 months	15
15. more than 84 months and not more than 90 months	16

16. more than 90 months and not more than 96 months	17
17. more than 96 months and not more than 102 months	18
18. more than 102 months and not more than 108 months	19
19. more than 108 months and not more than 114 months	20
20. more than 114 months and not more than 120 months	21
21. more than 120 months and not more than 126 months	22
22. more than 126 months and not more than 132 months	23
23. more than 132 months	24

## Second Addendum - (Section 103) - Disciplinary Infractions

(1) Non-compliance with one of the directives of the order or the directives of the orders of the Service or any other lawfully issued directive, or a refusal to carry out such directive.

(2) Negligence in carrying out a duty.

(3) Conduct that is unbecoming a prison officer or that damages the image of the Service.

(4) Abusing an authority granted by virtue of a position.

(5) Absence from a position without reasonable justification.

(6) Absence from the Service without an intention to return to it; absence from the Service without permission for a consecutive period of more than 21 days will be regarded, for this matter, as intention not to return to the Service, as long as it is not proven otherwise.

(7) Failure to take reasonable measures to prevent an offense, including a disciplinary infraction or prison offense, which a prison officer knows is about to be committed.

(8) Unlawful release of a prisoner or allowing the possibility of a prisoner's escape.

(8a) Searching, causing delays, arresting or unlawfully and in bad faith infringing on a person's privacy.

(9) Not wearing an identity tag contrary to the Prison Service ordinance, refusal to provide details regarding identity or ID number, or providing false identity details.

(10) Impersonating someone of other rank or of other authority.

(11) Providing a false declaration, concealing information that is mandatory to provide, or use of other invalid means for the purpose of recruitment to the Service, for the purpose of attaining a position or rank or to evade a position.

(12) Possessing, using, destroying, or not maintaining equipment belonging to the Prison Service, in violation of the Prison Service ordinance, and without a reasonable justification.

(13) Holding or operating any firearm, ammunition, explosive or other dangerous material, without authorization, without the required measure of caution or in violation of orders of the Service; for this matter, "firearm" – as defined in the Firearm Law, 1949.

(14) Disclosing or transmitting anything pertaining to the Prison Service to an unauthorized person, without receiving legal authorization.

(15) Approaching any entity outside of the Prison Service, without receiving legal authorization, concerning any matter pertaining to the service of a prison officer in the Service; for this matter, "an entity outside of the Prison Service" – except for a court, the State Comptroller, the State Ombudsman, and the Ministry of Interior's Comptroller.

(16) Discourteous conduct or the use of foul language toward a person while on duty or when the prison officer is in uniform.

(17) Deliberately making a false accusation against a prison officer or a prisoner.

(18) Exploiting the status of a prison officer that is unnecessary for performing his duty.

(19) (A) Using unreasonable force against a person, in the course of duty, without lawful authority and without reasonable justification, or in violation of the orders of the Prison Service or any other lawfully issued directive.

(B) A decision about whether to issue an indictment under this paragraph will be made by the Attorney General or by a person he has authorized for this purpose.

(20) Doing one of the following in a proceeding, without reasonable justification:

(1) Failure to appear or appearing late in a proceeding to which he was legally summoned;

(2) Leaving the place of the proceeding without permission;

(3) Failure to present a document that was legally required to present;

(4) Failure to provide an answer or providing an evasive or false answer;

(5) Using insulting or threatening language or causing a disturbance or recess;

(6) Publicizing something without permission about a proceeding that was conducted *in camera*, or which was forbidden to be publicized; For the purpose of this section, "proceeding" – a hearing in court, a disciplinary tribunal or investigation.

(21) Carrying out an action that is intended to prevent, delay or hinder in any way the submission or delivery of a complaint to the prison ombudsman.

(22) Carrying out an action that is intended to prevent, delay or hinder in any way the submission or delivery of a complaint to the public ombudsman, as defined in the State Comptroller Law, 1958 [Consolidated Version] (hereinafter – public ombudsman).

(23) Refraining from providing assistance requested by the prison ombudsman for the purpose of investigating a complaint, giving false information during such investigation, or obstructing it in another way.

(24) Refraining from providing assistance requested by the public ombudsman for the purpose of investigating a complaint, giving false information during such investigation, or obstructing it in another way.

(25) Refraining from providing assistance requested by the investigating committee, or by the investigating officer appointed according to the Prison Service ordinance, to investigate what they have been appointed to investigate, and providing false information during the above-mentioned investigation, or otherwise obstructing the investigation.

(26) Refraining from providing assistance for an audit requested by the Comptroller of the Ministry of Public Security or the head of the Israel Prison Service's auditing department, and submitting false information during the above audit, or obstructing the investigation.

(27) Causing a prison officer to commit a disciplinary offense by means of persuasion, encouragement, demanding, insistent pleading, or by any other means that constitutes applying pressure.

(28) Acting in a manner that enables another prison officer to commit a disciplinary offense, facilitating performing the offense, or otherwise creating conditions that contribute to committing the offense.

(29) Sexual harassment or persecution, as defined in Article 3 of the Prevention of Sexual Harassment Law-1998, of duty or when the prison officer is in uniform or when these actions are directed against another prison officer.

Yaacov S. Shapiro

Minister of Justice