

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 18-00137**



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**INVESTIGATIVE ASSIST SUMMARY REPORT**



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**Case Number:** 18-00137

**OIG Inspector:** Inspector Greg Fulcher

**Outside Agency:** Florida Department of Law Enforcement

**Outside Agency Investigator:** Special Agent Ryan Walker

**Date Assigned or Initiated:** 01-03-2018

**Complaint Against:** Deceased Inmate James Whittey DC# 982668

**Location of Incident – Institution/Facility/Office:** Desoto Correctional Institution Annex

**Complainant:** N/A

**Outside Agency Case #:** FM-37-0033

**Use of Force Number:** N/A

**PREA Number:** N/A

**Classification of Incident:** Inmate Death (Suicide)

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Chief Inspector General Case Number:** N/A



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**I. AUTHORITY**

The Florida Department of Corrections, Office of the Inspector General, by designation of the Secretary and § 944.31, Florida Statutes, is authorized to conduct any criminal investigation that occurs on property owned or leased by the department or involves matters over which the department has jurisdiction.

The testimony references included in this report are summations of oral or written statements provided to inspectors. Statements contained herein do not necessarily represent complete or certified transcribed testimony, except as noted. Unless specifically indicated otherwise, all interviews with witnesses, complainants, and subjects were audio or video recorded.

**II. METHODOLOGY**

The investigation reviewed the derivations of the allegation advanced by the complainant. The scope of this investigation does not seek to specifically address tort(s), but violations of criminal statutes. The criterion used to evaluate each contention or allegation was limited to the following standard of analysis:

1. Did the subject's action or behavior violate Florida criminal statutes?

**III. ANALYSIS**

The standard and analysis in this investigation is predicated with the burden of proving any violation of law, established by probable cause. The evidence considered for analysis is confined to the facts and allegations stated or reasonably implied. The actions or behavior of the subject are presumed to be lawful and in compliance with the applicable Florida law, unless probable cause indicates the contrary.



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#### **IV. DEFINITIONS**

**Unfounded:**

Refers to a disposition of a criminal case for which probable cause does not exist to suggest the suspect's behavior or action occurred nor is an arrest or formal charge being initiated.

**Closed by Arrest:**

Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

**Exceptionally Cleared:**

Refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense, but one for which an arrest or formal charge is not initiated, or in the case of a death investigation, one for which no evidence exists that the death was the result of a crime or neglect.

**Open-Inactive:**

Refers to a disposition of a criminal case for which a criminal investigation commenced, but where evidence is insufficient to close as unfounded, closed by arrest, or exceptionally cleared.

**Investigative Assist Closed**

Refers to a disposition of an investigative assist, where the conduct being investigated by the outside agency did not concern allegations against a Department employee, contractor, inmate, offender, or other person either employed or under the supervision of the Department.



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**V. PREDICATE**

On January 1, 2018, at approximately 6:50 p.m., On-call Inspector Supervisor Daryl McCasland contacted Inspector Greg Fulcher reference an inmate death, Inmate James Whittey DC# 982668, at Desoto Correctional Institution (C.I.) Annex. Inmate Whittey [REDACTED] in his single occupant confinement cell, F-3103, by staff conducting security rounds. Inmate Whittey was pronounced deceased at 6:30 p.m. [REDACTED] Florida Department of Law Enforcement (FDLE) is the lead investigating agency. This death investigation was assigned as an investigative assist to Inspector Greg Fulcher on January 3, 2018.

**VI. SUMMARY OF INVESTIGATIVE FINDINGS**

Based on the exhibits, witnesses' testimony, subject officer's statements, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

On January 1, 2018, Inmate James Whittey DC# 982668, at Desoto Correctional Institution (C.I.) Annex, [REDACTED], [REDACTED] in his single occupant confinement cell, F-3103, by staff conducting security rounds. Correctional [REDACTED] [REDACTED] pronounced Whittey deceased at 6:30 p.m.

Florida Department of Law Enforcement (FDLE) Watch Desk was notified of the incident by Inspector Supervisor McCasland.

Contact was made with Officer in Charge, Captain Kevin Turner. Captain Turner advised staff were conducting rounds through F-Dormitory (confinement) and discovered Whittey [REDACTED] in his (Whittey) assigned cell, F3103L. Captain Turner advised Whittey was housed alone in the cell, and the cell and body were secured awaiting law enforcement. Captain Turner advised Whittey was in confinement reference a cellular telephone being found in his (Whittey) previously assigned dormitory cell.

FDLE Supervisor Tracy Maurer called for a briefing of known information and advised agents would be responding.

FDLE Agents Kevin Sapp and Ryan Walker and Inspector Fulcher arrived at Desoto C.I.

FDLE agents met with Assistant Warden Lori Norwood. Ms. Norwood advised Whittey's next of kin, mother Ms. Janet Sheehan was notified of his death.

Whittey's body was identified and photographed. FDLE agents processed the body [REDACTED] [REDACTED] The agents proceeded to the dormitory to process the cell scene. Agents then began interviews of dormitory inmates and staff.

Agent Walker completed investigative demands forms for documents and information to be released related to Whittey. Documents provided to Agent Walker were: housing log, bed assignment log,



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Whitney's face sheet, control room log, transfer of body/custody form, a CD of dormitory video and [REDACTED] associated with Whitney.

Agent Walker contacted the District 12 Medical Examiner's Office of Sarasota County (District 12 services Desoto County). The medical examiner's office advised West Coast Southern Medical Service would transport the body from the institution to Sarasota County for autopsy.

FDLE held a briefing reference the known and discovered information: Whitney was housed along in confinement cell F3103. Whitney was served his evening meal and had his evening meal tray picked up. Whitney was well and safe. Whitney made no comments to staff or any other known or identified person reference self-harm. Duty Warden Norwood was conducting rounds through confinement as meal service was ending. She and uniformed correctional staff discovered Whitney.

The institution returned to normal operation(s) after the on-scene investigation concluded.

*Inmate Whitney was a 54 year of age, white male, weighing approximately 150 pounds, and 6'03" tall.*

Information on Whitney reflects no significant disciplinary history [REDACTED]

[REDACTED] Whitney would be part of the official investigation in reference to Whitney's death.

On January 2, 2018, an autopsy was performed on Inmate James Whitney by Medical Examiner Doctor Suzanne Utley of the District 12 Medical Examiner's (ME) Office, in Sarasota, Florida. Present in the room were Inspector Fulcher and FDLE Agent Walker.

Dr. Utley was provided copies of Desoto Correctional Institution's [REDACTED] and associated documents on Whitney. Dr. Utley was given a synopsis of the events involving the incident and Whitney's death. Whitney [REDACTED] A Medical Examiner Exemption form was provided to the District 12 Medical Examiner's Office reference Whitney's [REDACTED].

Dr. Utley first performed an exterior examination of Whitney and then conducted the internal examination of Whitney. Dr. Utley said labs would be sent to [REDACTED] and her current findings for the autopsy would be:

- Suicide, [REDACTED]

*District 12 Medical Examiner's Office advised they would provide a copy of the autopsy report when it is completed.*

A review of [REDACTED]-Dormitory surveillance video was conducted. The video indicated staff conducted themselves properly and per policy. The incident occurred during evening meal time and revealed staff were conducting their regular checks and present in the dormitory as required. Upon the discovery of Whitney, staff called [REDACTED].

On March 23, 2018, District 12 Medical Examiner, Dr. Utley, provided a copy of the completed autopsy report (ME report #18-00006D) on Inmate James Whitney DC# 982668. Dr Utley's autopsy opinion and finding was: Whitney, a 54 year old male, manner of death was "Suicide [REDACTED]"  
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██████████". Dr. Utley noted Whittey ██████████  
██████████

On April 11, 2018, Agent Walker provided a copy of FDLE's case closing report, number FM-37-0033, on the investigation of Whittey's death. Agent Walker had received a copy of the Medical Examiner's report reference Whittey's autopsy.

Agent Walker indicated no foul play was suspected. During the course of the investigation, no evidence was discovered or found to indicate Whittey was involved in a use of force incident or that Whittey was involved in any type of physical altercation prior to Whittey's death. Agent Walker's investigative findings were consistent with the autopsy findings, in that Whittey's ██████████  
██████████ Agent Walker's investigative activity was concluded and FDLE case #FM-37-0033 was closed.

During the course of the investigative assist, no administrative policy(s) or rules violations were discovered.

**VII. CHARGES**

**List alleged violations of Florida Law:**

No criminal or administrative violations were observed or discovered during this investigation.

**VIII. CONCLUSION**

Based on the information gathered during the investigation, it is the recommendation of Inspector Greg Fulcher that no criminal or administrative violations were observed or discovered during the course of this investigation and this case be termed as follows:

- 1. Closed - Exceptionally Cleared