Filing # 52624211 E-Filed 02/16/2017 06:49:00 PM

SC16-1478

In the Supreme Court of Florida

ROBERT E. BANKS,

Petitioner,

v.

JULIE L. JONES,
SECRETARY, FLORIDA DEPARTMENT OF CORRECTIONS,

Respondent.

ON PETITION FOR DISCRETIONARY REVIEW FROM THE
DISTRICT COURT OF APPEAL, FIRST DISTRICT
CASE NO.: 1D15-330

RESPONDENT'S SUPPLEMENTAL APPENDIX

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TAB A Florida Department of Corrections Report of Close Management for Petitioner Robert E. Banks (February 14, 2017)

Tab A

** SCO DECISION **

DC# : 101683 NAME : BANKS, ROBERT E. EXT.STA : ACTIVE TRD : 09/13/2018
B/M CUR.LOC: DESOTO ANNEX CUSTODY : CLOSE TEAM : 03
PROCESS TYPE: REVIEW WK.ASG.: INSIDE GROUNDS BED : H3119L INTERNAL STATUS: GENERAL POPULATION
TOT #DR : 36 #DR PER: 0 #CAT I DR: 4 LAST CAT I DR : 0016 07/22/2010

*** SECTION I - REVIEW OF INMATE'S ASSIGNMENT TO CLOSE MANAGEMENT STATUS

PLACEMENT INFORMATION PRIOR TO THIS REVIEW:
DATE OF INITIAL ASSIGNMENT: 10/09/2014
INITIAL REFERRAL REASON: AN ACT CAUSING INJURY OR AN ACT WHICH COULD HAVE RESULTED IN INJURY TO ANOTHER (1).
DATE OF CURRENT CM LEVEL: 10/21/2016
CURRENT CM LEVEL: 3
STAFF ASSAULT CONV: NO

DATE OF REVIEW: 12/29/2016 TIME: 15:36 FACILITY: SANTA ROSA C.I.

REVIEWED BY: HOOVER, K. F.

*CLO RECOMMENDATION: REC. FOR OPEN POP.
*BASIS:
CLOSE MANAGEMENT IS NO LONGER WARRANTED, SEE RECOMMENDATION COMMENTS.
*RECOMMENDATION COMMENTS:
INMATE BANKS HAS 2 PRIOR CM PLACEMENTS. HIS CURRENT PLACEMENT TO CM 1 WAS APPROVED ON 10/09/14 FOR AN ACT CAUSING INJURY WHEN HE BECAME AGGRESSIVE WITH MENTAL HEALTH STAFF AND SPIT IN THE FACE OF THE MENTAL HEALTH DOCTOR. INMATE BANKS HAS BEEN ON ALL LEVELS OF CM, WITH HIS LAST REVIEW ON 10/21/16 RESULTING IN HIM DOWNGRADING TO CM 3 WITH A 90 DAY REVIEW. DURING THIS REVIEW, HE HAS NOT RECEIVED ANY DISCIPLINE AND AVERAGES SATISFACTORY SECURITY RATINGS. HE IS CURRENTLY ENROLLED IN CONTINUING EDUCATION. BASED ON POSITIVE ADJUSTMENT, IT IS RECOMMENDED THAT HE BE RELEASED TO GENERAL POPULATION. HE DOES NOT HAVE ANY CONVICTIONS OR DETAINERS FOR BATTERY ON LEO NOTED.

*** SECTION II. NOTICE OF CLOSE MANAGEMENT REVIEW

YOU ARE HEREBY NOTIFIED THAT YOU SHALL RECEIVE A REVIEW BY THE INSTITUTIONAL CLASSIFICATION TEAM NO EARLIER THAN 48 HOURS FROM THE TIME THIS NOTICE IS DELIVERED. YOU ARE PERMITTED TO SUBMIT INFORMATION TO THE TEAM VERBALLY OR IN WRITING REGARDING THE STATUS OF YOUR ASSIGNMENT TO CLOSE MANAGEMENT.

NOTICE DELIVERED BY: HOOVER, K. F. DATE: 12/30/2016 TIME: 09:04

*** SECTION III. INSTITUTIONAL CLASSIFICATION TEAM HEARING

DATE: 01/04/2017 TIME: 12:20 FACILITY: SANTA ROSA C.I.

CHAIRPERSON: NEAL, M.M.
MEMBERS: DOVE, S.S. DUNLAP, DAVID B.
I/M WAIVED 48 HOUR NOTICE: NO
STAFF ASSISTANCE: NONE
WHO:
INMATE PRESENT: YES
EXTENSION GRANTED: NO

THE FOLLOWING ASSESSMENTS WERE REVIEWED AND CONSIDERED:
DC4-729 BEHAVIORAL RISK ASSESS 07/13/2016
DC4-528 M.H. ASSESSMENT 09/20/2016

DISCIPLINARY CONFINEMENT: NOT IN DC STATUS

** SCO DECISION **

DC#	: 101683	NAME : BANKS, ROBERT E.	EXT.STA : ACTIVE	TRD	: 09/13/2018
B/M		CUR.LOC: DESOTO ANNEX	CUSTODY : CLOSE	TEAM	: 03
PROCESS TYPE: REVIEW		WK.ASG.: INSIDE GROUNDS	BED : H3119L	INTERNAL STATUS: GENERAL POPULATION	
TOT #DR	: 36	#DR PER: 0	#CAT I DR: 4	LAST CAT I DR	: 0016 07/22/2010

---------- INMATE PROVIDED COPY OF THE REVISED OFFER OF JUDGEMENT: NO
INMATE PROVIDED COPY OF ICT RECOMMENDATION: YES

*ICT RECOMMENDATION: REC. FOR OPEN POP.
*BASIS FOR RECOMMENDATION:
INMATE BANKS WAS PLACED IN CLOSE MANAGEMENT DUE TO AN ACT CAUSING INJURY OR HAVING THE POTENTIAL TO CAUSE INJURY IN WHICH HE SPIT IN THE FACE OF THE MENTAL HEALTH DOCTOR. DURING THIS REVIEW PERIOD HE HAS NOT RECEIVED ANY DISCIPLINE AND EARNED OVERALL SATISFACTORY RATINGS. HE IS CURRENTLY ENROLLED IN CONTINUING EDUCATION. DUE TO HIS POSITIVE ADJUSTMENT, ICT RECOMMENDS HE BE RELEASED TO OPEN POPULATION AS HIS PLACEMENT ON CM IS NO LONGER WARRANTED. HE DOES NOT HAVE ANY DETAINERS OR CONVICTIONS FOR BLEO NOTED.

*** SECTION IV. STATE CLASSIFICATION OFFICE REVIEW

DATE: 01/06/2017 TIME: 14:20

SCO MEMBER: DITTMAN, A.P. THE

FOLLOWING ASSESSMENTS WERE REVIEWED AND CONSIDERED:
DC4-729 BEHAVIORAL
RISK ASSESS
07/13/2016 Y DC4-528 M.H. ASSESSMENT 09/20/2016 Y

DISCIPLINARY
CONFINEMENT: DC < 60 DAYS INMATE INTERVIEWED: NO

*DECISION: APP. CM RELEASE (PEND. XFER)
*BASIS FOR CLOSE MANAGEMENT DECISION, IF APPLICABLE:

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished by electronic service through the Florida Courts E-Filing Portal on this 16th day of February, 2017, to the following:

Michael Ufferman
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Tallahassee, Florida 32308
ufferman@uffermanlaw.com

/s/ *Denise M. Harle*
Denise M. Harle