

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-16112**



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



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Case Number: 18-16112

OIG Inspector: Senior Inspector Christopher Baty

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Kevin Sapp

Date Assigned or Initiated: 09-12-2018

Complaint Against: (*Deceased*) Inmate Darius Haines DC# J46214

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

Complainant: N/A

Outside Agency Case #: FM-37-0042

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death (Other)

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 September 13, 2018, the Office of the Inspector General received MINS #881430 from Desoto Correctional Institution that indicated on September 12, 2018, at approximately 6:00 p.m., On-call Senior Inspector Christopher Baty was notified by On-call Inspector Supervisor Dennis McIntosh Jr., of an [REDACTED] inmate at Desoto Correctional Institution, in which Inmate Darius Haines DC# J46214 was discovered [REDACTED] in his cell (G2-212). Florida Department of Law Enforcement (FDLE) Special Agent Kevin Sapp was assigned as the lead investigator. FDLE Case# FM-37-0042 was assigned to this case. Senior Inspector Christopher Baty was assigned as the primary assist in this investigation.

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 September 12, 2018, at approximately 5:25 p.m., Officer Luis Moran advised Sergeant Laurie Pierce to respond to G-Dormitory for [REDACTED] inmate in cell G2-212.
- At approximately 5:25 p.m., Sergeant Laurie Pierce responded to G-Dormitory for an [REDACTED] inmate in cell G2-212. Upon arrival, [REDACTED] and then secured the inmate.
- At approximately 5:27 p.m., [REDACTED] arrived to cell G2-212 and assisted with Inmate Haines [REDACTED]
- At approximately 5:32 p.m., [REDACTED] was notified and Inmate Haines was transported to the [REDACTED] within Desoto Correctional Institution.
- At approximately 5:41 p.m., [REDACTED] and [REDACTED] arrived on scene at Desoto Correctional Institution.
- At approximately 5:45 p.m., [REDACTED] pronounced Inmate Haines deceased.
- At approximately 6:00 p.m., On-call Senior Inspector Christopher Baty was notified by On-call Inspector Supervisor Dennis McIntosh Jr.
- At approximately 6:04 p.m., [REDACTED] departed Desoto Correctional Institution.
- At approximately 6:10 p.m., EAC Duty Officer Boone was notified.
- At approximately 6:15 p.m., Supervisor McIntosh Jr. notified FDLE Help Desk of this incident.
- At approximately 6:28 p.m., FDLE Special Agent Supervisor Willis notified Inspector Baty that three FDLE agents would be responding to Desoto Correctional Institution.
- At approximately 6:55 p.m., Inspector Baty arrived at Desoto Correctional Institution.



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- At approximately 7:00 p.m., Duty Warden Norwood notified Nicole Haines (mother) of Inmate Haines' death.
- At approximately 7:15 p.m., Special Agent Walker arrived at Desoto Correctional Institution.
- At approximately 7:30 p.m., Special Agent Cruse, Special Agent Lead Sapp, and Special Agent Supervisor Willis arrived at Desoto Correctional Institution.
- At approximately 7:35 p.m., Agents Cruse and Supervisor Walker started interviews.
- At approximately 7:45 p.m., Agents Lead Sapp, Agent Supervisor Willis and Inspector Baty photographed Inmate Haines.
- At approximately 8:10 p.m., Agent Lead Sapp, Agent Supervisor Willis and Inspector Baty photographed G2-212.
- At approximately 8:30 p.m., cell G2-212 was released for normal operations.
- At approximately 8:40 p.m., Agents Walker, Cruse and Sapp conducted interviews of approximately [REDACTED] and five security staff along with three inmates.
- At approximately 8:42 p.m., 12th District Medical Examiner Investigator Ronald Busbee arrived on scene.
- At approximately 9:00 p.m., Inspector Baty collected video from G-dormitory of the incident and all documentation.
- At approximately 9:23 p.m., 12th District Medical Examiner transport arrived on scene.
- At approximately 9:30 p.m., Medical Examiner Investigator and transport took possession of Inmate Haines' body and departed Desoto Correctional Institution.
- At approximately 9:35 p.m., Lead Agent Sapp signed a request for records form and received records listed on the form.
- At approximately 10:00 p.m., Agents Walker, Cruse and Sapp concluded all interviews.
- At approximately 10:15 p.m., Agents Lead Sapp, Agent Supervisor Willis, Agent Walker and Agent Cruse departed Desoto Correctional Institution.
- At approximately 11:45 p.m., Inspector Baty departed Desoto Correctional Institution.

FDLE REPORT:

On Wednesday, September 12, 2018, at approximately 1902 hours, the Florida Department of Law Enforcement (FDLE) Intelligence Watch and Warning (IWW) desk was contacted by Florida Department of Corrections (FDC) Inspector Supervisor Dennis McIntosh who reported an inmate



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death at the Desoto Correctional Institution, Arcadia, involving Darius Haines, FDOC# J46214. Inmate Haines was pronounced deceased after being found [REDACTED] inside his cell located in the G Dormitory. FDLE Resident Agent in Charge (RAC) Mark Willis directed Special Agent (SA) Kevin A. Sapp, SA Ryan Walker, and SA Shawn Cruse to respond to DCI to conduct the death investigation.

On Thursday, December 13, 2018, Special Agent (SA) Kevin A. Sapp received a copy of the District 12 Medical Examiner's Office report for Darius Haines which was completed by Dr. Phouthasone Thirakul, MD. SA Sapp reviewed the autopsy report and noted the following autopsy findings of Dr. Thirakul:

- 1) [REDACTED]

According to the report, Dr. Thirakul indicated the manner of death was accidental and the cause of death [REDACTED] [REDACTED] [REDACTED] [REDACTED] had negative results. Open source reports indicated FUB-AMB was an analytical reference standard that was structurally classified as a synthetic cannabinoid.

During the course of this investigation, that included interviews of inmates, correctional staff, [REDACTED], and reviewing surveillance video of the incident, nothing suspicious was noted. No evidence was found that indicated Haines was involved in any type of physical altercation and video footage clearly showed Haines before entering his cell, willfully smoked an unknown substance. Haines cellmate who was inside the cell, recognized that Haines was 'twacking' and was under the influence of synthetic marijuana. "Twacking" is a slang term used to describe the way the body reacts to synthetic marijuana. Subsequently, Haines [REDACTED] and was pronounced dead [REDACTED]

Dr. Phouthasone Thirakul determined the cause of death to be [REDACTED] and the Manner of Death of Inmate Haines to be an Accidental.

No foul play was suspected.

All investigative and administrative activity is concluded; this case is closed with this report based on the autopsy findings.

VII. CHARGES

List alleged violations of Florida Law:

N/A

VIII. CONCLUSION

Based on the information gathered during FDLE's investigation, it is the recommendation of FDLE Special Agent Kevin Sapp, no criminal violations were discovered during this investigation, this case, be termed as follows:



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1. Exceptionally Cleared

Senior Inspector Christopher Baty reviewed the investigation completed by FDLE, and no administrative issues were identified.