

NEW MEXICO
CORRECTIONS DEPARTMENT
DISCIPLINARY DECISION



2B201
CmIS
3/28/14

Major Report: _____ Minor Report: B 16 Dismissed:

Aldaz, Eric NMCD #76942
Log #: NE-14-03-36
DOI: March 12, 2014
DOH: March 19, 2014

The Hearing Officer finds Inmate Aldaz, Eric NMCD #76942 was guilty of a minor level category B 16 based on the following:

1. The written misconduct report issued by Lt. Willard which states, "On March 11, 2014, at approximately 3:00 pm it was discovered Inmate Aldaz had a Facebook page. Aldaz has been advised on previous occasions to contact his family to have them shut the Facebook page down. Aldaz's Facebook page shows him incarcerated at a jail, taking pictures while in visitation. Aldaz has been advised his failure to remove the Facebook page or to contact his family to remove the page would result in the issuance of a misconduct report. Aldaz states he has no way to contact his family and was allowed to call his family to have it shut down. Inmate Aldaz had yet to have the Facebook page shut down.

RECOMMENDED SANCTIONS:

B 16
Reprimand and warning

The Hearing Officer's final decision was based on a thorough review of all evidence and documents submitted in this case.

Sgt. Gonzales *Sgt Gonzales*
Hearing Officer

I have received the recommended decision of the Hearing Officer and I:

Approve Disapprove Modify

[Signature]
AW / DW NENMDF

3/21/14
Date

Comments _____

I have been advised of the Disciplinary decision, provided with a copy of the proceedings and informed of my right to appeal the decision. The appeal must be filed with the Disciplinary Officer (15) fifteen calendar days from the date given to the inmate.

Eric Aldaz
Inmate's Signature

76942
NMCD #

Date copy given to the inmate (within five work days from D.W. decision)

3/21/14

New Mexico Corrections Department
Disciplinary Officer's Findings and Recommendations

Inmate's Name: Aldaz, Eric NMCD #: 76942 Log #: NE-14-03-36

Recommendation and Justification:

Major Level Hearing: _____ Minor Level Hearing: B 16

The Disciplinary Officer recommends this report be heard at a Minor level hearing.

Investigation Complete Date: 03/13/2014 Time: 0800 R. Green *RGreen*
Disciplinary Officer

I received a copy of all Disciplinary material on: Date: 3/13/14 Time: 9:12 AM

You are hereby notified that you have the right and are to appear before the Hearing/Disciplinary Officer on:

Date: 03/17/2014 Time: After 8:00 Location: Disciplinary Office

I request the following Inmate or Staff member to assist me:

1st Choice _____ 2nd Choice _____ 3rd Choice _____

Be prepared with your representative to present witnesses, documents or any other relevant evidence.
(Representatives and witnesses will not be paged.)

ف I hereby waive the right to appear.

ف I hereby waive the notification of hearing.

76942

NMCD #

Eric Aldaz

Inmate's Signature

Witness of Waiver

Witness of Waiver

**NEW MEXICO CORRECTIONS DEPARTMENT
DISCIPLINARY OFFICER'S INVESTIGATION REPORT**

INMATE'S NAME: Aldaz, Eric **NMCD#:** 76942 **UNIT:** 2-B-201
DATE WRITTEN: March 11, 2014 **TIME WRITTEN:** 1555
DATE OF INCIDENT: March 11, 2014 **TIME OF INCIDENT:** 1500
CHARGE(S): B – 16 – Disobeying a lawful order

Date Investigation Began: 03-12-2014 **Time:** 0709 **Log #** NE-14-03-36

Copy issued to Inmate	YES	Use of Force	NO
Time Limits Reviewed	YES	Accuracy of Charges Reviewed	YES
Has Over Charging Occurred	NO	Dates/Signatures	YES
PHD	NO	Advised right to remain silent	YES

INVESTIGATION REPORT:

The Disciplinary Officer conducted a thorough review of all documents and any evidence as per policy.

Inmate Aldaz, Eric NMCD #76942 received a copy of the Misconduct Report.

Inmate was advised of his right to remain silent

Inmate understood his right to remain silent.

Inmate did wish to make a statement that "Called my people, and I don't get along with that person anymore. I am going to talk to my attorney".

Inmate did not wish to name a witness.

Inmate has no priors.

The Disciplinary Officer recommends this report be addressed at a minor level hearing.





