

CHECKLIST FOR DHO ACTIONS

INMATE: _____ REG. NO: _____

INSTITUTION: _____ DATE/INCIDENT: _____ DATE/HEARING: _____

RESPONSE: _____ CATEGORY _____

YES NO N/A

I. ADVANCE NOTICE OF CHARGE

____ (1) The inmate was given advance written notice of the charge(s) against him on _____ (date) at _____ (hour), which was more than 24 hours before the inmate's appearance before the DHO.

____ (2) If the answer to #1 is no, because there was less than 24 hours advance notice, the inmate waived the 24-hours notice (_____), or was to be released in less than 24 hours (_____) .

II. APPEARANCE

____ (3) The inmate appeared at the hearing. If no, the reason was:

III. STAFF REPRESENTATION

____ (4) The inmate requested a staff representative and that staff representative appeared. The representative had a copy of "DUTIES OF STAFF REPRESENTATIVE," and indicated an understanding of those duties.

____ (5) The inmate did not request a Staff Representative and thereby waived the right to staff representative.

____ (6) The inmate requested a representative who refused or was unable to appear; and the inmate chose to continue the hearing in the absence of the requested representative after being advised of the option to postpone the hearing in order to obtain another representative. Because of staff declinations to appear, _____ was appointed to represent the inmate and appeared on the inmate's behalf.

IV. WITNESSES AND DOCUMENTARY EVIDENCE

____ (7) The inmate waived the right to call witnesses.

____ (8) The inmate requested witnesses.
A. The requested witnesses appeared & statements are summarized in the record.
B. Reasons for not calling the witnesses are documented in the record (i.e., repetitive or adverse witnesses if their knowledge is adequately summarized in the incident report or other investigative materials supplied to the DHO).
C. Written statements of unavailable witnesses were submitted, were considered, and are included in the report.

____ (9) The inmate submitted written documentation which was considered by the DHO. If yes, list here the documents: _____

____ (10) The inmate's statement to the DHO is summarized in the record. If no, it is because
() the inmate declined to make a statement or
() _____

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YES NO N/A

___ ___ ___

V. USE OF CONFIDENTIAL INFORMANT INFORMATION

(11) Confidential informant information that might identify the confidential informant was considered by the DHO and this information was not provided to the inmate but is documented in a separate record. The confidential informant(s) has/have determined to be reliable because:

VI. FINDINGS AND SPECIFIC EVIDENCE

___ ___ ___

(12) The findings of the DHO are supported by some facts. If there was conflicting evidence, the findings are supported by the more credible evidence.

___ ___ ___

(13) There is some evidence to support each finding & conclusion.

___ ___ ___

(14) The specific evidence relied on is adequately documented in the record with specific evidence and facts cited (physical evidence, observations, written documentation, etc.)

VII. SANCTIONS:

___ ___ ___

(15) The sanction imposed is proportionate to the offense committed.

___ ___ ___

(16) The sanction imposed is authorized by the offense severity, which is:

___ ___ ___

(17) The reasons for the sanction are adequately documented in the record of the hearing, or in a separate report.

VIII. OTHER

This section should be used for unusual aspects of the case, such as inmate competency, UDC proceedings, DHO disqualification issues, of Special Housing.

Unit question. _____

THIS CHECKLIST WAS COMPLETED BY DHO: _____ PRINT OR TYPE

SIGNATURE OF THE DHO: _____

PLACE OF THE DHO HEARING: _____

END FORM