

### ADULT CONDUCT REPORT

INMATE NAME (Last, First) Diaz, Jose	DOC NUMBER 541415	INMATE LIVING QUARTERS NAME WU 311	FACILITY NAME GBCI	CONDUCT REPORT NUMBER 2835999
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**DESCRIPTION OF INCIDENT** (Include detailed facts upon which charges are based, sources of information, evidence, statement of other staff members and, if appropriate, cell or shop assignment number.)

On August 12, 2016 at approximately 2245 hours I, Sgt. Ash, was notified by Lt. Lenz to report to the Treatment Center due to the Work Unit inmates refusing orders to lock into their cells. This order was given due to a medical emergency that had just taken place in a different area of the institution. Sgt. Hert and I arrived on unit and as we arrived I heard Sgt. Cygan on the PA system announce, "Guys you need to lock in" we noticed a large amount of inmates standing outside the cell doors on the Work Unit side as well as sitting in the day room and standing between gates 1 and 2 "starring down" staff. As Sgt. Hert and I began to explain the situation that had just happened to some of the inmates that were at the front gates, more inmates would approach the area. Sgt. Hert and both gave inmates Orders to lock into their cells due the situations that arose on the unit. It was explained to them By Sgt. Cygan, Sgt. Hert, and myself that if the medical trip was back in time the inmates would be let out for the remainder of the dayroom hours. However, after speaking with some of the inmates and getting what

PRINT STAFF MEMBER NAME COMPLETING THIS REPORT Sgt. Ash	DATE COMPLETED (mm/dd/yyyy) 08/18/2016
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RULE ALLEGEDLY VIOLATED	Rule	FINDING OF GUILT	
		Guilty	Not Guilty
1. DOC 303. <u>28</u>	Disobeying Orders	<input type="checkbox"/>	<input type="checkbox"/>
2. DOC 303. <u>33</u>	Disruptive Conduct	<input type="checkbox"/>	<input type="checkbox"/>
3. DOC 303. <u>22</u>	Participating in a Disturbance	<input type="checkbox"/>	<input type="checkbox"/>
4. DOC 303.		<input type="checkbox"/>	<input type="checkbox"/>

**RECORD OF UNCONTESTED DISPOSITION (Complete if 303.76)**

DISPOSITION:	DATE OF DISPOSITION (mm/dd/yyyy)
NAME OF APPROVING SUPERVISOR:	INMATE'S SIGNATURE OF AGREEMENT

**SECURITY DIRECTOR REVIEW (Complete if 303.80 or 303.81)**

CONDUCT REPORT PROCESS:  Proceed as Major  Proceed as Minor  Return for more information  Dismiss

- CONSIDERATION OF MAJOR HEARING :
- Designated as a Major Offense by DOC 303.71 (2) OR
  - Previously been found guilty of the same or similar offense (consideration given to how often and how recently)
  - Recently been warned about the same or similar conduct
  - Created a risk of serious disruption at the facility or in the community
  - Created a risk of serious injury to another person
  - Created a risk of serious financial impact
  - The value of property involved. (if alleged violation was actual or attempted damage and/or misuse of property, possession of money, gambling, unauthorized transfer of property, soliciting staff or theft)
  - Psychological services input for serious mentally ill inmate

SECURITY DIRECTOR SIGNATURE	DATE SIGNED (mm/dd/yyyy)
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DATE COPY GIVEN TO INMATE (mm/dd/yyyy)	PRINT NAME OF STAFF DELIVERING COPY TO INMATE
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**RECORD OF UNCONTESTED MAJOR DISPOSITION**

DISPOSITION:	DATE OF DISPOSITION (mm/dd/yyyy)
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NAME OF SUPERVISOR	INMATE'S SIGNATURE OF AGREEMENT
SECURITY DIRECTOR APPROVED <input type="checkbox"/> DEPUTY WARDEN APPROVED <input type="checkbox"/>	

**RECORD OF CONTESTED DISPOSITION DOC (303.77, DOC 303.80, DOC 303.81)**

DISPOSITION:	DATE OF DISPOSITION (mm/dd/yyyy)
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NAME OF SUPERVISOR	MAJOR DISPOSITION <input type="checkbox"/> Yes	MINOR DISPOSITION <input type="checkbox"/> Yes
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REFERRED TO CLASSIFICATION COMMITTEE:  Yes  No

DISTRIBUTION: Original – Social Service File; Official Record – Security Office; Copy - Inmate

# ADULT CONDUCT REPORT

Continued

INMATE NAME (Last, First, M.I.) Diaz, Jose	DOC NUMBER 451415	FACILITY NAME: 04	CONDUCT REPORT NUMBER 2835799
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## DESCRIPTION OF INCIDENT - CONTINUED

appeared to be compliance as they walked back towards their cell, I could hear Dominguez, Daniel (475245) state, "So what, we are just going to back down and lock in?" After this the inmates all turned around and stood outside the cell doors, wandered the hallways or walked back towards the gate areas and stood by the gates. During this time Lucas, Ryan (408151) who resided in cell 309 came out of the cell and began to wander back and forth between cells and talking to other inmates. At one point Lucas went to cell 311 which housed Diaz, Jose (541415) and appeared to have told him to come out of the cell as they both then walked directly to the gate area. From this point on Diaz remained in the front of the group that continued to stand with the group that was "posting up" by the gates. The inmates were making statements such as, "We always getting screwed over on this unit. Why do we gotta lock down and the dorm doesn't. We don't give you any problems, but you all wanna mess with us."

Lt. Lenz continued to give order to the inmates to lock into the cells which again were met with non-compliance. She also explained that if the trip was back in time the dayroom maybe reopened.

Captain Eichstedt arrived on unit and at this time began to talk to the inmates. As this happened more inmates came out of the cells to hear what was being said by Captain Eichstedt. Again, Diaz stood in the front of the group of approximately 20-25 inmates that continued to refuse multiple orders to lock in and the inmates continued to make demands to staff although he himself did not make any of the demands he continued to stand in the hallway and disobey multiple orders to lock in from the supervisors on the unit.

The demands consisted of: "We always get screwed over here, move us back to the cell halls and give us our single cells" "We want our showers, let us stay out for showers." "Send us to the Dorm then". The work unit houses inmates that work in BSI as well as the Maintenance Services Building. I was the sergeant on second shift in the Treatment Center. On second shift all BSI workers had the opportunity to go to the Bathhouse to take a shower. Only 5 inmates accepted this opportunity. Later in the shift the entire work unit side went to recreation, where again, all these inmates had the opportunity to shower. When this was explained to the inmates they stated, "How are we supposed to know to shower there when we usually have these showers open all night." We explained to them that was the reason to shower over there because it is built in with recreation and that shower time is guaranteed since at recreation. The inmates continued to argue and stated they shouldn't have to shower over there and that shouldn't matter because it's not their fault a trip went out. Again, it was explained to them that was the reason to shower at recreation, for these unforeseen circumstances.

After approximately 30-45 minutes the inmates stated, "We will give you the benefit of the doubt because we don't know you but next time remember this and due us a favor." The inmates at this time all returned to their cells. Sgt. Hert and I followed and secured all the doors. EOR.

REPORT WRITER PRINT YOUR NAME: Sgt. Ash (ash)	DATE (MM/DD/YYYY): 08/18/2016
NAME OF STAFF DELIVERING TO INMATE (PRINT NAME): Lt. Lenz	DATE (MM/DD/YYYY): 8-21-2016

DISTRIBUTION: Original - Social Service File; Copy - Security Office; Copy - Inmate

