

Disciplinary Report

State of Florida

Log # 205-96/2348

Department of Corrections

073061 Inmate Name DEFRIEST, MARK W/M
 Violation Code and Short Title 3-3: F PAROLE VIOLATION
 Facility and Code Florida State Prison, 205 Inmate Date 10/30/96

I. Statement of Facts:

At approximately 2125 hours, on October 30, 1996, I was assigned as U-Wing Housing Supervisor. My self and Officer R. J. Bonsall were conducting a routine area search of cell U-1-N-5, housing inmate OFFRIFST, Mark, W/M, #073061, and during the search I found one (1) homemade drug smoking pipe made out of a toilet paper roll with a hole in one end, and a piece of aluminum foil taped in the hole to form a bowl. Inside the bowl was what appeared to be a piece of crack cocaine. I performed a Scott Reagen T System Test on the substance which tested positive for cocaine. The evidence was given to the Institutional Inspector, Lieutenant D. A. Ellis for further disposition. Lieutenant R. D. Crawford was consulted and advised me to follow through with a formal disciplinary report, as provided in Section 33-22.005, F.A.C.

Date Report Written 10/30/96, at 2315 AM/PM Signature E. S. Dean, CO2
 Typed Name (E. S. Dean, CO2)

II. Inmate Notification of Charges: Date Delivered 10-31-96 at 1:30 AM/PM
 No hearing shall commence prior to 24 hours of delivery of charges except when the inmate's release date does not allow time for such notice or the inmate waives the 24 hour period as authorized in Rule 33-22, Florida Administrative Code.

Delivered by R. E. Wood, Sgt
 Typed Name (R. E. Wood, Sergeant)

III. Designating Authority Review Major Minor
 Signature B. E. Gross
 Typed Name (B. E. GROSS, SERGEANT)

IV. Team/Hearing Officer Findings and Action Date 11-04-96 at 08:20 AM/PM
 Inmate Offered Staff Assistance: Accepted Declined
 Inmate Plea Refused to Plea Findings: Guilty

Basis for Team/Hearing Officer Decision:

Inmate Defriest refused to appear before the disciplinary hearing team. The Team found the subject guilty based upon the written statement of Sgt. E. S. Dean that he and Officer R. J. Bonsall conducted a routine search of cell U-1-N-5 which houses Inmate Defriest, Mark #073061. During the search they found one homemade drug smoking pipe made out of a toilet paper roll with a hole in one end and a piece of aluminum foil taped in the hole to form a bowl. Inside the bowl was what appeared to be a piece of crack cocaine. Further testing revealed that the substance was cocaine. Investigative report and witness statements were read and considered. No witnesses were requested to appear.

Action: Loss of Gain Time 0 days Disciplinary Confinement 60 days

Other:

The Team further recommends 60 days yard suspension. This is to run consecutive. This report was continued on 11-4-96 for further investigation. Hearing reconvened on 11-6-96 at 8:05 a.m. for final disposition.

K.M. Starling, CO2 [Signature] Darryl [Signature]
 Team Member Team Member Chairman

Review and Final Action Approve Disapprove
 Modify to _____ Rehearing

Superintendent or Other Administrator [Signature] Date 11-13-96
 Regional Director _____ Date _____

Witness Statement Form

State of Florida

Log # 205-9622346

Department of Corrections

I. Identifying Inmate Information

DC # 073061

Inmate Name DeFries, Mark

Violation Code and Short Title 3-3; Possession of Narcotics/ Drug Paraphernalia

Date Report Written 10-30-96

II. Witness

Staff Member: Name and Position _____

Other Individual: Name _____

Inmate: DC # 073061 Name DeFries, Mark

III. Voluntary Refusal

The witness voluntarily refused to provide a written statement to the Investigating Officer and the following signature(s) attests to that fact:

Witness Signature _____ Date _____

Signature of Investigating Officer _____ Date _____

IV. Statement

The Mother Ship Landed, and the Aliens gave me a '02. of Crack told me to smoke it, it was from home planet K.T.-95 where over Religious Belief is Buttism, the Tenses of a good Buttist are: 1 Sex 2 Drugs 3 Rock and Roll 4 100.00 Bills

So why you Bosnian Serbs fucking with my Religious Beliefs "Captain" Roxana

Witness Signature _____ Date 10/31/96
Signature of Investigating Officer REWOOD Date 10-31-96

QINS
W-05
01/H

Disciplinary Investigative Report

State of Florida

Log # 205 962346

Department of Corrections

DC# 073061 Inmate Name Defries, Mark
Date Report Written 10-30-96 at 1600 AM/PM
Date Investigation Began 10-31-96 at 1600 AM/PM
(Use ball point pen, blue or black ink, when completing this form)

I. Staff Assistance Offered: Declined Accepted Provided: Yes No
Inmate Defries, Mark was offered staff assistance but refused.

II. Charged Inmate's Version of Infraction: Date 10-31-96 at 1830 AM/PM
Inmate Defries stated that Allen gave him the Cocaine.

III. Charging Staff Member Interview: Date 10-31-96 at 1600 AM/PM
Sgt. E.S. Dean was interviewed and stated that all the facts contained in Section I of the Disciplinary Report were true and correct as written.

IV. Other Staff/Pertinent Individual(s) Interview(s):
Officer Bonnell was interviewed and stated that the facts contained in Section III of the witness statement form were true and correct as written.

V. Other Inmate(s) Interview(s): Inmate Defries called Inmate Brade, Arthur #608456 as a witness, however Inmate Brade refused to participate in the investigation.

VI. Explanation of Witness Statement Forms Not Completed and/or Other Interviews Not Completed:
NONE

VII. Explanation of Delay(s) at Any Stage of investigation: NONE

VIII. Evidence; Other Included Reports; Other Information: Attached are photos of the positive drug test.

11-13-96

Signature of Investigating Officer [Signature] Legibly Printed Name REWARD, [unclear] 11-13-96

Date Investigation Completed: 10-31-96 Report Continued: Yes No

Witness Statement Form

State of Florida

Log # 105-962344

Department of Corrections

Identifying Inmate Information

DC # 073061

Inmate Name DEFRIEST, MARK W/M

Violation Code and Short Title 2- POSSESSION OF NARCOTIC + DRUG PARAPHENALIA

Date Report Written 10/20/96

II. Witness

Staff Member: Name and Position BJ BONGALL LOT

Other Individual: Name _____

Inmate: DC # _____ Name _____

III. Voluntary Refusal

The witness voluntarily refused to provide a written statement to the Investigating Officer and the following signature(s) attests to that fact:

Witness Signature _____ Date _____

Signature of Investigating Officer _____ Date _____

IV. Statement

WHILE CONDUCTING A ROUTINE CELL SEARCH OF U-1-N-5, WITHIN HOUSES DEFRIEST, M, 073061. SGT. E. DEAN AND MYSELF, FOUND WHAT APPEARED TO BE A CRACK COCAINE ROCK. SGT. E DEAN PERFORMED A SCOTT REAGENT SYSTEM TEST. THE TEST CAME OUT POSITIVE.

Witness Signature RJ Bongall

Date 10/20/96

Signature of Investigating Officer RJ Wood

Date 10-21-96