

BP-A288.052
SEP 05

INCIDENT REPORT CDFRM

U.S. DEPARTMENT OF JUSTICE

1768753

FEDERAL BUREAU OF PRISONS

Part I - Incident Report

1. Institution:			
2. Inmate's Name Hashmi, Syed	3. Register Number 60011-054	4. Date of Incident 08/20/2008	5. Time 9:35 am
6. Place of Incident Cell Room Z01-001	7. Assignment Unassigned	8. Unit ZB	
9. Incident PRACTICING, OR USING MARTIAL ARTS, BOXING, OR OTHER		10. Prohibited Act Code(s) 220 <i>203 added by vpc.</i>	
11. Description Of Incident (Date: <u>08/20/2008</u> Time: <u>9:35 am</u> Staff became aware of incident) On the above date at approximately 9:35am I officer Berrios observed via video monitoring Inmate Hashmi #60011-054 in his cell room practicing shadow boxing and other martial arts moves. I approached Cell room Z01-001 to give Inmate Hashmi a direct order to cease his physical actions and to inquire as to why he was performing such activities. Inmate Hashmi stated to me "I AM PRACTICING FOR YOU GUYS".			
12. Typed Name/Signature of Reporting Employee E. Berrios, Senior Officer <i>[Signature]</i>		13. Date And Time 8/20/2008 12:30 pm	
14. Incident Report Delivered to Above Inmate By (Type Name/Signature) <i>[Signature]</i>	15. Date Incident Report Delivered <i>137p/2008</i> <i>8-20-08</i>	16. Time Incident Report Delivered <i>137p</i>	

Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident
Inmate provided affidavit with statement.

18. A. It is the finding of the committee that you:
 Committed the Prohibited Act as charged.
 Did not Commit a Prohibited Act.
 Committed Prohibited Act Code(s) *220, 203*

B. The Committee is referring the Charge(s) to the DHO for further hearing.
 C. The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.

19. Committee Decision is Based on Specific Evidence as Follows:
Direct observation of two officers seeing inmate strike by and perform martial arts. Direct observation of two officers that inmate made threat "I am practicing for you guys" 203 threatening added because described in body of report.

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act)
Committed 220 sentence - 60 days loss of social calls and commissary. Committed 203 loss of social visit for 70 days. If inmate was sentenced to house staff while being moved to a social visit it would risk staff safety.

21. Date And Time Of Action *8/25/08 2:20pm* (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings.)
[Signature]
 Chairman (Typed Name/Signature) *[Signature]* Member (Typed Name) *[Signature]* Member (Typed Name)

Original - Central File Record; Yellow - DHO; Blue - Inmate After UDC Action; Pink - Inmate within 24 Hours Of Part I Preparation

(This Form May Be Replicated Via WP)

Replaces BP-S288.052 Of MAY 94

Part III - Investigation	22. Date And Time Investigation Began 8-20-2008, 1:50: p.m.

23. Inmate Advised Of Right To Remain Silent: You Are Advised Of Your Right To Remain Silent At All Stages Of The Disciplinary Process But Are Informed That Your Silence May Be Used To Draw An Adverse Inference Against You At Any Stage Of The Institutional Disciplinary Process. You Are Also Informed That Your Silence Alone May Not Be Used To Support A Finding That You Have Committed A Prohibited Act.

The Inmate Was Advised Of The Above Right By K.Hampton Lieutenant (Date/time) 8-20-2008, 1:50 p.m.

24. Inmate Statement And Attitude

Inmate Hashmi #60011-054, was read his rights under the Inmate Disciplinary Process and he stated he understood them. Inmate Hashmi #60011-054 was read the incident report and was given a copy of the incident report. Inmate Hashmi #60011-054 provided the following statement:

"I am remaining silent on the accused charge, but the officer didnt give me a direct order. Tell Haas to give me my punishment and not to come see me, no respite.

Inmate Hashmi #60011-054 displayed a fair attitude during the investigation.

25. Other Facts About The Incident, Statements Of Those Persons Present At Scene, Disposition Of Evidence, Etc.

Inmate Hashmi #60011-054 requested no witnesses.

26. Investigator's Comments And Conclusions

Based on the information provided in section 11 of this report and the supporting documentation. I conclude there is sufficient evidence to support code 220.

27. Action Taken

Inmate Hashmi #60011-054 will remain in present programs pending further disposition by UDC.

Date And Time Investigation Completed August 20, 2008/ 2:05 p.m.

Printed Name/signature Of Investigator Keith Hampton


Signature

Lieutenant
Title

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the Name of Allah The Most Gracious The Most Merciful.

I totally deny that events occur as this two-face individual (Berrios) claimed. I was exercising to relieve stress as I normally do and this two-face individual (Berrios) came and asked in a entrapping way "Ah your practicing my?" Neither did he give any orders to stop. ^{work up} Proof of this can be found in the audio recording which the Unit Manager gets a daily transcript of from the FBI.

I don't recognise your legitimacy to ~~no~~ judge me, so send me your punishment and leave me no respite!
Allah the exalted ~~says~~ says: ^{Allah is sufficient for me and in Him do I put my trust.}
"And they ill-treated them for no other reason than that they believed in Allah, Exalted in Power, Worthy of all praise! Him to whom belongs The Dominion of the heavens and the earth, And Allah is witness to all things." (85: 8-9)

The Slave of Allah

Hakimi