IN THE COURT OF APPEALS OF IOWA

No. 4-518 / 94-05

FILED
JAN 23 1995
CLERK SUPREME COURT

ARLIS WILSON,

Appellant,

vs.

STATE OF IOWA,

Appellee.

Appeal from the Iowa District Court for Jones County, Kristin Hibbs, Judge.

Wilson challenges the district court's denial of his application for postconviction relief from prison disciplinary action. **AFFIRMED.**

Philip B. Mears of The Mears Law Office, Iowa City, for appellant.

Bonnie J. Campbell, Attorney General, and Suzie Berregaard Thomas and Kristin W. Ensign, Assistant Attorneys General, for appellee.

Considered by Donielson, C.J., and Sackett and Cady, JJ.

CADY, J.

Arlis Wilson is an inmate at the Iowa Men's Reformatory in Anamosa. An incident arose at the prison on November 28, 1991, when three members of the Vice Lords gang went to the cell of inmate Botts, a member of the Crips gang, and assaulted him. Botts required medical treatment after the assault. An investigation by prison officials led them to believe Wilson was one of the inmates who had assaulted Botts. Confidential statements by several inmates implicated Wilson in the assault and identified him as a member of the Vice Lords gang.

Prison officials charged Wilson with violating prison rule 2, assault, and rule 25, presence in an unauthorized area. Wilson did not present any defense at the disciplinary hearing. The committee found Wilson guilty of unauthorized presence and assault. The committee's finding was based on reports of the incident by prison officials and confidential information which was available to the committee. Wilson was given thirty days of disciplinary detention, 365 days of disciplinary detention one, and 365 days loss of good conduct time. Wilson was ordered to pay one-third of medical costs and to pay $2.25 for film evidence.

Wilson's appeals to the warden and director of corrections were denied. After exhausting his administrative appeals, he filed an application for postconviction relief in district court. Wilson claimed

the confidential information was not reliable and did not support the committee's decision.

The State filed a motion for summary judgment. The district court determined the State was entitled to summary judgment as a matter of law. The court found there was sufficient evidence to support the committee's decision. The court also found the confidential information was credible and reliable. Wilson's application for postconviction relief was denied. Wilson appeals.

Our review in prison disciplinary actions is for the correction of errors of law. Giles v. State, 511 N.W.2d 622, 626 (Iowa 1994). On appellate review of a prisoner's challenge of the evidentiary support of a disciplinary matter, we ask whether the committee had "some evidence" to support its decision. Backstrom v. Iowa District Court, 508 N.W.2d 705, 709 (Iowa 1993). Thus, we largely defer to the committee's findings, refraining from a de novo review of the proceedings. Id. We do require, however, that the inculpatory evidence provide specific details of the activity at issue. Id.

Confidential information statements may provide sufficient evidence for prison disciplinary action. James v. State, 479 N.W.2d 287, 291 (Iowa 1991). When an inmate is disciplined on the basis of confidential information, his interest in a fair hearing requires that there be some indication of the confidential informant's reliability. Howard v. State, 439 N.W.2d 193, 195 (Iowa 1989). Iowa

courts require there be sufficient information on the record to convince a reviewing authority the disciplinary committee undertook such inquiry and correctly concluded the confidential information was credible and reliable. Id. The reliability of confidential information may be established by in camera review of material documenting an investigator's assessment of the credibility of a confidential informant. James, 479 N.W.2d at 291.

Wilson contends there is insufficient information in the record to show the disciplinary committee undertook such an inquiry. He claims that because there were rival gangs in this case the motives of the confidential informants should be closely examined.

After reviewing all of the records in this case, we conclude the confidential information is credible and reliable. We will not discuss the confidential information, but find there to be abundant evidence connecting Wilson with the assault on Botts. We conclude there is sufficient evidence in the record to support the decision of the disciplinary committee. We affirm the decision of the district court denying the application for postconviction relief.

AFFIRMED.