

**RULES VIOLATION REPORT**

CDC NUMBER <b>T-22165</b>	INMATE'S NAME <b>SINGH (OTH)</b>	RELEASE/BOARD DATE	INST. <b>MCSP</b>	HOUSING NO. <b>A4-213U</b>	LOG NO. <b>A-10-11-089</b>
VIOLATED RULE NO(S). <b>CCR § 3005 (b)</b>		SPECIFIC ACTS <b>DISOBEYING A DIRECT ORDER</b>	LOCATION <b>FACILITY "A"</b>	DATE <b>10-27-11</b>	TIME <b>0700 HRS.</b>

**CIRCUMSTANCES**  
On October 27, 2011 at approximately 0700 hours, I was conducting research, on the internet and discovered that inmate SINGH, T-22165, A4-213L has been posting confidential CALPIA documents on his blog located on the URL www.BetweenTheBars.org which is owned and registered to an individual named Charles De Tar located in Paris France. (see attachments) Over the past year inmate SINGH was assigned to assist in the creation of CALPIA pre-test training documents to be used in the work training certification process. Prior to this assignment, inmate SINGH had been instructed that the documents used were the sole property of CALPIA and were not to be removed from the worksite. The documents posted on the internet by inmate SINGH cost CALPIA in excess of \$200,000. This information was taken from the worksite and posted on the internet for anyone to access, including companies competing for CALPIA business. This information provides competing companies with unfair business advantages by providing them access to the same information without incurring any cost. Inmate SINGH has been counseled by me in the past for similar offenses of disobeying orders and instructions. Inmate SINGH is aware of this report and IS a patient/participant in the M.H.S.D at the CCCMS level of care.

REPORTING EMPLOYEE (Typed Name and Signature) <b>[Signature], PIA SUPERVISOR</b>	DATE	ASSIGNMENT <b>"A" VOCATIONS</b>	RDO'S <b>S/S/H</b>
REVIEWING SUPERVISOR'S SIGNATURE <b>[Signature]</b>	DATE <b>11-7-11</b>	INMATE SEGREGATED PENDING HEARING DATE _____ LOC. _____	
CLASSIFIED <input checked="" type="checkbox"/> ADMINISTRATIVE <input type="checkbox"/> SERIOUS	OFFENSE DIVISION: _____ DATE <b>11-7-11</b>	CLASSIFIED BY (Typed Name and Signature) <b>[Signature]</b>	HEARING REFERRED TO <input checked="" type="checkbox"/> NO <input type="checkbox"/> SHO <input type="checkbox"/> SC <input type="checkbox"/> FC

**COPIES GIVEN INMATE BEFORE HEARING**

<input checked="" type="checkbox"/> CDC 115	BY: (STAFF'S SIGNATURE) <b>[Signature]</b>	DATE <b>11-7-11</b>	TIME <b>12:15</b>	TITLE OF SUPPLEMENT
<input type="checkbox"/> INCIDENT REPORT LOG NUMBER: _____	BY: (STAFF'S SIGNATURE) <b>[Signature]</b>	DATE	TIME	BY: (STAFF'S SIGNATURE) <b>[Signature]</b>

HEARING

REFERRED TO  CLASSIFICATION  BPT/NAEA

ACTION BY: (TYPED NAME)	SIGNATURE <b>[Signature]</b>	DATE	TIME
REVIEWED BY: (SIGNATURE) <b>[Signature], FACILITY "A" CAPTAIN</b>	DATE	CHIEF DISCIPLINARY OFFICER'S SIGNATURE <b>[Signature], ASSOCIATE WARDEN</b>	DATE
<input type="checkbox"/> COPY OF CDC 115 GIVEN INMATE AFTER HEARING	BY: (STAFF'S SIGNATURE) <b>[Signature]</b>	DATE	TIME

re: 'Confidential Docs'- I was never told these documents were 'top-secret docs/' nor did I ever sign any confidentiality agreement: Can you (S.M.) please refer to my work file and retrieve sign confidentiality agreement?

-where's attachments? when something is 'supposed to be confidential, all parties involved, sign confidentiality agreements! [it's called informed consent doctrine![[

-Logic-his is backwards as there is no such 'instruction re; documents; as he would have to first know I had a blog to tell me the instructions he now asserts; since he claims he 'discovered' blog site on 10/27, it's obvious he's contrived these such 'rules'-why would he give me such 'instructions w/o knowing whether or not I even had a blog; him saying that=cart before the horse **\*\*he's a known document fabricator **\*\*** i.e. Heredia, Martinez, Noe, Williams, Farris)**

~~I was never 'assigned'--the ServSafe test is mandated by an Assembly Bill- (enacted Summer (July) 2011) all workers handling any type of food MUST be ServSafe Certified; so when we were handed the books, I handwrote my own notes (turning/rewording the questions into True false/ from Multiple choice, then studying them everyday; upon Mickelson seeing me vociferously study daily, he asked if I would 'assist others to learn (since passing test MANDATED) and some workers not having even GED-this was very important; so this turned into-would help, by typing your 'crib' notes which simple, efficient ~~xxxx~~ and less dense than the books (like DMV manual); do you mind 'do you mind, if I copy /pass out your notes; to- do you mind 'leading the class'?~~

-Never did he 'instruct' me that my notes are the 'sole property of CALPIA' and not to be removed etc' [as I brought my notes to/from work daily to study them.

-Unfair Business advantage: this 'techie term' originates from Silicon Valley/ corporate stuff NOT on coffee beans-or a test mandated by the ASSEMBLY (public knowledge) or on forklift-when he himself goes onto net to download other companies FREE forklift docs/ videos (general knowledge\_)

-How is the amount \$200,000 arrived at? i.e.(his assertion-'docs posted on the net cost CALPIA)/?? **\*\*Please provide proof-instead of a frivolous (hoolow and falsely inflated claim??**

-Title 15- he knows he is wrong - that's why he says the word 'taken' and not stolen.

-How can I disobey an order he NEVER gave ?? What exactly is the direct order given? or Exactly what rule or infraction is broken?

You (SM) discovered (claim) you discovered blog on 10/27; since you did not know of my blog before hand, how can you give me an order re:'CALPIA soleproperty'

-Inaddition- you knew I took things from work i.e. Not only do I still have the envelopes you gave me the Mojo fliers (for posting, AW meeting/passing) to market MOJO) But I also did the MOJO surveys so well that when the info pack was sent to Sac (PIA HEAD) MR. JOHN GOEUEVIA (Marketing/SALES director called to personally thank me through the phone via SM; also still have 602; safety complaint forms; prev. 602; i/m Contribution/ recommendation form; certificates; (Burgundy folder brought out many times i.e. my resume and marketing MOJO on the institution channels before the movie showings on all prison channels where MOJO is sole (like quotes that are know shown/ replace with flier)

-CALPIA- 'including companies competing for business with CALPIA; companies DO NOT compete with calpia for business-as STATE AGENCIES are the sole recipients and/or of



CALPIA coffee for 2 (two main reasons)

1-there is an obligationary contract to primarily do business with only state agencies because private CANNOT compete with pia hourly wages of less than a dollar an hour) where as private venues must pay at least Federal /State minimum wage (8.25) an hour  
2-Private companies DON'T like being paid with State of California I.O.U.'s especially in this time of budgetary crisis; the debt created by IOUS are a feature of the STATE that keeps private companies AWAY- therefore CALPIA lost nothing

\*\*training-is always on the job---in any restaurant/food place Sersafe -is MANDATORY (AB 7/11)  
OVERTON-is also mandated by OSHA (occupational SAFETY HAZARD ASSN.)

MONETARY sum \$\$200,000 is a inflated figure just the exaggerated words of the 115 in a crude/contrived manner-to prejudice the senior...hearing officer

~~This resulted i.e. hits--- no companies contacted me re: anything.~~

\*\*\*CANADIAN COALITION AGAINST THE DEATH PENALTY v. RYAN 269.F. Supp.2d.1199 (2003) which states--- PRISONERS MAY NOT BE PUNISHED FOR POSTING MATERIAL ON THE INTERNET WITH THE ASSISTANCE OF A NON-INCARCERATED third (3rd) PARTY) ; further the content does not violate any safety/security issues.

\*\*\*Title 15 (3260) Public Access to Facilities and Programs: Correctional facilities are operated at public expense for the protection of society. THE PUBLIC HAS A RIGHT AND A DUTY TO KNOW HOW SUCH FACILITIES ARE BEING CONDUCTED. IT IS THE POLICY OF THE DEPARTMENT TO MAKE KNOWN TO THE PUBLIC, THROUGH THE NEWS MEDIA, AND BY MAKING ITS PUBLIC RECOREDS AVAILABLE FOR REVIEW BY INTERESTED PERSONS, ALL RELEVANT INFORMATIONS PERTAINING TO OPERATIONS OF THE EX DEPARTMENT AND FACILITIES. THE PUBLIC MUST BE GIVEN A TRUE AND ACCURATE PICTURE OF DEPARTMENT INSTITUTIONS AND PAROLE OPERATIONS.

\*\*\*Title 15 (3260.1) The Department shall charge a requester fee of 12 cents per page, plus postage, to duplicate and mail a PUBLIC RECORD AS DEFINED IN THE CALIFORNIA PUBLIC RECORDS ACT, GOVERNMENT CODE SECTIONS 6250, et seq.

\*\*\*Title 15 (3261.7) Cameras and Other Audio or Visual Recording Equipment Devices:  
(a) Staff CANNOT prohibit a person who is NOT on facility property from photographing, filming, videotaping, or otherwise recording any department facilities, employees, inmates, parolees or equipment. i/e/: (Computer Scanner-[Visual Recorder]-..or to otherwise - record ANY...)

\*\*\* Title 15 (3278) Control of Inmates and Parolees: Employees who supervise inmates.. must have training designed to give them knowledge of emotional disturbances common to inmates and UNDERSTANDING OF THEIR OWN FEELINGS, AND THE USE OF SUCH KNOWLEDGE") His SM, lacks any control of/over his feelings and emotions.(as evidenced by the 200, 000 figure written in RVR)

\*\* Same as if I told someone on the phone, in a letter etc; as it's public knowledge ie 3260, 3261.7; 3278

\*\*There were ~~ne~~ never any stipulations and / or clauses made re: my notes (as they were not papers)(documents), or signed statements to such an effect, without any experts, to ascertain such a documents (if they in fact) are even in existence, actually caused 200, 000 in damage would require a legal document expert (forensic documental specialist) to determine. which even exacerbates even more how frivilous the claims are and contrived is clearly appears to be.

\*\*I never posted anything; AN NON-INCARCERATED 3rd party posted whatever is on BLOG.

\*How can he claim that I had access to confidential PIA documents? Then contradict himself by 'admitting' he gave them to me (If they're in existence)

\*SM is not even claiming I stole them/ ? Why even state that you (a civilian staff) gave me (an inmate) any confidential documents at all?? Especially, if it may result (if it's even possible) in a loss of PIA \$\$\$00,000) what type of responsibility is that to relieve of yourself, then place onto an inmate?? This very claim, demonstrates the incompetence, and lack of sainess that SM has.

\*\*If the documents are confidential (as claimed) then he breached his duty (his contractual obligations of employment to CALPIA) and is negligent knowing how tremendously ~~important it is to the/any company CALPIA~~ He is therefore more culpable than he is claiming I am; now his competence should be placed into question and his ability to even function in any capacity with any inmates (since he claims to just simply be handing out confidential documents w/o signed agreements)

\*\* How often does he 'give' access to confidential documents to how many inmates?? Especially since his alleged estimate of loss 200,00;

\*\* Who / What made (does he allege) the documents confidential??

\*\* This is an interest (conflict of interest) If it's \$200,000 then on its face it cannot be determined to be an Administrative 115; anything over \$50.00) by definition is SERIOUS --Therefore as evidence by the officer classifying the RVR; it is not believed in any claim asserted by SM.

\*\*How did he even come across my site?

\*\* What exactly (rule) is he claiming I violated? Took docs/"/?' Violated order/"/'?' by its very definition, RVR-rules violation report--so what code what rule did I break (cause) it is not written; it's also not a rule that I cannot have a blog CCADP v. Ryan; \*\*\$200,000 is a frivolous claim, that makes the house of cards this RVR supports to be cancel its lack of self upon the fabrications asserted.

\*\* It is for the above stated, but not limited reasons that I respectfully request, the RVR be dropped / dismissed

like in re: to 3314 Admin Rule Vio. (g) "The hearing official may find the inmate NOT GUILTY and dismiss the charges.



14th Ammend. guarantee - due process - people must have fair notice of prohibited conduct [must be fairly applied]; must be clear, not ambiguous Gray v. Rockford City 408 US 104 (1972) with a reliance on 'continous requirement that inmates be free from prohibited conduct and unentangled by trappings of poorly delineated prison regulations (not be ambiguous) Hicks v. Oklahoma 447 US 343 (1980)

-this is a prime example of such: an ambiguous document as an attempt to be disciplinary ans is AN ABUSE OF DISCRETION UNDER THE COLOR OF AUTHORITY

-A poor attempt on censorship, Rights to beliefs whether political or not MAY NOT be punished simply because staff disagrees with such beliefs;

Sostre v. McGinnis 442 F.2d 178 (1971) Sczerbaty v. Oswald, 341 F. Supp 571 (1972) any restriction on my right to express my beliefs, staff must satisfy TURNER test; Turner v. Safely- 482 US 78 (1987)

---

-The Supreme Court requires prisons to prove that 'banning' /censoring' material is/was NECESSARY [officials must justify](and show how) to meet Gov't interests in preserving security, rehabilitation-Procurier v. Martinez, 416 US 396 (1974)

-1st Ammend-Freedom of Speech-; Abu-Jamal v. Price, 154 F.3d 128 (1998)-when a rule isn't related to Gov't interests and a 'rule' is enforced, at least in part because of the content of writing and NOT BECAUSE OF SECURITY CONCERNS.

Further: Harrison v. Instl Gang of Investigation, No. C 07-3824, 2010 US Dist Lexis 14944 (ND Ca Feb 22, 2010) Material must be shown to incite violence.