

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-07872**



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



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Case Number: 18-07872

OIG Inspector: Inspector Jared Dewey

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Lawrence Perez

Date Assigned or Initiated: 05/02/2018

Complaint Against: Inmate James Cooper DC#Q17477

Location of Incident – Institution/Facility/Office: Suwannee Correctional Institution

Complainant: Captain Christopher Aretino

Outside Agency Case #: TL-37-0077

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Death Investigation

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 April 28, 2018, at approximately 0025 hours Senior Inspector Justin Bates (*Inspector Bates*) was contacted by the on-call Inspector Supervisor David Allen (*Inspector Allen*) in reference to an in-custody death at Suwannee Correctional Institution (SWCI). Inspector Allen advised Inmate James Cooper DC# Q17477 (*Inmate Cooper*) [REDACTED] in his cell and [REDACTED] [REDACTED] Inmate Cooper to [REDACTED] [REDACTED] Inmate Cooper was subsequently [REDACTED] [REDACTED]

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 April 28, 2018, at approximately 0025 hours Senior Inspector Justin Bates (*Inspector Bates*) was contacted by the on-call Inspector Supervisor David Allen (*Inspector Allen*) about an in-custody death at Suwannee Correctional Institution (SWCI). Inspector Allen advised Inmate James Cooper DC# Q17477 (*Inmate Cooper*) [REDACTED] in his cell [REDACTED] [REDACTED] Inmate Cooper [REDACTED] [REDACTED]. Inmate Cooper was subsequently [REDACTED] [REDACTED]

At approximately 0032 hours Inspector Bates contacted SWCI and spoke to Captain Nancy Crawford (*CPT Crawford*) who was on scene and provided the same information as above. CPT Crawford stated based on her observations and information provided by staff, it appeared the inmate had most [REDACTED]

At approximately 0054 hours Inspector Bates was contacted by FDLE Supervisor Mike Kennedy (*SA Kennedy*) and he briefed him on the information up to that point. SA Kennedy advised FDLE would monitor the situation [REDACTED]

At approximately 0100 hours Inspector Bates arrived at SWCI and contacted CPT Crawford. Inspector Bates and CPT Crawford went to G-Dorm where the incident occurred. Inspector Bates photographed and searched Inmate Cooper's cell as well. Inspector Bates located several batteries and a staple lying on Inmate Cooper's bunk. The presence is indicative of the inmate trying to light a smoking device. No further of evidence was found.

At approximately 0200 hours Inspector Bates conducted an interview with Inmate Fenkari Lopez DC# M92625 (*Inmate Lopez*) who was housed in the cell with Inmate Cooper. Inmate Lopez stated he was awoken when Inmate Cooper walked in the cell and [REDACTED]. Inmate Cooper [REDACTED] [REDACTED] so Inmate Lopez kicked the door to advise staff, Inmate Cooper [REDACTED] Inmate Lopez indicated Inmate Cooper was a habitual synthetic cannabinoid or "K-2" user. Officers and [REDACTED] to Inmate Cooper.

At approximately 0220 hours Inspector Bates was advised by CPT Crawford that escorting staff [REDACTED] [REDACTED] contacted her with an update. CPT Crawford [REDACTED]



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Inspector Bates then relayed this to SA Kennedy. SA Kennedy advised they would contact Inspector Bates with a response.

At approximately 0300 hours Inspector Bates was contacted by FDLE Supervisor Jim Flournoy (SA *Flournoy*). Inspector Bates advised SA Flournoy of the situation and findings thus far. SA Flournoy advised since it was not clear when Inmate Cooper would be terminated, he would continue to monitor the situation and Special Agent Luis Perez (SA *Perez*) would respond to the facility later in the morning due to the hour. Inspector Bates then assisted CPT Crawford in contacting the next of kin.

At approximately 0900 hours Inspector Bates was contacted by SA Perez who advised he was responding to SWCI but indicated he did not need any OIG response at that point.

On May 02, 2018, at approximately 0523 hours Inmate Cooper was declared deceased. Inmate Cooper's body was released to McAlpin Funeral Home (8261 Highway 90, Sneads, FL 32460) for delivery to the Medical Examiner's office.

SA Perez presented an Investigative Demand requesting any logs, incident reports, disciplinary report history, and video/audio recordings about this case or Inmate Cooper. All documents were located and were provided to SA Perez.

On September 5, 2018, SA Perez received a copy of the Autopsy Report for Inmate Cooper from the District VIII Medical Examiner's Office (MEO). that the post mortem urine sample The cause of death the manner of death was listed as Accidental. The State Attorney's Office (SAO) concurred that Inmate Cooper's death was accidental and declined to pursue and charges in this case.

Request this case be closed Exceptionally Cleared due to the findings of the MEO and the SAO.

During this investigation, there were no Administrative violations determined.

VII. CHARGES

List alleged violations of Florida Law:

N/A

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of Inspector Dewey this investigation be termed as follows:

1. **Exceptionally Cleared**