

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 13-10420

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 13-10420



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



Table of Contents

<u>I. AUTHORITY</u>	4
<u>II. METHODOLOGY</u>	4
<u>III. ANALYSIS</u>	4
<u>IV. DEFINITIONS</u>	5
<u>V. PREDICATE</u>	6
<u>VI. SUMMARY OF INVESTIGATIVE FINDINGS</u>	6
<u>VII. CHARGES</u>	13
<u>VIII. CONCLUSION</u>	13



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



Case Number: 13-10420

Inspector: Inspector Ron Castle

Date Assigned or Initiated: 09-18-2013

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Santa Rosa Correctional Institution

Complainant: N/A

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death [REDACTED]

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Equal Employment Opportunity Investigation: Yes No

Chief Inspector General Case Number: N/A



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



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.



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



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.



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



V. PREDICATE

On or about September 16, 2013, at approximately 9:20 p.m., Officer Harold Nowling responded to a disturbance in Wing-3 of D-dormitory and found Inmate Jerry Washington, in his cell alone, laying on the floor. Inmate Washington stated he had [REDACTED]. Inmate Washington was [REDACTED].

On September 17, 2013, at approximately 5:55 a.m., Inmate Washington was pronounced deceased [REDACTED]. The Office of the Inspector General initiated a criminal investigation, Case 13-10420, on September 18, 2013.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses' testimony, 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 16, 2013, Officer Harold Nowling stated he was assigned as a housing officer in D-dormitory on the 7:00 p.m. to 7:00 a.m. shift at Santa Rosa Correctional Institution. Officer Nowling stated at approximately 9:40 p.m., he responded to a disturbance in wing-3 where inmates were kicking on their doors. After entering wing-3, Officer Nowling stated inmates yelled that Inmate Jerry Washington, in cell D3-103, [REDACTED]. Officer Nowling went to cell D3-103, looked through the cell door window and observed Inmate Washington lying on the floor. When Officer Nowling asked Inmate Washington what was wrong, Inmate Washington responded and indicated [REDACTED]. Inmate Washington told Officer No [REDACTED]. Inmate Washington did not tell Officer Nowling why [REDACTED].

Officer Nowling indicated his radio battery was dead, so he waived his hands and got Lieutenant Gregory Byrd's attention. Lieutenant Byrd was in the officer's station and was assigned as the Assistant Shift Supervisor and came down into wing-3. Officer Nowling retrieved [REDACTED] from the front of wing-3. Lieutenant Byrd made a radio call to the officer's station and had Inmate Washington's cell door opened. When the cell door opened, Inmate Washington [REDACTED]. Officer Nowling and Lieutenant Byrd assisted Inmate Washington [REDACTED].

Officer Nowling and Lieutenant Byrd wheeled Inmate Washington out of wing-3, into the sally port. Lieutenant Byrd [REDACTED]. Two [REDACTED] responded to D-dormitory in the [REDACTED]. Lieutenant Byrd and Officer Nowling [REDACTED] Inmate Washington from the sally port [REDACTED]. Inmate Washington [REDACTED] by Lieutenant Byrd, Officer Nowling, and Officer Terence Shell, who had arrived from the yard to assist.

Officer Nowling stated when [REDACTED], he went back inside D-dormitory and had no further contact with Inmate Washington. When asked, Officer Nowling stated



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



during the entire time he was with Inmate Washington, Inmate Washington never stated, in his presence,
[REDACTED]

On October 21, 2013, Officer Terence Shell stated on September 16, 2013, he worked the 7:00 p.m. to 7:00 a.m. shift at Santa Rosa Correctional Institution and was assigned as an internal security officer. While responding [REDACTED] in D-dormitory, Officer Shell opened the security gates for the [REDACTED] to enter into the housing area. [REDACTED] After opening the security gates, Officer Shell escorted [REDACTED] D-dormitory. When they arrived at D-dormitory, D-dormitory staff had Inmate Washington [REDACTED] waiting at the door. Officer Shell indicated Inmate Washington [REDACTED]. He assisted D-dormitory staff in placing Inmate Washington [REDACTED].

Officer Shell assisted in taking Inmate Washington [REDACTED] and remained [REDACTED] Inmate Washington. Officer Shell stated [REDACTED] indicated Inmate Washin [REDACTED]. Officer Shell stated Inmate Washington did not appear [REDACTED] and appeared to [REDACTED] asked the officers to help [REDACTED] a [REDACTED].

Officer Shell stated he heard Inmate Washington make a statement that [REDACTED]. Officer Shell did not hear Inmate Washington state [REDACTED]. Officer Shell indicated he did hear Inmate Washington [REDACTED] h [REDACTED].

While in the [REDACTED] Officer Shell indicated he observed [REDACTED] Inmate Washington's [REDACTED] and also observed [REDACTED] Inmate Washington [REDACTED]. Inmate Washington was not combative [REDACTED] and appeared to be cooperating with [REDACTED] except when he would [REDACTED].

Officer Shell departed [REDACTED] and went to the front gate to escort [REDACTED] (later identified as [REDACTED]) arrived approximately five (5) minutes prior to the [REDACTED]. Officer Shell also escorted [REDACTED] assisted [REDACTED] Inmate Washington [REDACTED], and then escorted [REDACTED] to the front gate. [REDACTED]. Officer Shell had no further contact with Inmate Washington.

On October 17, 2013, [REDACTED] indicated on September 16, 2013, she worked the 3:00 p.m. to 11:00 p.m. shift at Santa Rosa Correctional Institution. [REDACTED] stated she could not recall the time, but she did go to D-dormitory late in the afternoon to issue inmates their prescribed medications. She was escorted through the dormitory by a male dormitory officer, but could not recall his name. [REDACTED] indicated when she arrived at Inmate Washington's cell, he was on his



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



bunk and waived at her, [REDACTED] stated she should have had Inmate Washington [REDACTED], but she forgot. She did not remember [REDACTED] that Inmate Washington [REDACTED].

Later in the evening, [REDACTED] stated she was instructed by [REDACTED] to take the [REDACTED] and report to [REDACTED] D-dormitory. [REDACTED] and the infirmary officer (*later identified as Officer William Hopkins*) went with her to D-dormitory. When they arrived at D-dormitory, Inmate Washington was sitting [REDACTED]. Inmate Washington was assisted [REDACTED] by officers. [REDACTED] and Officer Hopkins took Inmate Washington [REDACTED] and placed Inmate Washington [REDACTED]. Inmate Washington, who appeared [REDACTED].

[REDACTED] stated she was in and out of the [REDACTED]. Officer Hopkins kept talking to Inmate Washington [REDACTED]. During a conversation between Inmate Washington and Officer Hopkins, she overheard Inmate Washington tell Officer Hopkins a dormitory officer had threatened to take him out of his cell and beat him. [REDACTED] indicated Inmate Washington identified Officer Pugh as the officer threatening him.

During questioning, [REDACTED] stated Inmate Washington made no allegations of physical abuse and [REDACTED] on Inmate Washington.

On October 18, 2013, [REDACTED] indicated on the evening of September 16, 2013, she was the "[REDACTED]" at Santa Rosa Correctional Institution when she received a telephone call from D-dormitory advising [REDACTED] because an inmate had allegedly [REDACTED]. She instructed two [REDACTED] to D-dormitory, [REDACTED].

After [REDACTED] departed for D-dormitory, [REDACTED] began preparing [REDACTED]. She obtained Inmate Jerry Washington's [REDACTED].

Inmate Washington [REDACTED] stated she asked Inmate Washington [REDACTED], and Inmate Washington responded, [REDACTED]. Inmate Washington told [REDACTED]. Knowing [REDACTED] Inmate Washington [REDACTED], [REDACTED] stated she did not [REDACTED] because she did not want [REDACTED]. Inmate Washington's [REDACTED] indicated her [REDACTED] Inmate Washington [REDACTED].



FLORIDA DEPARTMENT OF CORRECTIONS
 OFFICE OF THE INSPECTOR GENERAL
 CASE SUMMARY REPORT



[REDACTED]

[REDACTED] stated, in addition to [REDACTED]
 [REDACTED]
 identified as Terence Shell and William Hopkins.)

[REDACTED] and that [REDACTED]
 [REDACTED]

[REDACTED] sed [REDACTED]
 [REDACTED] at her home to advise [REDACTED]
 [REDACTED]

[REDACTED] stated, staff continuously [REDACTED]
 [REDACTED]

[REDACTED]

[REDACTED] back and advised her they did not have an [REDACTED]
 [REDACTED]
 [REDACTED] on Inmate Washington, but had [REDACTED]
 [REDACTED] because Inmate Washington's [REDACTED].

When questioned how, or why, Inmate Washington would have [REDACTED]
 [REDACTED] stated the [REDACTED]
 [REDACTED], or what the [REDACTED] stated
 further, considering Inmate Washington's age (57), and his history [REDACTED]
 [REDACTED]
 [REDACTED] indicated Inmate Washington had been [REDACTED]

[REDACTED] was asked if she heard Inmate Washington make any comments about being abused by officers, and she responded, "No, not at all."

On October 16, 2013, [REDACTED] stated on the evening of September 16, 2013, he was the [REDACTED]. [REDACTED] stated he received a radio Report # 13-10420/38



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



call and was dispatched to Santa Rosa Correctional Institution early in the evening. [REDACTED] indicated he was in his [REDACTED] and arrived at Santa Rosa Correctional Institution prior to the arrival [REDACTED]. After his arrival, he was taken, [REDACTED] to the institutional [REDACTED]. Inmate Washington was sitting up on the examination table and appeared [REDACTED] and was [REDACTED], and appeared to be [REDACTED]. [REDACTED] indicated the [REDACTED]. Washington had apparently [REDACTED]. [REDACTED] Inmate Washington to [REDACTED]. Inmate Washington [REDACTED].

Shortly afterwards, [REDACTED] stated he was [REDACTED] when the [REDACTED] arrived. He and the [REDACTED] Inmate Washington [REDACTED] and placed him inside [REDACTED]. Inmate Washington [REDACTED] and [REDACTED]. Due to Inmate Washington's condition, [REDACTED] contacted their [REDACTED] for further guidance. After receiving instructions from [REDACTED], [REDACTED] got out [REDACTED] and had no further contact with Inmate Washington. When questioned, [REDACTED] stated he did not have any conversations with Inmate Washington [REDACTED]. Inmate Washington [REDACTED].

On September 17, 2013, Inmate Antwon Anderson affirmed he had been housed in cell D3-204 since August 29, 2013. Inmate Anderson acknowledged he had known Inmate Washington since he had been housed in D-dormitory. Inmate Anderson indicated he played chess and had talked with Inmate Washington through the ventilation pipes the evening of September 16, 2013. Inmate Anderson recalled Inmate Washington spoke about [REDACTED]. Inmate Anderson took those statements as an indication Inmate Washington [REDACTED]. Inmate Anderson remembered resting in his bunk prior to "lights out" on September 16, 2013, when he heard someone within the wing [REDACTED]. Inmate Anderson stated he personally overheard Inmate Washington inform the responding officers that [REDACTED].

On September 17, 2013, Inmate Arthur Tyson affirmed he had been housed in cell D3-104 for approximately one month and acknowledged he met Inmate Washington a couple of weeks ago. Inmate Tyson recalled last speaking with Inmate Washington on September 16, 2013, during which time Inmate Washington expressed he was in fear for his life because he had filed grievances on some officers. Inmate Tyson knew Inmate Washington [REDACTED] the night of September 16, 2013, because he heard Inmate Washington ask other inmates to bang on the door and get the attention of the officers [REDACTED]. Inmate Washington also recalled hearing Inmate Washington tell the others [REDACTED].

On September 17, 2013, Inmate Edjarick Johnson indicated he had been housed in cell D3-204 for approximately five months. Inmate Johnson claimed he knew Inmate Washington very well and spoke to him frequently through the ventilation system. Inmate Johnson alleged Inmate Washington told him "he was in fear of his life" because he had filed a grievance and called the TIPS line accusing Officer Pugh of grabbing his behind (*buttocks*). Inmate Johnson recalled Inmate Washington saying he was going to do whatever he had to do to get out of D-dormitory because Sergeant Stokes had threatened to "gas" him.



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



On September 17, 2013, Inmate Jarvis Williams indicated he had been housed in cell D3-203 since June 18, 2013. Inmate Williams claimed he knew Inmate Washington for a couple of weeks and they talked with each other when they were on the recreational compound and in their cells through the ventilation system. Inmate Williams stated Inmate Washington was scared Sergeant Stokes was going to "spray him" on September 16, 2013, because Sergeant Stokes had informed Inmate Washington he was on the "spray list." Inmate Williams denied Inmate Washington had ever [REDACTED] and assumed Inmate Washington was just trying to get moved out of D-dormitory

On September 17, 2013, Inmate Sean Garcia stated he transferred into D-dormitory last Friday, September 13, 2013, and was housed in cell D3-204. Inmate Garcia indicated he did not know Inmate Washington and had never had any direct contact with him. Inmate Garcia asserted Inmate Washington and Inmate Anderson communicated through the ventilation pipes a few days earlier and he overheard Inmate Washington talking about an incident last week during which time security officers came to his back window and threatened him. Inmate Garcia recalled Inmate Washington saying the officers threatened to "fuck me up" and said they are going to spray him. Inmate Garcia recalled hearing a bunch of banging on cell doors the night of September 16, 2013, and also heard several other inmates telling the responding officers, "3 bottom, [REDACTED]". Inmate Garcia conceded he did not have any further information to provide about Inmate Washington.

On September 17, 2013, Inmates Erick Martinez (*housed in cell D3-202*), Anthony Smith (*housed in cell D3-104*) and Shaheed Wright (*housed in cell D3-102*), were interviewed and had no knowledge or information to provide about Inmate Washington. Inmate Milford Singletary (*also housed in cell D3-102*) refused to be interviewed.

On September 19, 2013, Inmate Aaron Porter confirmed he had called the TIPS hot-line and made a request to speak with an Inspector in regard to Inmate Jerry Washington. Inmate Porter acknowledged he personally knew, and had been communicating with, Inmate Washington prior to [REDACTED] subsequent death. Inmate Porter claimed Inmate Washington recently requested his assistance with drafting a grievance to Tallahassee regarding retaliation by Sergeant Stokes and Officer Pugh. Inmate Porter recalled he complied with Inmate Washington's directions and placed the completed grievance in the "box" Sunday night, September 15, 2013.

Inmate Porter recalled he was sitting in the day room early Monday morning, September 16, 2013, and overheard Sergeant Stokes, Officer Pugh and Officer Asbel conspiring to "get back" at Inmate Washington because Inmate Washington had been putting their names in grievances. Inmate Porter alleged Inmate Washington communicated a request for him to write Inmate Washington's family and to call Inmate Washington's sister to advise them he was being set up and expected to be jumped on and gassed when he came out of his cell into the day room. Inmate Porter claimed his initial attempt to call Inmate Washington's family was unsuccessful due to a miscommunication because he did not have the correct PIN number to use in a call to Inmate Washington's family. However, Inmate Porter indicated he intentionally maneuvered by cell D3-103 when he was returning to his own cell from the shower and retrieved a written note from Inmate Washington listing the correct PIN number.

Inmate Porter alleged he was sitting in the day room after lunch at approximately 12:30 p.m. on Monday, September 16, 2013, and heard Sergeant Stokes and Officer Pugh order Inmate Washington to exit his



FLORIC
OFF



cell for a shower. Inmate Porter asserts he personally heard Inmate Washington tell the officers [REDACTED] and heard Inmate Washington [REDACTED]. Inmate Porter alleged the Sergeant denied Inmate Washington's [REDACTED] and again ordered Inmate Washington to exit his cell for a shower. Inmate Porter asserts he observed Inmate Washington exit his cell, shower and return and stated Inmate Washington [REDACTED]

Inmate Porter asserted Inmate Washington communicated to him that he needed Inmate Porter's assistance with [REDACTED] sometime between 10 and 11 p.m. on September 16, 2013. Inmate Porter stated he kicked on his cell door and alerted security officers who responded and removed Inmate Washington from his cell and the wing [REDACTED]. Inmate Porter noted the last observation he made was Inmate Washington [REDACTED] and that he appeared [REDACTED]

Review of the D-dormitory Housing Unit Log, dated September 16, 2013, and beginning at 7:00 p.m., indicated routine Security Checks were completed every [REDACTED] minutes through [REDACTED] p.m. At 9:40 p.m., the Log indicated Inmate Washington declared a [REDACTED] and noted Inmate Washington had claimed [REDACTED]. At 9:45 p.m., the Log indicated Inmate Washington was removed from his cell, and at 9:55 p.m. Inmate Washington was [REDACTED]. The Log also noted Inmate Washington was [REDACTED] at 10:47 p.m.

Review of the fixed wing video cameras in Wing-3 of D-dormitory, on September 16, 2013, revealed Sergeant William Thornhill passing by and briefly viewing into Inmate Washington's cell (D3-103) at 9:10 p.m., then proceeding through Wing-3. At 9:18 p.m., Sergeant Thornhill was again observed in front of Inmate Washington's cell and appeared to be talking into the cell through the door vent. At 9:35 p.m., an officer who appears to be Sergeant Thornhill was observed conducting a security check of both the bottom and top floors of Wing-3 by briefly viewing into each cell.

The cameras revealed at 9:42 p.m., an Officer Knowling entered Wing-3 and walked the bottom floor looking around, then walked directly to Inmate Washington's cell, D3-103, and appeared to be talking as he looked through the cell door window, and then used his handheld radio. At 9:43 p.m., Lieutenant Byrd entered Wing-3 and walked to Inmate Washington's cell where Officer Knowling was standing. Officer Knowling was observed walking to the front of Wing-3, then returning shortly afterwards [REDACTED]. At 9:46 p.m., Inmate Washington was observed [REDACTED], and assisted [REDACTED] by Officer Knowling and Lieutenant Byrd. Inmate Washington was then [REDACTED] by Lieutenant Byrd.

The D-dormitory fixed camera viewing the sally port area in front of the [REDACTED] indicated at 9:48 p.m., on September 16, 2013, Inmate Washington arrived [REDACTED]. Lieutenant Byrd, and escorted by Officer Nowling; Inmate Washington was setting up-right and moving [REDACTED]. It appeared Inmate Washington was talking with Officer Nowling and Lieutenant Byrd. Occasionally, Inmate Washington's [REDACTED]. Several times, Inmate Washington leaned forward momentarily, and then sat back up straight. At 9:49 p.m., Lieutenant Byrd walked out of view of the camera as another unidentified officer entered into the area and stood near Officer Nowling. Inmate Report # 13-10420/38



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



Washington again appeared to be talking with the officers. At 9:50 p.m., Lieutenant Byrd reappeared in camera view and shortly afterwards, Officer Nowling began placing leg restraints onto Inmate Washington. Inmate Washington appeared [REDACTED]. Inmate Washington's [REDACTED]. At 9:52 p.m., a waist-chain with hand restraints were placed on Inmate Washington. At 9:56 p.m., Inmate Washington was [REDACTED] by Officer Nowling, with Lieutenant Byrd following.

Review of the fixed wing cameras in Wing-3 of D-dormitory for September 16, 2013, between the hours of 6:00 p.m. to 9:46 p.m., revealed no one entered or exited Inmate Washington's cell D3-103 until Inmate Washington [REDACTED] at 9:46 p.m.

On January 27, 2014, a copy of Inmate Jerry Washington's [REDACTED] were received from the District One Medical Examiner's Office. According to the Autopsy Report on Inmate Washington, Medical Examiner Doctor Andrea N. Minyard indicated the following; Cause of Death: [REDACTED] and Manner of Death: Suicide.

VII. CHARGES

- NONE

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of Inspector Ron Castle that this case be closed and termed as follows:

- **Exceptionally Cleared**