

Disposition of the Rules Infraction Board

Institution: OSP	RIB Case Number: OSP-18-001923
Inmate Name: SANDERS, CARLOS A	Number: R130559
Date of Hearing: 08/14/2018	Time: 09:39 AM

Inmate Plea: ☐ GUILTY Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____
☒ NOT GUILTY Rule: 15 Rule: 16 Rule: 46 Rule: 56 Rule: 61 Rule: _____

State the facts that explain the board's decision:

The Serious Misconduct Panel (SMP) believes that inmate Sanders R130559 did attempt to incite others to riot by misusing the DRC phone system referring to the 2016 prison strike/work stoppage and violent events that occurred in our nations' prisons and jails to promote the 2018 prison strike/work stoppage that is suspected to occur on August 21, 2018 that will end on September 9, 2018. Inmate Sanders stated on the DRC phone system that "two years later, the decision has been that from August 21 to September 9, there is going to be another National Work Stoppage and it entails many more things than what happened in 2016...We intend to put up stiff resistance". (Continued)

Particular evidence or statements relied on:

Conduct Report by Mr. Wittrup, Copy of Transcripts recovered from GTL involving inmate Sanders R130559 with Stevan Kirschbaum, confiscated correspondence via mail to inmate Sanders R130559 from Ben Turk and charged inmate testimony. The intercepted transcripts from GTL used in the case are confidential and will be made available for review. Inmates five(5) requested witnesses not allowed due to relevancy, unavailability and security reasons.

Did the inmate offer any defense? ☒ Yes ☐ No

Did the Board believe the inmate's defense? ☐ Yes ☒ No Why? Inmate did not seem credible.

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 SANDERS, CARLOS A violated Rule: 15 Rule: 16 Rule: 46 Rule: 56 Rule: 61 Rule: _____

Inmate SANDERS, CARLOS A did not violate rule(s) Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____ Rule: _____

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

Recommend ERH3 Placement. Suspension of phone/JPay privileges for one(1) year. Beginning 8/14/2018 - Ending 8/13/2019. The managing officer has the authority to reduce this suspension every three(3) months after a review of good behavior and no further violations of the above rules. REASON- Inmate misused his privileges to commit rule violations that could have disrupted the orderly operations of DRC facilities.

LC Referral? ☐ Yes ☒ No


Appeal form given to inmate? ☒ Yes ☐ No

Signature RIB Chairperson: 	Date: 08/14/2018
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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: 	Date: 08/14/2018	Time: 02:04 PM
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DRC4024 (Rev. 12/05) DISTRIBUTION: WHITE - RIB CANARY - Unit File PINK - RIB Board GOLDENROD - Inmate

Supplemental Disposition of the Rules Infraction Board

Institution: OSP	RIB Case Number: OSP-18-001923
Inmate Accused of Violation: SANDERS, CARLOS A	Number: R130559
Case Number: OSP-18-001923	



Summarize the incident as the Board believes it to have occurred (continued):

The SMP also believes that inmate Sanders R130559 did attempt to encourage others to participate in a nationwide group demonstration or work stoppage, including here in Ohio. SMP believes Sanders R130559 did so by using his position as an "inside member" of the steering committee for the "Free Ohio Movement" an associate of the "Incarcerated Worker's Organizing Committee" (IWOC). Inmate Sanders R130559 is recorded on the DRC phone system telling a group of prison strike supporters "I am one of the founders of the Free Ohio Movement... I am one of the persons on the steering committee on the inside and I can put you in touch with the chairperson, who is a female, with IWOC." Further, inmate Sanders R130559 recently spoke to protesters outside the United States Supreme Court and stated "I was also talking about this year from August 21 to September 9, the national work stoppage, hunger strike, boycotting the commissary the whole nine..." There is intel of a nationwide prison strike/work stoppage that is suspected to occur on August 21, 2018 that will end on September 9, 2018. Ohio State Penitentiary (OSP) mailroom staff recently intercepted mail correspondence from his

Rebuttal of inmate's defense (continued):

N/A

Penitentiary (OSP) mailroom staff recently intercepted mail correspondence from his approved visitor, Ben Turk to inmate Sanders R130559 regarding this same IWOC influenced prison strike/work stoppage event. (Continued)

Member, Rules Infraction Board: 	Date: 08/14/2018	Time: 12:00 AM
Inmate Signature (acknowledging receipt of disposition): 	Number: R130559	

DRC 4175 (Rev. 03/04) DISTRIBUTION: WHITE - RIB CANARY - Unit File PINK - RIB Board GOLD - Inmate

Supplemental Disposition of the Rules Infraction Board

Institution: OSP	RIB Case Number: OSP-18-001923
Inmate Accused of Violation: SANDERS, CARLOS A	Number: R130559
Case Number: OSP-18-001923	

Summarize the incident as the Board believes it to have occurred (continued):

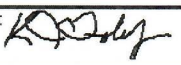

The SMP also believes that inmate Sanders R130559 did attempt to conduct a business operation with an outside civilian for profit and without specific permission in writing from the warden. Inmate Sanders R130559 was expected to receive a donation of two hundred fifty dollars from the Jericho Movement Local 8751 Union for participating in a live radio interview regarding the film titled "Shadow of Lucasville." Inmate Sanders R130559 is heard on the DRC telephone system advising the union leader on who to send the money to for the interview.

The SMP also believes that inmate Sanders R130559 did violate the use of telephone or mail in furtherance of any criminal activity by directly being a part of the above violations. Inmate Sanders R130559 did purposely use the DRC phone system to commit the above rule violations. Furthermore, the SMP believes that Sanders R130559 did misuse his JPAY privilege by answering an anti-Aramark Food Service organizer's JPAY message to him. The organizer asked inmate Sanders R130559 to recruit other inmates to work with them via JPAY to stop Aramark from being used at the University of Cincinnati until they

Rebuttal of inmate's defense (continued):

N/A

Cincinnati until they stop feeding inmates incarcerated in Ohio. Inmate Sanders R130559 gave the organizer ten other inmate names and their numbers and instructed the organizer to tell the ten that "Imam Hasan" referred them.

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Supplemental Disposition of the Rules Infraction Board

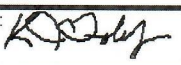

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Summarize the incident as the Board believes it to have occurred (continued):

The SMP believes that inmate Sanders R130559 did violate published institutional rules, regulations or procedures, specifically rules on receiving of money from unapproved sources identified in policy 76-VIS-01, the above violated rule violations and his own telephone recorded conversation admission that he is also acting as a leader and spokesperson. These rule violations qualify for placement into Extended Restrictive Housing Three (ERH3) based on the criteria in policy 53-CLS-04, variance 1 #3 which states: The inmate has led organized, participated in or incited a serious disturbance or riot (or attempted to commit any of these acts) that resulted in, or was planned/intended to result in, the taking of a hostage, significant property damage, interruption of vital institutional services, physical harm, loss of control of a facility/unit, or loss of life.

Rebuttal of inmate's defense (continued):

N/A

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