

Florida Department Of Corrections
 Office of the Inspector General
 Report of Investigation
 Gene Hatcher, Inspector General

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 DEPARTMENT OF CORRECTIONS



MAY 12 2010

BUREAU OF
 STATE INVESTIGATIONS

Case Number: 10-2-0690

Inspector General Case #: 10-2-0690 Facility: Columbia C.I. Main Unit
 Classification of Incident: [REDACTED] Field Office/Region: Gainesville / Region 2
 January 24,
 Incident Date: 2010 Time: 7:20 AM Inspector: Daniel Gonzalez
 Date of Report: April 27, 2010 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

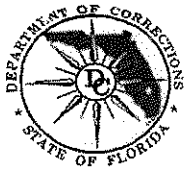
SUMMARY OF ALLEGATIONS:

On January 24, 2009, at approximately 7:20 AM, Inmate Mark Schuman # 899137 was pronounced deceased at Columbia CI after being found [REDACTED] in his cell. This incident was reported to the Office of the Inspector General via the Management Information Notification System (MINS) and assigned to Inspector Gonzalez for investigation on January 25, 2010.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

- Investigation and autopsy findings revealed the death of Inmate Mark Schuman # 899137 was an accidental death [REDACTED] In rare cases, Inmates in the Department of Corrections [REDACTED]
 [REDACTED]
 [REDACTED] Inmate Schuman has not been assigned to those facilities since 2007. Inmate Schuman's [REDACTED] and it could not be determined how [REDACTED] Schuman [REDACTED]

Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

	Name	Title / DC #	D.O.B.	Employee ID #
Complainant:	Cupp, Robin	Correctional Officer	[REDACTED]	57658
Victim:	Schuman, Mark	Inmate / # 899137	10/08/62	
Witness(es):	Whitmer, Michael	Inmate / # V27682	06/08/88	
	Stanley, Michael	Inmate / # 192946	02/19/76	
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	Dillon, Bruce	C.O. Sergeant	[REDACTED]	283339
	Mercer, Charles	C.O. Sergeant	[REDACTED]	28948
	Griffis, Anthony	Correctional Officer	[REDACTED]	58477
	Wheeler, John	C.O. Captain	[REDACTED]	22775
Subject(s):				

Arrest: Employee Inmate Other Guilty Addendum Pending
Charges: Not Guilty
 Felony Misdemeanor Nolo Contendere
Date of Arrest: P.T.I.
 Other (explanation):
Date Reported:

Sentence of Court / Agreement:

Administrative Violation(s):

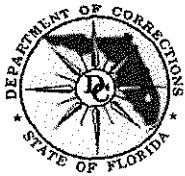
Evidence: Weapon Drugs Other Describe: Cylinder
containing trace amount of orange colored unknown powdery substance.

Other Agency Case Number:

FINDINGS:

In an incident report dated January 24, 2010, Officer Robin Cupp indicated the following:

On January 24, 2010, at approximately 6:52 AM, while assigned as G-Dormitory Housing Officer, Inmate Michael Whitmer # V27682 came to the officer station and told her that his cellmate, Inmate Mark Schuman # 899137 was [REDACTED]. She announced via radio for assistance in G-Dormitory. At approximately 6:54 AM, Sergeant C. Mercer, Sergeant B. Dillon, Captain J. Wheeler, Officer A. Griffis



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

[REDACTED] entered G-Dormitory wing 1. At approximately 6:58 AM, [REDACTED]. At approximately 6:58 AM, Inmate Whitmer was secured in the day room of wing 1. Captain Wheeler instructed Sergeant Dillon to secure cell G1108 and initiate a log to document anyone entering the cell. (Exhibit # A-1)

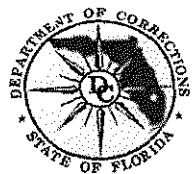
In the Shift Officer-In-Charge comments of the incident report, Captain John Wheeler indicated the following:

At approximately 6:45 AM, he [REDACTED] entered cell G1108 and observed Inmate Mark Schuman # 899137 lying face down on his bunk with a sheet covering the lower half of his body. He attempted to [REDACTED] from Inmate Schuman [REDACTED]. At that time [REDACTED] Inmate Schuman was [REDACTED]. Sergeant C. Mercer [REDACTED]. At approximately 7:00 AM, [REDACTED] Inmate Schuman. At approximately 7:05 AM, Duty Warden Major D. Jones was notified. [REDACTED] approximately 7:15 AM. At approximately 7:16 AM, [REDACTED] At approximately 7:20 AM, [REDACTED] Schuman was deceased. At approximately 7:20 AM, EAC Duty Officer Brandon was notified. (Exhibit # A-1)

At approximately 7:30 AM, this writer was advised by Inspector Supervisor Kathleen Harrell to respond to Columbia C.I. Main Unit in response to the report of Inmate Schuman's death. Upon arrival at Columbia C.I. this writer was briefed by Captain John Wheeler, who escorted this writer to the Columbia C.I. [REDACTED] where the body of Inmate Schuman had been brought. Captain Wheeler advised that G-Dormitory staff [REDACTED] responded to a call for assistance after Inmate Schuman's cellmate (*Michael Whitmer # V27682*) found Schuman lying face down on bunk G1108L [REDACTED]. Wheeler further indicated that [REDACTED] Inmate Schuman was pronounced deceased at 7:20 AM [REDACTED].

This writer took digital photographs and conducted an examination of the body of Inmate Schuman. Schuman was dressed in black shorts and a white long sleeved thermal shirt. It was apparent that Schuman [REDACTED] [REDACTED] and no signs of foul play. (Exhibit # B-1)

An inspection of the cell (*G1108*) occupied by Inmate Schuman and Inmate Michael Whitmer # V27682 was conducted. The cell was a standard two man cell. The cell showed no signs of struggle [REDACTED] and appeared normal. Inmate Schuman's bunk was neatly made and there appeared [REDACTED]. The



Florida Department Of Corrections
 Office of the Inspector General
 Report of Investigation
 Gene Hatcher, Inspector General



Case Number: 10-2-0690

cell and property of both inmates were secured. A search of Inmate Schuman's property revealed two [REDACTED] Digital photographs were taken of the cell. There are no video surveillance cameras in G-Dormitory as it houses general population inmates. Security staff placed Inmate Whitmer in administrative confinement pending this investigation for precautionary reasons. A copy of G-Dormitory Housing Unit log was obtained. (Exhibits # A-2, # B-1)

Inmate Schuman's [REDACTED] dated January 24, 2010 [REDACTED] revealed the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

(Exhibit # A-3)

Inmate Schuman was serving a life sentence for second degree murder and entered the Department of Corrections on August 18, 2004. Inmate Schuman was received at Columbia C.I. on January 16, 2009, from the Reception and Medical Center. Inmate Schuman's Department of Corrections [REDACTED]

Schuman was sent to the [REDACTED]

[REDACTED] Schuman was age 47 at the time of his death. (Exhibit # A-4)

Inmate Schuman's visitation records revealed that on January 23, 2010, he received a social visit with Sylvia Schuman (mother) and Paul Schuman (brother). Inmate Schuman's recorded telephone calls were monitored with no pertinent information obtained.



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

In a sworn, audio-recorded statement obtained on January 24, 2010, Inmate Michael Whitmer # V27682 indicated the following:

Whitmer indicated that Schuman was assigned to his cell (G1108) with him just two days prior to his death. Inmate Whitmer indicated that when he returned from the morning meal, he was [REDACTED] Inmate Schuman. He found that Schuman was lying face down on his bunk [REDACTED]. He reported this to the dormitory officer. Whitmer further indicated that on January 23, 2010, at approximately 6:00 PM, he saw Inmate Schuman [REDACTED]. At approximately 8:00 PM or 9:00 PM, Inmate Schuman told him that he [REDACTED]. Later that evening a black inmate (later identified as Larry Stanley # 192946) who was Schuman's boyfriend entered the cell and told Schuman [REDACTED] Schuman because [REDACTED]. Later that night right after master roster count the same black inmate entered their cell to be with Schuman so he (Whitmer) left and went upstairs to one of his friend's cells. At approximately 11:30 PM, he returned to the cell to go to bed and Schuman was alone and awake in the cell. Whitmer indicated that Schuman appeared to be [REDACTED]. Whitmer indicated that the last time he saw Inmate Schuman alive was at approximately 3:00 AM the next morning when he got up to use the toilet. Schuman was walking around in the cell and asked him to get the NBA basketball scores for him. He did not hear Schuman [REDACTED] (Exhibit # B-2)

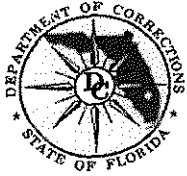
A search of Inmate Schuman's property revealed a plastic writing pen cylinder that appeared to have trace amounts of an unknown powdery substance that was orange in color. The item was secured as evidence.

On January 24, 2010, the Office of the Medical Examiner (District 4 - Jacksonville) was contacted and Investigator Wendy Meachem was informed of the preliminary findings. Meachem was also informed of the writing pen cylinder that was found but Meachem advised that it was not necessary to send the item for lab analysis. Meachem advised that an autopsy would be scheduled that day. An autopsy was conducted that day by Margarita Arruzo, M.D. and attended by this writer. Preliminary autopsy findings revealed [REDACTED]. Dr. Arruzo indicated that these findings are [REDACTED].

During this investigation Inmate Larry Stanley # 192946 was identified as the inmate who was present with Inmate Schuman on the evening of January 23, 2010.

In a sworn, audio-recorded statement obtained on February 9, 2010, Inmate Larry Stanley # 192946 indicated the following:

He and Inmate Schuman were lovers and have been so since November, 2009. On the night before his death at approximately 8:45 PM, he went to Schuman's cell and asked him [REDACTED]. He knew that Schuman had been [REDACTED] other unknown inmates on the compound but he was [REDACTED] Schuman normally [REDACTED].



Florida Department Of Corrections
 Office of the Inspector General
 Report of Investigation
 Gene Hatcher, Inspector General



Case Number: 10-2-0690

[REDACTED] Schuman told him he had been [REDACTED]
 He was concerned about Schuman but Schuman did not want him to interfere [REDACTED] as it
 would have a negative effect on their relationship. He made Schuman walk around the cell reciting his
 DC number [REDACTED] He tried to convince Schuman to tell him [REDACTED]
 [REDACTED] but he would not do it. After count time Schuman [REDACTED] it appeared that he was
 [REDACTED] Schuman told him [REDACTED] but he noticed that
 [REDACTED] Schuman then drank some water and smoked a cigarette and [REDACTED]
 Stanley indicated that he didn't think anything was wrong and he went back to his cell G1113 to sleep
 around 11:30 PM or 12:00 AM. Stanley indicated that Schuman's cellmate was upstairs with his friends
 while he was in the cell with Schuman, and there was nobody else with Schuman that night. He is not
 sure where or how Schuman [REDACTED] but he believed he got it from another inmate on the
 compound. He does not believe that Schuman [REDACTED] from his family or visitors. Schuman was
 always [REDACTED] He did not hear Schuman [REDACTED]
 [REDACTED] (The Office of the Medical Examiner was advised of this information.) (Exhibit # B-2)

On February 23, 2010, toxicology results and cause of death for Inmate Schuman were received from the Office of the Medical Examiner with the following information:

Manner of Death:

Accidental (*Non Vehicular*)

Cause of Death

[REDACTED]

Toxicology Results:

<u>Specimen</u>	<u>Drug</u>	<u>Amount</u>
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

On April 26, 2010, the examination report of Inmate Schuman's autopsy was received from the Office of the Medical Examiner with the following information:

Diagnosis:

[REDACTED]

Cause of Death

[REDACTED]

Manner of Death

Accidental

(Exhibit # A-5)

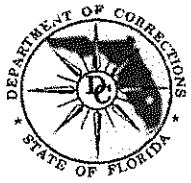
It is noted that

[REDACTED]

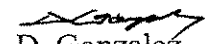

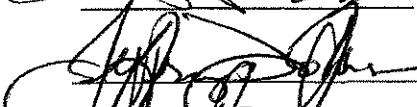

Inmate Schuman has not been assigned to these facilities since 2007. Inmate

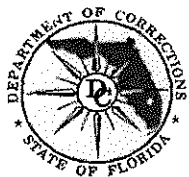
Schuman's

Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

 D. Gonzalez	Prison Inspector	<u>5/5/10</u> Date
	Inspector Supervisor	<u>5/6/10</u> Date
	Lead Inspector Supervisor	<u>5/12/10</u> Date
	Chief Prison Inspector	<u>5/17/10</u> Date
_____	Deputy/Inspector General	_____ Date



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Case Number: 10-2-0690

EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident report submitted by Officer Robin Cupp dated January 24, 2010.
2. G-Dormitory Housing Unit Log dated January 24, 2010.
3. [REDACTED]
4. [REDACTED]
5. Autopsy Examination Report for Inmate Mark Schuman # 899137.

B. EXHIBIT(s) - not attached: Exhibits # B-1 and # B-2 will be maintained in Inspector General case file # 10-2-0690.

1. Compact disc containing the digital images of photographs taken of the body of Inmate Mark Schuman # 899137 and cell G1108.
2. Compact disc containing the digital audio recordings of interviews with the following:
 - Inmate Michael Whitmer # V27682
 - Inmate Larry Stanley # 192946
3. Cylinder containing trace amount of orange colored unknown powdery substance will be temporarily maintained in the Gainesville Field Office evidence room and then transferred to the Baker C.I. evidence room for storage.