

VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT

Page 1 of 1

INMATE'S NAME: Hicks, George		BOOKING NUMBER: 875937	CELL NUMBER: 3C15
SUBJECT: Use of Force		LOCATION: Unit 3C	DATE: 07/08/2012 TIME: 0114
<p>On 07/08/2012 @ approximately 0330 hours I investigated this use of force written by Officer Cella. I find force used as documented by staff very necessary and justified based on inmates overt attempt to cause harm to staff. Inmate Hicks used the handcuffs that staff applied as a weapon and hit Officer Cella as documented. Inmate Hicks attempted to gain a position of advantage over staff. Inmate Hicks was then able to latch onto Officer Cella's badge. Staff redirected him but in doing so caused Inmate Hicks to hit his head on the shelf in his cell as stated. Inmate Hicks continued his attempts to strike staff by either kicking or swinging his handcuffs. At one point Inmate Hicks made contact with Officer Cella in his left index finger when swinging the handcuffs. Officer Lambert assisted as documented. Supervisors arrived and had both officers involved relieved and seen by medical. Responding staff took over as documented. I instructed for Inmate Hicks to be placed into the pro straint chair based on his continued efforts to physically resist staff even after he was escorted out of the block. Once inmate was secured in the PSC as documented by staff he was evaluated by medical, treated and vitals checked. It was determined that Inmate Hicks would be sent out emergency Evac based on his head injury. Inmate Hicks injuries documented. No other staff received any injury.</p>			
OFFICER'S SIGNATURE: Captain N. Hunter		EMP. NO.: 381	DATE: 07/08/12 TIME: 0330

Capt N. Hunter

VOLUSIA COUNTY DIVISION OF CORRECTIONS
Incident Report

PAGE OF

THE INFORMATION BELOW WILL BE FILLED IN COMPLETELY BY THE OFFICER FILING THE REPORT AT THE TIME THE INCIDENT TAKES PLACE. USE VCDC 402 (SUPPLEMENTAL REPORT) FOR CONTINUATION.

SUBJECT: I/M Transport to HMC		DATE: 07/08/2012	TIME: 0130
INMATE'S NAME: Hicks, George		BOOKING NUMBER: 875937	CELL NO.: 3B15
<p>On the above date and it was determined by Medic Hart that I/M Hicks needed to be transported to HMC via emergency transport due to a medical condition. I then informed Operations Supervisor Sgt Reyes that I/M Hicks was to be transported to HMC. I/M Hicks was then transported to HMC by Officer Corly, and Ofc Mendoza. I/M Hicks is a 5'09" 180 pound W/M with current charge of Battery on a Law Enforcement Officer C/Sent. His current address is 701 WINCHESTER ST #9 Daytona Beach FL.</p> <p>NAME: Hicks, George STREET: 701 WINCHESTER ST #9 CITY: Daytona Beach STATE: FL CTY: Volusia ZIP: 32114 RACE: White SEX: Male DOB: 05/24/68 AGE: 44 HT: 5'09" WGT: 180 HR: Bro EYE: Bro</p>			
Reporting Officer: SGT B. West Print Name		Reporting Officer: <i>[Signature]</i> Signature	Employee No.: 625

CORRECTIVE ACTION OR COMMENTS BY HOUSING SUPERVISOR

<i>I/M Hicks returned from HMC 7/8/12 @ 518 hrs secured in 11MP41.</i>	

Housing Unit Supervisor: Print Name <i>Sgt B. West</i>	Housing Unit Supervisor: Signature <i>[Signature]</i>	Employee No.: <i>625</i>
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CORRECTIVE ACTION OR COMMENTS BY SHIFT SUPERVISOR

<i>Documented and handled appropriately as stated above.</i>		

Shift Supervisor: Print Name <i>Capt Hunter</i>	Shift Supervisor: Signature <i>Capt Hunter</i>	Employee No.: <i>301</i>
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REVIEWED

<i>Reviewing Medical Follow-up</i>	
Signature of Warden <i>[Signature]</i>	

3253

VOLUSIA COUNTY DEPARTMENT OF CORRECTIONS
DISCIPLINARY REPORT

DATE: 07/08/2012

INMATE: Hicks, George

NO.: 875937

ORIGINAL CELL: 3C15

NEW CELL: MD01

OFFENSE DESCRIPTION AND NUMBER: #1 Assault on staff, #33 Conduct which disrupts, #27 Refusing to obey,

DETAILS OF OFFENSE (S): On the above date and approximate time Ofc Lambert and myself were giving inmate Hicks, George 875597, 3C15 his scheduled two Officer full restraint shower. Inmate Hicks was placed in handcuffs through the door(double locked), then he was ordered to kneel on his bunk. As we entered the cell inmate Hicks suddenly and aggressively came off the bed and attempted to strike me in the head with the handcuffs. I managed to move as the handcuffs were coming towards my head, causing inmate Hicks to strike me in the shoulder. A code blue staff was called, inmate was ordered to stop resisting several times but continued to assault both Ofc Lambert and myself

DATE AND TIME OF OFFENSE: 07-08-12 0114

WITNESS

CHARGING OFFICER SIGNATURE

C. Cella 1059

PRINT NAME AND NUMBER

Portion below to be completed by investigating officer.

INVESTIGATIVE REPORT

Inmates work assignment at time of offense: none Suspended: Yes ☐ No ☒

On 7/8/12 at approx 2200hrs I informed I/M Hicks of the above charges, and then read to him the above report. After reading the above report I asked I/M Hicks if he would like to make a statement he stated: I wrapped myself w/ a towel I put my hands out to be handcuffed then I was beat up for no good reason. I didn't talk back to staff or anything. Due to the above report DR. Boards are recommended. I/M Hicks is currently in SED lockdown for assaulting Ofc. Belk. I/M Hicks had no job to be suspended.

INVESTIGATING OFFICER SIGNATURE / PRINT NAME AND NUMBER

DATE: 7/8/12 WAS INMATE SEGREGATED: Yes ☒ No ☐

DISCIPLINARY BOARDS RECOMMEND: YES ☐ NO: ☐ INMATE SERVED WITH CHARGES AT 2330 HRS DATE: 7/8/12

INMATE WAIVES 24 HOUR DELAY Refused DATE: 7/8/12 ☒ REFUSED / INV. OFC INITIALS AW

INMATE PROVIDED WITH YELLOW COPY OF REPORT-INV. OFC. INITIALS AW WITNESSES REQUESTED BY INMATE: YES ☐ NO ☐

By signing below I understand and agree to the following: 1) I waive my presence at the boards, 2) due process will be satisfied without my presence, 3) the hearing officer will make a decision based on the facts, evidence and merits of the charging officer's report, 4) I agree to the findings, 5) I have no recourse or appeal.

INMATE SIGNATURE FOR APPEARANCE WAIVER Refused DATE: 7/8/12

NOTE: ANY CHARGES THAT COULD RESULT IN THE LOSS OF STATUTORY GAIN TIME REQUIRE THE INMATE'S APPEARANCE.

3262

VOLUSIA COUNTY DIVISION OF CORRECTIONS
USE OF FORCE REPORT

3262

☒ VCBJ ☐ VCCF

Date: 07-08-12

Time: 0114

Inmate Name: Hicks, George

Booking Number: 875937

Incident Location: Unit 3

Cell Number: 3C15

I. REPORT OF PERSON USING FORCE: (Use VCDC 405 for continuation)

On the above date and approximate time Ofc Lambert and myself were giving inmate Hicks, George 875597, 3C15 his scheduled two Officer full restraint shower. Inmate Hicks was placed in handcuffs through the door(double locked), then he was ordered to kneel on his bunk. As we entered the cell inmate Hicks spontaneously and aggressively came off the bed and attempted to strike me in the head with the handcuffs. I managed to move as the handcuffs were coming towards my head, causing inmate Hicks to strike me in the shoulder. Because the situation was becoming extremely

[Signature] 0001108 1059
Signature of Officer using force ID#

II. MEDICAL EXAMINATION: ☒ YES ☐ NO

☐ No injuries noted

☒ Results are documented in medical file

[Signature] W. SHROCK, EMT-P 7-8-12 0120
Signature of Medical Examiner Date: Time:

III. REPORT OF INVESTIGATION (State fully the findings of the independent investigation-Use VCDC 405 for continuation)

Video: ☐ YES ☒ NO

SEE VCDC 402

Time placed in chair: 0120

Time Hands Placed to Side: N/A

Time out of chair: 0130

4-Point: time in: N/A 4-Point: time out: N/A

W. Hunter
[Signature] Captain 7-8-12
Signature of investigating officer Title Date

IV. WARDEN'S REVIEW:

Level: 1

W. Hunter 154 7-12-12
The force was justified to stop the inmates
assault on staff for their safety.
Warden's Signature Date

V. DIRECTOR'S REVIEW

Use of force is ☒ Approved ☐ Disapproved

[Signature] 7.12.12
Signature of Corrections Director Date

Original to Inmate medical File Yellow Copy to Inmate File Pink Copy to Institution File

VCDC 404 (Revised 07/09) (Supersedes VCDC 401)


**VOLUSIA COUNTY DIVISION OF CORRECTIONS
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SUBJECT: Code Blue Staff

INMATE NAME: Hicks, George	BOOKING NUMBER: 875937
DATE OF INCIDENT: 7/8/2012	TIME: 0114
LOCATION: Unit 3	CELL: 3C15

serious, I began to fear for the safety and the gross possibility of severe bodily injury and or death to either myself or Ofc Lambert. I/M Hicks then grabbed my shirt and badge gaining a position of serious advantage. At this time I delivered a closed fist right strike to inmate Hicks, driving him back into the hygiene shelf area and hitting the back of his head. I then moved forward as inmate Hicks regained his balance and began kicking at me and swinging the handcuffs at both myself and Officer Lambert. Due to the close proximity and inmate Hicks aggressive behavior we had no chance of disengaging. Inmate Hicks continued to swing the handcuffs in an attempt to strike staff but I managed to wrestle inmate Hicks to his bunk. Once I redirected inmate Hicks to his bunk his mattress was not covering the entire bunk, resulting in inmate Hicks landing on his back and striking the steel portion of his bunk. Inmate Hicks continued to fight and managed to strike me with the handcuffs, resulting in a laceration on my left index finger. As I was calling a code blue staff inmate Hicks attempted to bite my hand but was unsuccessful. Ofc Lambert and I were able to secure inmate Hicks on his stomach before staff arrived. Once staff arrived, inmate Hicks was still resisting and fighting. Sgt West ordered me out of the cell and instructed other staff to assist in securing inmate Hicks. It should be noted that inmate Hicks has a history of being assaultive towards staff. On 06-06-12 inmate Hicks assaulted Ofc Belk by striking him in the head with a clip board. His current incarceration is due to battery on a Law Enforcement Officer inmate Hicks is 5'09" 180lbs and in good physical condition. Once inmate Hicks was secured by arriving staff he was escorted out of the block and secured in the PSC. he was immediately treated by medical, and then taken to unit 11 for additional treatment.

	C. Cella	1059	7/8/2012 0114hrs
STAFF SIGNATURE	PRINTED NAME	NUMBER	DATE & TIME

INMATE'S NAME: Hicks, George		BOOKING NUMBER: 875937	CELL NUMBER: 3C15
SUBJECT: Use of force	LOCATION: 3C block	DATE: 07/08/12	TIME: 0114
<p>On the above date and time Off Cella and this officer were in the process of trying to give I/M Hicks his 20ff F/R shower. I/M Hicks was ordered to come up to his door and place his hands out of the chow flap so that he could be restrained. I/M Hicks complied and handcuffs were placed on him and double locked for his safety. Once properly restrained I/M Hicks was ordered to kneel on his bunk so that we could enter the cell and apply the rest of his restraints. Once he complied the order was given to roll his cell door so that we could enter. Upon our entry, I/M Hicks suddenly and aggressively sprang to his feet and raised his arms above his head and tried to strike Off Cella in the face. Off Cella managed to move his head to the side and was struck in the shoulder. At this time I/M Hicks grabbed Off Cella's shirt and was trying to tear his badge off. Off Cella then struck I/M Hicks once in the face causing him to stumble backwards and strike his head on the hygiene shelf. I/M Hicks began to regain his balance as we both moved in to try to secure him. I/M Hicks continued to raise his hands in an attempt to strike the both of us. We were able to grab him and redirect him to his bunk, causing him to land on his back. At this time I/M Hicks still continued to fight in spite of our orders to "stop resisting". I/M Hicks did manage to strike Off Cella once in the hand causing his finger to bleed. At this time I delivered several close fist punches to I/M Hicks upper chest region in an attempt to subdue him out of fear for my safety and that of Off Cella. I/M Hicks then tried to bite Off Cella but was unsuccessful in his attempt. At this time Off Cella was able to reach for his mic and call a "code blue staff". Myself and Off Cella were then able to roll I/M Hicks over. I then secured him to the bunk by placing my right knee on the back of his right shoulder, and placing my left hand in the middle of his back until additional staff responded. Once on scene I was ordered out of the cell by Sgt West and responding staff finished securing I/M Hicks in restraints.</p>			
SRO Lambert # 658			
OFFICER'S SIGNATURE: <i>C. Lambert</i>	EMP. NO.: 658	DATE: 07/08/12	TIME: 0445

VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT

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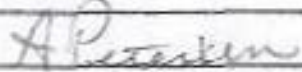
INMATE'S NAME: Hicks, George		BOOKING NUMBER: 875937	CELL NUMBER: 3C15
SUBJECT: Code Blue Staff Unit 3	LOCATION: 3C15	DATE: 07/08/2012	TIME: 0114
<p>On the above date and time I responded to a code blue staff on unit 3. Upon arriving I/M Hicks was still resisting staff. I then had Officer's Corley, and Peterkin relieve Officers Cella and Lambert. I then instructed Officer Peterkin and Corley to re position I/M Hicks handcuffs behind his back so staff could better control I/M Hicks once on his feet. Once I/M Hicks was secured in handcuffs behind his back and leg irons I gave staff the order to assist I/M Hicks to his feet. I/M Hicks once assisted to his feet began to resist staff by pushing and pulling in an attempt to get away from staff. I/M Hicks was instructed by staff and I several times to stop resisting while being escorted out of the block. I/M Hicks however ignored orders from staff and continued to resist. Once out of the block I/M Hicks was secured in the PSC by staff. Once secured in the PSC medical was attempting to evaluate I/M Hicks and I/M Hicks had to be instructed several times to stop moving so he could be evaluated and treated. I/M Hicks however continued to keep moving. I/M Hicks was then taken to the clinic for further treatment.</p>			
OFFICER'S SIGNATURE: SGT B. West 		EMP. NO.: 625	DATE: 07/08/2012 TIME: 0500

VALHISA COUNTY DIVISION OF CORRECTIONS SUPPLEMENTAL REPORT

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SUBJECT: Code Blue Staff			
INMATE NAME: Hicks, George		BOOKING NUMBER: 875937	
DATE OF INCIDENT: 7/8/2012		TIME: 0014 hours	
LOCATION: Unit 3 C-Block		CELL: 3C15	

On the above date and time a code blue staff was called on unit 3. When I arrived on unit 3 I was told that an inmate attempted to assault staff in cell C15. I entered the block and ran to cell 3C15 where I saw inmate Hicks, George #875937 resisting against staff. Inmate Hicks was handcuffed to the front and continued to fight with staff. I assisted by placing both my hands on his back to help secure him to the bed. Inmate Hicks was not listening to any of staff's orders. Once inmate Hicks was secured in leg irons his right arm was released from handcuffs so he can be handcuffed to the rear. Inmate Hicks continued to resist as I placed his right arm behind his back in a hammerlock and secured his right wrist in the handcuffs and double locked them. I repeatedly told inmate Hicks to stop resisting. Supervisory staff gave the order to stand inmate Hicks up and escort him downstairs to be placed in the PSC. I was controlling inmate Hicks left side using a hammerlock transport. Inmate Hicks continued to ignore staff orders and was attempting to get out of my hammerlock transport by pushing and pulling against me. Once we exited C-block inmate Hicks began to kick his feet so staff and I secured him on the wall. Staff and I then escorted inmate Hicks the PSC where I assisted him into the PSC and secured the following straps: the waist belt, left shoulder belt, left soft leg restraints, and the leg belt. No further force used by this officer.

 STAFF SIGNATURE	A. Peterkin PRINTED NAME	1112 NUMBER	7/08/2012 0412 hrs DATE & TIME
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**VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT**

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SUBJECT: Use of Force

INMATE NAME: Hicks, George

BOOKING NUMBER: 875937


DATE OF INCIDENT: 7/8/2012

TIME: 0114

CELL: 3C15

LOCATION: Unit 3

On Sunday 05/17/2012 I Ofc. Corley responded to a Code Blue Staff on Unit 3. Upon arriving at cell 3C15 I observed staff applying restraints to inmate Hicks, George 875937, I assisted in repositioning the handcuffs to the back of the inmate and securing them to his wrists. Once leg irons and handcuffs were applied and all restraints double locked I was instructed by Sgt West to take control of the left side of the inmate. Ofc. Peterkin, who secured the inmates right side and myself then assisted the inmate to his knees and then to his feet giving verbal directives for the inmate not to resist. Once on his feet Ofc. Peterkin and I began escorting the inmate to the pro strain chair using hammerlock escorts, myself on the left Ofc. Peterkin on the right, and continued to give verbal directives for the inmate not to resist. The inmate however, continued to resist, kicking, squirming, and yelling. As we exited C-block the inmate continued to resist attempting to pull free of my hammerlock escort, as we continued to instruct the inmate to stop resisting and secured the inmate to the wall as we waited for the pro-strain chair, we continued to maintain control of the inmate using hammerlock escorts. Once we reached the pro strain chair Ofc. Peterkin and I assisted the inmate into the pro strain chair. Once the inmate was seated in the PSC I secured the following: the right shoulder belt, the right soft leg restraint and assisted securing the waist belt and leg belt. No further force was used or needed by this officer. End of report.

	T. Corley	1121	07/08/2012 0635
STAFF SIGNATURE	PRINTED NAME	NUMBER	DATE & TIME

VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT

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INMATE'S NAME: Hicks, George

BOOKING NUMBER: 876937

CELL NUMBER: 3C15

SUBJECT: Code Blue Staff Unit 3

LOCATION: Unit 3

DATE: 07/08/2012

TIME: 01:14

On the above date and approximate time, I responded to a Code Blue Staff on Unit 3. Upon arriving, I/M Hicks was already secured inside cell C15 by staff members. I/M Hicks was then assisted into the PSC by staff. Once placed into the PSC, I assisted in securing I/M Hicks's head by placing my banded left hand covering his eyes and over the bridge of his nose. At the same time, I supported his head against my abdomen. I then placed my right thumb behind his right ear to deliver pain compliance by using a hollow behind the ear technique if the inmate was non-compliant. I continuously instructed I/M Hicks not to resist while being secured in the PSC, but I/M Hicks continued to resist by attempting to move his head side to side and tightening his arms and legs. Pain compliance was then delivered one time, along with additional verbal commands to stop resisting. Pain compliance was released after I/M Hicks complied. Once I/M Hicks was secured in the PSC, I released the inmate's head with no further use of force. I/M Hicks was then seen by medical personnel.

OFFICER'S SIGNATURE: *J. Weeks*

EMP. NO.: 1092

DATE: 07/08/2012

TIME: 02:45

**VOLUSIA COUNTY DIVISION OF CORRECTIONS
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SUBJECT: Code Blue Staff Unit 3

INMATE NAME: Hicks, George

BOOKING NUMBER: 875937


DATE OF INCIDENT: 7/8/2012

TIME: 0114

CELL: 3C15

LOCATION: 3C15

On 7/08/12 at approx. 0114 I responded to a code blue staff on unit 3C15. I entered 3rd block with several staff and went to the open cell # 15. When I went into the cell I observed Inmate Hicks, George 875937 resisting staff's orders to put his hands behind his back and to kneel on the bunk. He was twisting his body left and right and kicking out with his feet trying to strike staff. Staff secured him in hand cuffs and leg irons and double locked them. He was then escorted out of the block and secured in the pro-strait chair. While he was being secured in the pro-strait chair he continued to resist staff's orders to calm down and be still. He kept trying to move his head around and kick with his feet. After he was secure he resisted medical staff's orders to hold still so they could clean off blood to check him for injuries. He kept moving his head back and forth and side to side all the time medical was trying to check him and clean off blood. He was taken to the clinic and it was determined that he needed to go to HMC for treatment.

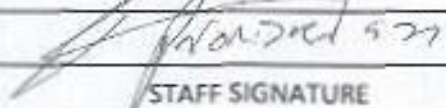
	Sgt. Waddoups	312	7/08/12 0445
STAFF SIGNATURE	PRINTED NAME	NUMBER	DATE & TIME

**VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT**

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SUBJECT: Camera malfunction			
INMATE NAME: N/A		BOOKING NUMBER: N/A	
DATE OF INCIDENT: 7/8/2012		TIME: 0117	
LOCATION: Unit 3		CELL: N/A	

On the above date and approximate time I responded to a Code Blue Staff on Unit 3. Upon arrival the inmate was already secured in restraints by other staff. Capt. Hunter handed me her flip camera and instructed me to begin filming the situation. I pressed the red button to begin recording and it appeared to be working fine. Approximately 15-30 seconds after I thought I began recording the camera shut off on its own. I then brought the camera over to Capt. Hunter and explained what had occurred. In my opinion although I pressed the red record button, I believe it did not register and therefore after the 15-30 seconds then went in to sleep mode due to not being use

	Ofc. P. Norden	977	07/08/2012 2309
STAFF SIGNATURE	PRINTED NAME	NUMBER	DATE & TIME

**VOLUSIA COUNTY DIVISION OF CORRECTIONS
SUPPLEMENTAL REPORT**

SUBJECT: Use of Force

INMATE NAME: Hicks, George

BOOKING NUMBER: 875937


DATE OF INCIDENT: 7/8/2012

TIME OF INCIDENT: 0114

CELL: 3C15

LOCATION: Unit 3

On the above date and approximate time I responded to a code blue staff on unit 3. When I arrived on unit 3 with Sgt West and other responding staff we were quickly let into C block to assist. As I entered the block I observed cell 15s door was opened and I could see officers inside involved in a use of force with inmate Hicks. I quickly made my way upstairs and into cell 15 to assist. As I entered the cell I observed officers Lambert and Cella holding inmate Hicks down onto his bunk. The inmate was already secured to the front with handcuffs. I assisted by holding the inmates legs to the floor to keep him from kicking at staff. I was then handed leg irons which I applied to the inmate's ankles securing them. I then double locked the leg irons to keep them from tightening any further. The inmate's hands were moved from the front to the back and again secured in cuffs by other staff. Staff then brought the inmate to his feet and escorted him down the stairs and out into the hall to be secured in the pro-strait chair. I assisted in securing him into the chair by securing the inmate's legs. I did so by placing my right foot over the leg iron chain to keep then inmate from kicking out at staff. Once staff secured all other belts and restraints on the chair, I applied the center cinch strap to complete the securing of the inmate in the chair. No further force was needed by this officer.

Employee Signature: 

Date: 7/8/2012

Time report written: 0340

Employee Print Name: J. Moore

Employee Number: 722

Revised 2011

VCDC 403