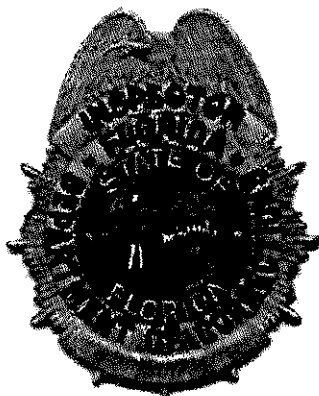


Case Number: 08-54639

Office of the Inspector General



Sustained Investigation

The allegations investigated in this case were reported to the Office of the Inspector General on 12/30/08.

In order for the Department of Corrections, absent circumstances justifying tolling, to be in compliance with Florida Statute 112.532 the affected employee(s) must be notified of any intended discipline prior to 6/26/09.



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RECEIVED
 DEPARTMENT OF CORRECTIONS
 APR 17 2009
 BUREAU OF
 STATE INVESTIGATIONS



Inspector General Case #: 08-54639

Facility: Charlotte Correctional Institution

Classification of Incident: [REDACTED] Inmate Death
 [REDACTED] Staff Misconduct

Field Office/Region: Tampa IG/ V

Incident Date: 12/30/08 Time: 11:16PM

Inspector: Yolanda Brown

Date of Report: 04/17/09

Case Type: A

Check all that apply:

- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Principal(s) Exhibits Attached
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Complaint of Discrimination
- Addendum
- Wing Video Camera(s) Present in the Area of Incident YES NO

SUMMARY OF ALLEGATIONS:

On 12/30/08, at approximately 11:16pm, Inmate Joseph Ahedo was discovered [REDACTED] in his cell and hanging by a noose tied around his neck. He was pronounced dead [REDACTED] on 12/31/08, at 12:05am. During the course of the investigation, allegations concerning possible misconduct involving employees [REDACTED] Captain Christopher Edwards, and Officer William Eisaman were made.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

- Correctional Officer William Eisaman has violated F.A.C. 33-208.003(13) Negligence. Officer Eisaman continued to conduct his security check in [REDACTED] after observing Inmate Ahedo hanging in his cell instead of immediately getting help.
- [REDACTED] has violated F.A.C. 33-208.003(32) Failure to follow oral or written instructions by virtue of violating [REDACTED]
- Evidence was not sufficient to support the allegation Correctional Officer Captain Christopher Edwards acted inappropriately. The allegation he refused to have security staff [REDACTED]



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[REDACTED] was discounted by the fact there was [REDACTED] on scene
[REDACTED]

- Medical Examiner Doctor Riazul H. Imami indicated that Inmate Joseph Ahedo died [REDACTED]
[REDACTED] The manner of death is classified as a suicide.



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	Name	Title / DC #	D.O.B.	Employee ID #
Complainant:	Edwards, Christopher	CO Captain	[REDACTED]	
Victim:	Ahedo, Joseph	Inmate/ 759320	12/17/1969	
Witness(es):	Warren, Michael	Inmate/ 759320	12/17/1969	
	Zuleta, Omar	Correctional Officer	[REDACTED]	
	Gauthier, Brian	Correctional Officer	[REDACTED]	
	Gentile, James	Correctional Officer	[REDACTED]	
	Casadonte, Joseph	Correctional Officer	[REDACTED]	
	Wentz, William	CO Sergeant	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	
	Churilla, John	CO Lieutenant	[REDACTED]	
	Hansen, James	CO Captain	[REDACTED]	
	Kilgo, Carl	CO Lieutenant	[REDACTED]	
	Pilkinton, Richard	Correctional Officer	[REDACTED]	
	Whitt, James	Correctional Officer	[REDACTED]	
	Warnock, Dustin	Correctional Officer	[REDACTED]	
	Wisniewski, Gregory	Correctional Officer	[REDACTED]	
	Edwards, Gerald	Correctional Officer	[REDACTED]	
	Peak, James	Correctional Officer	[REDACTED]	
	Reuter, Robert	Correctional Officer	[REDACTED]	
	Price, Kenneth	Correctional Officer	[REDACTED]	
	Taylor, Lamont	Inmate/ 528850	05/07/1977	
	Morales-Ruiz, Ramon	Inmate/ 168073	05/23/1965	
	[REDACTED]	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	
Subject(s)	Eisaman, William	Correctional Officer	[REDACTED]	
	Edwards, Christopher	CO Captain	[REDACTED]	
	[REDACTED]	[REDACTED]	[REDACTED]	



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there was an inmate hanging in [REDACTED]. He responded along with Officers Gauthier and Gentile to the cell. He radioed that he needed assistance in [REDACTED]. He entered [REDACTED] and observed Ahedo hanging in his cell. He signaled for the officer in the officer's station to open the cell door. He realized that he could not get the noose off with his bare hands, so he signaled for Officer Zuleta, who was assigned to the officer's station to retrieve the cut down tool. He called [REDACTED] as he was retrieving the tool. When he returned, Ahedo had been handcuffed. He had instructed Gauthier and Gentile to lift Ahedo's body to take the pressure off his neck. He cut the part of the noose that was around Ahedo's neck. Ahedo [REDACTED]. Ahedo was placed on the floor. Gauthier [REDACTED]. He saw a shank in the toilet. He did conduct numerous security checks in [REDACTED] during that evening. Ahedo took a shower and [REDACTED]. Ahedo ate his evening meal. He did not detect anything out of the ordinary with Ahedo. Ahedo did not talk a lot. Ahedo was housed [REDACTED].

(Exhibits A-2 & B-2)

In a sworn taped statement, Correctional Officer Brian Gauthier stated that he conducted the 11:15pm, security check in [REDACTED]. When he completed the security check, and was returning to the officer's station, he was told that an inmate in [REDACTED] was hanging. Sergeant Wentz, Officer Gentile and he responded to [REDACTED] to cell [REDACTED]. They radioed for the door to be opened. Officer Gentile and he held Ahedo's body up [REDACTED]. Officer Eisaman placed hand restraints on Ahedo. Sergeant Wentz went and got the cut down tool and cut the noose from around Ahedo's neck. Officer Gentile and he then laid Ahedo on the floor and he [REDACTED]. Officer Gauthier indicated that he conducted the 10:45pm, security check in [REDACTED]. At that time, Ahedo was up and walking around in his cell. Usually during this time, Ahedo would be asleep. The cell lights were on in the cell. He did not observe anything in his (Ahedo's) hand, nor did he say anything. Ahedo ate his evening meal and came out for a shower that evening.

(Exhibits A-3 & B-3)

In a sworn taped statement, Correctional Officer James Gentile stated that he was assigned to [REDACTED] on 12/30/08, on the third shift. He conducted the 11:15pm, security check in [REDACTED]. After being advised of the hanging in [REDACTED] he responded and assisted in holding the inmate's body up while the noose was being cut by Sergeant Wentz. At the same time, Officer Eisaman was placing restraints on Ahedo. He assisted the inmate to the floor. He does not remember [REDACTED]. He does not remember if he conducted any security check in [REDACTED] that evening. He was in the quad for shaves and haircuts that evening. He did not assist with feeding the evening meal. There was nothing unusual about the inmate that evening. He does not remember if Ahedo came out to shave and shower.

(Exhibits A-4 & B-4)

In a sworn taped statement, Correctional Officer Joseph Casadonte stated that he was assigned to [REDACTED] on 12/30/08, on the third shift. He conducted the 11:15pm, security check in [REDACTED]. He was the last officer to respond to the quad, because he had issued an inmate some hygiene supplies in [REDACTED]. As he was retrieving the supplies from the officer's station, he noticed that his fellow officers were at cell, [REDACTED]. He saw Sergeant Wentz come out of the quad to retrieve the cut down tool [REDACTED]. He followed the sergeant into the quad. He stayed at the doorway of the cell as backup. He observed Sergeant Wentz cut the noose from around his neck. Officers Gauthier and Gentile placed Ahedo on the floor. Officer Gauthier [REDACTED].

(Exhibits A-5 & B-5)



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In a sworn taped statement, Correctional Officer Omar Zuleta stated that he was assigned to [REDACTED] on 12/30/08, on the third shift. At 11:15pm, the officers went to conduct a security check in each quad. Officer Eisaman conducted a security check in [REDACTED]. He observed Officer Eisaman attempting to speak on his radio and giving a signal. Officer Eisaman's radio was dead. Officer Eisaman departed the quad and told Sergeant Wentz that an inmate was hanging in [REDACTED]. Sergeant Wentz, Officers Casadonte, Gentile, and Gauthier responded to the cell door. Sergeant Wentz instructed him to open the cell door. They all went in the cell, and then Sergeant Wentz came out and radioed for him to get the cut down tool. [REDACTED] the shift supervisor was notified. Later, the inmate was [REDACTED]. He was assigned to the officer's station the entire night. He never had any contact with the inmate.

(Exhibits A-6 & B-6)

In a second sworn taped statement, Correctional Officer Omar Zuleta stated that he announced over the speaker to the officers it was time for a security check to be conducted. He observed all four officers enter into each quad and conduct security checks. He opened the doors of the quads for each officer to enter. He observed Officer Eisaman conduct his security checks prior to alerting the sergeant.

(Exhibit B-7)

In a sworn taped statement, [REDACTED]

(Exhibits A-7 & B-8)

In a sworn taped statement, [REDACTED]

(Exhibits A-8 & B-9)

In a sworn taped statement, [REDACTED]



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[REDACTED]

(Exhibits A-9 & B-10)

In a sworn taped statement, Correctional Officer Captain Christopher Edwards stated that he was the shift supervisor on 12/30/08. He was notified about 11:15pm to 11:20pm, about an inmate hanging [REDACTED]. When he arrived, [REDACTED]. Security had restrained him and had cut the noose down. He did not observe anything improper by staff involved. Ahedo was [REDACTED] pronounced deceased [REDACTED]. He had no interaction with Ahedo during that evening. The lieutenants conducted security checks on the east and west compound. The lieutenants were Kilgo and Churilla.

(Exhibits A-10 & B-11)

In a sworn affidavit, Correctional Officer Captain James Hansen stated that on 12/30/08, at approximately 11:30pm, Captain Edwards, Lieutenant Kilgo, Lieutenant Churilla and he went to [REDACTED] due to an inmate found hanging. When they arrived, they went to cell, [REDACTED] which was occupied by Ahedo. [REDACTED]

[REDACTED] pronounced Ahedo deceased, at 12:05am on 12/31/08.

(Exhibits A-11)

In a sworn affidavit, Correctional Officer Lieutenant John Churilla stated that on 12/30/08, at approximately 11:30pm, he responded to [REDACTED] involving an inmate hanging [REDACTED]. When he arrived [REDACTED] he observed [REDACTED]. He was present during Ahedo's [REDACTED]. At approximately 1:00am, he gave the closing statement on the video coverage and ordered Sergeant Todd to cease video taping. The video tape was secured by Lieutenant Kilgo.

He did not see Inmate Ahedo at anytime earlier that evening.

(Exhibit A-12)

In a sworn affidavit, Correctional Officer Lieutenant Carl Kilgo stated that on 12/31/08, he was present in [REDACTED] and during [REDACTED]. At approximately 1:00am, Sergeant Todd was instructed to cease video taping due to Ahedo being pronounced deceased. He collected all three video tapes and attached a chain of custody. The tapes were placed in the video drop safe in the main control room.

He did not see Inmate Ahedo before he was found hanging.

(Exhibit A-13)

I conducted [REDACTED] of Inmate Ahedo's body at approximately 4:10am on 12/31/08, [REDACTED]



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[REDACTED] the rope that had been tied around his neck. Inmate Ahedo had on his state uniform pants and his t-shirt and shirt had been cut down the middle bearing his chest. [REDACTED]

Inmate Ahedo's cell and property were searched. His cell was neat and intact. The rope that had been tied around Ahedo's neck is believed to be [REDACTED]. The rope was tied to the [REDACTED]. The vent is approximately [REDACTED] from the floor. The [REDACTED] had been cut by staff in order to get the noose from around Ahedo's neck. A [REDACTED] was found under his mattress. There was no correspondence in Ahedo's cell [REDACTED]. There was a typed letter that stated, "A BELATED HAPPY CHANUKAH AND 5769 + 2009 LOVE + BLESSINGS, Ellie." A notebook paper was found under the mattress with a picture of a motorcycle and other drawing on it. A handwritten petition, with Ahedo's name on it indicating he was petitioning the review of the inmate's constitutional rights that are being violated due to the misuse of new technology", etc. His bed was made up with white sheets and a pillow covered with a pillow case. There was a pair of shower slides and blue state shoes by the bunk on the floor. There was no [REDACTED] found in the cell. A metal "shank", approximately 6 inches long was found in the commode. A personal body alarm was also found in the commode. It was reported that during [REDACTED] body alarm fell into the commode by mistake.

Photographs were taken of the cell and Inmate Ahedo's body.

(Exhibit A-14)

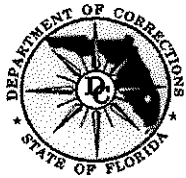
At the time of his death, Inmate Ahedo had been serving a life sentence and was housed [REDACTED] in a single cell.

Inmate Ahedo had no recent phone activity.

The video coverage of [REDACTED] was obtained and reviewed. The coverage is consistent with all staff statements of the events that took place. There is no camera coverage [REDACTED]. The coverage is from 9:00pm to 11:44pm. At 11:24:07pm, the video coverage shows Officer Eisaman conducting a security check in [REDACTED] and had passed Ahedo's cell, [REDACTED] with a flashlight in his hand. At 11:24:23pm, Eisaman completed security check of the bottom floor and then returned back to Ahedo's cell and appeared to be looking inside of the cell with the flashlight. Then for a few seconds, Eisaman stood facing the officer's station. At 11:24:40, Eisaman left the cell and began security check on the top floor in [REDACTED]. At 11:25:13pm, Eisaman completed the top floor security check and walked down the stairs and exited the quad. At 11:26:11pm, Sergeant Wentz approached Ahedo's cell. At 11:26:19, Eisaman approached the cell. At 11:26:25, Officer Gauthier and Officer Gentile entered the quad and approached the cell. At this same time, the cell door opened and all four officers entered the cell. At 11:26:53pm, Sergeant Wentz exited the quad. At 11:27:20pm, Sergeant Wentz returned to the quad, to Ahedo's cell. The rest of the coverage is consistent with the statements as previously stated.

(Exhibit B-12)

The security checks documented on the [REDACTED] Housing Unit Log, DC6-209, are also consistent with the video coverage and staff statements.



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(Exhibit A-15)

In a sworn taped statement, Correctional Officer William Eisaman stated that initially it appeared that Inmate Ahedo was on the toilet. He went back to the cell and noticed Ahedo had a noose around his neck. The noose was tied to the [REDACTED]. He attempted to use his radio; however, the battery was dead. At that time, he continued conducting his security checks on the second floor to secure the quad before going to get help. It did not dawn on him to get help first because he felt that he must secure the area. Secure the area means to make sure the rest of the inmates were secure and not harming themselves. When he completed the security check, he went and got the sergeant in the officer's station.

(Exhibit B-13)

[REDACTED] has a total of [REDACTED] quads. The officer's station is located outside of the quads exterior doors. Officer Eisaman walked approximately 20 feet from the exterior door of quad [REDACTED] to the officer's station to notify the sergeant of Ahedo's hanging.

On 12/31/08 [REDACTED] requested to speak with me regarding Inmate Ahedo. In a sworn affidavit, [REDACTED] stated that [REDACTED]

[REDACTED]

(Exhibit A-16)

According to [REDACTED]

[REDACTED]

(Exhibit A-17)

According to [REDACTED] and [REDACTED] housing log, the following staff was assigned to [REDACTED] on 12/23/08: Correctional Officer Acting Sergeant Robert Reuter, Correctional Officer Richard Pilkinton, Correctional Officer James Whitt, Correctional Officer Dustin Warnock, Correctional Officer Gregory Wisniewski, Correctional Officer Gerald Edwards, Correctional Officer James Peak, and Correctional Officer Kenneth Price.

All of the staff were interviewed and denied receiving information from [REDACTED]

[REDACTED]

(Exhibit B-14)



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Inmate Ahedo's [REDACTED] indicates that on 12/23/08, his [REDACTED] [REDACTED] In the cell search box, there was a check indicating his cell was searched. There was no notation of any contraband discovered.

(Exhibit A-18)

[REDACTED] Search Log, DC6-2001 for 12/23/08, does not indicate Inmate Ahedo's cell was searched.

(Exhibit A-19)

In a sworn affidavit, [REDACTED]

(Exhibit A-21)

In a sworn taped statement, [REDACTED] stated that he was [REDACTED] supervisor. He was on vacation from 12/22/09 to 12/26/09. He returned to work on Monday, 12/29/09. [REDACTED] neither advised him of the inmate [REDACTED]. He did not have any knowledge of [REDACTED] submitting an incident report or any other documentation prior to the incident. After Ahedo's [REDACTED] he had knowledge of [REDACTED] submitting something in writing to the inspector regarding Ahedo.

(Exhibit B-15)

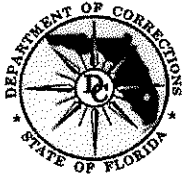
In a sworn taped statement, Inmate Michael Warren stated that he was housed [REDACTED] during the time of this incident. He was present [REDACTED] Inmate Ahedo on 12/23/08. [REDACTED]

(Exhibit B-16)

In a sworn taped statement, Inmate Lamont Taylor stated that [REDACTED]

(Exhibit B-17)

In a sworn taped statement, Inmate Ramon Morales-Ruiz stated that on 12/23/08, he entered [REDACTED]



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[REDACTED]

(Exhibit B-18)

Program Manager for [REDACTED] stated that on 02/05/09, [REDACTED] was terminated from his position as [REDACTED] at Charlotte Correctional Institution for failure to produce quality work, based on his performance. It was not related to this investigation.

I made several attempts to contact [REDACTED] for an interview regarding this case. However, [REDACTED] never responded.

[REDACTED]

In a sworn taped statement, [REDACTED] stated that [REDACTED]

(Exhibit B-19)

In a sworn taped statement, [REDACTED]

(Exhibit B-20)

In a sworn taped statement, [REDACTED]

(Exhibit B-21)

The handheld video coverage of the [REDACTED] activity at Charlotte Correctional Institution on 12/30/08 indicated the following:



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- At 11:42am, Inmate Ahedo was [REDACTED]
- 11:48:08am, [REDACTED]
- Captain Edwards responded "No [REDACTED]"
- 11:48:23pm, [REDACTED]
- 11:48:50pm, [REDACTED]
- 11:48:56pm, Captain Edwards stated "Yes sir, you have [REDACTED]"
- 11:49pm, [REDACTED]
- 11:57:17pm, [REDACTED]
- 12:08:20am, 12/31/08, Tape 1 ended.
- 12:08:51am, Taped 2 resumed.
- 12:09am, [REDACTED]
- 12:10am, [REDACTED] pronounced Inmate Ahedo dead.
- 12:37am, Tape 2 ended.
- 12:39:13am, Tape 3 resumed.
- 1:00:49am, Tape 3 ended with Lt. Churilla ending statement.

According to the video coverage, there [REDACTED]

(Exhibit B-22)

On 01/02/09, an autopsy was performed on Inmate Ahedo by Doctor R.H. Imami, M.D., DME of District 22 Medical Examiner's Office. Doctor Imami indicated that Ahedo died due to [REDACTED]. The manner of death is classified as a suicide.

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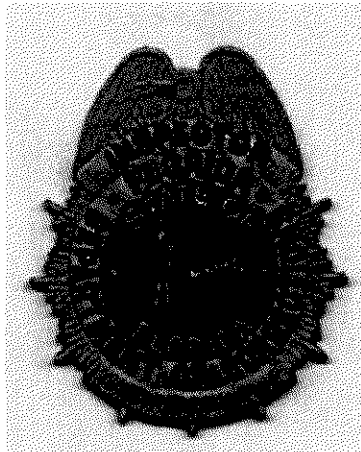


On 01/20/09, I received the autopsy report and the manner of death is classified as a suicide due to [REDACTED]

(Exhibit A-20)

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"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statutes."

"Furthermore, under penalties of perjury, I declare I have read the foregoing report and the contents of the report are true and accurate based upon my personal knowledge, information, and belief."

Yolanda Brown

Investigators Signature

03/23/09
Date



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Yolanda Brown
Yolanda Brown

Senior Inspector

03/23/09 Date

Paula Medina Taylor
Paula Medina Taylor

Prison Inspector Supervisor

3/23/09 Date

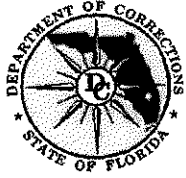
Douglas Stephens
Douglas Stephens

Chief Prison Inspector

4/20/09 Date

Deputy/Inspector General

_____ Date



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EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident report of Correctional Officer William Eisaman
2. Incident report of Correctional Officer Sergeant William Wentz
3. Incident report of Correctional Officer Brian Gauthier
4. Incident report of Correctional Officer James Gentile
5. Incident report of Correctional Officer Joseph Casadonte
6. Incident report of Correctional Officer Omar Zuleta
7. Incident report of [REDACTED]
8. Incident report of [REDACTED]
9. Incident report of [REDACTED]
10. Incident report of Correctional Officer Captain Christopher Edwards
11. Sworn affidavit/ Incident report of Correctional Officer Captain James Hansen
12. Sworn affidavit/ Incident report of Correctional Officer Lieutenant John Churilla
13. Sworn affidavit/ Incident report of Correctional Officer Lieutenant Carl Kilgo
14. Photographs of Inmate Ahedo's body and cell/ Written complaint affidavit from Inmate Ahedo
15. [REDACTED] Housing Unit Log DC6-209, for 12/30/08
16. Sworn affidavit of [REDACTED]
17. Inmate Ahedo's [REDACTED]
18. Inmate Ahedo's [REDACTED]
19. [REDACTED] Search Log, DC6-2001 for 12/23/08
20. Sworn affidavit of [REDACTED]
21. Autopsy Report of Inmate Ahedo

B. EXHIBIT(s) - not attached:

1. Sworn taped statement of Correctional Officer William Eisaman
2. Sworn taped statement of Correctional Officer Sergeant William Wentz
3. Sworn taped statement of Correctional Officer Brian Gauthier
4. Sworn taped statement of Correctional Officer James Gentile
5. Sworn taped statement of Correctional Officer Joseph Casadonte
6. Sworn taped statement of Correctional Officer Omar Zuleta
7. Sworn taped statement of Correctional Officer Omar Zuleta
8. Sworn taped statement of [REDACTED]
9. Sworn taped statement of [REDACTED]
10. Sworn taped statement of [REDACTED]
11. Sworn taped statement of Correctional Officer Captain Christopher Edwards
12. Fixed wing video coverage of [REDACTED]
13. Sworn taped statement of Correctional Officer William Eisaman
14. Sworn taped statement of Sergeant Robert Reuter, Correctional Officers Richard Pilkinton, James Whitt, Dustin Warnock, Gregory Wisniewski, Gerald Edwards, James Peak, and Kenneth Price
15. Sworn taped statement of [REDACTED]

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16. Sworn taped statement of Inmate Michael Warren
17. Sworn taped statement of Inmate Lamont Taylor
18. Sworn taped statement of Inmate Ramon Morales-Ruiz
19. Sworn taped statement of [REDACTED]
20. Sworn taped statement of [REDACTED]
21. Sworn taped statement of [REDACTED]
22. Handheld video coverage [REDACTED]