

Ohio

 | Department of
Rehabilitation & Correction

John R. Kasich, Governor
Gary C. Mohr, Director

770 W. Broad Street Columbus, Ohio 43222

INMATE DISCIPLINE HISTORY



Inmate #: A640654

Name: LANE III, THOMAS M

Institution: ACI

Lock: Z/MIS/1

Race: WHITE

DOB: 09/19/1994

**INCARCERATED - 09/12/2014 - RETURNED
AWOL**

DATE OF OFFENSE	CASE #	CASE STATUS	STATUS UPDATED DATE	RULES VIOLATED
09/12/2014	ACI-14-003205	OPEN - Hearing Officer Report	09/12/2014	51
08/28/2014	ACI-14-003044	CLOSED - Closed at Hearing Officer Level	09/05/2014	61
04/04/2014	ACI-14-001148	CLOSED - Closed at Hearing Officer Level	04/08/2014	21,35
11/10/2013	ACI-13-003616	CLOSED - Warden's Decision (No Appeal/Completed) with LC	02/12/2014	39
10/10/2013	ACI-13-003089	CLOSED - Closed at Hearing Officer Level	10/18/2013	22
08/22/2013	ACI-13-002600	CLOSED - Closed at Hearing Officer Level	10/06/2013	22
08/21/2013	ACI-13-002599	CLOSED - Warden's Decision (No Appeal / Completed)	11/06/2013	22
07/12/2013	ACI-13-002106	CLOSED - Warden's Decision (No Appeal / Completed)	08/14/2013	57

Conduct Report

Name: LANE III, THOMAS M		Institution: ACI	ACI-13-002106
Date/Offense: 07/12/2013		Number: A640654	Lock: W2/WH2/206/T
Time/Offense: 12:30 PM		Location: Unit Office	
Rule(s) Violated: 57 Self-mutilation, including tattooing			

Supporting Facts (Describe what occurred and how the inmate violated the rule[s]):

On the above date and time I, Lieutenant Young, was assisting Mrs J. Factor with an interview of Inmate Lane III 640-654 and notice some red markings on his chest that he was trying to hide with an over size sweat shirt. After talking with him, I was shown three different tattoos that he had received since he had processed into the Oakwood Unit. He claimed that he had did them himself. That is why I am charging him with violating rule 57 "Self mutilation including tattooing". End of report.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Young, Frederick	Signature: <i>Frederick D Young</i>	
Shift: 1st	Days Off: Tues, Wed, Thurs	Date: 07/13/2013

A copy of this conduct report was served upon the above-named inmate on: July, 15 20 13, at 03:21 PM.

Staff Signature: <i>Sgt. D. Simpson</i>

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: <i>Lane III #1640</i>	Number: A640654
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Disposition of the Rules Infraction Board

Institution: ACI	RIB Case Number: ACI-13-002106
Inmate Name: LANE III, THOMAS M	Number: A640654
Date of Hearing: 07/23/2013	Time: 02:40 PM

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
 ☒ NOT GUILTY Rule: 57 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

State the facts that explain the board's decision:

Panel believes inmate Lane III did violate rule #57. Inmate plead not guilty but stated he did tell Lt. Young he did the tattoos on himself and admitted in the RIB hearing that he did do the tattoos himself.

Particular evidence or statements relied on:

Charging official's report, inmate's testimony during the RIB hearing

Did the inmate offer any defense? ☒ Yes ☐ No

Did the Board believe the inmate's defense? ☐ Yes ☒ No Why? Panel does not accept inmate's not guilty plea as he did admit to the contrary.

Did the board rely on any confidential statement(s) ☐ Yes ☐ No

Did the board determine the informant(s) to be credible? ☐ Yes ☐ No

Decision: Based on the above stated facts the Board believes that:

Inmate LANE III, THOMAS M violated rule(s) Rule: 57 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate LANE III, THOMAS M did not violate rule Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
 (s)

Identify the disposition imposed and the reasons for the action taken:

Recommend to the warden, 10 days cell isolation beginning 7/23/2013 and ending 8/3/2013 at 10:00pm, recommend privilege level review and increase, recommend PC review, will have 3 HIV/Blood tests conducted at \$42.88 a piece at the inmate's expense.

LC Referral? ☐ Yes ☒ No

Appeal form given to inmate? ☐ Yes ☒ No

Signature RIB Chairperson: <u>Det. J. Schubert</u>	Date: 07/23/2013
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Notice To Inmate: You may appeal this decision to the Warden.

The appeal must be submitted using the provided form DRC4027, within 15 days of receiving this disposition.

Acknowledgement of Receipt:

Inmate Signature: <u>Lane III A640654</u>	Date: 07/23/2013	Time: 03:13 PM
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DRC4024 (Rev. 12/05) DISTRIBUTION: WHITE - RIB CANARY - Unit File PINK - RIB Board GOLDENROD - Inmate

Conduct Report

Name: LANE III, THOMAS M		Institution: ACI	ACI-13-002599
Date/Offense: 08/21/2013	Time/Offense: 02:20 PM	Number: A640654	Lock: W2/WH2/249/T
Rule(s) Violated: 22		Location: Education	
Refusal to carry out work or other institutional assignments			

Supporting Facts (Describe what occurred and how the inmate violated the rule(s)):

Mr. Lane cannot come to terms with having the job classification of student. He sits in class and refuses to do anything including reading. He sits and complains that education makes him ill that he gets migraines because of it. He cannot read as it hurts his neck. He cannot utilize the computer as it makes his migraine worse. The only thing he has done is bother the fellow students at his table with his complaints about our making him attend school. He also does not wear deoderant to the point no one wants to sit next to him. I keep giving him options of puzzles, math games, reading, computers, etc. and he refuses. I had allowed him to draw in class, but now he even refuses to do that. The previous drawings were of himself with "killer" on them and then drawings of "kitty cats" over his math assignment. I gave him several warnings in class about some participation. He remains stubborn with his refusals.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☒ Yes ☐ No

Printed Name: Weltmer, J.	Signature: <i>Janel Weltmer</i>	
Shift: 1	Days Off: sat/sun	Date: 08/21/2013

A copy of this conduct report was served upon the above-named inmate on: August, 29 20 13, at 09:09 AM.

Staff Signature: <i>Sgt. D. Simpson</i>

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: <i>Lane 640654</i>	Number: A640654
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HEARING OFFICER'S REPORT

Inmate Name: LANE III, THOMAS M	Number: A640654
Date of Violation: 08/21/2013	Date of Hearing: 10/08/2013

Was the conduct report accurately completed? ☒ Yes ☐ No - If No ☐ Return ☐ Withdraw ☐ Modify

Is the inmate currently on the mental health caseload or does the inmate show signs of serious mental illness (If Yes, complete DRC-2530)?

☐ Yes ☐ No

Has the inmate been informed of the rule violation and the facts alleged in support of the violation?

☐ Yes ☐ No

Has the inmate been informed of his right to be heard in his own defense? ☐ Yes ☐ No

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
☒ NOT GUILTY Rule: 22 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate's Statement:

none

Other Statement/Evidence:

see conduct report


Finding:

Guilty

☐ Based on these findings there is reason to believe that a rule violation occurred and the matter should be referred to the Rules Infraction Board. (*Proceed to complete referral to RIB*)

☒ Based on these findings, the Hearing Officer finds reason to believe that the accused inmate violated Rule: _____ and that disposition by the hearing officer is appropriate. Therefore the Hearing Officer imposes the following disposition:

10 Days Recreation Restriction

Hearing Officer's Signature: 	Date: 10/08/2013
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**CHAIRMAN OF
THE RULES INFRACTION BOARD - REVIEW**

RIB Case Number:

ACI-13-002599

Disposition of the Hearing Officer is:

☒ Affirmed☐ Reversed☐ Modified as indicated below☐ Returned for reconsideration

Comments:

Chairman, Rules Infraction Board (or Designee):

Cynthia Zwickel UM

Date:

11/06/2013

DRC4020 Back

Conduct Report

Name: LANE III, THOMAS M		Institution: ACI	ACI-13-002600
Date/Offense: 08/22/2013	Time/Offense: 02:30 PM	Number: A640654	Lock: W2/WH2/249/T
Rule(s) Violated: 22 Refusal to carry out work or other institutional assignments		Location: Education	

Supporting Facts (Describe what occurred and how the inmate violated the rule[s]):

Another day of Mr. Lane refusing to do anything in education. He refuses to work with the Title 1 teacher, Mr. Brandon, and he refuses to work with myself or even an inmate tutor. I gave him the option of reading or doing something educational to pass the hour away and he just sat at the table without picking up a book or even the daily assignment. I told him that I could no longer tolerate his behavior. That I would issue out a ticket for his refusal to work in class. I told him that other students at least appears to do something by reading or working on something of interest to pass their time away in school. I told him that he would not undermine my authority and set the tone for the class to not do anything assigned. I took him back to his unit and am issuing an incident report and a CR due to his hostility towards job position of student.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☒ Yes ☐ No

Printed Name: Weltmer, J.	Signature: <i>Janel Weltmer</i>	
Shift: 1	Days Off: sat/sun	Date: 08/22/2013

A copy of this conduct report was served upon the above-named inmate on: August, 29 20 13 at 09:05 AM.

Staff Signature: <i>Sgt. D. Simpson</i>

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: <i>Lane A640654</i>	Number: A640654
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HEARING OFFICER'S REPORT

Inmate Name: LANE III, THOMAS M	Number: A640654
Date of Violation: 08/22/2013	Date of Hearing: 08/29/2013

Was the conduct report accurately completed? ☒ Yes ☐ No - If No ☐ Return ☐ Withdraw ☐ Modify

Is the inmate currently on the mental health caseload or does the inmate show signs of serious mental illness (If Yes, complete DRC-2530)?



Has the inmate been informed of the rule violation and the facts alleged in support of the violation?

☒ Yes ☐ No

Has the inmate been informed of his right to be heard in his own defense? ☒ Yes ☐ No

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
☒ NOT GUILTY Rule: 22 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate's Statement:

NONE

Other Statement/Evidence:

SEE CONDUCT REPORT

Finding:

GUILTY OF RULE 22

☐ Based on these findings there is reason to believe that a rule violation occurred and the matter should be referred to the Rules Infraction Board. (*Proceed to complete referral to RIB*)

☒ Based on these findings, the Hearing Officer finds reason to believe that the accused inmate violated Rule: 22 and that disposition by the hearing officer is appropriate. Therefore the Hearing Officer imposes the following disposition:

GIVEN A VERBAL REPRIMAND

Hearing Officer's Signature: <i>Sgt. D. Simpson</i>	Date: 08/29/2013
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**CHAIRMAN OF
THE RULES INFRACTION BOARD - REVIEW**

RIB Case Number: ACI-13-002600

Disposition of the Hearing Officer is:

☒ Affirmed☐ Reversed☐ Modified as indicated below☐ Returned for reconsideration

Comments:

Chairman, Rules Infraction Board (or Designee)	Date:
	10/06/2013

DRC4020 Back

Conduct Report

Institution: ACI		ACI-13-003089
Name: LANE III, THOMAS M	Number: A640654	Lock: W2/WH2/249/T
Date/Offense: 10/10/2013	Time/Offense: 09:10 AM	Location: W2 Program Room
Rule(s) Violated: 22 Refusal to carry out work or other institutional assignments		

Supporting Facts (Describe what occurred and how the inmate violated the rule[s]):

On Thursday, October 10, 2013 at 9:10 AM, Inmate Lane III 640654 reported to mandatory Title One class in the W2 Program Room and told me that he did not need to attend my class since he did not need help and since he was nearly finished with completing the Pretest for the GED. I reminded him that while he was enrolled in school being under 22 years old that he was required to attend my class per the Superintendent of the Ohio Central School System. Therefore, Mr. Lane is guilty of refusing to complete his institutional job as a student.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Brandon, Thomas	Signature: <i>Thomas Brandon</i>	
Shift: 1st	Days Off: Sa/Su	Date: 10/10/2013

A copy of this conduct report was served upon the above-named inmate on: _____ 20_____, at _____.

Staff Signature:

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature:	Number: A640654
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HEARING OFFICER'S REPORT

Inmate Name: LANE III, THOMAS M	Number: A840654
Date of Violation: 10/10/2013	Date of Hearing: 10/16/2013

Was the conduct report accurately completed? ☒ Yes ☐ No - If No ☐ Return ☐ Withdraw ☐ Modify

Is the inmate currently on the mental health caseload or does the inmate show signs of serious mental illness (If Yes, complete DRC-2530)?



Has the inmate been informed of the rule violation and the facts alleged in support of the violation?

☒ Yes ☐ No

Has the inmate been informed of his right to be heard in his own defense? ☒ Yes ☐ No

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
☒ NOT GUILTY Rule: 22 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate's Statement:

none

Other Statement/Evidence:

see conduct report

Finding:

Guilty of rule 22

☐ Based on these findings there is reason to believe that a rule violation occurred and the matter should be referred to the Rules Infraction Board. (*Proceed to complete referral to RIB*)

☒ Based on these findings, the Hearing Officer finds reason to believe that the accused inmate violated Rule: 22 _____ and that disposition by the hearing officer is appropriate. Therefore the Hearing Officer imposes the following disposition:

Given 10 days recreation restriction

Hearing Officer's Signature:	Date: 10/18/2013
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**CHAIRMAN OF
THE RULES INFRACTION BOARD - REVIEW**

RII Case Number: ACI-13-003089

Disposition of the Hearing Officer is:

☐ Affirmed☐ Reversed☐ Modified as indicated below☐ Returned for reconsideration

Comments:

Chairman, Rules Infraction Board (or Designee):	Date:
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DRC4020 Back

Conduct Report

Name: LANE III, THOMAS M		Institution: ACI	ACI-13-003616
Date/Offense: 11/10/2013		Number: A640654	Lock: VHS/6
Time/Offense: 08:30 AM		Location:	
Rule(s) Violated: 39,40 Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance; Procuring or attempting to procure, unauthorized drugs; aiding, soliciting, or colluding with another to procure unauthorized drugs or to introduce unauthorized drugs into a correctional facility			

Supporting Facts (Describe what occurred and how the inmate violated the rule(s)):

As a result of labs drawn on 11/10/13, results were returned to the institution from St. Rita's Medical Center on 11/14/13 with the following results for inmate Lane A640654:
Labs drawn were for testing levels of Dilantin (phenytoin) in blood system. Results were that there was a phenytoin level of 45. Normal levels for this medication range from 6-18. Inmate Lane A640654 is not currently prescribed this medication. Urine drug screen was also done on 11/10/13 at St. Rita's Medical Center. These results which were received on 11/14/13 revealed a positive Cannabinoid (marijuana) level of 144 ng/ml. Negative value for this substance is 0-50 ng/ml.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Edwards, Kristine	Signature: <i>K Edwards</i>	
Shift: 1st	Days Off: sat/sun	Date: 11/15/2013

A copy of this conduct report was served upon the above-named inmate on: November, 19 20 13 at 05:47 PM.

Staff Signature: <i>Sgt. D. Simpson</i>

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: <i>Lane 640654</i>	Number: A640654
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DRC 4018 (rev 12/05) DISTRIBUTION: WHITE - RIB CANARY - Unit File PINK - RIB Board GOLD - Inmate ACA 4214 through 4236, 4269

Disposition of the Rules Infraction Board

Institution: <div style="text-align: center;">ACI</div>	RIB Case Number: <div style="text-align: center;">ACI-13-003616</div>
Inmate Name: <div style="text-align: center;">LANE III, THOMAS M</div>	Number: <div style="text-align: center;">A640654</div>
Date of Hearing: <div style="text-align: center;">11/26/2013</div>	Time: <div style="text-align: center;">03:23 PM</div>

Inmate Plea: ☒ GUILTY Rule: 39 Rule: 40 Rule: _____ Rule: _____ Rule: _____ Rule: _____
 ☐ NOT GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

State the facts that explain the board's decision:

Panel concludes that inmate Lane III did violate rule #39 as he did admit to taking Dilantin and smoking marijuana. Positive test results from St. Rita's Medical Center for overly high levels in the blood system also support facts. No facts to support rule #40 as conveyance of illegal drugs could not be proven, or any attempt to procure.

Particular evidence or statements relied on:

Charging official's report, inmate's admission of guilt, positive test results from SRMC.

Did the inmate offer any defense? ☒ Yes ☐ No

Did the Board believe the inmate's defense? ☒ Yes ☐ No Why? Panel accepts inmate's guilty plea.

Did the board rely on any confidential statement(s) ☐ Yes ☒ No

Did the board determine the informant(s) to be credible? ☐ Yes ☒ No

Decision: Based on the above stated facts the Board believes that:

Inmate: LANE III, THOMAS M violated rule(s) Rule: 39 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
 Inmate: LANE III, THOMAS M did not violate rule Rule: 40 Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
 (s)

Identify the disposition imposed and the reasons for the action taken:

Recommend to the warden, 15 days DC with 11 days DC CTS beginning 11/15/2013 and ending 11/30/2013, recommend local control placement, recommend security level review and increase, 30 days in the LAP program upon placement in the program on E2, recommend PC review, will have 6 drug tests at \$4.25 a piece at the inmate's expense.

LC Referral? ☒ Yes ☐ No

Appeal form given to inmate? ☐ Yes ☒ No

Signature RIB Chairperson: <u>[Signature]</u>	Date: <div style="text-align: center;">11/26/2013</div>
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Notice To Inmate: You may appeal this decision to the Warden.

The appeal must be submitted using the provided form DRC4027, within 15 days of receiving this disposition.

Acknowledgement of Receipt:

Inmate Signature: <u>Lane G40654</u>	Date: <div style="text-align: center;">11/26/2013</div>	Time: <div style="text-align: center;">03:46 PM</div>
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DRC4024 (Rev. 12/05) DISTRIBUTION: WHITE - RIB CANARY - Unit File PINK - RIB Board GOLDENROD - Inmate

Conduct Report

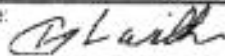
Name: LANE III, THOMAS M		Institution: ACI	ACI-14-001148
Date/Offense: 04/04/2014		Number: A640654	Lock: W2/WH2/203/T
Time/Offense: 03:58 PM		Location: Recreation	
Rule(s) Violated: 21,35 Disobedience of a direct order: Being out of place			

Supporting Facts (Describe what occurred and how the inmate violated the rule(s)):

On the above date and time Inmate Lane was found in the weight room working out. Inmate Lane was given a direct order by C.O. Davis to not be in the weight room due to the fact he is a 3A. Inmate Lane did state he was not allowed in the weight room.

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Wilkinson	Signature: 	
Shift: 2nd	Days Off: s/m	Date: 04/04/2014

A copy of this conduct report was served upon the above-named inmate on: April, 08, 2014, at 10:30 AM.

Staff Signature: 

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: 	Number: A640654
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HEARING OFFICER'S REPORT

Inmate Name: LANE III, THOMAS M	Number: A640654
Date of Violation: 04/04/2014	Date of Hearing: 04/08/2014

Was the conduct report accurately completed? ☒ Yes ☐ No - If No ☐ Return ☐ Withdraw ☐ Modify

Is the inmate currently on the mental health caseload or does the inmate show signs of serious mental illness (If Yes, complete DRC-2530)?



Has the inmate been informed of the rule violation and the facts alleged in support of the violation?

☒ Yes ☐ No

Has the inmate been informed of his right to be heard in his own defense? ☒ Yes ☐ No

Inmate Plea: ☒ GUILTY Rule: 21 Rule: 35 Rule: _____ Rule: _____ Rule: _____ Rule: _____
☐ NOT GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate's Statement:

None

Other Statement/Evidence:

See conduct report

Finding:

Guilty by on admission

☐ Based on these findings there is reason to believe that a rule violation occurred and the matter should be referred to the Rules Infraction Board. *(Proceed to complete referral to RIB)*

☒ Based on these findings, the Hearing Officer finds reason to believe that the accused inmate violated Rule: 21-35 and that disposition by the hearing officer is appropriate. Therefore the Hearing Officer imposes the following disposition:

Given 10 days recreation restriction

Hearing Officer's Signature:	Date: 04/08/2014
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**CHAIRMAN OF
THE RULES INFRACTION BOARD - REVIEW**

RIB Case Number: ACI-14-001148

Disposition of the Hearing Officer is:

☐ Affirmed☐ Reversed☐ Modified as indicated below☐ Returned for reconsideration

Comments:

Chairman, Rules Infraction Board (or Designee):	Date:
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DRC4020 Back

Conduct Report

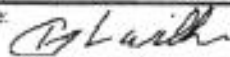
Name: LANE III, THOMAS M		Institution: ACI	ACI-14-003044
Date/Offense: 08/28/2014		Number: A640654	Lock: W2/WH2/203/T
Time/Offense: 07:56 PM		Location: W-2 Yard	
Rule(s) Violated: 61			
Any violation of any published institutional rules, regulations or procedures			

Supporting Facts (Describe what occurred and how the inmate violated the rule[s]):

On 28 Aug 2014 this Officer was on perimeter duty and did observe at 7:56 pm Inmate Lane# 640-654 urinating on the building wall. Inmate Lane was between the W-2 C & D wings in the west yard when this happened.

(Use Conduct Report Supplement sheet, if needed)

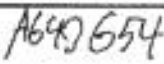
As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Wilkins TL	Signature: 	
Shift: 2nd	Days Off: S/M	Date: 08/29/2014

A copy of this conduct report was served upon the above-named inmate on: September, 05 20 14, at 10:18 AM.

Staff Signature: 
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I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature: 	Number: A640654
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HEARING OFFICER'S REPORT

Inmate Name: LANE III, THOMAS M	Number: A840654
Date of Violation: 08/28/2014	Date of Hearing: 09/05/2014

Was the conduct report accurately completed? ☒ Yes ☐ No - If No ☐ Return ☐ Withdraw ☐ Modify

Is the inmate currently on the mental health caseload or does the inmate show signs of serious mental illness (If Yes, complete DRC-2530)?



Has the inmate been informed of the rule violation and the facts alleged in support of the violation?

☒ Yes ☐ No

Has the inmate been informed of his right to be heard in his own defense? ☒ Yes ☐ No

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
☒ NOT GUILTY Rule: ⁶¹_____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

Inmate's Statement:

stating that the officer's didn't come to let us back in to use the restroom and I had to go bud

Other Statement/Evidence:

See conduct report

Finding:

Guilty of rule 61

☐ Based on these findings there is reason to believe that a rule violation occurred and the matter should be referred to the Rules Infraction Board. (*Proceed to complete referral to RIB*)

☒ Based on these findings, the Hearing Officer finds reason to believe that the accused inmate violated Rule: ⁶¹_____ and that disposition by the hearing officer is appropriate. Therefore the Hearing Officer imposes the following disposition:

Giving 7 days recreation restriction

Hearing Officer's Signature:	Date: 09/05/2014
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**CHAIRMAN OF
THE RULES INFRACTION BOARD - REVIEW**

RIB Case Number:

ACI-14-003044

Disposition of the Hearing Officer is:

☐ Affirmed☐ Reversed☐ Modified as indicated below☐ Returned for reconsideration

Comments:

Chairman, Rules Infraction Board (or Designee):

Date:

[DRC4020 Back](#)

Conduct Report

Name: LANE III, THOMAS M		Institution: ACI	ACI-14-003205
Date/Offense: 09/12/2014	Time/Offense: 08:35 AM	Number: A640654	Lock: I/HIS/6
Rule(s) Violated: 51			
Possession of contraband, including any article knowingly possessed which has been altered or for which permission has not been given.			

Supporting Facts (Describe what occurred and how the inmate violated the rule[s]):

On the above date and time I completed a 2.4 shakedown of Lane 640654 and the following would not fit in his property: 1-blue blanket, 1-blue sweat shirt and shorts, 1- blue tshirt, 15 books, 1-pr. earbuds, pokemon cards, misc. papers

(Use Conduct Report Supplement sheet, if needed)

As the Charging Official, do you wish to have input into the disciplinary proceedings? ☐ Yes ☒ No

Printed Name: Shrider, James	Signature: <i>James Shrider</i>	
Shift: 1st	Days Off: s-s-ft	Date: 09/12/2014

A copy of this conduct report was served upon the above-named inmate on: _____ 20_____, at _____.

Staff Signature:

I acknowledge receipt of the conduct report on the above stated date and time:

Inmate Signature:	Number: A640654
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Rules 54 – 56 Telephone, Mail and Visiting

- (54)** Unauthorized use of telephone or violation of mail and visiting rules.
- (55)** Use of telephone or mail to threaten, harass, intimidate, or annoy another.
- (56)** Use of telephone or mail in furtherance of any criminal activity.

Rules 57 and 58 Tattooing and self-mutilation

- (57)** Self-mutilation, including tattooing.
- (58)** Possession of devices or material used for tattooing.
- Rules 59 – 61 General Provisions**
- (59)** Any act not otherwise set forth herein, knowingly done which constitutes a threat to the security of the institution, its staff, other inmates, or to the acting inmate.
- (60)** Attempting to commit, aiding another in the commission of, soliciting another to commit, or entering into an agreement with another to commit any of the above acts.
- (61)** Any violation of any published institutional rules, regulations or procedures.



Ohio Department of Rehabilitation and Correction

Inmate Rules of Conduct 5120-9-06

Definitions

The following definitions shall be used in the application of these rules.

- (1) "Physical harm to persons" means any injury, illness or other physiological impairment, regardless of its gravity or duration.
- (2) "Serious physical harm to persons" means any of the following:
 - (a) Any mental illness or condition of such gravity as would normally require hospitalization or prolonged psychiatric treatment;
 - (b) Any physical harm that carries a substantial risk of death;
 - (c) Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity;
 - (d) Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement;
 - (e) Any physical harm that involves acute pain of such duration as to result in substantial suffering or that involves any degree of prolonged or intractable pain.
- (3) "Sexual conduct" means vaginal intercourse between a male and female, anal intercourse, fellatio, and cunnilingus between persons regardless of sex, and, without privilege to do so, the insertion, however slight, of any part of the body or any instrument, apparatus, or other object into the vaginal or anal cavity of another. Penetration, however slight, is sufficient to complete vaginal or anal intercourse.
- (4) "Sexual contact" means any touching of an erogenous zone of another, including without limitation the thigh, genitals, buttock, pubic region, or, if the person is a female, a breast, for the purpose of sexually arousing or gratifying either person.
- (5) "Possession" means either actual or constructive possession and may be inferred from any facts or circumstances that indicate possession, control or ownership of the item, or of the container or area in which the item was found.
- (6) "Unauthorized drugs," for the purposes of this rule, refers to any drug not authorized by institutional or departmental policy including any controlled substance, any prescription drug possessed without a valid prescription, or any medications held in excess of possession limits.
- (7) "Extortion," as used in these rules, means acting with purpose to obtain any thing of benefit or value, or to compel, coerce, or induce another to violate a rule or commit any unlawful act.

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INMATE RULES OF CONDUCT 5120-9-06

Rules 1 – 7 Assault and Related Acts

- (1) Causing, or attempting to cause, the death of another
- (2) Hostage taking, including any physical restraint of another
- (3) Causing, or attempting to cause, serious physical harm to another
- (4) Causing, or attempting to cause, physical harm to another
- (5) Causing, or attempting to cause, physical harm to another with a weapon
- (6) Throwing, expelling, or otherwise causing a bodily substance to come into contact with another
- (7) Throwing any other liquid or material on or at another

Rules 8 – 10 Threats

- (8) Threatening bodily harm to another (with or without a weapon)
- (9) Threatening harm to the property of another, including state property
- (10) Extortion by threat of violence or other means

Rules 11 – 14 Sexual Misconduct

- (11) Non-consensual sexual conduct with another, whether compelled
 - (a) By force,
 - (b) By threat of force,
 - (c) By intimidation other than threat of force, or,
 - (d) By any other circumstances evidencing a lack of consent by the victim
- (12) Non-consensual sexual contact with another, whether compelled
 - (a) By force
 - (b) By threat of force,
 - (c) By intimidation other than threat of force, or,
 - (d) By any other circumstances evidencing a lack of consent by the victim
- (13) Consensual physical contact for the purpose of sexually arousing or gratifying either person
- (14) Seductive or obscene acts, including indecent exposure or masturbation, including, but not limited, to any word, action, gesture or other behavior that is sexual in nature and would be offensive to a reasonable person

Rules 15 – 19 Riot, Disturbances and Unauthorized Group Activity

- (15) Ribbing or encouraging others to not
- (16) Engaging in or encouraging a group demonstration or work stoppage
- (17) Engaging in unauthorized group activities as set forth in paragraph (E) of rule 5120-9-37 of the Administrative Code

- (18) Encouraging or creating a disturbance
- (19) Fighting - with or without weapons, including instigation of, or perpetuating fighting

Rules 20 – 23 Resistance to Authority

- (20) Physical resistance to a direct order
- (21) Disobedience of a direct order
- (22) Refusal to carry out work or other institutional assignments
- (23) Refusal to accept an assignment or classification action

Rules 24 – 26 Unauthorized Relationships and Disrespect

- (24) Establishing or attempting to establish a personal relationship with an employee, without authorization from the managing officer, including but not limited to
 - (a) Sending personal mail to an employee at his or her residence or another address not associated with the department of rehabilitation and correction,
 - (b) Making a telephone call to or receiving a telephone call from an employee at his or her residence or other location not associated with the department of rehabilitation and correction,
 - (c) Giving to, or receiving from an employee, any item, favor, or service,
 - (d) Engaging in any form of business with an employee, including buying, selling, or trading any item or service,
 - (e) Engaging in, or soliciting, sexual conduct, sexual contact or any act of a sexual nature with an employee
 - (f) For purposes of this rule "employee" includes any employee of the department and any contractor, employee of a contractor, or volunteer
- (25) Intentionally grabbing, or touching a staff member or other person without the consent of such person in a way likely to harass, annoy or impede the movement of such person.
- (26) Disrespect to an officer, staff member, visitor or other inmate
 - (27) Giving false information or lying to departmental employees
 - (28) Forging, possessing, or presenting forged or counterfeit documents
- (29) Escape from institution or outside custody (e.g. transport vehicle, department transport officer, other court officer or law enforcement officer, outside work crew, etc.) As used in this rule, escape means that the inmate has exited a building in which he was confined, crossed a secure institutional perimeter, or walked away from or broken away from custody while outside the facility
- (30) Removing or escaping from physical restraints (handcuffs, leg irons, etc.) or any confined area within an institution (cell, recreation area, shop cell, vehicle, etc.)
- (31) Attempting or planning an escape
- (32) Tampering with locks, or locking devices, window bars, tampering with walls, floors or ceilings in an effort to penetrate them.

- (33) Possession of escape materials, including keys or lock picking devices (may include maps, tools, ropes, material for concealing identity or making dummies, etc.)
- (34) Forging, possessing, or obtaining forged, or falsified documents which purport to effect release or reduction in sentence.

Rules 35 – 36 Weapons

- (35) Being out of place
- (36) Possession or manufacture of a weapon, ammunition, explosive or incendiary device
- (37) Procuring, or attempting to procure, a weapon, ammunition, explosive or incendiary device, aiding, soliciting or collaborating with another person to procure a weapon, ammunition, explosive or incendiary device or to introduce or convey a weapon, ammunition, explosive or incendiary device into a correctional facility.
- (38) Possession of plans, instructions, or formula for making weapons or any explosive or incendiary device

Rules 39 – 43 Drugs and Other Related Matters

- (39) Unauthorized possession, manufacture, or consumption of drugs or any intoxicating substance
- (40) Procuring or attempting to procure, unauthorized drugs, aiding, soliciting, or collaborating with another to procure unauthorized drugs or to introduce unauthorized drugs into a correctional facility
- (41) Unauthorized possession of drug paraphernalia
- (42) Misuse of authorized medication
- (43) Refusal to submit urine sample, or otherwise to cooperate with drug testing, or mandatory substance abuse sanctions

Rules 44 – 47 Gambling, Dealing and Other Related Offenses

- (44) Gambling or possession of gambling paraphernalia
- (45) Dealing, conducting, facilitating, or participating in any transaction, occurring in whole or in part, within an institution, or involving an inmate, staff member or another for which payment of any kind is made, promised, or expected
- (46) Conducting business operations with any person or entity outside the institution, whether or not for profit, without specific permission in writing from the warden
- (47) Possession or use of money in the institution

Rules 48 – 51 Property and Contraband

- (48) Stealing or embezzlement of property, obtaining property by fraud or receiving stolen, embezzled, or fraudulently obtained property
- (49) Destruction, alteration, or misuse of property
- (50) Possession of property of another
- (51) Possession of contraband, including any article knowingly possessed which has been altered or for which permission has not been given

Rules 52 and 53 Fire Violations

- (52) Setting a fire, any unauthorized burning.
- (53) Tampering with fire alarms, sprinklers, or other fire suppression equipment.