



**Request for Inclusion or Revision to an  
Administrative Directive**  
Connecticut Department of Correction

CN 1301  
REV  
07/25/15

Administrative Directive Number: **9.5**

Title:

**Code of Penal Discipline**

☒ I recommend the following inclusion or revision to the above referenced Administrative Directive (provide detailed explanation):

Due to the review and revisions made to Administrative Directive 6.9, Collection and Retention of Contraband and Physical Evidence, the following information will need to be added to the above mentioned directive to ensure that the all applicable requirements demonstrate continuity throughout each administrative guideline:

Add under the Authority and Reference section the following case law:

Shabazz v. Warden, No. CV 14-4006573

Thomas v. Butkiewicz, 2016 WL 1718368, Civil Action No. 3:13-CV-747 (JCH)

Include in Definitions and Acronyms:

**Physical Evidence.** Anything including, but not limited to, a written record, videotape/disc, digital image, photograph, audio recording, any tangible item(s) or substance(s) and biological, or forensic material that may assist to substantiate or refute any criminal, administrative, charge(s) or allegation(s) to include potential litigation.

Include in the following verbiage in **AD 9.5, Section 24: Pre-hearing Investigation.**

If the accused inmate, or witness/witnesses, requests video evidence pertaining to the alleged offense or disciplinary process the Disciplinary Investigator shall collect, review and retain such video in accordance with Administrative Directive 6.9-Collection and Retention of Contraband and Physical Evidence.

**NOTE: CONTINUED ON SEPARATE PAGE**

☒ See attached documents

**ORIGINATOR**

Name: *Mark Bonaventura*

Title: *CCS*

Date: *12-21-16*

Signature: *Mark Bonaventura*

Facility/Unit: *OSP*

**UNIT/DISTRICT/DIVISION RECOMMENDATIONS**

Approved

Denied

☐☐

Unit Administrator's signature:

Date:

☐☐

District Administrator's signature:  
(only needed if originating from facility)

Date:

☒☐

Division Administrator's signature: *[Signature]*

Date: *12/21/16*

Reviewed by:

☒

Office of Standards and Policy Staff signature: *[Signature]*

Date: *12-21-16*

**COMMISSIONER'S DECISION**

This request is:

☒ **APPROVED**

☐ **DENIED**

Effective date of request:

*1/3/2017*

☐

The language/provisions of this inclusion/revision shall be effective as of and subsequently added to the Administrative Directive at the next update:

☐

This inclusion/revision shall be added to the Administrative Directive prior to:

☐

This inclusion/revision shall be added immediately to the Administrative Directive.

Commissioner's signature: *[Signature]*

Date: *1/3/17*



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CN 1301  
REV  
07/25/15

Administrative Directive Number: AD 9.5

Title: **Code of Penal Discipline**

Include in the following verbiage in **AD 9.5, Section 25 Advocate:**

If the accused inmate, or witness/witnesses, requests video evidence pertaining to the alleged offense or disciplinary process the Advocate shall collect, review and retain such video in accordance with Administrative Directive 6.9-Collection and Retention of Contraband and Physical Evidence.

Include in the following verbiage in AD 9.5, **Section 28 Hearing Officer:**

If the accused inmate, or witness/witnesses, requests video evidence pertaining to the alleged offense or disciplinary process the Disciplinary Hearing Officer shall collect, review and retain such video in accordance with Administrative Directive 6.9-Collection and Retention of Contraband and Physical Evidence