

TDCJ DISCIPLINARY REPORT AND HEARING RECORD

CASE: 2020033983 TDCJNO: 01532092 NAME: WALKER, JASON RENARD EA: 12.7  
UNIT: JA HSNB: 7H22 40 B JOB: I/S MEDICAL SQ 04 IQ: 099  
CLASS: L2 CUST: 04 PRIMARY LANGUAGE: ENGLISH LMHA RESTRICTIONS: NONE  
GRDE: MI / TSM OFF. DATE: 10/08/19 10:00 AM LOCATION: JA GYM  
TYPE: ID

OFFENSE DESCRIPTION

ON THE DATE AND TIME LISTED ABOVE, AND AT JA B GYM, OFFENDER: WALKER, JASON RENARD, TDCJ-ID NO. 01532092, DID POSSESS CONTRABAND, NAMELY, 1 PIECE OF PAPER CONTAINING ANOTHER OFFENDER'S INFORMATION, WHICH IS AN ITEM THAT IS NOT ALLOWED OR ASSIGNED TO AN OFFENDER, AND NOT BOUGHT BY THE OFFENDER FOR HIS USE FROM THE COMMISSARY.

CHARGING OFFICER: GRANTOM, K. COV

SHIFT/CARD: 1 H

OFFENDER NOTIFICATION

IF APPLICABLE INTERPRETER,

TIME/DATE NOTIFIED: 9:05 10/11/19 BY: (PRINT)

YOU WILL APPEAR BEFORE HEARING OFFICER 24 HOURS OR MORE AFTER RECEIPT OF THIS NOTICE. YOU HAVE THE RIGHT TO SUBMIT A WRITTEN STATEMENT AND MAKE A VERBAL STATEMENT. DO YOU WANT TO ATTEND THE HEARING? YES NO IF NO, HOW DO YOU PLEAD? GUILTY NOT GUILTY

OFFENDER NOTIFICATION SIGNATURE: [Signature] DATE: [Date]

BY SIGNING BELOW, YOU GIVE UP YOUR RIGHT TO 24-HOUR NOTICE AND AUTHORIZE THE HEARING OFFICER TO PROCEED WITH THE HEARING.

OFFENDER WAIVER SIGNATURE: [Signature] DATE: [Date]

HEARING INFORMATION

HEARING DATE: [Date] TIME: [Time] INTERPRETER SIGNATURE: [Signature]

EXPLAIN BELOW IF HEARING WAS NOT HELD WITHIN SEVEN DAYS, EXCLUDING WEEKENDS AND HOLIDAYS, FROM THE OFFENSE DATE: [Date]

OFFENDER STATEMENT: [Line]

OFFENSE CODES: 16.0

OFFENDER PLEA: (G, NG, NONE) [ ] [ ] [ ] [ ] [ ] [ ]

FINDINGS: (G, NG, DS) [ ] [ ] [ ] [ ] [ ] [ ]

PUNISHMENT

LOSS OF PRIV(DAYS) [ ] REPRIMAND [ ]

\*RECREATION(DAYS) [ ] EXTRA DUTY(HOURS) [ ]

\*COMMISSARY(DAYS) [ ] CONT.VISIT SUSP THRU [ ]/[ ]/[ ]

\*PROPERTY(DAYS).. [ ] CELL RESTR(DAYS) [ ]

\* [ ] (DAYS) [ ]

OFFENDER SIGNATURE FOR RECEIPT OF FINAL REPORT: [Signature]

HEARING OFFICER (PRINT)

WARDEN

## STATEMENTS OF FACTS

- 1) On 11-23-19 around 3:10am and during breakfast in the dining hall. Pollock confronted prisoner Lawson (also called Lindsey) who lives in cellblock B4-1 10. He threatened to harm Lawson via a promise while Lawson was eating. I told Pollock if I saw him assault anyone I would report him to the media and his superiors. I identified myself as a published journalist.
- 2) Pollock told another white officer that I was the "newspaper nigger" who will rally complaints. Pollock began removing loose items off his person as if he was about to fight. He handed them to the white guard.
- 3) Pollock stood next to Lawson while he ate, then followed him out of the chowhall. As I was on my way out Pollock intentionally slammed the door after elbowing me. I was struck by the door. At this point Lawson moved behind the hallway security gate, to be out of Pollock's reach. I asked Pollock why he hit me; he then said "no good deed goes unpunished". He then grabbed me and tried to slam me on the floor face first.
- 4) Pollock punched me in the face several times, then Williford came out of nowhere and punched me in the head twice. I was pinned against the wall and repeatedly punched by Pollock with body and rib shots. I felt an object hit me in the head, I fell to the ground.
- 5) At this point several black guards that were watching jumped in and kicked me and punched me in the body. While I was pinned on my stomach and as an elbow crushed my neck, choking me out, Pollock bent my left pinky obviously trying to break it. He poked my eyes with an object after my neck was loose enough for me to turn my head. It may as well could have been his finger. I knew it was Pollock because he said he'd blind me as he dug his knee in my spine. My eyes have blotches.
- 6) During the event officer, Sylvester Glaze jr watched and never made an attempt to intervene. During the event I felt a hand pull my pants down, grab my genitals, then attempt to aggressively probe my anus. I screamed for help, then described what had happened under the pile of guards.
- 7) When the portable camera lady showed up the assaulting immediately stopped. One guard tried to sneak and pull my pants back up to avoid camera exposure. Pollock was still sneakily trying to grab and bend my fingers and crush my ribs.
- 8) I was denied medical care by Lt Nesby, then taken to lock up. I wasn't allowed to see a nurse until over nine hours later. To conceal the assault, Pollock wrote a false disciplinary case, saying I punched him in the left eye. The case said he had no injuries.
- 9) Several hours after my placement in lock up a prisoner I didn't know, Fidencio Juarez jr. #1501277 told me he heard Pollock telling another guard that Pollock and Williford tried to knock out my teeth and break my jaw. Juarez wrote a sworn affidavit stating in part "I heard an officer say 'Pollock what happened' I then heard a guard admit that he and officer Williford tried to break someone's jaw and knock their teeth out. When the officer asked who Pollock said 'Walker in 25 cell'. The officer asked what happened. Pollock said 'whatever I say happened wanna be a witness'".
- 10) Juarez' affidavit clearly validates that both Pollock and Williford assaulted me with the sole intent to injure me, unrelated to serving a penological objective, further a governmental interest, or restore order and safety.



11) During the disciplinary hearing for the false case on 12-11-18, counsel sub Mcmillian began writing notes to hearing officer Hill. I asked her if she could read their secret exchange out loud. She ignored me. I said (for the record) let the record reflect that the counsel substitute is passing the hearing officer notes. Mcmillian told me that if she read it out loud it would hurt my chance of being found not guilty. She asked "do you still want me to read it out loud" or something similar. I said no.

12) During the recorded hearing Pollock admitted that he punched me multiple times, but never said if this act was to restore order. Pollock said I held my right fist in the air like I would hit him. He says he gave me several chances to put it down and walk away, but I didn't. Even if that was true I couldn't as he was blocking the door. He then says I punched him in the left eye with my right hand once.

13) Pollock claimed that the punch swoll his eye; he had to get medical care; photos were taken; and witnesses saw everything. He never said who the witnesses were and if they gave statements.

14) Mcmillian failed to produce these witnesses for questioning, collect the photos or verify they exist, and learn if he really sought medical care. Instead Hill found me guilty based on Pollocks word, nothing more.

Hill never analyzed or explained why my witnesses wasnt considered, given that I never hit pollock, but he admitted to hitting me. After the recorder was turned off Hill said he had no control over the unseen documents. Mcmillian said that she didnt know if they even existed. The only evidence presented was the report Pollock wrote.

16) An officer working in the kitchen, who saw everything, wasnt allowed to be called as a witness because I didnt know his name. But video cameras and records verify who he is. Mcmillian said he was an unidentifiable officer, without attempting to locate him.

17) Officer Glaze saw the entire event and went into the hallway to see the beating. During the hearing, Glaze said he didnt see anything because he never left the kitchen. The camera clearly show Glaze leave the kitchen seconds after I was grabbed by Pollock.

18) I appealed the guilty finding but the step 1 was denied, stating no due process violations were found. I filed a step 2 and contacted the counsel substitute program supervisor. On 4-4-19 program supervisor V, Amy Oliver reinvestigated everything. She found that the case had a due process error to wit she stated in a letter "case#20190075590 was identified having a due process error. A request to overturn this case has been submitted..."

19) The case was removed from my record and my demotion to close custody was restored back to medium custody on 4-15-19, four months after the demotion. My goodtime was restored, but I ended up serving the 45 days of recreation restriction and 45 days of commissary restriction.

20) During the recorded disciplinary hearing, Pollock said he was fully aware that the case he wrote could result in me being put in AD-SEG and or charged with felony assault and given more time. Essentially he used retaliation as a means to cover the assault with little regards to the consequences.

21) A month or so before the attack, officer Glaze told me not to say anything to the white guards. He said I was a target because im black and involved in activism. He said "these" white guards are known for assaulting prisoners then "covering it up."

22)Administrative remedies against Pollock,Williford,Glaze and all defendants incidental to this claim have been fully exhausted in grievance#2019048001, grievance#2019049116,and all other grievances linked to the assault.

23)Mcmillian is a counsel substitute.Her job is to notify prisoners that they received a major case,assist them in collecting evidence,marshaling facts, finding witnesses and act as an advocate on their behalf.Since I was in lock up I had no way of effectively conducting duties the counsel substitute is paid to do.And since she failed to collect evidence essential towards determining guilt or innocence,I was found guilty.

24)Hill is the disciplinary hearing captain.He violated my procedural due process rights,substantive due process rights,and conspired with the other defendants by knowingly finding me guilty outside the bounds of an impartial fact finder.

25)He intentionally refused to atleast take the measure to question the officer about evidence he said existed,attempt to have it retrieved,examine other documentary evidence,or question other witnesses concerning the evidence.Given that I presented a witness that refuted the charge against me an impartial fact finder must examine other evidence if it exists or if it is key in bringing him to his decision.Or if it varifies the integrity of the accuser.