



**FACT PATTERN #2 –
BLAKE MORAN V. RONNIE BAKER**

STIPULATIONS

Procedural matters

1. Federal Rules of Civil Procedure and Federal Rules of Evidence apply.
2. All witnesses called to testify who have identified the parties, other individuals, or tangible evidence at deposition or prior testimony will, if asked, identify the same at trial.
3. Deposition testimony is given under oath and contains a full and complete description of all material events that occurred, and all witnesses agree that the statements given are a full and complete statement without errors or additions.
4. All reports and statements were signed under oath.
5. Each party will call one witness. Witnesses may be played by students of any gender. The Plaintiff will call Mack B. The Defense will call Ronnie Baker.
6. Blake Moran and Mack B are the same gender.
7. Due to Blake Moran's injuries, they are unable to testify and have been deemed unavailable.
8. Corey Jackson is currently incarcerated in Florida and is unable to be transferred. Jackson has been deemed unavailable.
9. Other than what is provided, there is nothing unusual that would detract from the background information of any of the witnesses that would bolster or detract from their credibility.
10. This competition does not permit a witness to invent a material fact. For clarity's sake, a material fact is a fact that would influence an element or defense in a substantive way to make it unfair for another team to provide a fair rebuttal. Invention of individuals is fair as long as they do not affect each parties' burdens.
11. "Beyond the record" will not be entertained as an objection.
12. All exhibits are considered authentic.
13. Jurisdiction is established. No challenges to jurisdiction shall be entertained.
14. The trial is taking place on September 13, 2022.
15. Pretrial motions can consist of any evidentiary argument made for either side. Each side will have a total of five (5) minutes to do so. Each side will also have a total of five (5) minutes to argue the jury instructions prior to closings. Additional time may be granted at the discretion of the presiding judge for pre-closing motions pertaining to the jury

instructions. No motions to suppress evidence on the grounds that it was obtained in violation of the Fourth or Fifth Amendment were brought prior to trial. No such motions will be entertained or serve as grounds for exclusion at trial.

16. This competition does not allow outside case law for argument.

Substantive Matters

1. The defense may adopt any theory of defense it so chooses.
2. Exhibit E and F are stipulated admissible without objection.
3. Exhibit K was marked by Mack B.
4. Exhibit L was marked by Ronnie Baker.
5. Mack B can recognize and identify Exhibits D, E, H, I, J, and K.
6. Mack B knows of Corey Jackson's convictions and can recognize Exhibit C.
7. Mack B was involved in the Internal Affairs investigation into Ronnie Baker. During an interview Exhibit F was left on the table and Mack B read the memo when the investigator left the room. Mack B can recognize and identify Exhibit F.
8. Ronnie Baker can recognize and identify Exhibits A, B, C, D, F, G, H, I, J, and L.

EXHIBIT LIST

Exhibit A	Email
Exhibit B	Academy Syllabus
Exhibit C	Criminal Record
Exhibit D	Criminal Record
Exhibit E	Letter
Exhibit F	Notice of Investigation and Notes
Exhibit G	Database Screenshot
Exhibit H	Misconduct
Exhibit I	Misconduct
Exhibit J	Diagram of Yard
Exhibit K	Diagram of Yard
Exhibit L	Diagram of Yard

UNITED STATES DISTRICT COURT
In The MIDDLE DISTRICT OF PENN'S ISLE

Blake Moran

Plaintiff,

Vs.

Ronnie Baker,

Defendant.

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Blake Moran, by and through their attorneys, respectfully allege at all times mentioned herein that:

THE PARTIES

1. Blake Moran resides at 727 Grant way, Washington, State of Columbia. Plaintiff brings this action to hold Defendant Ronnie Baker (“Defendant”) accountable for the injuries of Blake Moran while Blake Moran was incarcerated at State Correctional Institution - Jamestown on January 27, 2021.
2. Defendant Baker is an individual who resides at 833 Burlap Drive, Jamestown, State of Penn’s Isle where they may be served with process.

FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION

3. On January 27, 2021, Blake Moran was severely injured by an inmate, Corey Jackson, while incarcerated at State Correctional Institution – Jamestown (“SCI-Jamestown”) in Jamestown, Penn’s Isle during a fight at the prison.

4. Blake Moran was an inmate at SCI Jamestown. Blake was incarcerated after pleading guilty to Second-Degree Murder in 2011. Blake was a good inmate, who was aiming on getting an early release due to good behavior.
5. Ronnie Baker began their career as a correction's officer on March 13, 2020. During this time, training was moved from an in-person format to an online format. Baker began their ninety (90) day probationary period on June 13, 2020. After successfully completing their probationary period, Baker was placed on the B Block of SCI-Jamestown on September 11, 2020.
6. B Block is considered medium security. There are multiple levels of security at SCI-Jamestown including minimum, medium, maximum, and restricted. There are also multiple classifications of inmates including single-cell status, which means that the inmate cannot have a cellmate due to medical issues or prior violence. All inmate statuses are available to corrections officers through the prison inmate database.
7. Blake Moran was on B Block with no additional classifications on January 27, 2021. Moran was released on his maximum date of November 27, 2021.
8. Corey Jackson is an inmate at SCI-Jamestown and was an inmate on B Block at SCI-Jamestown on January 27, 2021.
9. Mack B was an inmate at SCI-Jamestown on B Block on January 27, 2021.

JANUARY 27, 2021

10. On January 27, 2021, CO Baker, as well as five other corrections officers, was stationed in the recreational area ("yard") to patrol the area and monitor the B Block inmates during their recreation time.
11. B Block was released into the Yard at their scheduled time from 1:00pm to 3:00pm.

12. Prior to B Block being released, CO Baker was to do a perimeter walk of the Yard to ensure there was no contraband in the Yard.
13. During the recreation time, Mack B and Moran were playing basketball on the edge of the Yard when suddenly Jackson rushed Moran, tackling him to ground. Jackson and Moran engaged in a fist fight when Jackson reached for a bag on the fence line by the basketball court. Jackson stabbed Moran.
14. Mack B alerted the guards of the fight and a lockdown ensued.
15. Moran was rushed to the prison's medical department where he was held for two weeks due to his injuries.

CAUSE OF ACTION: FAILURE TO PROTECT

16. The allegations set forth in paragraphs 1 through 15 of this Complaint are re-alleged and incorporated by reference as if fully set forth herein.
17. On January 27, 2021, Moran was severely injured by inmate Jackson.
18. Due to Baker's failure to react and protect Moran, Moran was stabbed in the neck, which severed Moran's vocal cords.
19. Prior to the altercation, Moran was aiming to be released from prison on March 13, 2022. However, because of the altercation, Moran was given a misconduct and was unable to petition for a good behavior release.

PRAYER

WHEREFORE, the Plaintiff demands judgment against the Defendant, together with the costs and disbursements of this action, judgement in favor of the Plaintiff in a sum adequate to compensate Plaintiff for their injuries, including ongoing medical expenses.

Dated: December 1, 2021

Dixon and Leydig, PLLC

/s/ Stevie McCord
Stevie McCord, Esq.
506 Woodstock Avenue
Jonas, Penn's Isle 17154
555-584-7864
smccord@D&L.com

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Plaintiff's Original Complaint has been electronically filed and served to Ronnie Baker on this 1st day of December, 2021.

BY: /s/ Stevie McCord Esq.

UNITED STATES DISTRICT COURT
In The MIDDLE DISTRICT OF PENN'S ISLE

Blake Moran

Plaintiff,

Vs.

Ronnie Baker,

Defendant.

ANSWER

JURY TRIAL DEMANDED

TO THIS HONORABLE COURT:

COMES NOW, Defendant Ronnie Baker, and files this its Original Answer in response to Plaintiff's original Complaint. The foregoing paragraph numbers mirror that of Plaintiff's original Complaint.

ANSWER TO PLAINTIFF'S ALLEGATIONS

1. Defendant is without knowledge or information sufficient to either admit or deny the allegations contained in this paragraph, therefore denies the same.
2. Admitted.
3. Defendant denies the allegation contained in this paragraph.
4. Defendant admits and denies in part. Defendant admits that Plaintiff was an inmate at SCI Jamestown due to pleading guilty to Second-Degree Murder in 2011. Defendant denied the remaining allegations.
5. Admitted.
6. Admitted.

7. Admitted.
8. Admitted.
9. Admitted.
10. Defendant denies the allegations contained in this paragraph.
11. Defendant denies the allegations contained in this paragraph.
12. Defendant denies the allegations contained in this paragraph.
13. Defendant denies the allegations contained in this paragraph.
14. Defendant denies the allegations contained in this paragraph.
15. Defendant denies the allegations contained in this paragraph.
16. This paragraph is an incorporation paragraph and does not warrant a response.
17. Defendant denies the allegations contained in this paragraph.
18. Defendant denies the allegations contained in this paragraph.
19. Defendant denies the allegations contained in this paragraph.

PRAYER

WHEREFORE, the Defendant, Ronnie Baker, requests that upon final trial that Defendant have judgement that Plaintiff take nothing by their suit, that defendant be discharged from any and all liability, that Defendant recover court costs and for such other and further relief, at law or in equity, general or special, to which Defendant may show itself justly entitled.

Dated: February 1, 2022

Penn's Isle Office of Attorney General

/s/ Daisy Grant
Daisy Grant, Esq.
Deputy Attorney General
1121 Geneva Blvd.
Centre City, Penn's Isle 15151
dgrant@PIOag.gov

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendant's Original Answer has been electronically filed and served to Stevie McCord, Esq. on this 1st day of February 2022.

BY: /s/ Daisy Grant

DEPOSITION OF "MACK B"
MARCH 15, 2022

1 Q: Please state your name for the record.

2 A: I go by Mack B.

3 Q: Please give your full, government name.

4 A: I can't do that, I am under protection.

5 Q: Okay, where do you currently live?

6 A: I'm in prison.

7 Q: What prison?

8 A: Jamestown.

9 Q: Is that State Correctional Institution Jamestown?

10 A: Yeah.

11 Q: What are you incarcerated for?

12 A: Theft by deception and Embezzlement.

13 Q: Do you know Blake Moran?

14 A: Yeah.

15 Q: How do you know Blake?

16 A: They're my cell-y. Kinda like my roommate for the past 5
17 years.

18 Q: When is the last time you saw Blake?

19 A: Probably when he got knifed, we were both moved into
20 protective custody after that.

21 Q: Why were you put in protective custody?

1 A: Let's just say.. I had some information that put me in
2 danger, so I made a case for protection.

3 Q: What kind of information?

4 A: I helped with the Baker investigation.

5 Q: Is that what this letter refers to? (**EXHIBIT E**)

6 A: Yeah.

7 Q: Okay, why was Blake put in protective custody?

8 A: Seriously? Because Jackson beat him up and stabbed him in
9 the throat???

10 Q: When was that?

11 A: January 27, 2021.

12 Q: What happened on January 27, 2021?

13 A: There was a fight and Moran got really hurt.

14 Q: Where were you both when the fight happened?

15 A: We were on the basketball court in the Yard, we always go
16 there for rec time. Normally it's just us, no one else on B
17 Block likes to play, they'd rather work out or just hang
18 outside. So, we go over there and mind our own business. We
19 normally have a CO or two around since it's by the fence.

20 Q: Were the guards or correctional officers around on January
21 27, 2021?

22 A: Yeah, there was probably like 4 or 5 in the whole yard, and
23 2 by the basketball court.

24 Q: Was one of those guards Ronnie Baker?

1 A: Yeah.

2 Q: I'm showing you a diagram, what is this? (**EXHIBIT J**)

3 A: Looks like a diagram of the Yard.

4 Q: Can you mark on that diagram where the guards were on

5 January 27, 2021?

6 A: Okay.

7 Q: And which of these marks is where Ronnie Baker was on that

8 date?

9 A: Right here.

10 Q: So, Ronnie Baker was the closest to you on January 27?

11 A: Yeah, normally Baker is over by the weight section where

12 Jackson hangs out, but that day Baker was there.

13 Q: What was Baker doing standing by the courts?

14 A: Walking back and forth on the fence line, like pacing.

15 Q: Is that normal?

16 A: No, normally they stand and just watch. Sometimes, they

17 will talk with us, and we will joke around, but never just

18 pace back and forth. I think Baker was nervous or something.

19 Q: What happened while you were playing basketball?

20 A: Moran and I were playing HORSE and all of a sudden Moran

21 was on the ground and Jackson was on top of Moran. I didn't

22 hear or even see Jackson coming. Then, I think Jackson must

23 have grabbed something from by the fence, because Moran was

24 bleeding really bad from the neck. It was crazy, I mean I have

1 seen fights in prison before, but it's been at least a year
2 since the last one.

3 Q: Where was Baker during this?

4 A: I didn't see Baker until I yelled for the guards to come.
5 It was like no one wanted to help! The CO's took forever to
6 get to them to break them up.

7 Q: Did you try to break them up?

8 A: No, I wasn't going to get in the middle of that.

9 Q: Why did Jackson attack Moran?

10 A: I think because Moran was going to blow the lid on his
11 hooch business.

12 Q: Hooch business?

13 A: Yeah, Jackson was making hooch and selling it to the other
14 inmates.

15 Q: Where would Jackson get the supplies from?

16 A: I always heard Baker was giving it to Jackson.

17 Q: Who told you that?

18 A: Moran did.

19 Q: When did Moran tell you that?

20 A: Probably a week before the fight, Baker had been going
21 around getting business and wanted to recruit Moran, but Moran
22 was trying to get out on good behavior.

23 Q: What would have happened if Moran worked with Baker?

1 A: Moran would have been ineligible for the early release. If
2 caught, Moran would have been given a misconduct. Which I
3 guess was given anyway.

4 Q: What do you mean?

5 A: After the fight, Moran and Jackson got a misconduct for
6 fighting.

7 Q: Did that have any impact on Moran's release?

8 A: Yea, Blake couldn't get out until the maximum release date
9 because of it.

10 Q: Who gave Blake the misconduct?

11 A: Baker did. I saw both misconducts, it was stupid.

12 Q: Why did Jackson attack Moran?

13 A: I don't really know, I guess Corey and Blake had been
14 talking earlier in the week because Jackson was Baker's
15 recruiter for the contraband run and Jackson needed more
16 supplies for the hooch.

17 Q: Was Moran talking to anyone about Baker's contraband
18 running?

19 A: Blake was telling me, but I don't know who else was told
20 about it. Not like Blake was a quiet person.

21 Q: What do you mean?

22 A: Blake had been in the prison for a long time. Blake wanted
23 people to respect the process and they would get out sooner.
24 Moran helped people realize that and actually got some people

1 out earlier on good behavior by being a sponsor of some sort.
2 Moran hated when anyone broke the rules because there was
3 always a chance that it ruins the chance for early release.

CERTIFICATION: I, Mack B, declare under penalty of perjury
that the foregoing is true and correct. Executed on March 15,
2022.

Signed: *Mack B*

DEPOSITION OF RONNIE BAKER
MAY 4, 2022

1 Q: Please state your name for the record.

2 A: My name is Ronnie Baker.

3 Q: Are you currently employed?

4 A: Yes, I am a correctional officer 1 at SCI-Jamestown.

5 Q: How long have you been a correctional officer?

6 A: A little over two years, I started in March of 2020.

7 Q: Any reason you haven't been promoted to a level two

8 correctional officer then?

9 A: I guess I just haven't been promoted.

10 Q: Isn't it normal procedure to be promoted after 18 months as a

11 correctional officer with no disciplinary action?

12 A: Yes, it is.

13 Q: Does it have anything to do with the ongoing Internal Affairs

14 investigation?

15 A: It might, I don't have any information on that.

16 Q: What block are you assigned to?

17 A: Block C.

18 Q: What level security is Block C?

19 A: Minimum.

20 Q: Were you a correctional officer on January 27, 2021?

21 A: Yes, I was.

22 Q: Were you assigned to Block C then?

1 A: No, I was assigned to Block B then.

2 Q: How many inmates were on B Block?

3 A: Approximately 30, give or take one or two. We max out at 30.

4 Q: What training did you receive to become a correctional
5 officer?

6 A: I went to Corrections Academy, which is a four-week course of
7 study that is certified by the Penn's Isle Department of
8 Corrections.

9 Q: What do you learn at Corrections Academy?

10 A: Really, it's just to prepare corrections officers for the
11 first year of their career, so they teach handcuffing,
12 transporting inmates, self-defense, firearms, and other skills
13 needed.

14 Q: Were these classes held in person?

15 A: No, I started right when the COVID-19 Pandemic shut
16 everything down so almost everything was through Zoom.

17 Q: What are your normal duties when you are on a shift at SCI-
18 Jamestown?

19 A: Typically, I clock in and go to briefing where they tell us
20 about any updates from the previous shift. Then I check my email
21 and the inmate roster to see if there were any changes.

22 Q: What kind of changes?

23 A: Bunk changes, cell changes, and status changes typically.
24 Sometimes there are notes, but that's a bit rarer.

1 Q: What do you mean by status changes?

2 A: There are multiple different status an inmate can hold.

3 Generally, you see single cell status the most on a medium
4 security block.

5 Q: What does single cell status mean?

6 A: That for one reason or another, the inmate cannot have a cell
7 mate under any conditions. The reasons vary from mental health,
8 medical needs, to previous violent behavior.

9 Q: Were any of the inmates on B Block on January 27, 2021, on
10 single cell status?

11 A: Just one, Corey Jackson. Corey - I mean - Inmate Jackson had
12 been placed on single cell status that day. It was up to my
13 shift to transfer Jackson to a new cell.

14 Q: Do you know why Jackson was on single cell status?

15 A: Inmate Jackson had got into an altercation with a previous
16 cell mate that resulted in the cell mate being taken to the
17 infirmary for puncture wounds. This actually took me by surprise
18 because Jackson is actually a really helpful and smart inmate.
19 Jackson wouldn't just have an outburst, there would have to be a
20 reason for it. Jackson is really just too smart to do something
21 without a plan or being told to do it.

22 Q: Were there any notes?

23 A: I think there was one about an unspecified threat to an
24 inmate. We get those all the time. Inmates will claim that they

1 are in danger and petition for protective custody. Normally it's
2 unfounded by our security team. We are supposed to watch them a
3 little more when that investigation is happening, but like I
4 said we get them all the time.

5 Q: After you check the database, what do you do?

6 A: I start my rounds of the block. Typically, I will walk around
7 the block about 3 times and then check in at the security desk.
8 After that I go to my station until recreation hour.

9 Q: What time was the recreation hour on January 27, 2021?

10 A: 1300 hours to 1500 hours.

11 Q: What are your duties during the recreation hour?

12 A: First, I have to do a perimeter walk of the recreation yard.
13 Basically, I walk the fence line to make sure that there is no
14 contraband.

15 Q: Did you do that on January 27, 2021?

16 A: I did, I actually had a little more time that day because we
17 had an extra Officer on duty training. So, that officer was able
18 to relieve me from my block post about 15 minutes earlier than
19 usual.

20 Q: About when did you perform the perimeter walk?

21 A: 1230 hours.

22 Q: Because you had 15 more minutes, how many times did you walk
23 the perimeter on January 27, 2021.

24 A: Twice.

1 Q: What do you do after you perform the perimeter walk?

2 A: I go to my post, which is normally the weight area.

3 Q: Did you go to the weight area on January 27, 2021?

4 A: No, because we had that extra officer, I was posted by the

5 basketball court.

6 Q: How many officers are normally in the recreation yard?

7 A: Six.

8 Q: Where are they normally stationed?

9 A: One at the door to back into the institution, one walking the

10 perimeter, one at the weight room, one at the basketball court,

11 one in the field, and one at the picnic area.

12 Q: Where was the extra officer stationed?

13 A: At the weight area, and then we all shifted and had an

14 officer in between the picnic area and the basketball court.

15 Q: I am showing you a diagram, what is this? **(EXHIBIT J)**

16 A: That looks like a diagram of the yard.

17 Q: Can you mark where officers were stationed on January 27,

18 2021?

19 A: Sure.

20 Q: Which of these marks is you?

21 A: This one.

22 Q: How did your shift end on January 27, 2021?

23 A: With a fight between two inmates, I had never seen one before

24 so it was terrifying.

1 Q: What happened?

2 A: I was watching the basketball courts when I saw another
3 inmate, Corey Jackson, run over from the weight area and tackle
4 Blake Moran.

5 Q: Were you alarmed when Jackson ran over from the weight area?

6 A: No, I mean we don't allow running in the Yard, but this was
7 pretty normal. Jackson tends to play basketball with the inmates
8 at some point during the recreational time.

9 Q: Did you yell at Jackson to stop running?

10 A: No, I was going to tell Jackson at the basketball court, I
11 figured that would be easier than yelling.

12 Q: What did you do when you saw Jackson tackle Moran?

13 A: It all happened so fast. I hadn't seen a fight in person
14 before I am familiar with Jackson so I wasn't sure what to do. I
15 think I called for the officer nearest to me to come help. Like
16 I said, it all happened so fast and it happened even faster once
17 I saw the blood.

18 Q: What blood?

19 A: Jackson must have had something hidden. Moran's neck started
20 bleeding really bad so I stopped and radioed for a lockdown and
21 for the medical team to get to the yard.

22 Q: What does calling for a lockdown do?

23 A: We learned in training that if there is a physical
24 altercation, to call for a lockdown and then attempt to separate

1 the inmates. A lockdown basically stops everything. A loud alarm
2 is sounded, the inmates are to drop to their stomachs and lay
3 still and all guards are put, well, on guard.

4 Q: Did Moran and Jackson stop fighting and get on their
5 stomachs?

6 A: No, by that point the new officer had split them up and was
7 applying first aid to Moran while the officer from the picnic
8 area was restraining Jackson.

9 Q: Were any other inmates around?

10 A: No, Moran was playing basketball by himself.

CERTIFICATION: I, Ronnie Baker, declare under penalty of perjury
that the foregoing is true and correct. Executed on May 4, 2022.

Signed: *Ronnie Baker*

Blake Moran

Plaintiff,

Vs.

Ronnie Baker,

Defendant.

**FINAL JURY
INSTRUCTIONS**

BURDEN OF PROOF

Blake Moran has the burden of proving the claim by a preponderance of the evidence. “Preponderance of the evidence” means the greater weight of the evidence. It is such evidence that when weighed against the opposing evidence persuades you that the claim is more probably true than not true. In the absence of such proof, Moran cannot prevail as to that claim. If the evidence appears to be equally balanced, or if you cannot say on which side it weighs heavier, then you must resolve that questions against Moran who has the burden of proof.

DIRECT AND CIRCUMSTANTIAL EVIDENCE

Evidence may be direct or circumstantial. Direct evidence is direct proof of a fact, such as testimony by a witness about what the witness personally saw or heard or did. Circumstantial evidence is proof of one or more facts from which you could find another fact. You should consider both kinds of evidence. The law makes no distinction between the weight to be given to either direct or circumstantial evidence. It is for you to decide how much weight to give to any evidence.

SECTION 1983

Plaintiff, Blake Moran, is suing under Section 1983, a civil rights law passed by Congress that provides a remedy to person who have been deprived of their federal constitutional rights under color of state law.

Plaintiff must prove both of the following elements by a preponderance of the evidence:

- 1) Ronnie Baker acted under color of state law.
- 2) While acting under color of state law, Baker deprived Moran of a federal constitutional right.

I will now give you more details on action under color of state law, after which I will tell you the elements Moran must prove to establish the violation of the federal constitutional right.

ACTION UNDER COLOR OF STATE LAW - NOT IN DISPUTE

The first element of Moran's claim is that Baker acted under color of state law. This means that Plaintiff must show that Defendant was using power that they possessed by virtue of state law.

A person can act under color of state law even if the act violates state law. The questions is whether the person was clothed with the authority of the state, by which I mean using or misusing the authority of the state.

By "state law," I mean any statute, ordinance, regulation, custom or usage of any state. And when I use the term "state," I am including any political subdivisions of the state, such as county or municipality, and also any state, county or municipal agencies.

Because Baker was an official of Penn's Isle at the relevant time, I instruct you that Baker was acting under color of state law. In other words, this element of Moran's claim is not in dispute, and you must find that this element has been established.

FAILURE TO PROTECT

Prison officials have a duty to protect inmates from violence at the hands of other prisoners. In this case, Plaintiff, Blake Moran, claims that Defendant, Ronnie Baker, violated the Eighth Amendment to the United States Constitution by showing deliberate indifference to a substantial risk of serious harm to Plaintiff. Specifically, Moran claims that Baker failed to protect Moran from another's inmate attack.

In order to establish this claim for violation of the Eighth Amendment, Plaintiff must prove each of the following three things by a preponderance of the evidence.

1. There was a substantial risk of serious harm to Moran – namely, a substantial risk that Moran would be attacked by another inmate.
2. Baker was deliberately indifferent to that risk.
3. Moran would have suffered less harm if Baker had not been deliberately indifferent.

To show deliberate indifference, Plaintiff must show that defendant knew of a substantial risk that Plaintiff would be attacked, and that Defendant disregarded that risk by failing to take reasonable measures to deal with it.

Plaintiff must show that defendant actually knew of the risk. Plaintiff need not prove that Defendant knew precisely which inmate would attack Plaintiff, so long as Plaintiff shows that Defendant knew there was an obvious, substantial risk to Plaintiff's safety.

If Moran proves that there was a risk of serious harm to them and that the risk was obvious, you are entitled to infer from the obviousness of the risk that Baker knew of the risk. However, Defendant claims that even if there was an obvious risk, Defendant was unaware of that risk. If you find that Defendant was unaware of the risk, then you must find that Defendant was not deliberately indifferent.

TO: Ronnie Baker [Rbaker@gmail.com]
FROM: Penn's Isle DOC [admin@PIDOC.gov]
DATE: March 10, 2020
SUBJECT: Welcome to the DOC and DOC Academy

Ronnie Baker,

Welcome to the DOC! We are excited to have you as a Correctional Officer 1 at SCI-Jamestown. During your first couple weeks of employment, you will simultaneously be in Academy and be posted with SCI-Jamestown.

You will be posted on Block B, which is a medium security block. Academy classes will begin on your first day of employment. Please note that classes will mainly be held online, those classes held in-person will be in accordance with COVID-19 procedures.

Please see the attached syllabus and course descriptions.

If you have any questions, please do not hesitate to reach out.

Welcome to the Team!

Best,
Penn's Isle DOC

**Exhibit
A**

Exhibit B

Penn's Isle Department of Corrections Academy Syllabus and Course Descriptions (Classes are not listed in any particular order)

Class	Modality	Description
Incident Command System	Online	This course is designed for staff assigned to work inside of a correctional facility. Incident Command System (ICS) is a structured approach to managing a critical situation in a correctional environment. The primary goal for this course is to familiarize staff with basic ICS concepts and terminology. In this course, the participants will learn the definition of a critical incident, and the Department's objectives and strategies to manage such incident. Furthermore, the participants will explore the components of ICS, and learn the ICS 5-Step Tactical Plan.
Infectious Disease	Online	Infectious diseases within correctional settings are a concern within the public health sector. The corrections population is susceptible to infectious diseases through exposure to blood and other bodily fluids, drug injection, inadequate health care, prison overcrowding, demographics, security issues, lack of community support for rehabilitation programs, and high-risk behaviors. In this course, the participants will explore the standard precautions and those essential for the most common correctional infectious diseases found in a correctional setting. Furthermore, the participants will discuss the basics of blood and body fluids exposure.
Leadership and Mentoring	Online	This course is designed to familiarize the participants to the DOC's overall organizational structure, expose the participants to basic leadership theories, and initiate interest in the Department's Mentoring Program. This course will engage students through guided discussion, personal discovery questions and group activities.
Mental Health First Aid	Online	This course provides foundational information regarding the knowledge and skills required to help a person developing a mental health problem or experiencing a mental health crisis
Prison Rape Elimination Act	Online	The Prison Rape Elimination Act (PREA), enacted in 2003, was created to enforce a zero tolerance for the sexual abuse and sexual harassment of inmates. This course delineates PREA's purpose and major guiding principles. The participant will be introduced to the detailed scope of inmate on inmate and staff on inmate sexual assault, the reporting procedures for prison rape, and corresponding staff responsibilities in any such events.
Professional Boundaries: Safety, Awareness and Exceptions	Online	This course provides information to increase awareness about professional boundaries in the workplace as well as opportunities to develop skills and strategies that will help individuals maintain healthy professional boundaries. It provides participants with not only written expectations for professional behavior but also discussions and activities where they can explore the practicalities of those expectations and the challenges they will experience on the job.
Security Threat Group Awareness	Online	This course identifies the nine major Security Threat Groups (STGs) in the DOC. The course describes STGs basic

		identification marks, and terminology of the nine major Security Threat Groups.
Suicide Prevention and Intervention	Online	Suicide Prevention and Intervention is being “responsive to those committed to our care.” This course gives an overview of DOC Suicide Prevention program. It looks at the demographics of suicide, suicide risk factors in a corrections setting, corrections 2020 Basic Training Course Descriptions Page 29 of 31 staff roles and responsibilities to suicidal behaviors, myths and facts of suicide in custody, and covers key points of CISM – Critical Incident Stress Management.
Assault Management Applications in Corrections (AMAC) Course 1	Online	Course 1 is the foundational course of the AMAC program. The course introduces the unique strategic approach employed by the AMAC program to manage assaults in the correctional setting. The topics covered include the AMAC Conditions for Success, Situation Analysis, Mindset, Use of Force, Body Vulnerable Points, Interview Positions, Ranges of an Assault, and Touch Pressure Point Application.
AMAC Course 2	Online	Course 2 covers the basics of the protective positioning used in the AMAC program, and requires the successful completion of course 1 as a prerequisite. The course introduces protective positions to be used when standing, and when on the ground, at each range of an assault. The core concepts for defending against strikes and takedowns are presented in addition to some basic approaches to taking assaultive individuals to the ground. All topics covered include hands-on practical applications of the techniques at the Crawl and Walk speeds. (The applications presented are not practiced at the Run speed during this training due to safety concerns.)
AMAC Course 3	Online	Courses 3 and 4 are the core of the AMAC program and focus on basic techniques for improving body position against an assaultive individual on the ground at grappling range. Due to body mechanics, and gravity, physical altercations frequently go to the ground. It is essential that staff have strategies and techniques that will reduce their exposure to harm from an attacker while on the ground. Effective body positioning will make the staff member safer when escape is not an option, and will exhaust and demoralize the attacker, which contributes to the team’s ability to regain complete control of the situation. AMAC 3 includes drills 1 and 2, while AMAC 4 is based on drills 3 and 4 of the AMAC Program.
AMAC Course 4	Online	Courses 3 and 4 are the core of the AMAC program and focus on basic techniques for improving body position against an assaultive individual on the ground at grappling range. Due to body mechanics, and gravity, physical altercations frequently go to the ground. It is essential that staff have strategies and techniques that will reduce their exposure to harm from an attacker while on the ground. Effective body positioning will make the staff member safer when escape is not an option, and will exhaust and demoralize the attacker, which contributes to the team’s ability to regain complete control of the situation. AMAC 3 includes drills 1

		and 2, while AMAC 4 is based on drills 3 and 4 of the AMAC Program.
AMAC Course 5	Online	Course 5 is an intermediate course intended for participants that have successfully completed courses 1-4. The focus of the course is to enhance the participant's ability to gain and maintain positional control of an assaultive individual on the ground. Course 5 begins with a brief review of the material from courses 3 and 4, then expands on that content. Participants are exposed to variations of the protective positions, improved methods for maintaining good position, and alternate methods for transitioning positions.
AMAC Course 6	Online	Course 6 builds on all the content in courses 1-5 and adapts it into a teambased strategy for managing assaults. It is a common misconception that when corrections staff outnumber a resistant inmate, they will automatically be successful in managing the 2020 Basic Training Course Descriptions Page 6 of 31 assault. The reality is that without focused training in how to work as a member of a team to manage an assault, the risk of injury for all parties involved is significantly increased.
CPR/AED	In Person	This course is intended for individuals who are required to be trained and certified in basic emergency medical care using Cardiopulmonary Resuscitation (CPR) and Automated External Defibrillation (AED). Participants will develop the knowledge, skills, and confidence to respond in a medical emergency to adults. The course content focuses on the subject's core principles, which are listed in the Key Concepts section of this Course Lesson Plan Cover Sheet to include familiarization with AED. The participants will have to demonstrate CPR/AED skills, and pass a skills examination.
Basic First Aid	In Person	This course is intended for individuals who are required to certify in basic emergency medical care. Participants will develop the knowledge, skills, and confidence to respond in a medical emergency. The course core content focuses in the following areas: the role of the first aid provider, first aid assessment, sudden injuries and illness, and emergencies due to exposure to the environment. The participants will also have to demonstrate first aid skills and pass a skills performance evaluation.
Contraband and Searches	In Person	This course provides the definition of contraband in a correctional setting and the security measures utilized to detect and prevent the introduction of contraband into the institution. Participants will explain the importance of and demonstrate the proper techniques utilized to conduct various inmate searches such as clothed and unclothed inmate searches as well as performing an effective cell search. Participants will be able to explain the proper procedure for bringing authorized items into a facility and describe the proper procedures for identifying and securing contraband. Furthermore, this course identifies various examples of contraband and the manner in which it may be introduced.
Drug Awareness	Online	Drug Awareness reinforces that drugs are dangerous contraband within a correction setting. By describing some common

		substances found in our institutions, and by discussing why inmates risk getting drugs while incarcerated, students can analyze various drug smuggling and concealment methods occurring in PA DOC correctional facilities. Finally, the initiatives the Department has developed for drug interdiction will be reviewed.
Electronic Immobilization Device	Online	Participants will learn general information about the use, storage, effects, and application of the Electronic Immobilization Device (EID). Use of the EID is intended to reduce the time an officer spends in a physical confrontation and provides defense and control during times of non-compliance by inmates. Participants must also obtain a minimum score of 70% on an end-of-module examination.
Firearms	In Person	---- Shooting Range Course ----
Fundamentals of Security	Online	Participants will explore fundamentals of security in a correctional setting. The course content includes static security and dynamic security, identifying complacency, key control, tool control and radio control.
Hostage Survival	Online	Participants will explore how to survive as a hostage in the correctional environment. The word “hostage” itself brings out feelings of uncertainty, anxiety, and fear in most individuals. Correctional staff members are no different. In the event of being taken hostage knowing why hostages are taken and the numerous events that occur at the beginning, throughout and completion of a hostage situation will better prepare Correctional staff members to survival a hostage situation.
Inmate Disciplinary Procedures	Online	The Inmate Disciplinary Procedures course generates awareness of the DC-ADM 801, Inmate Discipline Policy. This course is instructed through facilitation, class discussion, small-group exercise, and independent practice. The intent of this course is to train the participants to recognize rules and guidelines that are established for the inmates, available sanctions, use of proper forms and reports, and general understanding of the inmate discipline procedures.
Incident Response Responsibilities and Procedures	Online	Participants will examine the general application of Use of Force Continuum, types of responses on a facility level, and identify the Inner and Outer Perimeter Groups. Furthermore, the participants will learn their duties in affected and unaffected areas relevant to the incident, and the duties and equipment of an Incident Response Team.
Inmate Supervision and Accountability	Online	Participants will discuss and explore the fundamental activities associated with inmate supervision and accountability. Topics covered in this course include inmate progress reporting, types of inmate counts and observations and exploring the role of a work detail supervisor.
Legal Aspects of Corrections	Online	This course is designed to provide participants with legal aspects of corrections and how they relate employees of the Department of Corrections. The purpose of this Lesson Plan is establish an awareness of the rights of inmates and employees’ rights and responsibilities pertaining to these rights and any potential litigation.

Manipulation: The Con Game	Online	This course identifies the various tactics inmates and re-entrants use to manipulate staff for their personal gain while incarcerated or under supervision. Participants will identify manipulation tactics through the use of videos incorporated throughout this lesson Plan. Knowing how to apply professionalism and properly report manipulation will help to keep staff from severe consequences.
Naloxone	Online	This training will further the participants' knowledge on the opioid crisis. This will be done by studying Pennsylvania's response to the opioid crisis and the focus of Act 139. Participants will be provided information on opioid overdose reversal, as well as the process of administering Naloxone.
Oleoresin Capsicum	In Person	This course covers general information on the Oleoresin Capsicum (OC), the effects produced, its deployment within the use of force guidelines, storage, and procedures for decontamination.
Report Writing	Online	This course is designed to provide basic knowledge for completion of the most common reports. Participants will learn the purpose of report writing, 10 steps of Report Writing, Outlining the Report and Finalizing the Report. Furthermore, the participants will have hands-on practice in writing reports based on provided scenarios.
Riot/Individual Baton	Online	Participants will follow the Use of Force Continuum guidelines to perform proper riot baton strikes, blocks, and riot baton retention techniques.
Security Restraints	Online	Security restraints are one of the most used pieces of equipment by corrections officers. This course starts with an overview of the basic justifications for the use of restraints, and a basic overview of most security restraints used by the DOC. The course guides the participants through the handcuff application process. Furthermore, the participants will obtain hands-on experience through practical application exercises.
Stress Management	Online	Participants will learn how stress can negatively affect the physical and emotional health of Correction Officers. The participant will discuss different types of stress, stressors, and develop effective strategies to reduce and cope with stress. Furthermore, the participants will reflect on the importance of work-life balance and discover various stress management resources.
Tactics for Effective Communications in Corrections	Online	This course is designed to make students aware of the different aspects of the communication process, and to foster more effective communication between correctional staff and inmates/reentrants. Differing brain functions, freeze/flight/fight instincts, prison and parole staff safety, communications tactics, and non-verbal cues are all examined and discussed.
Use of Force	Online	Participants will learn the general guidelines for the Use of Force Continuum and justification for each level of the continuum.

**Penn's Isle Department of Justice
Criminal Records Division
Certification of Criminal Records**

Corey Jackson

07/04/85

XXX-XX-6589

**THE FOLLOWING INFORMATION IS A CERTIFIED RECORD. THE RECORD HAS
BEEN KEPT IN THE NATURAL COURSE OF BUSINESS AND MAINTAINED BY
THE CRIMINAL RECORDS DIVISION IN ACCORDANCE WITH LOCAL AND
FEDERAL LAWS.**

Criminal History of Corey Jackson, residing at Florida Institution of Corrections.

<u>Convictions:</u>	<u>Disposition</u>	<u>Max Sentence</u>
1. 07/28/04: Murder	25 Yrs Imprisonment	Life Without Parole
2. 07/28/04: Burglary	5 Yrs Imprisonment	5 Yrs Imprisonment

Sentences 1 and 2 are to run concurrently.

The undersigned certifies that the above record is truthful, accurate, and complete. This is an authentic record of the Criminal Records Division of the Penn's Isle Department of Justice.

Kevin Eaton

Kevin Eaton
Director of Criminal Records



**Penn's Isle Department of Justice
Criminal Records Division
Certification of Criminal Records**

Mack B

06/13/95

XXX-XX-0746

**THE FOLLOWING INFORMATION IS A CERTIFIED RECORD. THE RECORD HAS
BEEN KEPT IN THE NATURAL COURSE OF BUSINESS AND MAINTAINED BY
THE CRIMINAL RECORDS DIVISION IN ACCORDANCE WITH LOCAL AND
FEDERAL LAWS.**

Criminal History of Mack B, residing at SCI-Jamestown.

<u>Convictions:</u>	<u>Disposition</u>	<u>Max Sentence</u>
1. 03/15/15: Money Laundering	15 Yrs Imprisonment	20 Yrs Imprisonment
2. 03/15/15: Embezzlement	15 Yrs Imprisonment	30 Yrs Imprisonment
3. 08/10/11: Theft by Deception (Released 08/10/13)	2 Yrs Imprisonment	2 Yrs Imprisonment

Sentences 1 and 2 are to run consecutively.

The undersigned certifies that the above record is truthful, accurate, and complete. This is an authentic record of the Criminal Records Division of the Penn's Isle Department of Justice.

Kevin Eaton

Kevin Eaton
Director of Criminal Records

**Exhibit
D**

PENN'S ISLE DEPARTMENT OF CORRECTIONS
INTERNAL AFFAIRS DIVISION

TO: "Mack B"

FROM: Jeanine Cramer, AUSA

DATE: February 15, 2022

RE: Agreement

Dear Mack B:

This letter serves as official notification of the agreement we came to during our phone conversation. As you know, Internal Affairs contacted our department to aid with the Ronnie Baker investigation. We came to learn of you having information through interviews with all B Block inmates. At that initial interview you stated to have important information that could help with the investigation. At that time, we made the following offer to you:

For 100% Cooperation you will receive a 50% reduction in your sentence. 100% cooperation means you telling us all information, testify against Baker at all court proceedings, and aid in the investigation.

For 75% Cooperation, you will receive a 25% reduction in your sentence. 75% cooperation means you telling us pertinent information, testify against Baker at court proceedings, and substantially aid in the investigation.

For 50% cooperation, you will receive a 6-month reduction in your sentence. 50% cooperation means you telling us pertinent information and testify against Baker at court proceedings.

During our phone conversation, you indicated you would be cooperating. At the end of your cooperation, we will have a meeting to discuss the level of cooperation.

Regards,

Jeanine Cramer
Assistant United States Attorney

**Exhibit
E**

PENN'S ISLE DEPARTMENT OF CORRECTIONS
INTERNAL AFFAIRS DIVISION

TO: Todd Tipps, Chief of Corrections

FROM: Danielle Harper, Internal Affairs Division Director

DATE: January 15, 2021 – LAST UPDATED April 1, 2022

RE: Officer Ronnie Baker – Corey Jackson

Dear Chief Todd Tipps:

This letter serves as official notification that one of your officers, Ronnie Baker, is under investigation after a tip from an inmate, Blake Moran. The tip implicated Baker in multiple crimes in connection with Baker's employment at SCI-Jamestown.

We have notified Officer Baker of this investigation and Baker has been put on Probation until our investigation is concluded. Officer Baker is allowed to continue her duties as a Correction's Officer, but is subject to searches at the beginning and end of every shift.

Regards,

Danielle Harper
Internal Affairs Division Director

UPDATE – 4/1/22

On March 31, 2022, this office interviewed Corey Jackson regarding the suspected contraband that Baker was bringing in to SCI-Jamestown. Jackson was originally reluctant to speak to us at the beginning of this investigation but feels comfortable now that the transfer out of state has been effectuated.

Jackson informed this department that Officer Baker asked Jackson to run contraband in November 2020. Following a few successful months of bringing the contraband into the institution, Baker informed Jackson of a couple of inmates reporting the business. In January 2021, presumably after this office notified Officer Baker of the investigation, Baker notified Jackson of three inmates who could have possibly given the tip to this office. Jackson identified the inmates as Taylor Reed, Darcy Landgrab, and Blake Moran. Baker then requested that that Jackson "take care" of these inmates. Baker did not specify nor use any other phrase other than "take care." Jackson assumed Baker meant for Jackson to "rough up" the three inmates.

UPDATE – 4/15/22

It is this office's recommendation that Officer Baker remain on the DOC staff but is transferred to the minimum security block and not promoted to level 2 at this time.

SCI – JAMESTOWN
INMATE DATABASE SNAPSHOT

January 27, 2021, 0800-0830

Changes to Inmate Statuses:

INMATE	INMATE NUMBER	STATUS
Corey Jackson	DC89801	Single Cell

Notes:

INMATE	INMATE NUMBER	NOTE
Blake Moran	BB28988	Inmate reported threat to safety from another inmate. Security is currently investigating. Security believes threat may be founded. Please update snapshot hourly to determine status.



**SCI JAMESTOWN
MISCONDUCT FORM**

DATE: 1/27/21

INMATE: Blake Moran

INMATE NUMBER: BB28988

REASON FOR MISCONDUCT:

Fighting with other inmate.

Disorderly Conduct

NARRATIVE:

While on Basketball Court in the recreational yard, Inmate Moran began fighting with Inmate Jackson.

REPORTING OFFICER: Ronnie Baker



**SCI JAMESTOWN
MISCONDUCT FORM**

DATE: 1/27/21

INMATE: Corey Jackson

INMATE NUMBER: DC89801

REASON FOR MISCONDUCT:

Fighting with other inmate

Contraband

NARRATIVE:

While in the recreational yard, Inmate Jackson began fighting with Inmate Moran. Upon searching inmate after altercation, a sharpened toothbrush was found.

REPORTING OFFICER: Alexi Creed



**Exhibit
J**

Institution

Weight Area

Picnic Area

Field

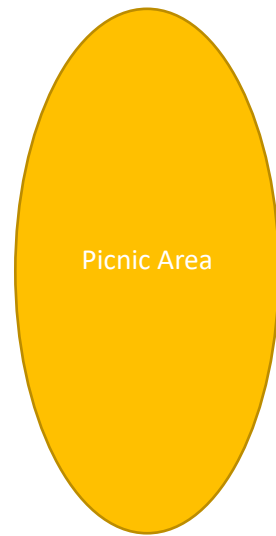
Basketball Court

**Exhibit
K**

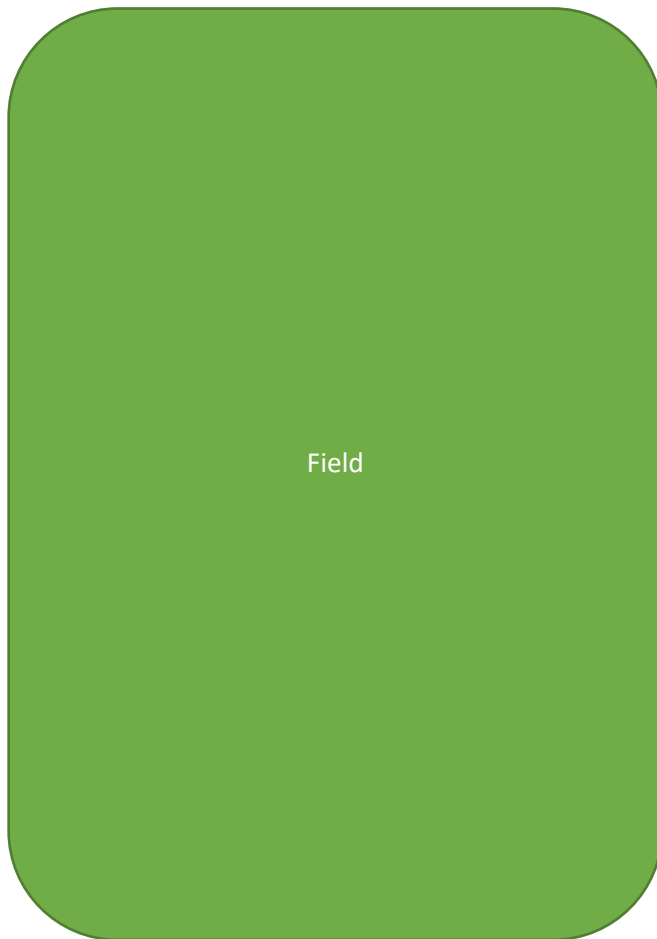
Institution



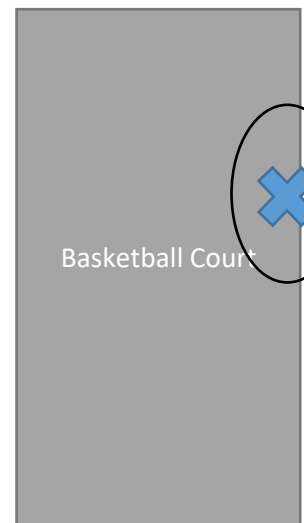
Weight Area



Picnic Area



Field



Basketball Court

**Exhibit
L**

Institution

