

for Initial Claim
File

"Original copy"

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Please Read Instructions on Reverse Side of Yellow copy

Please print in ink or type

BEFORE THE STATE CLAIMS COMMISSION
Of the State of Arkansas

Arkansas
State Claims Commission
AUG 01 2014

RECEIVED

- ☐ Mr.
- ☐ Mrs.
- ☐ Ms.
- ☐ Miss

Kenneth Pitts, #085938 Claimant

vs.

State of Arkansas, Respondent
Dept. of Corr.

Do Not Write in These Spaces	
Claim No.	15-0086-CC
Date Filed	August 1, 2014 (Month) (Day) (Year)
Amount of Claim \$	36.42
Fund	DOC

Loss of Property, Failure to
COMPLAINT Follow Procedure

Kenneth Pitts, #095938, the above named Claimant, of 2501 State Farm Rd, Tucker, AR 72168
(Name) (Street or R.F.D. & No.) (City)

Ar. 72168-8713 County of Jefferson represented by
(State) (Zip Code) (Daytime Phone No.) (Legal Counsel, if any, for Claim)

of (Street and No.) (City) (State) (Zip Code) (Phone No.) (Fax No.) says:

State agency involved: Sgt. Kelly Amount sought: \$ 36.42

Month, day, year and place of incident or service: June 10, 2014 Maximum Security Unit "Property Room"
Explanation: On Tuesday March 25, 2014 I was found guilty to a disciplinary and sent to west
Isolation for sixty (60) days punishment and sixty (60) of restriction. Upon entering west Isolation
I was "Inventory" by Sgt. Kelly for my "Personal Property". I have a "Pair of White Bechok
Classic Low Ankle Tennis Shoes". I bought at Annmar's West Commissary Store in 2002. I
only wear them for (5) on six (6) times out of the year. I had them. They were not worn
and still new. I paid over \$ 30.00 dollars for them at the time when I was lucky
Sgt. Kelly are the "Property Room" Supervisor for my personal property. She takes and
write down on a "AR Inmate Personal Property Inventory Record Form - 841-1" for "storage"
keeping until I get out the West Isolation. Now she is the one responsible to give them property
back to you as she got them from you. She is the one who I over my personal property
and should have handing it to me to make sure that my "personal property" was all there.
"Handing" it up to somebody that not a personal property room Supervisor. I have had the
Bechok Classic for seven (7) years and have been in and out of the prison. Hold them down in
June 2007, 2008, 2009, 2010, 2011, 2012 and 2013. And my property have not been stolen on my Bechok
Classic until I came to Maximum Security Unit August 16, 2013. Now they have been stolen. After
serving 60 days # 47 on June 10, 2014 about 12:10 pm on 12:15 pm. Some John Doe Sgt. made gave
me the Property Room F-841-1 to signed but didn't signed the form saying I received all my personal
property.

As parts of this complaint, the claimant makes the statements, and answers the following questions, as indicated: (1) Has claim been presented to any state department or officer thereof?
Yes (Yes or No) : when? June 10, 2014 ; to whom? Sgt. Kelly, Personal Property Supervisor, M.S.U. (Department)
: and that the following action was taken thereon: None

and that \$ None was paid thereon: (2) Has any third person or corporation an interest in this claim? None ; if so, state name and address

and that the nature thereof is as follows: (Name) (Street or R.F.D. & No.) (City) (State) (Zip Code)

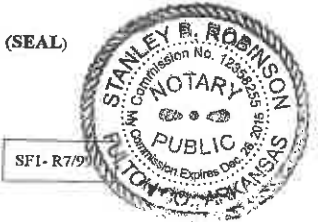
: and was acquired on : in the following manner:

THE UNDERSIGNED states on oath that he or she is familiar with the matters and things set forth in the above complaint, and that he or she verify believes
that they are true.

MR. Kenneth Ray Pitts #85938 (Print Claimant/Representative Name) MR. Kenneth Ray Pitts #85938-7/30/2014 (Signature of Claimant/Representative)

SWORN TO and subscribed before me at Tucker AR

on this 30 day of July 2014
(Date) (Month) (Year)



My Commission Expires: 12-31-2015
(Month) (Day) (Year)

property on Tuesday June 10, 2014.. which this is an very bad ideal on her half for not letting this male sergent know he should make show that the prisoners should have received all his or her personal property.

Sergent ms. Kelly have failure to security my personal property of my Reeboks Classic (All Canvas) Tennis shoes from 3/25/14 to 6/10/14

Sgt. Kelly are lack of due process of securing prisoner personal property in making show Mr. K.R. Pitts #85938 should have receive his Reeboks Classic all canvas Tennis shoes on June 10, 2014. at 12:10 am on 12:15 am. Also if I was getting out that next day of this above date and time, she should have brought my personal property ~~and~~ inventory to me that June 9, 2014 before she went home to make show herself I had all my personal property. "Size 12 Reebok Classic (ALL CANVAS)"

Sgt. Kelly IS responsible for my Reeboks Classic because they were in her hands since 3/25/2014 to 6/10/2014.

Arkansas
State Claims Commission
AUG 01 2014
Korinett Ray Pitts
7/30/2014
RECEIVED

Trust Fund Resident Activity

*Proof of money when Tenn
Shoes was "Bought" at Cummins unit*

Resident	Personal Id	Last Name	First Name	Class	Unit	Building	Pod	Bed
085938	085938	Pitts	Kenneth	General P...	Cummins	A01	BK16	340U
Beginning Balance								
								\$0.00
Task No.	Date	Task	Check	Comment			Amount	
2718771	8/15/2006 1:...	Intake		Automated Intake			\$0.00	
2729845	8/17/2006 2:...	Sale					\$0.00	
2748171	8/25/2006 3:...	Automated Payment		Aug 24, 2006			(\$3.00)	
2753410	8/29/2006 1:...	Transfer From Unit		Automated Transfer			\$0.00	
2753410	8/29/2006 1:...	Transfer To Unit		Automated Transfer			\$0.00	
2765618	9/5/2006 4:4...	ROA		Barbara L Casey			\$50.00	
2775387	9/7/2006 8:4...	Sale					(\$44.47)	
2789085	9/12/2006 3:...	Sale					(\$1.79)	
2790585	9/13/2006 9:...	Change Card #					\$0.00	
2800515	9/18/2006 3:...	Automated Payment		Sep 17, 2006			(\$3.00)	
2834753	9/29/2006 5:...	Group Disbursement	57042				\$0.00	
2845080	10/4/2006 10:...	Sale					(\$0.74)	
2860549	10/10/2006 3:...	Sale					\$0.00	
2886583	10/20/2006 1:...	Sale		Reversed Task No. 2845080			\$0.74	
2936248	11/9/2006 3:...	Sale					(\$0.74)	
3004369	12/8/2006 2:...	ROA		Prudential Financial/Death Benefit/085938			\$2,752.12	
3011819	12/12/2006 8:...	ROA		Happy Holidays			\$6.00	
3026434	12/12/2006 3:...	Sale					(\$41.20)	
3026448	12/12/2006 3:...	Sale					\$1.95	
3036636	12/14/2006 3:...	Sale					(\$20.97)	
3045312	12/18/2006 2:...	Sale					(\$25.34)	
3052608	12/19/2006 3:...	Sale					(\$20.68)	
3058675	12/21/2006 3:...	Automated Payment		Dec 20, 2006			(\$3.00)	
3062777	12/21/2006 3:...	Sale					(\$11.90)	
3077542	12/28/2006 5:...	Sale					(\$31.73)	
3080103	1/2/2007 8:4...	Sale					(\$17.41)	
3081643	1/2/2007 12:...	Group Disbursement	61280	As of 1/2/07			\$0.00	
3084123	1/2/2007 4:0...	Sale					(\$44.91)	
3093005	1/4/2007 3:1...	Sale					(\$20.01)	
3095472	1/5/2007 11:...	Resident Withdrawal	61676	K. Pitts #085938/ Brother's christmas gift			(\$50.00)	
3095907	1/5/2007 1:0...	Resident Withdrawal	61743	Mr. Sylvester VanBuren, II/For Pastor			(\$2,000.00)	
3104090	1/9/2007 2:0...	ROA		Carlton & Betty Inyard			\$20.00	
3106249	1/9/2007 3:3...	Sale					(\$43.55)	
3112573	1/11/2007 9:...	Sale					(\$21.03)	

*Tenn
Shoes*

* 3113519	1/11/2007 12...	Sale				(\$34.45)
* 3113941	1/11/2007 1:...	Resident Withdrawal	62015	K. Pitts #85938/Death & Birth Certificates		(\$35.00)
* 3128612	1/18/2007 9:...	Sale				(\$30.52)
* 3131051	1/18/2007 3:...	Transfer Funds		HC - K. Pitts #85938 to R. Douthitt #108032/...		(\$5.00)
* 3139347	1/23/2007 8:...	Sale				(\$27.55)
* 3139475	1/23/2007 8:...	Sale				(\$29.75)
* 3140399	1/23/2007 9:...	Sale		CERTIFIED PTG		(\$4.49)
* 3147623	1/25/2007 9:...	Sale				(\$7.67)
* 3158424	1/30/2007 9:...	Sale				(\$22.18)
* 3161498	1/31/2007 3:...	Automated Payment		Jan 30, 2007		(\$3.00)
* 3162174	1/31/2007 11...	Group Disbursement	62782	Jan. 2007		\$0.00
* 3173579	2/6/2007 8:2...	Sale				(\$24.10)
* 3183064	2/8/2007 9:2...	Sale				(\$14.22)
* 3194908	2/13/2007 12...	Sale				(\$30.21)
* 3202969	2/15/2007 8:...	Sale				(\$6.82)
* 3209950	2/20/2007 8:...	Sale				(\$26.17)
* 3220163	2/22/2007 8:...	Sale				(\$6.20)
* 3221426	2/22/2007 1:...	ROA		Income Tax Refund		\$293.00
* 3224712	2/23/2007 10...	Sale		CERT PTG		(\$4.49)
* 3232241	2/27/2007 10...	Sale				(\$30.31)
* 3232926	2/27/2007 11...	Sale				\$0.96
* 3235455	2/28/2007 3:...	Automated Payment		Feb 27, 2007		(\$3.00)
* 3236366	2/28/2007 12...	Group Disbursement	64465	As of 02/28/2007		\$0.00
* 3237683	3/1/2007 9:2...	Sale				(\$27.64)
* 3249837	3/6/2007 9:2...	Sale				(\$31.54)
* 3250981	3/6/2007 11:...	Sale		OVERSEAS PTG		(\$0.45)
* 3259166	3/8/2007 8:2...	Sale				(\$16.79)
* 3265595	3/12/2007 3:...	Automated Payment		Mar 11, 2007		(\$3.00)
* 3273135	3/13/2007 3:...	Sale				(\$34.98)
* 3278970	3/15/2007 8:...	Sale				(\$24.66)
* 3279490	3/15/2007 9:...	Sale		CERT PTG		(\$4.25)
* 3290159	3/20/2007 9:...	Sale				(\$18.21)
* 3299903	3/22/2007 8:...	Sale				(\$10.59)
* 3309350	3/26/2007 9:...	Sale		CERT PTG		(\$5.36)
* 3315149	3/27/2007 9:...	Sale				(\$28.79)
* 3325236	3/29/2007 3:...	Automated Payment		Mar 28, 2007		(\$3.00)
* 3331880	3/30/2007 3:...	Group Disbursement	66148	As of 03/30/2007		\$0.00
* 3338407	4/3/2007 9:5...	Sale				(\$36.69)
* 3341435	4/3/2007 3:4...	Change Card #				\$0.00
* 3347648	4/5/2007 8:5...	Sale				(\$14.72)

3360873	4/10/2007 9:...	Sale			(\$8.39)
3362710	4/10/2007 12...	Sale		Reversed Task No. 3360873	\$8.39
3370693	4/12/2007 1:...	Sale			(\$2.10)
3388110	4/19/2007 9:...	Sale			(\$3.87)
3393455	4/23/2007 3:...	Automated Payment		Apr 22, 2007	(\$3.00)
3396436	4/23/2007 4:...	Sale			(\$5.07)
3407044	4/26/2007 9:...	Sale		lgl ptg	(\$5.85)
3412638	4/30/2007 9:...	Sale		LGL PTG	(\$1.11)
3412782	4/30/2007 11...	Resident Withdrawal	67570	Subscription/085938/K Pitts	(\$15.58)
3412954	4/30/2007 3:...	Group Disbursement	67548	As of April 2007	\$0.00
3425070	5/3/2007 10:...	Sale			(\$0.95)
3423571	5/3/2007 11:...	ROA		BARBARA L CASEY	\$60.00
3432448	5/7/2007 12:...	Sale		REG PTG	(\$0.39)
3432598	5/7/2007 12:...	Sale		LGL PTG	(\$1.83)
3443840	5/10/2007 8:...	Sale			(\$31.41)
3445019	5/10/2007 10...	Sale		REG PTG	(\$0.39)
3450014	5/14/2007 3:...	Automated Payment		May 13, 2007	(\$3.00)
3464257	5/17/2007 10...	Sale			(\$5.31)
3468053	5/18/2007 10...	Sale		LGL PTG	(\$1.48)
3488014	5/25/2007 7:...	Sale			(\$3.14)
3492281	5/29/2007 10...	Sale		REG PTG	(\$0.56)
3500927	5/31/2007 2:...	Group Disbursement	68852	As of 05/31/2007	\$0.00
3501780	6/1/2007 8:3...	Sale			(\$5.39)
3501888	6/1/2007 8:5...	Sale		EXTRA PTG	(\$0.39)
3506014	6/4/2007 11:...	Sale		LGL PTG	(\$0.56)
3508444	6/5/2007 2:0...	ROA		BARBARA L CASEY	\$40.00
3521725	6/8/2007 7:3...	Sale			(\$2.70)
3522564	6/8/2007 10:...	Sale		LGL PTG	(\$0.41)
3526264	6/11/2007 12...	Sale		LGL PTG	(\$0.82)
3534101	6/13/2007 9:...	Sale		REG PTG	(\$0.41)
3535579	6/13/2007 2:...	Automated Payment		507CV00089 HLJ	(\$102.37)
3535582	6/13/2007 2:...	Reservation		507CV00089 HLJ	\$0.00
3537058	6/14/2007 9:...	Sale			(\$15.31)
3561776	6/25/2007 3:...	Automated Payment		Jun 24, 2007	(\$3.00)
3574032	6/28/2007 10...	ROA		Southwestern Energy Prod Co/Royalty	\$13.97
3577060	6/29/2007 12...	Group Withdrawal	70367	As of 06/29/07	(\$2.79)
3577075	6/29/2007 12...	Group Disbursement	70372	As of 06/29/07	\$0.00
3577099	6/29/2007 1:...	Group Disbursement	70376	As of 06/29/07	\$0.00
3583441	7/3/2007 9:0...	Sale			(\$7.34)
3599979	7/10/2007 9:...	Sale		LGL PTG	(\$0.90)

ARKANSAS DEPARTMENT OF CORRECTION

Maximum Security Unit

Commissary Request

▶▶▶ Special Order ◀◀◀

Clothing and Electronics

INMATE NAME: DR. Kenneth R. Pitts

(PRINT FULL NAME)

NUMBER: # 85938

CELL LOCATION: # 47 BKS # 8

DATE: 7/1/2014

Qty	Item	Price
Sweatpants *		
	Small	\$14.50
	Medium	\$14.50
	Large	\$14.50
	X-Large	\$16.68
	2-XLarge	\$16.68
	3-XLarge	\$16.68
	4-XLarge	\$16.68
Sweatshirts *		
	Small	\$18.05
	Medium	\$18.05
	Large	\$18.05
	X-Large	\$18.05
	2-XLarge	\$22.26
	3-XLarge	\$22.26
	4-XLarge	\$22.26
Boxers (GRT Sport) *		
	Small (1 pr./waist 28-30")	\$3.23
	Med (1 pr./waist 32-34")	\$3.23
	Large (1 pr./waist 36-38")	\$3.23
	X-Large (1 pr./waist 40-42")	\$3.23
	2X-Large (1 pr./waist 44-46")	\$3.45
	3X-Large (1 pr./waist 48-50")	\$3.45
Video games *		
	#HG-501	\$40.00
	#HG-502	\$40.00

Watch Batteries Circle One		
Prices Vary **		
1216, 1616, 399, 377, 371, 394, 2016, Other		
Miscellaneous		
	Bath Towel *	\$7.25
	Wash Cloth *	\$1.39
Size	Shoes	
	Reebok Classic (All Canvas) **	\$36.42
	Reebok Classic (All Leather) *	\$52.68
	Reebok Ultra Low (All Leather) **	\$44.23
	V4orceA Playmaker **	\$39.14
	Nike Dark 9 * (All Leather)	\$55.67
	New Balance Shoes **	\$52.03
Watches		
Please list the name and item number of the watch you want to order.		
	Name	Price
	Item Number	

Revised (06/12/13)

NOTE: * - This comes from Union Supply Company and is ordered at 8:00 a.m. every Tuesday. It usually arrives by Monday of the following week.

** - This comes from Access Corporation and is ordered at 8:00 a.m. every Wednesday. It usually arrives by the following afternoon.

All special order items will be deducted from your account upon arrival. They will be delivered on your next scheduled store day.

Sizes on clothing larger than those listed are not carried by our suppliers but can be obtained by them. We will have to

AD 09-01 Inmate Grievance Procedure

The Unit Level Grievance Form shall be completed & submitted to the Problem Solver (PS) within 15 days of the date of occurrence with the date beside "Step One".

The inmate will retain the pink and yellow copy of the grievance form. The Grievance form shall be specific to include the date, personnel involved, or witnesses and how it affected the inmate. PS Staff shall have 3 working days to respond unless an emergency is determined to exist.

Emergency grievances shall be addressed within 24 hours.

Emergency grievances may be submitted without the completion of Step One. However, if the grievance is determined not to be an emergency it will be returned to the PS and processed under Step One.

If PS Staff fails to respond within the required time frame the inmate may proceed to Step Two and submit the pink copy to the unit grievance officer. However, the inmate must file Step Two no later than Six (6) working days from the submission date of Step One.

If PS Staff responds within the required time frame, and the inmate feels Step One to be unsuccessful the inmate may proceed to Step Two within 3 days of the receipt of Step One by submitting the original to the Unit Grievance Officer, with a statement as to why he/she felt Step One was unsuccessful. Additional sheets cannot be attached to the Unit Grievance Form.

The Unit Grievance Officer will acknowledge the Grievance within Five (5) working days. The Warden/Health Services Admin/Mental Health Services Admin. will have 20 working days to respond. If an inmate is not satisfied with the Warden/HSA/MH response the inmate has 5 days to appeal to the Chief Deputy Director/Deputy Assistant Director. The inmate should include the original Unit Level Grievance, Warden's response and the appeal portion completed with statement of appeal date, Inmate ADC# and reason for disagreement with Unit Level's response. If this step is not completed in accordance with written policy it may be returned to the inmate as rejected. An inmate will receive a response from the Director's appeal level within 30 days.

Under the new Inmate Grievance Procedure, AD 09-01, Only One form will be used for both Step One (Informal Resolution) and Step Two (Formal Grievance) to include emergency grievances. Grievances should only address one issue, if more than one issue only one will be addressed. An inmate is limited to the filing of FIVE (5) Step One (Informal resolutions) weekly (Saturday thru Friday).

An Inmate must file Step One within 15 days of occurrence and give directly to a designated Problem Solver. The inmate will retain the yellow & pink copy. Inmates are limited to the filing of Five (5) Step One (Informal Resolutions) Weekly (Saturday thru Friday).

If the PS does not resolve issue within 3 working days, the inmate may proceed to Step 2 by submitting pink copy to Unit Grievance Officer within 6 working days from the submission of Step One. Grievance will be acknowledged by Grievance Officer within 5 working days and responded to by Warden/HSA/MH within 20 days of receipt by Grievance Officer.

If response received within required time frame but the inmate is not satisfied with response given, he/she may proceed to Step Two by submitting the original grievance form to the Unit Grievance Officer within 3 working days of the receipt of Step One from the PS. Grievance will be acknowledged by Grievance Officer within 5 working days and Responded to by Warden/HSA/MH within 20 days of receipt by Grievance Officer.

If unsatisfied with Warden/HSA/MH response an inmate may appeal the decision to the Chief Deputy Director, Deputy Assistant Director within 5 days. Appeal shall include the date of appeal, Inmate ADC# and reason for disagreement with unit level response. If this step is not completed in accordance to policy it may be returned to the inmate as rejected. An inmate will receive a response within 30 working days.

UNIT LEVEL GRIEVANCE FORM (Attachment I)

Unit/Center

"Original Copy"

Name

FOR OFFICE USE ONLY

GRV. # MX-14-1304Date Received: 6-16-14GRV. Code #: 505ADC# 894 Brks # 11 Job Assignment 11/11/146/16/14 (Date) STEP ONE: Informal Resolution6/14/14 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)If the issue was not resolved during Step One, state why: Sgt. Smith takes a grievance to Sgt. Kelly on 6/10/14 about a pair of R-chuk classis that was missing the getting out of 6/10/14. Sgt. Kelly failure to answer + due to lack of response in 4 times (3) days.(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: due to lack of response in 4 times (3) days.Is this Grievance concerning Medical or Mental Health Services? Yes If yes, circle one: medical or mental **BRIEFLY** state your one complaint/concern and be specific as to the complaint, **date**, place, name of personnel involved and how **you** were affected. (Please Print): Disruptive behavior in the unit on 6/10/14. Sgt. Kelly failure to answer + due to lack of response in 4 times (3) days.

Inmate Signature

Date

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.**THIS SECTION TO BE FILLED OUT BY STAFF ONLY**This form was received on _____ (date), and determined to be **Step One** and/or an Emergency Grievance (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature

Date Received 6/16/14Describe action taken to resolve complaint, including dates: 6/16/14

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on 6-14-14 (date), pursuant to **Step Two**. Is it an Emergency? No (Yes or No).Staff Who Received Step Two Grievance: Sgt. SmithDate: 6-14-14

Action Taken: _____

(Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: Sgt. SmithDate: 6-14-14**DISTRIBUTION: YELLOW & PINK** – Inmate Receipts; **BLUE**–Grievance Officer; **ORIGINAL**–Given back to Inmate After Completion of Step One and Step Two.

Unit/Center

Name

ADC#

Brks #

Job Assignment

JUN 16 2014

Grievance Office

(Date) STEP ONE: Informal Resolution

6/14/14 (Date) STEP TWO: Formal Grievance (All complaints/concerns should first be handled informally.)

If the issue was not resolved during Step One, state why: Sgt. Sewell took a grievance to Sgt. Kelly.

(Date) EMERGENCY GRIEVANCE (An emergency situation is one in which you may be subject to a substantial risk of physical harm; emergency grievances are not for ordinary problems that are not of a serious nature). If you marked yes, give this completed form to the designated problem-solving staff, who will sign the attached emergency receipt. If an Emergency, state why: due to lack of supervision of my three (3) days

Is this Grievance concerning Medical or Mental Health Services? no If yes, circle one: medical or mental

BRIEFLY state your one complaint/concern and be specific as to the complaint, date, place, name of personnel involved and how you were affected. (Please Print): Silva is a combatant in the war in the

Inmate Signature

Date _____

If you are harmed/threatened because of your use of the grievance process, report it immediately to the Warden or designee.

THIS SECTION TO BE FILLED OUT BY STAFF ONLY

This form was received on _____ (date), and determined to be **Step One** and/or an Emergency Grievance _____ (Yes or No). This form was forwarded to medical or mental health? _____ (Yes or No). If yes, name of the person in that department receiving this form: _____ Date _____

PRINT STAFF NAME (PROBLEM SOLVER)

ID Number

Staff Signature _____

Date Received _____

Describe action taken to resolve complaint, including **dates**:

RECEIVED

Staff Signature & Date Returned

Inmate Signature & Date Received

This form was received on 6-14-14 (date), pursuant to Step Two. Is it an Emergency? NO (Yes or No).

Staff Who Received Step Two Grievance:

Date: 0-14-12

Action Taken: _____ (Forwarded to Grievance Officer/Warden/Other) Date: _____

If forwarded, provide name of person receiving this form: M. S. Jones

Date: 8-14-12

DISTRIBUTION: YELLOW & PINK – Inmate Receipts; **BLUE**-Grievance Officer; **ORIGINAL**-Given back to Inmate After Completion of Step One and Step Two.

INMATE NAME: Pitts, Kenneth R.

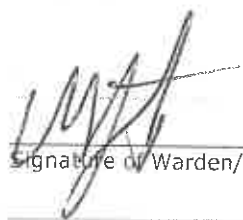
ADC #: 085938C

GRIEVANCE #: MX-14-01304

WARDEN/CENTER SUPERVISOR'S DECISION

I have reviewed your grievance dated 06/10/2014. In your grievance, you state this complaint is against Sgt. Kelly. You state you had a pair of Classic Reebok tennis shoes when you went to West Isolation. You state you state your shoes were missing when you were issued your property after moving to 8 barracks. You also state a mirror in your legal book is also missing out of your property, but you acknowledge the mirror being lost. You state you have had your shoes since transferring from the Cummins Unit. You state you want another pair of tennis shoes or you will be filing a claim with the Small Claims Commission and you will win.

Unit records reflect you received your pair of tennis shoes on 06/10/2014. Therefore, I find this grievance to be without merit.


Signature of Warden/Supervisor or Designee


Title

7-8-14
Date

RECEIVED

INMATE'S APPEAL

JUL 15 2014

If you are not satisfied with this response, you may appeal this decision within five working days by filling in the information requested below and mailing to the appropriate Deputy/Deputy/Assistant Director along with the Unit Level Grievance Form. Keep in mind that you are appealing the decision to the original grievance. Do not list additional issues, which are not part of your original grievance as they will not be addressed. Your appeal statement is limited to what you write in the space provided below.

WHY DO YOU DISAGREE WITH THE ABOVE RESPONSE?

I disagree with this matter. I have not received any Tennis shoes on 06/10/2014. And you can't prove you gave me any shoes. Mrs. Kelly are suppose to hand these personal property to me herself, you going to pay for my Classic Reebok Tennis shoes. I have a steel property form out on this matter, all I want is my Tennis shoes because they wasn't in my property at 12:10 Am on 12:15 Am on 06/10/14. When I received my personal lock box, my personal property was in 8406 BKS control booth and the Sgt. gave me my property my Tennis was missing.

MARK R. Pitts
Inmate Signature

785938
ADC#

7/9/14
Date

I have my proof of Sale of my Tennis shoes from Cummins Unit in 2006 or 2007. \$ 30.00 some dollars. I want to know who gave me my Tennis since you said your unit records reflect I was given a pair of shoes. who gave them to me. ??? Sgt. Kelly is on the Property Room she is the only person should issues out Personal Property Lock Box, Point Blake.

INMATE NAME: Pitts, Kenneth R.

ADC #: 085938

GRIEVANCE#:MX-14-01304

CHIEF DEPUTY/DEPUTY/ASSISTANT DIRECTOR'S DECISION

Your appeal dated 6/10/14 was received on 7/15/14. After review of your appeal and supporting documentation, I find that I concur with the Warden's decision. Your appeal is without merit.

Appeal denied.


Director

7-21-14
Date

My File Copy
To Keep

Exhibit [B] - "original copy"

Department of Correction
Report of Stolen Property

Date June 25, 2014

To: Sgt. Dr. E. Williams, Chief Security Officer

Name: Mr. Kenneth R. Pitts ADC # 85938

Description of Property:

Reebok Classic (all canvas) costs over \$130.00 dollars at Cammins
Unit in 2007. I had over \$2,788.12 on The Books account
when I payed for them living in 17 BKS.

Give complete detail of property and where property was last seen:

on March 25, 2014 I had a pair of Reebok Classic (all canvas) that
went to work isolation for sixty (60) days. Sgt. Kelly inventory me
that day on a Tuesday morning. On Wednesday, 4/23/14 I denied 48 HRS
I never received my property. Sgt. Kelly as an Personal Property
Supervisor sent my property for release off prison on 6/09/2014 for
6/10/2014 after receiving my personal property on 6/10/14 at 12:10 AM on 12:05 AM
my Reeboks Classic was missing. I filed a Grievance form on 6/10/14.
on 6/10/14 Sgt. Sewell signed The Grievance and Returned to Sgt. Kelly who
Never answer it. I went to Step two Sgt. Sewell signed it and Return
to the Grievance Box

Mr. Kenneth R. Pitts #85938
Inmate's Signature

Sgt. Adkins
Security Officer

200-25

cc/file

Exhibit [C]

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD (Code: S-STORAGE K=KEEP IN POSSESSION I=ISSUED F= FEMALE M=MALE) F-841-1

Transfer 48 on 48 off 48 off
 Inmate's Name: [Redacted] ADC#: 8018
 Non-Expendable Items
 Medical _____ Court _____ Other _____
 Sending Institution: _____ Receiving Institution: _____

ITEM (# allowed)	#REC/SEN	CODE	#RETD	DESCRIPTION	ITEM	#REC/SEN	CODE	#RETD	DESCRIPTION
ADA Compliance Item	1			ADA Compliance	Nail Clippers (1)	1			
All Books (10)	1				Personal Mail	1			
Bathrobe (F, 2)	1				Photos (5)	1			
Bowls	1				Radio (1)	1			
Bras/Panties (F-I 3 ea + 5)	1				Religious Material	1			
Comb (M, 1)	1				Religious Medal (1)	1			
Cup	1				Ring (1)	1			
Dentures (1)	1				Shoes wk rel (1)	1			
Depilatory preparation (1)	1				Shower Shoes (1)	1			
Ear buds/earphone(1)	1				Soap Dish	1			
Earplugs	1				Socks (1 3 + 2)	1			
Eyeglasses/Contacts (1)	1				Stockings	1			
Gloves (1)	1				Sweat Pants (1)	1			
Gym Shoes (1)	1				Sweat Shirts (1)	1			
Hair Brush (1)	1				Toothbrush holder	1			
Laundry Bag (1 + 1)	1				Undershirts	1			
Legal Mail/Transcript	1				Undershorts (M, L-2 + 3)	1			
Magazines (3 ea)	1				Watch-Wrist (1)	1			
Expendable Items (All Hygiene items limited to 2 items of each type or one pack if sold in a pack. Possession is limited to maximum in a pack)									
Batteries (4)	1				Flex Pens	1			
Beauty Aid products	1				Food items	1			
Denture adhesive (2)	1				Hair Dressing (2)	1			
Deodorant (2)	1				Shampoo (2)	1			
Envelopes (10)	1				Shaving Cream (2)	1			
Other (All Hygiene items limited to 2 items of each type or one pack if sold in a pack. Possession is limited to maximum in a pack)									
Brograms-shoes (1pr)	1				Razor-Safety (2)	1			
Pants (3 pr)	1				Shirts (3)	1			
Cup/Hat (1)	1				Soup	1			
Canvas Shoes (M, L)	1				Thermals (2 sets)	1			
ADC Hand Book	1				Bath Towel as needed	1			
Toothbrush (1)	1				Toothpaste (2)	1			
Sack/Coat (1)	1				Washcloth (1)	1			

I hereby certify that all my property is listed herein and disposition of all property listed on this inventory is correct. Also, I do not have in my possession any legal materials belonging to any other inmate.
 Printed Name / Sign Name / Badge # of Official Receiving Property _____ Date _____ Location Stored _____
 Inmate's Signature & ADC# / Witness, if refuses _____ Date _____

Printed Name / Sign Name / Badge # of Official Returning Property _____ Date _____ Location Stored _____
 Inmate's Signature & ADC# / Witness, if refuses _____ Date _____

Original

Exhibit [5]

Original copy

F-841-1

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD

Inmate's Name:

ADC#:

Institution:

Non-Expendable Items

ITEM	#	DESCRIPTION	CODE	ITEM	#	DESCRIPTION	CODE
Blanket				Pants			
Body Support Device				Photos			
Books				Photo Album			
Bowls				Pillow Case			
Magazines				Pillow			
Cap/Hat				Prosthetic			
Clock				Radio			
Comb				Religious Material			
Cup				Religious Medal			
Dentures				Rings			
Earphones				Sheets			
Earplugs				Shirts			
Eyeglasses				Shoes			
Gloves				Shower Shoes			
Gym Shoes				Socks			
Hair Braids				Stockings			
Hair Dressing				Sweat Pants			
Headphones				Sweat Shirts			
Inmate ID Badge				Toothbrush			
Jacket/Coat				Towels			
Laundry Bag				Towels-Hand			
Legal Materials				Undergarments			
Mail Legal				Undershirts			
Mail Personal				Under shorts			
Mattress				Wash Cloths			
Mirror				Watch-Pocket			
Nail Clippers				Watch-Wrist			
Padlock				Wallet			

Expendable Items

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE
Denture Adhesive				Prescriptions			
Deodorant				Razor-Safety			
Flex Pen				Shampoo			
Food Items				Shaving Cream			
Hygiene Items				Soap			

Other

ITEM	#	#/DESCRIPTION	CODE	ITEM	#	#/DESCRIPTION	CODE

"I hereby certify that all of my property is listed on this inventory and disposition of all property listed on this inventory is correct. I further state that I do not have in my possession the legal materials belonging to any other inmate."

Signature of Official Receiving Property

Date

Location Stored

Inmate's Signature

Date

Or Witness if inmate refuses to sign

Signature of Official Returning Property

Date

Witness Signature

Date

Inmate's Signature

Date

"If I should die during my incarceration, I designate the individual listed below to receive my personal property."

Name

Address

City

State

Phone

Code Column:

D=Donate

M=Mail

S=Storage

I=Issued

K=Keep in Possession

DES=Destroy

Original -- Unit Personal Property Officer

Pink Copy -- Inmate

Yellow Copy -- Inmate's File

Exhibit [E]

ADC INMATE PERSONAL PROPERTY INVENTORY RECORD (Code: S-STORAGE K-KEEP IN POSSESSION I-ISSUED F-FEMALE M-MALE) F-341-1

Transfer 48 on 48 off
Inmate's Name: 2, H3 K ADC#: 85156 Medical Penitentiary Court Other
Non-Expendable Items Sending Institution: Receiving Institution:

ITEM (# allowed)	#REC/SEN	CODE	#RETD	DESCRIPTION	ITEM	#REC/SENT	CODE	#RETD	DESCRIPTION
ADA Compliance Item					Nail Clippers (1)	2 pr			
All Books (10)	5				Personal Mail				
Bathrobe (F, 2)					Photos (5)				
Bowls	2				Radio (1)	1			
Bras/Panties (F-I 3 ea + 5)					Religious Material	2			very large Holy Bible
Comb (M, I 1)					Religious Medal (1)				
Cup	2				Ring (1)				
Dentures (1)					Shoes wk rel (1)				
Depilatory preparation (1)					Shower Shoes (1)	1 pr			
Ear buds/earphone (1)	1 pr				Soap Dish	2 pr			
Earplugs					Socks (I 3 + 2)				
Eyeglasses/Contacts (1)					Stockings				
Gloves (1)					Sweat Pants (1)				
Gym Shoes (1)	1 pr			Rec pack	Sweat Shirts (1)				
Hair Brush (1)	3				Toothbrush holder	1			
Laundry Bag (I 1 + 1)					Undershirts				
Legal Mail/Transcript	23			yellow envelopes	Undershorts (M, I-2 + 3)	1			
Magazines (3 ea)					Watch-Wrist (1)				
Expendable Items (All Hygiene items limited to 2 items of each type or one pack if sold in a pack. Possession is limited to maximum in a pack)									
Batteries (4)					Flex Pens	1			
Beauty Aid products					Food items				
Denture adhesive (2)					Hair Dressing (2)	1			
Deodorant (2)	2				Shampoo (2)				
Envelopes (10)					Shaving Cream (2)				
Other (All Hygiene items limited to 2 items of each type or one pack if sold in a pack. Possession is limited to maximum in a pack)									
Barbershop	1			DIC	Deodorant	1			
Toothpaste	1				Deodorant	1			
100% Cotton	1				Deodorant	1			
State Issued Items									
Bro/gans-shoes (1 pr)					Razor-Safety (2)				
Pants (3-pr)					Shirts (3)				
Cup/Hat (1)	1				Soap	1			
Canvas Shoes (M, I)					Thermals (2 sets)				
ADC Hand Book					Bath Towel as needed	1			
Toothbrush (1)					Toothpaste (2)	1			
Jacket/Coat (1)					Washcloth (1)				

I hereby certify that all my property is listed herein and disposition of all property listed on this inventory is correct. Also, I do not have in my possession any legal materials belonging to any other inmate.

Printed Name / Sign Name/ Badge # of Official Receiving Property Date Location Stored Inmate's Signature & ADC# / Witness, if refuses Date

Printed Name / Sign Name/ Badge # of Official Returning Property Date Location Stored Inmate's Signature & ADC# / Witness, if refuses Date

"Original copy"

BEFORE THE ARKANSAS STATE CLAIMS COMMISSION

KENNETH PITTS (ADC 085938)

CLAIMANT

V.

NO. 15-0086-CO Arkansas Claims Commission

ARKANSAS DEPARTMENT OF CORRECTION

AUG 12 2014

RESPONDENT

ANSWER


RECEIVED

COMES NOW the Respondent, Arkansas Department of Correction, and for its Answer, states and alleges as follows:

1. Respondent denies liability in this claim and asserts it will hold the Claimant to strict proof on each allegation unless admitted by Respondent. Respondent reserves the right to plead further upon completion of the investigation by internal affairs and requests the matter be held in abeyance until the investigation is complete.
2. The applicable account information required by the Commission is:
 - a. Agency number: 0480
 - b. Cost Center: HCA 0100
 - c. Internal Order: 340301
 - d. Fund Center: 509

WHEREFORE, for the reasons cited above the Respondent prays that the claim be dismissed with prejudice and that Claimant take nothing, or in the alternative that the matter be held in abeyance until completion of the investigation by internal affairs.

Respectfully submitted,
Department of Correction Office of Counsel


LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been served this 11 day of August, 2014, on the Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

Kenneth Pitts (ADC 085938)
Maximum Security Unit
2501 State Farm Road
Tucker, AR 72168


LISA MILLS WILKINS Ark. Bar #87190

STATE CLAIMS COMMISSION DOCKET
OPINION

Amount of Claim \$ 36.42

Claim No. 15-0086-CC

Kenneth Pitts, #085938		Attorneys
vs.	Claimant	Pro se
		Claimant
AR Department of Corrections		Lisa Wilkins, Attorney
State of Arkansas	Respondent	Respondent
Date Filed	August 1, 2014	Type of Claim
		Loss of Property

FINDING OF FACTS

This claim was filed for loss of property in the amount of \$36.42 against Arkansas Department of Corrections.

Present at a hearing March 13, 2015 was the Claimant, pro se, and the Respondent, represented by Lisa Wilkins, Attorney.

The Claims Commission unanimously found liability on the part of the Respondent in failing to manage inmate property and unanimously awards the Claimant \$36.42 for his loss property.

The Claims Commission hereby unanimously awards this claim in the amount of \$36.42 and hereby directs the Claims Commission Clerk to issue a voucher in payment thereof.

IT IS SO ORDERED.

(See Back of Opinion Form)

CONCLUSION

Upon consideration of all the facts, as stated above, the Claims Commission hereby unanimously awarded this claim in the amount of \$36.42 and hereby directs the Claims Commission Clerk to issue a voucher in payment thereof.

Date of Hearing March 13, 2015

Date of Disposition March 13, 2015

J. H. Moore
Chairman
Paul Singh
Commissioner
Bill Lamm
Commissioner

IN THE CLAIMS REVIEW SUBSOMMITTEE
OF THE ARKANSAS GENERAL ASSEMBLY

KENNETH PITTS (ADC #085938)

CLAIMANT

V.

NO. 15-00866C
Arkansas
State Claims Commission

ARKANSAS DEPARTMENT OF CORRECTION

MAR 25 2015

RESPONDENT

NOTICE OF APPEAL

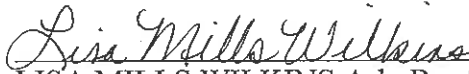
RECEIVED

COMES NOW the Respondent, Arkansas Department of Correction, and for its Notice of Appeal, states and alleges as follows:

Notice is hereby given that the Respondent is appealing the granting of the decision by the Arkansas State Claims Commission rendered March 13, 2015, in the above matter to the General Assembly of the State of Arkansas in accordance with Arkansas Statute 19-10-211.

Respondent hereby designates the entire record, and all proceedings, exhibits, evidence and documents introduced in evidence to be contained in the record on appeal.

Respectfully submitted,
Department of Correction Office of Counsel


LISA MILLS WILKINS Ark. Bar #87190
Attorney Supervisor
Post Office Box 8707
Pine Bluff, AR 71611
(870)267-6844 Office
(870)267-6373 Facsimile

CERTIFICATE OF SERVICE

I certify that a copy of the NOTICE OF APPEAL has been served this 25 day of March, 2015, on the below Claimant by placing a copy of the same in the U. S. Mail, regular postage to:

KENNETH PITTS (ADC #085938)
MSU
2501 STATE FARM ROAD
TUCKER, AR 72168


LISA MILLS WILKINS Ark. Bar #87190