



STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
PELICIA E. HALL
COMMISSIONER

Dell Lemley
Deputy Commissioner

Administration & Finance
(601) 359-5365

MEMORANDUM

TO: TERESA BURTON, CORRECTIONAL COMMANDER, CMCF
FROM: WINNA HYPHE, MDOC DESIGNATED HEARING OFFICER *W. Hyche*
RE: PRE-DISCIPLINARY CONFERENCE NOTICE
DATE: AUGUST 13, 2019

You are hereby given notice that you have been scheduled for a Pre-Disciplinary Conference to be held on August 23, 2019 at 9:00 a.m. in the Conference Room at the Central Mississippi Correctional Facility which is located in the Superintendent's Administration Building. The conference is being held to consider whether discipline should be applied under the Mississippi State Personnel Board guidelines for violation of the offense(s) and/or policies listed below. Specifically, disciplinary action is being considered based on the following:

Video surveillance footage shows that on July 11, 2019, at approximately 1537 hours, you along with Correctional Officer Latoya Richardson were in the process of passing out food trays at CMCF I Quickbed A Building when Offender Lisa Courtney # 214106 pushed a tray into your face, causing injury to your nose. You swung the tray at her twice, making minimal contact. You made a 10-99 call for assistance and Offender Courtney continued to walk toward you. Officer Richardson came to assist and Offender Courtney fell to the floor after engaging in a physical altercation with Officer Richardson. As Officer Richardson and Offender Courtney fought, you continued to kick Offender Courtney. Multiple offenders and Officer Richardson began to assault Offender Courtney while you attempted to gain order. However, you exited the zone while offenders continued to assault Offender Courtney. You were in the foyer when Deputy Warden Sheila Parks came to the zone and gained control. Offender Courtney was pulled out of the zone into the foyer.

You submitted an incident report on July 11, 2019 outlining the assault of Offender Courtney on you, but you made no mention of the assault on Offender Courtney by Officer Richardson or the other offenders.

On July 24, 2019, you were interviewed by the Corrections Investigation Division (CID) and provided a statement admitting: (1) swinging the tray at Offender Courtney, (2) observing the fight between Officer Richardson and Offender Courtney, (3) kicking Offender Courtney while she was on the floor fighting with Officer Richardson, and (4) observing multiple offenders kick, punch, and stomp Offender Courtney.

You further stated that you tried to pull Offender Courtney away but could not reach her and that, as you were leaving to go to medical, you observed Officer Jessica Hill standing over Offender Courtney with an OC spray can in her hand, but did not witness the assault in the foyer.

The abovementioned conduct constitutes a violation of MDOC policy and group offense(s) as outlined in the Mississippi State Employee Handbook.

Group 3, Number 14: **“An act or acts of conduct occurring on or off the job which are plainly related to job performance and are of such nature to continue the employee in the assigned position could constitute negligence in regard to the agency’s duties to the public or to other State employees.”**

The Mississippi State Employee Handbook (July 2018 edition) provides that Group Three offenses may be disciplined by the agency with a written reprimand and/or may result in suspension without pay for up to thirty (30) working days, demotion, or dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and one (1) Group Two disciplinary action, to include written reprimand or suspension without pay, within a one (1) year period may result in dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and three (3) written reprimands for Group One offenses within a one (1) year period may result in dismissal.

You have the right to respond in writing to the above allegations. Such written response and other documentation presented on your behalf should be in my possession no later than three (3) days before the conference. ***In addition, if you will be bringing legal counsel to the conference, you are required to notify me, the designated hearing officer, at least three (3) working days prior to the conference:***

Winna Hyche
Designated Hearing Officer
Mississippi Department of Corrections
633 North State Street, Jackson, MS 39202
601-359-5685 (fax)

You are directed to appear for the Pre-Disciplinary Conference on the date and time mentioned above. However, you may waive your conference and have a decision made based upon your written statement. Unless you waive your conference in writing, your attendance at the conference

is mandatory.

You will remain in your present job status until you receive the final decision of the Agency. A written determination will be provided to you as soon as possible after the conference.

WH/

PC: Superintendent
Warden, Area
CID
Personnel File

RECORD OF RECEIPT OR MAILING

Signature _____
Date Received _____
Certified Mail # _____
Date Mailed _____



STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
PELICIA E. HALL
COMMISSIONER

Dell Lemley
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(601) 359-5365

MEMORANDUM

TO: LATOYA RICHARDSON, CORRECTIONAL OFFICER IV, CMCF
FROM: WINNA HYCHE, MDOC DESIGNATED HEARING OFFICER *W. Hyche*
RE: PRE-DISCIPLINARY CONFERENCE NOTICE (EXTRAORDINARY)
DATE: AUGUST 13, 2019

You were suspended effective July 29, 2019.

You are hereby given notice that you have been scheduled for a Pre-Disciplinary Conference to be held on August 23, 2019 at 9:45 a.m. in the Conference Room at the Central Mississippi Correctional Facility which is located in the Superintendent's Administration Building. The conference is being held to consider whether discipline should be applied under the Mississippi State Personnel Board guidelines for violation of the offense(s) and/or policies listed below. Specifically, disciplinary action is being considered based on the following:

Video surveillance footage shows that on July 11, 2019, at approximately 1537 hours, you and Correctional Commander Teresa Burton were in the process of passing out food trays at CMCF I Quickbed A Building when Offender Lisa Courtney # 214106 pushed a tray into Commander Burton's face, causing injury to her nose. Offender Courtney and Commander Burton got into a physical altercation and you responded by striking Offender Courtney multiple times. You kicked Offender Courtney in her mid-section before you fell to the floor. You got back on your feet and began to strike Offender Courtney a few more times before falling to the floor and against the wall. You grabbed a tray and struck Offender Courtney with it twice before throwing it at her.

As other offenders were attacking Offender Courtney, you re-entered the group and continued to strike her six to seven more times until she fell to the floor. You then tried to break up the other offenders but you left with Commander Burton as she was guided away and pushed out of the zone by an offender. The both of you remained out of the zone until Deputy Warden Parks arrived. DW Parks entered the zone and gained control of the incident. You re-entered the zone, but exited after another correctional officer pulled

Offender Courtney out into the foyer. Again, you kicked Offender Courtney several more times while she lay on the floor in the foyer until Case Manager Sheila Pate pushed you away. You witnessed Correctional Officer Jessica Hill strike Offender Courtney multiple times with a can of OC spray. You also witnessed Case Manager Nicole Moore kick Offender Courtney in the head.

You submitted an incident report on July 11, 2019, outlining Offender Courtney's assault on Commander Burton, but you made no mention of the assault by you, Officer Hill, Case Manager Moore or the offenders.

On July 24, 2019, you were interviewed by the Corrections Investigation Division (CID) and provided a statement admitting: (1) striking Offender Courtney on the head with a food tray, (2) observing multiple offenders assault Offender Courtney, (3) kicking and punching Offender Courtney as her body lay limp as she was pulled from the zone, (4) observing Officer Hill strike Offender Courtney with a can of OC spray, and (5) having to be physically restrained by Case Manager Sheila Pate.

The abovementioned conduct constitutes a violation of MDOC policy and group offense(s) as outlined in the Mississippi State Employee Handbook.

Group III, Number 8: Acts of physical violence

MDOC SOP 16.13.01:

Use of Force: Excessive Force, which states in lines 43-45, "An application of force which, either by type or force employed or the extent to which such force is employed, exceeds that force which reasonably appears to be necessary under all the circumstances surrounding the incident."

Use of Force, which states in lines 159-162 states "Force should be employed only to the degree necessary to control the offender to a level that will be effective, with a minimum of harm to both staff and the offender. Staff may escalate to the appropriate level of force depending on the situation. Excessive force will not be tolerated and is not authorized."

MDOC Policy 03.01:

General Standards of Professional Conduct, which states in lines 3-4 "It is the policy of the Mississippi Department of Corrections (MDOC) that all employees conduct themselves and perform their duties in a professional manner."

General Standards of Professional Conduct, which states in line(s) 92, "Employees are expected to conduct themselves in a dignified, honest and professional manner."

The Mississippi State Employee Handbook (July 2018 edition) provides that Group Three offenses may be disciplined by the agency with a written reprimand and/or may result in suspension without

pay for up to thirty (30) working days, demotion, or dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and one (1) Group Two disciplinary action, to include written reprimand or suspension without pay, within a one (1) year period may result in dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and three (3) written reprimands for Group One offenses within a one (1) year period may result in dismissal.

You have the right to respond in writing to the above allegations. Such written response and other documentation presented on your behalf should be in my possession no later than three (3) days before the conference. *In addition, if you will be bringing legal counsel to the conference, you are required to notify me, the designated hearing officer, at least three (3) working days prior to the conference:*

Winna Hyché
Designated Hearing Officer
Mississippi Department of Corrections
633 North State Street, Jackson, MS 39202
601-359-5685 (fax)

You are directed to appear for the Pre-Disciplinary Conference on the date and time mentioned above. However, you may waive your conference and have a decision made based upon your written statement. Unless you waive your conference in writing, your attendance at the conference is mandatory.

You will remain in your present job status until you receive the final decision of the Agency. A written determination will be provided to you as soon as possible after the conference.

WH/

PC: Superintendent
Warden, Area
CID
Personnel File

RECORD OF RECEIPT OR MAILING

Signature _____
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Certified Mail # _____
Date Mailed _____



STATE OF MISSISSIPPI
DEPARTMENT OF CORRECTIONS
PELICIA E. HALL
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Dell Lemley
Deputy Commissioner

Administration & Finance
(601) 359-5365

MEMORANDUM

TO: NICOLE MOORE, CASE MANAGER, CMCF
FROM: WINNA HYCHE, MDOC DESIGNATED HEARING OFFICER *W. Hyche*
RE: PRE-DISCIPLINARY CONFERENCE NOTICE (EXTRAORDINARY)
DATE: AUGUST 13, 2019

You were suspended effective July 29, 2019.

You are hereby given notice that you have been scheduled for a Pre-Disciplinary Conference to be held on August 23, 2019 at 10:15 a.m. in the Conference Room at the Central Mississippi Correctional Facility which is located in the Superintendent's Administration Building. The conference is being held to consider whether discipline should be applied under the Mississippi State Personnel Board guidelines for violation of the offense(s) and/or policies listed below. Specifically, disciplinary action is being considered based on the following:

Video surveillance footage shows that on July 11, 2019, at approximately 1537 hours, you entered the zone at CMCF I Quickbed A Building. You observed an altercation involving correctional officers and offenders. You immediately walked out, but returned shortly thereafter. You returned and stood in the doorway and observed Offender Lisa Courtney #214106 being assaulted by other offenders until Deputy Warden Sheila Parks entered the zone and gained control. Offender Courtney was pulled out of the zone and into the foyer where she continued to be assaulted by Correctional Officer Latoya Richardson and Correctional Officer Jessica Hill. Her body was limp and she was non-combative when you kicked Offender Courtney in the head as she lay on the floor of the foyer.

On August 8, 2019, you were interviewed by the Criminal Investigation Division (CID) and provided a written statement. You stated that you observed Officer Hill striking Offender Courtney several times with her hands but was unsure what Officer Latoya Richardson had done. Further, you admitted you got caught up in the commotion and kicked the offender in the head. You also admitted saying to her, "I bet you won't do that anymore, you got your ass kicked."

You continued to loiter in the foyer until Offender Courtney was escorted out by correctional officers.

The abovementioned conduct constitutes a violation of MDOC policy and group offense(s) as outlined in the Mississippi State Employee Handbook.

Group 3, Number 14: **“An act or acts of conduct occurring on or off the job which are plainly related to job performance and are of such nature to continue the employee in the assigned position could constitute negligence in regard to the agency’s duties to the public or to other State employees.”**

MDOC Policy 03.01: *General Standards of Professional Conduct, which states in lines 3-4 “It is the policy of the Mississippi Department of Corrections (MDOC) that all employees conduct themselves and perform their duties in a professional manner.”*

General Standards of Professional Conduct, which states in line(s) 92, “Employees are expected to conduct themselves in a dignified, honest and professional manner.”

The Mississippi State Employee Handbook (July 2018 edition) provides that Group Three offenses may be disciplined by the agency with a written reprimand and/or may result in suspension without pay for up to thirty (30) working days, demotion, or dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and one (1) Group Two disciplinary action, to include written reprimand or suspension without pay, within a one (1) year period may result in dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and three (3) written reprimands for Group One offenses within a one (1) year period may result in dismissal.

You have the right to respond in writing to the above allegations. Such written response and other documentation presented on your behalf should be in my possession no later than three (3) days before the conference. ***In addition, if you will be bringing legal counsel to the conference, you are required to notify me, the designated hearing officer, at least three (3) working days prior to the conference:***

Winna Hyché
Designated Hearing Officer
Mississippi Department of Corrections
633 North State Street, Jackson, MS 39202
601-359-5685 (fax)

You are directed to appear for the Pre-Disciplinary Conference on the date and time mentioned above. However, you may waive your conference and have a decision made based upon your

written statement. Unless you waive your conference in writing, your attendance at the conference is mandatory.

You will remain in your present job status until you receive the final decision of the Agency. A written determination will be provided to you as soon as possible after the conference.

WH/

PC: Superintendent
Warden, Area
CID
Personnel File

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MEMORANDUM

TO: JESSICA HILL, CORRECTIONAL OFFICER II, CMCF

FROM: WINNA HYCHE, MDOC DESIGNATED HEARING OFFICER *W. Hyche*

RE: PRE-DISCIPLINARY CONFERENCE NOTICE (EXTRAORDINARY)

DATE: AUGUST 13, 2019

You were suspended effective July 29, 2019.

You are hereby given notice that you have been scheduled for a Pre-Disciplinary Conference to be held on August 23, 2019 at 10:45 a.m. in the Conference Room at the Central Mississippi Correctional Facility which is located in the Superintendent's Administration Building. The conference is being held to consider whether discipline should be applied under the Mississippi State Personnel Board guidelines for violation of the offense(s) and/or policies listed below. Specifically, disciplinary action is being considered based on the following:

On July 11, 2019, you were working Security and Escort (S & E) when you responded to a 10-99 call over the radio that was made from CMCF Quickbed A Building, C Zone. Video surveillance footage shows that you entered the zone at approximately 1539 hours. You observed Offender Lisa Courtney #214106 on the floor. You immediately struck Offender Courtney twice with an OC spray can as she was being dragged into the foyer by another officer. You continued to strike Offender Courtney approximately 13 times while she was on the floor in the foyer and did not stop until you were pulled off by Case Manager Sheila Pate and Deputy Warden Sheila Parks.

On July 23, 2019, you were interviewed by the Corrections Investigation Division (CID). You stated that there was chaos on the zone when you arrived. You observed officers and offenders pushing, shoving and kicking. You indicated that you assisted by dragging Offender Courtney, who said she had hit Commander Burton, into the foyer. You then said you could not remember what occurred thereafter.

You were given an opportunity to review the video footage and acknowledged that the video shows you striking Offender Courtney several times, but you maintained that you do not recall striking the offender, nor do you remember being pulled away by Case Manager Pate and Deputy Warden Parks. You also stated that you do not recall which officers were in the foyer.

The abovementioned conduct constitutes a violation of MDOC policy and group offense(s) as outlined in the Mississippi State Employee Handbook.

Group III, Number 8: Acts of physical violence

MDOC SOP 16.13.01: Use of Force: Excessive Force, which states in lines 43-45, "An application of force which, either by type or force employed or the extent to which such force is employed, exceeds that force which reasonably appears to be necessary under all the circumstances surrounding the incident."

Use of Force, which states in lines 159-162 states "Force should be employed only to the degree necessary to control the offender to a level that will be effective, with a minimum of harm to both staff and the offender. Staff may escalate to the appropriate level of force depending on the situation. Excessive force will not be tolerated and is not authorized."

MDOC Policy 03.01: General Standards of Professional Conduct, which states in lines 3-4 "It is the policy of the Mississippi Department of Corrections (MDOC) that all employees conduct themselves and perform their duties in a professional manner."

The Mississippi State Employee Handbook (July 2018 edition) provides that Group Three offenses may be disciplined by the agency with a written reprimand and/or may result in suspension without pay for up to thirty (30) working days, demotion, or dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and one (1) Group Two disciplinary action, to include written reprimand or suspension without pay, within a one (1) year period may result in dismissal. Accumulation of one (1) Group Three offense disciplinary action, to include written reprimand, suspension without pay, or demotion, and three (3) written reprimands for Group One offenses within a one (1) year period may result in dismissal.

You have the right to respond in writing to the above allegations. Such written response and other documentation presented on your behalf should be in my possession no later than three (3) days before the conference. ***In addition, if you will be bringing legal counsel to the conference, you are required to notify me, the designated hearing officer, at least three (3) working days prior to the conference:***

Winna Hyche

Designated Hearing Officer
Mississippi Department of Corrections
633 North State Street, Jackson, MS 39202
601-359-5685 (fax)

You are directed to appear for the Pre-Disciplinary Conference on the date and time mentioned above. However, you may waive your conference and have a decision made based upon your written statement. Unless you waive your conference in writing, your attendance at the conference is mandatory.

You will remain in your present job status until you receive the final decision of the Agency. A written determination will be provided to you as soon as possible after the conference.

WH/

PC: Superintendent
Warden, Area
CID
Personnel File

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COMMISSIONER

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MEMORANDUM

TO: SHEILA PARKS, DEPUTY WARDEN, CMCF
FROM: WINNA HYPHE, MDOC DESIGNATED HEARING OFFICER *W. Hyche*
RE: PRE-DISCIPLINARY CONFERENCE NOTICE (EXTRAORDINARY)
DATE: AUGUST 13, 2019

You were suspended effective July 29, 2019.

You are hereby given notice that you have been scheduled for a Pre-Disciplinary Conference to be held on August 23, 2019 at 11:00 a.m. in the Conference Room at the Central Mississippi Correctional Facility which is located in the Superintendent's Administration Building. The conference is being held to consider whether discipline should be applied under the Mississippi State Personnel Board guidelines for violation of the offense(s) and/or policies listed below. Specifically, disciplinary action is being considered based on the following:

At approximately 1539 hours on July 11, 2019, you and Associate Warden Letunya Coleman responded to a 10-99 call at CMCF Quickbed A Building, C Zone. Video surveillance footage shows that when you entered the zone multiple offenders were assaulting Offender Lisa Courtney #214106. You immediately gained control and began to drag Offender Courtney off of the zone. Correctional Officer Jessica Hill entered shortly after you and immediately began striking Offender Courtney with a can of OC spray as she was being dragged off of the zone and into the foyer.

You followed them into the foyer and witnessed Officer Hill strike Offender Courtney multiple times with the can of OC spray and assisted Case Manager Sheila Pate physically restrain Officer Hill to prevent her from continuing to attack Offender Courtney.

On July 18, 2019, you signed off on incident reports submitted by Commander Teresa Burton and Correctional Officer Latoya Richardson, submitted on July 11, 2019, even though they did not mention the assault on Offender Courtney by offenders or MDOC staff.

Further, you failed to submit an incident report and an Extraordinary Occurrence Report (EOR).

On July 23, 2019, you were interviewed by the Corrections Investigation Division (CID) and provided a written statement. You stated that upon entering the north wing, you noticed that Commander Burton's face appeared swollen and you witnessed a group of offenders punching and kicking an offender who was later identified as Offender Courtney. You stated that you witnessed Officer Hill strike Offender Courtney with a can of OC spray and witnessed Case Manager Pate pull her off of Offender Courtney.

The abovementioned conduct constitutes a violation of MDOC policy and group offense(s) as outlined in the Mississippi State Employee Handbook.

Group III, Number 14: "An act or acts occurring on or off the job job which are plainly related to job performance and are of such nature that to continue the employee in the assigned position could constitute negligence in regard to the Agency's duties to the public or to other State employees"

The Mississippi State Employee Handbook provides that Group II offenses may be disciplined by a written reprimand and/or suspension without pay not to exceed five (5) working days. Accumulation of two (2) Group II offense disciplinary actions, to include written reprimand and/or suspension without pay, within a one (1) year period may result in demotion or dismissal. Accumulation of one (1) Group Two offense disciplinary action, to include written reprimand and/or suspension without pay, and three (3) written reprimands for Group One offenses within a one (1) year period may result in demotion or dismissal.

You have the right to respond in writing to the above allegations. Such written response and other documentation presented on your behalf should be in my possession no later than three (3) days before the conference. *In addition, if you will be bringing legal counsel to the conference, you are required to notify me, the designated hearing officer, at least three (3) working days prior to the conference:*

Winna Hyché
Designated Hearing Officer
Mississippi Department of Corrections
633 North State Street, Jackson, MS 39202
601-359-5685 (fax)

You are directed to appear for the Pre-Disciplinary Conference on the date and time mentioned above. However, you may waive your conference and have a decision made based upon your written statement. Unless you waive your conference in writing, your attendance at the conference is mandatory.

You will remain in your present job status until you receive the final decision of the Agency. A

written determination will be provided to you as soon as possible after the conference.

WH/

PC: Superintendent
Warden, Area
CID
Personnel File

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