



Florida Department of Corrections
 Office of the Inspector General
 Report of Investigation
 Chester Green, Interim Inspector General



Inspector General Case #: 10-1-10647

Facility: Century Correctional Institution/106

Classification of Incident: [REDACTED]

Field Office/Region: Tallahassee/Region 1 West

Incident Date: 12/22/2010

Time: 11:20 a.m.

Inspector: Robert Calamari

Date of Report: 01/20/2011

Case Type: C

Check all that apply:

- Case of Special Interest
- Confidential [REDACTED]
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Equal Employment Opportunity Commission (EEOC)
- Addendum
- Wing Video Camera(s) Present in the Area of Incident

SUMMARY OF ALLEGATIONS:

On December 22, 2010, at approximately 11:20 a.m., Sergeant Thomas Dickson responded to E-dormitory wing one to assume the duty as officer in charge. When Sergeant Dickson arrived, Inmate Donald Bart was at his [REDACTED]. Sergeant Dickson ordered Inmate Bart to stop and for the entire wing of inmates to sit on their bunks. Inmate Bart was [REDACTED] battered by an unknown inmate. The scene was secured around Inmate Bart's bunk. Photographs were taken of the scene and Inmate Bart. Inmate Bart was escorted [REDACTED]. On December 25, 2010, at approximately 5:00 p.m., Inmate Bart was [REDACTED] in Y-dormitory. Inmate Bart was [REDACTED]. Inmate Bart was later pronounced dead [REDACTED]. This was reported via the MINS on December 22, 2010 and was assigned for investigation on December 23, 2010.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

As a result of this investigation, it is determined that Inmate John Scaife has violated Chapters 782.07(1) (*Manslaughter*) and 784.03(1)(a) (*Battery*) of the Florida Statutes by virtue of witnesses statements that Inmate John Scaife battered Inmate Donald Bart causing him to fall [REDACTED] that caused his death.



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	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
Complainant:	Thomas J. Dickson	Sergeant	[REDACTED]	25606
Victim:	Donald J. Bart	DC # 974129	9/10/1956	
Witness(es):	Rebecca K. Guice	Correctional Officer	[REDACTED]	8399
	Cylinda G. Grice	Correctional Officer	[REDACTED]	8253
	Julie I. Booth	Correctional Officer	[REDACTED]	1972
	Garland D. Domingue	Correctional Officer	[REDACTED]	50287
	Amanda F. Parker	Correctional Officer	[REDACTED]	45745
	[REDACTED]	[REDACTED]	[REDACTED]	47254
	Joseph K. Schwarz	Colonel	[REDACTED]	19035
	[REDACTED]	[REDACTED]	[REDACTED]	23986
	Xavier R. Grice	Sergeant	[REDACTED]	8254
	Corey M. Settlemires	Sergeant	[REDACTED]	56703
	Jonathan Baker	Correctional Officer	[REDACTED]	36556
	Wayne Igo	Sergeant	[REDACTED]	49019
	Leonard B. White	Correctional Officer	[REDACTED]	53769
	David L. Middleton	Sergeant	[REDACTED]	14383
	Donald R. Gafford	Captain	[REDACTED]	7287
	Vicki L. Burnham	Major	[REDACTED]	2927
	Rogelio S. Trevino	Captain	[REDACTED]	21653
	Jarrold G. Jones	Sergeant	[REDACTED]	11069
	Raymond A. Ayala	Correctional Officer	[REDACTED]	59357
	Kevin D. Steele	Correctional Officer	[REDACTED]	59381
	[REDACTED]	[REDACTED]	[REDACTED]	56267
	[REDACTED]	[REDACTED]	[REDACTED]	52773
	Kevin R. Bullard	Correctional Officer	[REDACTED]	49448
	Bryan A. Hart	Correctional Officer	[REDACTED]	40830
	Kenneth A. Shaw	Correctional Officer	[REDACTED]	48083
	Emilio V. Quintana	DC # 045990	1/22/1953	
	Christopher R. Hall	DC # P13993	8/4/1972	
	Hector V. Solorzan	DC # P40080	11/21/1988	
	John A. Howard	DC # T17247	6/12/1957	
	Glenn Battle	DC # 047214	6/2/1952	
	Mathieu Gosselin	DC # B08603	9/11/1983	
	Charles Richards	DC # V11177	4/19/1978	
Subject(s):	John Scaife	DC # 069460	1/5/1953	



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Arrest: Employee Inmate Other Addendum Pending

Charges:

Felony Misdemeanor Date of Arrest: Date Reported:

Other Agency Case Number:

FINDINGS:

In his incident report dated December 22, 2010 and his affidavit dated January 3, 2011, Sergeant Thomas Dickson indicated the following:

On December 22, 2010, at approximately 11:20 a.m., he heard on the radio a request for the "B" team responders to go to E-dormitory. He responded to E-dormitory, wing one and assumed the duty as officer in charge during this incident. When he arrived, he observed Inmate Donald Bart at his bunk area [REDACTED]. He ordered Inmate Bart to stop and for the other inmates to sit on their bunks. [REDACTED] Officers Booth, Guice, Grice, and Domingue responded to assist with the scene. Inmates Garnet Slater and John Scaife were placed in handcuffs and seated in the wing one dayroom pending the arrival of the inspector. Inmate Scaife approached him and stated he had the wrong guy and admitted that he was involved. When asked if he struck Inmate Bart, Inmate Scaife would not answer the question. The area was secured and photographs were taken. [REDACTED] Inspector Robert Calamari arrived at E-dormitory at approximately 11:30 a.m. and interviewed the two inmates in the dayroom. He (*Dickson*) was instructed to un-cuff both inmates and have them remain in the dormitory.

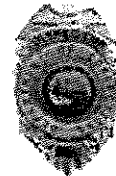
(Exhibits A1 & A2)

In the Chief of Security comments on Sergeant Dickson's incident report dated December 22, 2010, Colonel Joseph Schwarz indicated the following:

He questioned Inmate Donald Bart and he (*Bart*) refused to admit that he was assaulted and refused to identify any problems he has been having. (Exhibit A3)



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In E-dormitory's housing log dated December 22, 2010 and her affidavit dated January 4, 2011, Officer Amanda Parker indicated the following:

On December 22, 2010, she was assigned as the housing officer for E-dormitory. During the time of this incident involving Inmate Donald Bart, she was on wing two side [REDACTED] to an inmate. There were two inmates on wing one that came to the officer station window and stated there was an inmate who had fell down. She went to wing one side to observe what occurred, she called control room and advised them what happened. (Exhibits A4 & A5)

In her affidavit dated January 3, 2011, Officer Julie Booth indicated the following:

On December 22, 2010, at approximately 11:20 a.m., she responded to a "B" team response in E-dormitory wing one. Upon arrival, Inmate Donald Bart was standing by his bed and Sergeant Thomas Dickson told her that he (*Bart*) [REDACTED]. The scene was secured and she walked around the wing looking at inmate's hands and clothes. She told two inmates to go to the dayroom. She asked other inmates if anyone stayed in the dormitory during chow. Inmate John Howard told her he heard Inmate Bart arguing with another inmate. Sergeant Dickson told her the inmate stated he did it (*that inmate was later identified as Inmate John Scaife*). She asked Inmate Scaife if he hit Inmate Bart, he responded that he did not want to talk to her. She asked Inmate Scaife if was protecting someone, he stated "why would I do that." The inspector entered the wing and interviewed the inmates in the dormitory. The inspector went [REDACTED] to interview Inmate Bart, the dormitory was returned to normal operations. (Exhibit A6)

In her affidavit dated January 3, 2011, Officer Cylinda Grice indicated the following:

On December 22, 2010, at approximately 11:20 a.m., a call came over the radio from the control room for "B" team responders to respond to E-dormitory. Upon arriving to E-dormitory wing one, she observed Sergeant Thomas Dickson standing at bunk E1125 talking to Inmate Donald Bart who was sitting on the bed [REDACTED]. She and other officers responded and secured the scene. All other inmates were ordered to their bunks and restricted from entering or leaving the dormitory. She ordered for the digital camera to be sent to the dormitory. Inmate Bart advised that he was able to walk [REDACTED]. She stood in the wing to ensure all inmates remained on their bunks until the inspector arrived and completed all interviews. The dormitory was allowed to return back to normal operations upon the departure of the inspector. (Exhibit A7)

In his affidavit dated January 5, 2011, Officer Garland Domingue indicated the following:

On December 22, 2010, at approximately 11:20 a.m., he was working as the chow hall security. He responded as a "B" team responder to E-dormitory. He entered E-dormitory and noticed an inmate sitting on his bunk [REDACTED]. He was told by the officer in charge (*OIC*) to go and get the



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camera from the control room. When he arrived back to E-dormitory, he gave the camera to Officer Grice to photograph the scene. He returned back to the chow hall and resumed his duties. (Exhibit A8)

In her affidavit dated January 3, 2011, Officer Rebecca Guice indicated the following:

On December 22, 2010, at approximately 11:20 a.m., she responded as a "B" team responder to E-dormitory. Upon her arrival she observed Sergeant Thomas Dickson standing at bunk E1125. She noticed Inmate Donald Bart sitting on his bunk holding [REDACTED]. She assisted in securing the scene, all inmates were placed on their bunks and no inmates were allowed outside the dormitory. She was ordered to retrieve the digital camera and photographed the area around Inmate Bart's bunk. She went [REDACTED]. She took several photographs of Inmate Bart's [REDACTED]. She went back to her office and processed the photographs concerning this incident. (Exhibits A9 ~ A11)

On December 22, 2010, at approximately 11:50 a.m., [REDACTED]
 [REDACTED]
 [REDACTED] (Exhibit A12)

In his affidavit dated January 5, 2011, [REDACTED] indicated the following:

On December 22, 2010, at approximately 12:20 p.m., [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED] (Exhibit A13)

The contractor that performs the [REDACTED] was present at the institution on December 22, 2010. Their arrival time was 9:15 a.m. and departure time was at approximately 11:05 a.m. after the last appointment. The contractor is on a two week schedule, the next scheduled arrival date at Century Correctional Institution was scheduled for January 5, 2011. [REDACTED] dated December 22, 2010. (Exhibit A14)

Inspector Robert Calamari questioned several inmates in E-dormitory and met with negative results. The dormitory had just returned back from noon meal. Inspector Calamari went [REDACTED] at approximately 11:50 a.m., to question Inmate Donald Bart concerning this incident. While being questioned, Inmate Bart stated he



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did not know anything and would not provide a statement. Inmate Bart was placed in administrative confinement under investigation and for his protection.

In her affidavit dated December 27, 2010, [REDACTED] indicated the following:

On December 22, 2010, at approximately 11:50 a.m., she was present in the [REDACTED] when Inspector Calamari questioned Inmate Bart about how [REDACTED] Inmate Bart stated he could not remember what happened to [REDACTED] Inmate Bart declined giving a statement concerning this incident.

(Exhibit A15)

In his affidavit dated December 29, 2010, Colonel Joseph Schwarz indicated the following:

On December 22, 2010, at approximately 11:50 a.m., he was present [REDACTED] when Inspector Calamari interviewed Inmate Bart. Inmate Bart appeared [REDACTED] and answered questions as they were posed to him. Inmate Bart refused to tell Inspector Calamari how [REDACTED]

(Exhibit A16)

In his incident report dated December 25, 2010 and his affidavit dated December 30, 2010, Sergeant David Middleton indicated the following:

On December 25, 2010, he was assigned as housing supervisor of Y-dormitory. At approximately [REDACTED], Officers Kevin Steele and Raymond Ayala conducted a security check of the confinement wings. Officers Steele and Ayala returned to the officer station and advised him that Inmate Donald Bart assigned cell # Y2132 was [REDACTED] and would not come to the cell front. He and Officer Ayala entered Inmate Bart's cell to check on him, Officer Ayala tapped the bottom of Inmate Bart's foot while calling his name. Inmate Bart was not responding. He then contacted the shift supervisor and advised him of the incident and that he had called [REDACTED] and advised them of Inmate Bart's condition. At approximately 5:05 p.m., [REDACTED] entered the unit and were escorted to Inmate Bart's cell.

[REDACTED] At approximately 5:43 p.m., he (Middleton) was advised [REDACTED]

[REDACTED] He advised Captain Donald Gafford of the incident. At approximately 5:45 p.m., Captain Gafford and Officer Bryan Hart entered the unit with a [REDACTED] The 5:00 p.m. housing log check of Inmate Bart was inadvertently not entered at that time due to him (Middleton) going to Inmate Bart's cell to check on the inmate's condition. Officer Kevin Steele was left in the officer station during this time. Y-Dormitory Confinement Housing logs (DC6-209) were reviewed to ensure department procedures were followed. The logs are dated December 22, 2010 through December 25, 2010 and Y-Dormitory Confinement Fixed Wing Video (Pelco) was obtained concerning the housing checks in the confinement unit.

(Exhibits A17 ~ A19 & Exhibit B1)



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In the shift supervisor comments in Sergeant Middleton's incident report dated December 25, 2010, Captain Donald Gafford indicated the following:

He was advised by Sergeant Middleton about Inmate Bart's [REDACTED].
[REDACTED] He was later advised by Sergeant Middleton that [REDACTED].
[REDACTED] Inmate Bart was placed in the [REDACTED]. The Duty Warden, Major Vicki Burnham was advised of the incident. Inmate Bart [REDACTED] Officer Kevin Bullard and Officer Bryan Hart at approximately 6:25 p.m., EAC was notified and advised that it was not reportable due to it [REDACTED]. (Exhibit A20)

In his affidavit dated December 29, 2010, Officer Kevin Steele indicated the following:

On December 25, 2010, at approximately 5:45 p.m., he assisted with the help of Inmate Bart to get his [REDACTED]. He stayed with Inmate Donald Bart in the [REDACTED] until Officer Bullard and Hart arrival to [REDACTED]. (Exhibit A21)

In the Duty Warden's comments in Sergeant Middleton's incident report dated December 25, 2010, Major Vicki Burnham indicated the following:

Inmate Bart was later [REDACTED] around 12:11 a.m. The control room advised Inmate Bart was being [REDACTED]. She advised the control room to contact Inspector Calamari and she called Assistant Warden Scott Payne. On December 26, 2010, Inmate Bart's [REDACTED]. (Exhibit A22)

In his affidavit dated January 3, 2011, Officer Raymond Ayala indicated the following:

On December 25, 2010 at approximately [REDACTED] he conducted his first checks during feeding time. Inmate Donald Bart was lying on his bunk and appeared to be asleep. He banged on the wall and called out his name. Inmate Bart responded with a "grunt" sound. He left the food tray for Inmate Bart to eat. He returned back Inmate Bart's cell approximately fifteen to twenty minutes later and noticed the food tray was untouched. He reported this to Sergeant David Middleton. He continued to make half hour checks. Inmate Bart appeared to be asleep; he would call out Inmate Bart name and bang on the wall. Inmate Bart would only respond with a "grunt" sound. At approximately 5:00 p.m., he and Sergeant Middleton went into Inmate Bart's cell to check on him as [REDACTED]. He entered the cell and tapped on Inmate Bart's foot several times and called out his name. Inmate Bart did not open his eyes or sit up. Sergeant Middleton exited the cell [REDACTED]. Officer Bryan Hart entered Y-dormitory. [REDACTED]. (Exhibit A23)



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In her affidavit dated December 29, 2010, Nurse Johuna Courtney indicated the following:

On December 25, 2010, at approximately 5:05 p.m., she was notified by Sergeant Middleton that Inmate Bart would not [REDACTED]. Upon visualization of the inmate, he was [REDACTED]. [REDACTED] several attempts to arouse the inmate by calling his name was unsuccessful. The cell door was opened, at approximately 5:10 p.m., she entered the cell along with [REDACTED] Officer Hart, Officer Ayala and Sergeant Middleton. After [REDACTED] repeated times of calling the inmate name, Inmate Bart finally responded by saying "huh." [REDACTED] Inmate Bart sat up on the side of his bed. [REDACTED]

[REDACTED] At approximately 5:35 p.m., she notified Sergeant Middleton that the inmate needed [REDACTED]. At approximately 5:40 p.m., she along with Captain Gafford and Officer Hart [REDACTED] to Y-dormitory to escort Inmate Bart. Inmate Bart [REDACTED] by Officer Hart and Officer Bullard where he was [REDACTED]. At approximately 6:05 p.m., she and Officers Hart and Bullard took Inmate Bart to the sally port for transport. When they left [REDACTED] Inmate Bart stated "damn it is cold." Inmate Bart was able to state his name and date of birth to the control room officer for identification. She assisted getting Inmate Bart into the van [REDACTED]. She returned back [REDACTED] and assumed her duties. (Exhibit A24)

In her affidavit dated December 29, 2010, [REDACTED] indicated the following:

On December 25, 2010, at approximately 5:05 p.m., she was notified by Sergeant Middleton in Y-dormitory that an inmate (*Bart*) would [REDACTED]. At approximately 5:10 p.m., upon her arrival to the inmate's cell, she observed Inmate Bart [REDACTED]. Inmate Bart's name was called by Officer Ayala and Sergeant Middleton. Upon no response she, along with [REDACTED] Officer Ayala, Officer Hart and Sergeant Middleton went into the cell [REDACTED] Inmate Bart. Inmate Bart [REDACTED]

[REDACTED] Inmate Bart was [REDACTED]. There was [REDACTED]. Inmate Bart would only respond by saying "huh" when his name was called. At approximately 5:30 p.m., [REDACTED]. At approximately 5:35 p.m., Officer Lambert in the control room was notified that Inmate Bart needed to be [REDACTED]. At approximately 6:05 p.m., Inmate Bart left [REDACTED] Officer Hart and Officer Bullard for transfer via DC van. (Exhibit A25)



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In his affidavit dated December 28, 2010, Officer Kevin Bullard indicated the following:

On December 25, 2010, at approximately 6:30 p.m. he was summoned to transport Inmate Donald Bart to [REDACTED]. At this time, he and Officer Bryan Hart assisted Inmate Bart into the transport van. During the transport at no time did Inmate Bart become [REDACTED]. He and Officer Hart remained in constant verbal contact with Inmate Bart. Upon arrival [REDACTED]. After doing so, Inmate Bart [REDACTED].
(Exhibit A26)

In the Control Room Key Issue log and his affidavit dated December 29, 2010, Officer Bryan Hart indicated the following:

On December 25, 2010, at approximately 6:25 p.m., he along with Officer Bullard were assigned to [REDACTED]. While transporting Inmate Bart, he and Officer Bullard remained in contact with Inmate Bart. Inmate Bart [REDACTED]. Upon arrival [REDACTED]. Officer Bullard [REDACTED]. Control Room Key Issue log (DC6-2003) was reviewed, it indicated transport vehicle #8246 was checked out on date December 25, 2010.
(Exhibit A27 & A28)

On December 26, 2010, at approximately 9:45 a.m., Duty Warden, Major Vicki Burnham notified Warden Charles Halley and Inspector Robert Calamari that the [REDACTED]. At approximately 10:00 a.m., the on-call inspector for Region I, Senior Inspector Cecil Smith was notified of the incident. Inspector Robert Calamari proceeded to [REDACTED]. Sunday, December 26th or Monday, December 27th. The next of kin; [REDACTED] of Port St. Lucie were contacted and apprised of the situation.

In his incident report dated December 26, 2010, Captain Rogelio Trevino indicated the following:

On December 26, 2010, he was assigned as third shift supervisor. At approximately 5:20 p.m., Officer Kenneth Shaw contacted him and told him [REDACTED] pronounced Inmate Donald Bart deceased at 4:20 p.m. The [REDACTED] later changed the time of death to 5:45 p.m. [REDACTED]. Duty Warden, Major Vicki Burnham and Inspector Robert Calamari were notified. Major Burnham notified Warden Charles Halley. He received verification that Inmate Bart [REDACTED]. EAC Duty Officer Miller was notified at 7:27 p.m.
(Exhibit A29)



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In the [REDACTED] and his affidavit dated December 26, 2010, Officer Kenneth Shaw indicated the following:

On December 26, 2010, at approximately 5:45 p.m., he was assigned to [REDACTED]. He was advised by [REDACTED] that Inmate Donald Bart was pronounced deceased at 5:45 p.m. [REDACTED] pronounced the time of death. Inmate Bart [REDACTED]. The shift supervisor was notified of all information. [REDACTED] December 25, 2010 through December 27, 2010. (Exhibits A30 & A31)

In the shift supervisor comments in Officer Kenneth Shaw's incident report dated December 26, 2010, Captain James Lassiter indicated the following:

He notified all officials of the incident. A MINS was generated and EAC Duty Officer Miller was notified at approximately 7:14 p.m. Inmate Bart remains [REDACTED] awaiting release by the Escambia County Medical Examiner. (Exhibit A32)

In his incident report dated December 26, 2010, Sergeant Jarrod Jones indicated the following:

On December 26, 2010, at approximately 5:45 p.m., he called the EAC in reference to the death of Inmate Donald Bart. He was previously advised by Captain Rogelio Trevino, that Major Vicki Burnham and Inspector Robert Calamari had advised that the cause of death was pending an autopsy by the medical examiner. (Exhibit A33)

On December 27, 2010, at approximately 11:19 p.m., the medical examiner's office took possession of Inmate Bart's body [REDACTED] dated December 28, 2010. (Exhibit A34)

On December 28, 2010, at approximately 10:30 a.m., Inspector Robert Calamari attended the autopsy of Inmate Donald Bart conducted by Doctor Andrea Minyard [REDACTED]. The preliminary findings of the autopsy were determined to be a [REDACTED]. The autopsy report will be forwarded by the medical examiner upon completion of her formal findings. Photographs taken of Inmate Donald Bart during his autopsy dated December 28, 2010. (Exhibit A35)

On December 27, 2010, at approximately 9:00 a.m., Inspector Robert Calamari went to E-dormitory and interviewed sixty-eight inmates housed in E-dormitory wing one. The interviews were conducted individually in the captain's office adjacent to E-dormitory. Seven inmates provided digitally recorded sworn testimony as to the accounts of this incident. The remaining inmates had no direct testimony to this incident.



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In his digitally recorded sworn statement dated December 27, 2010, Inmate Emilio Quintana indicated the following:

He returned [REDACTED] and went to early lunch. Upon arriving back to the dormitory, a black inmate called by the name of "Yah-Yah" struck Inmate Donald Bart in the face with his fist. He (*Quintana*) identified "Yah-Yah" by a DC website inmate photograph as Inmate John Scaife. Inmate Scaife made a comment in the dormitory that the cake was good at the chow hall. Inmate Bart stated "yeah, it all goes to your ass." Inmate Scaife felt Inmate Bart had disrespected him and went over and punched Inmate Bart in the face. Inmate Bart only [REDACTED], as he was getting up from his bunk Inmate Scaife struck Inmate Bart. Inmate Bart fell to the ground; he did not make any aggressive movement prior to being punched by Inmate Scaife. After punching Inmate Bart, Inmate Scaife went back and sat on his bunk. He stated Inmate Scaife later told him (*Quintana*) he was sorry, but Inmate Bart should not have disrespected him. (*Inmate Emilio Quintana has a tentative release date of October 26, 2014*).

(Exhibit B2)

In his digitally recorded sworn statement dated December 27, 2010, Inmate Christopher Hall indicated the following:

He indicated that an inmate known as "Yah-Yah" was involved in the incident with Inmate Donald Bart. He later identified "Yah-Yah" by a DC website inmate photograph as Inmate John Scaife. He said Inmate Scaife told him that he was worried that he (*Scaife*) might have [REDACTED] and maybe he did not deserve it. He stated the argument was over a piece of cake in the chow hall. Inmate Scaife told him that he (*Scaife*) was remorseful for what happened. (*Inmate Christopher Hall has a tentative release date of October 31, 2011*).

(Exhibit B2)

In his digitally recorded sworn statement dated December 27, 2010, Inmate Hector Solorzan indicated the following:

He returned back from noon meal, he heard there was a misunderstanding between two inmates. Inmate Donald Bart and an inmate called "Yah-Yah." He later identified "Yah-Yah" by a DC website inmate photograph as Inmate John Scaife. He stated Inmate Scaife was making comments in the TV room (*clayroom*) that he did not want this to happen. He said Inmate Scaife told him the argument was over a joke Inmate Bart made about a piece of cake. Inmate Scaife told him (*Solorzan*) that he was sorry for what he did. (*Inmate Hector Solorzan has a tentative release date of June 1, 2013*).

(Exhibit B2)

In his digitally recorded sworn statement dated December 27, 2010, Inmate John Howard indicated the following:

He heard Inmate Donald Bart and another inmate called "Yah-Yah" arguing in the dormitory. He later identified "Yah-Yah" by a DC website inmate photograph as Inmate John Scaife. He stated they were arguing at the foot of his bunk, words were passed to each other. Inmate Bart stated to Inmate Scaife that he was still standing; Inmate Scaife backed up and struck Inmate Bart twice in the face. Inmate Scaife struck Inmate Bart with his right hand followed by his left hand. The first strike was directed to Inmate Bart's nose. Inmate Bart fell back and hit his head hard on the floor. He said the argument was



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over “sugar” and how it goes to your ass. Inmate Bart and Inmate Scaife were on opposite sides of the wing, Inmate Scaife came across the wing to confront Inmate Bart. He said later on in the day he (*Howard*) heard Inmate Scaife say he was sorry for what happened, but Inmate Bart should not have disrespected him. (*Inmate John Howard has a tentative release date of May 29, 2011*). **(Exhibit B2)**

In his digitally recorded sworn statement dated December 27, 2010, Inmate Glenn Battle indicated the following:

He observed the incident in E-dormitory, “Yah-Yah” came from the kitchen (*chow hall*) and stated the cake was good today. Inmate Donald Bart yelled out that the cake goes through your ass. He (*Battle*) later identified “Yah-Yah” by a DC website photograph as Inmate John Scaife. Inmate Scaife yelled back at Inmate Bart asking him what did he say. Inmate Bart stated “it goes to your ass” referring to the cake. Inmate Scaife stated “you fag punk, who are you talking to.” Inmate Bart responded saying “you bully ass punk.” Inmate Scaife got off his bunk and went over to where Inmate Bart was at. Inmate Scaife came from the other side of the wing to confront Inmate Bart. Inmate Scaife then struck Inmate Bart; he (*Bart*) fell backward to the ground. He was unable to see what hand Inmate Scaife struck first with, it happened so fast. Inmate Bart did not throw any punches or make any aggressive movements towards Inmate Scaife. (*Inmate Glenn Battle has a tentative release date of October 5, 2024*).

(Exhibit B2)

In his digitally recorded sworn statement dated December 27, 2010, Inmate Mathieu Gosselin indicated the following:

He and Inmate Donald Bart went to lunch, when they returned to the dormitory an inmate known as “Yah-Yah” came in the wing. He later identified “Yah-Yah” by a DC website photograph as Inmate John Scaife. Inmate Scaife said the cake was good with the icing. Inmate Bart said that the cake goes right to your ass cheeks. Inmate Scaife responded by saying “what motherfucker.” Inmate Bart said it was a joke, Inmate Scaife called Inmate Bart a punk for talking about his ass. Inmate Scaife walked over to Inmate Bart’s bed, Inmate Bart stood up in front of Inmate Scaife. Inmate Scaife told Inmate Bart he is going to punch him in the face. Inmate Bart responded by telling Inmate Scaife “he is standing right here.” Inmate Scaife punched Inmate Bart in the nose. Inmate Bart fell down like a tree and hit his head very hard on the floor. He observed Inmate Scaife strike Inmate Bart with his right hand to the nose area. Inmate Bart made no aggressive movement towards Inmate Scaife. He (*Gosselin*) later heard Inmate Scaife say he was sorry for what happened. Inmate Scaife came to him on two occasions in the week and stated he (*Scaife*) regretted what happened; he should not have done it. (*Inmate Mathieu Gosselin has a tentative release date of May 20, 2017*).

(Exhibit B2)

In his digitally recorded sworn statement dated December 27, 2010, Inmate Charles Richards indicated the following:

He heard raised voices, he observed Inmate John Scaife come around to Inmate Donald Bart’s bunk. He stated Inmate Scaife is known as “Yah-Yah” in the dormitory. Inmate Scaife got into Inmate Bart’s face and stated he was going to punch him in the face and called him “a punk ass old man.” He (*Richards*)



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was not sure what the argument was over, he had on his head phones and could not hear what was said between the two inmates. He said Inmate Scaife came from the other side of the wing to confront Inmate Bart. Inmate Bart asked Inmate Scaife why he was always bullying everyone in the dormitory. Inmate Scaife then punched Inmate Bart in the face, Inmate Bart fell like a rock and hit his head on the floor. Inmate Scaife struck Inmate Bart one time with his right hand. Inmate Bart had only stood up and had his arms to his side when Inmate Scaife confronted and struck him. (*Inmate Charles Richards has a tentative release date of February 29, 2028*). **(Exhibit B2)**

On December 27, 2010, after being advised of his Constitutional Rights Inmate John Scaife requested to exercise his Constitutional Rights and requested a lawyer. He did not provide a statement concerning this incident. (*Inmate John Scaife has a tentative release date of May 24, 2012*). Department of Corrections, Office of the Inspector General Rights Acknowledgement/Wavier signed by Inmate John Scaife dated December 27, 2010 and Department of Corrections Inmate Population Information Detail of Inmate John Scaife.

(Exhibits A36 & A37)

In his affidavit dated January 6, 2011, Sergeant Xavier Grice indicated the following:

On December 23, 2010, Inmate Donald Bart's evening meal was placed on the door flap but Inmate Bart did not get up to receive his meal. He talked with Inmate Bart later in the shift and Inmate Bart was responsive at that time. **(Exhibit A38)**

In his affidavit dated January 6, 2011, Sergeant Cory Settlemires indicated the following:

On December 24, 2010, he was assigned as the housing supervisor of Y-Dormitory. At approximately [REDACTED], while conducting his initial informal count, Inmate Donald Bart was standing at his cell door. He asked him how he was doing and Inmate Bart stated "fine." He told Inmate Bart to inform Officer Baker or himself if he needed anything. At approximately 4:30 a.m., Officer Jonathan Baker told him (*Settlemires*) that Inmate Bart accepted his morning tray but refused to eat his meal.

(Exhibit A39)

In his affidavit dated January 6, 2011, Officer Jonathan Baker indicated the following:

On December 24, 2010, at approximately 4:30 a.m., he served Inmate Donald Bart his morning meal. Inmate Bart was responsive and stated "good morning" and accepted his meal. He returned back approximately thirty to forty minutes later to pick up the food trays. He noticed that Inmate Bart did not eat his meal. He informed Sergeant Corey Settlemires where it was noted on the daily record of special housing (*DC6-229*) form that Inmate Bart refused his meal. **(Exhibit A40)**

In his affidavit dated January 4, 2011, Sergeant Wayne Igo indicated the following:

On December 25, 2010, while working the midnight shift as the confinement sergeant, he did not observe or any officer report Inmate Donald Bart being [REDACTED] Inmate Bart refused to eat his morning meal, he was responsive at the time the food trays were passed out. **(Exhibit A41)**



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In his affidavit dated January 4, 2011, Officer Leonard White indicated the following:

On December 25, 2010, he was working as a housing officer in the confinement unit. At approximately 4:30 a.m., he passed out the morning meal in Y-dormitory. Inmate Donald Bart was in cell Y2132, he was responsive at the time he (*White*) passed his cell. Inmate Bart uttered to him that he did not want a tray. He went to the officer station and advised Sergeant Wayne Igo to make sure it is documented in Inmate Bart's DC6 229a that he refused his meal. **(Exhibit A42)**

*Century Correctional Institution Control Room logs (DC6-207) were reviewed to ensure department procedures were followed. The logs are dated December 22, 2010 through December 26, 2010, along with the Daily Record of Special Housing form DC6-229 that indicates the feeding times for Inmate Donald Bart. This log shows the date and time of each meal served to Inmate Bart from December 22, 2010 through December 25, 2010. This log displays what meal Inmate Bart consumed and what meals he refused. Affidavits are provided from those officers' working the confinement unit which served Inmate Bart his meals. Dailey Record of Special Housing (DC6-229) dated December 22, 2010 through December 25, 2010. **(Exhibits A43 & A44)***

Diagram of E-Dormitory Bunk Layout, wing one dated December 27, 2010.

(Exhibit A45)

Upon approval by the Office of the Inspector General, a copy of this investigative report will be submitted to Assistant State Attorney Lee Robinson, 1st Judicial Circuit.

Once the court has rendered a final decision in this case, an addendum to this investigation will be submitted.



Florida Department of Corrections
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Case Number: 10-1-10647

Robert Calamari

Robert Calamari Inspector

1/20/2011

Date

_____/ Debbie Carter Arrant
 Regional Supervisor / Lead Inspector

01/28/2011

Date

N/A
 Lead Supervisor

Date

[Signature]

_____/ _____
 Interim Deputy Inspector General / Deputy Inspector General
 Chief of Investigations Chief of Special Operations

1/31/2011

Date

 Interim Inspector General

 Date



Florida Department of Corrections
Office of the Inspector General
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Chester Green, Interim Inspector General



Case Number: 10-1-10647

EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident report of Sergeant Thomas Dickson dated December 22, 2010.
2. Affidavit of Sergeant Thomas Dickson dated January 3, 2011.
3. Chief of Security comments of Colonel Joseph Schwarz dated December 22, 2010.
4. E-dormitory housing log dated December 22, 2010.
5. Affidavit of Officer Amanda Parker dated January 4, 2011.
6. Affidavit of Officer Julie Booth dated January 3, 2011.
7. Affidavit of Officer Cylinda Grice dated January 3, 2011.
8. Affidavit of Officer Garland Domingue dated January 5, 2011.
9. Affidavit of Officer Rebecca Guice dated January 3, 2011.
10. Photographs of Inmate Donald Bart's injuries dated December 22, 2010.
11. Department of Corrections Inmate Population Information Detail of Inmate Donald Bart.
12. Copy of pre-special housing assessment, [REDACTED] and HS 49 SOAPE dated December 22, 2010.
13. Affidavit of [REDACTED] dated January 5, 2011.
14. [REDACTED] dated December 22, 2010 through December 25, 2010.
15. Affidavit of [REDACTED] dated December 27, 2010.
16. Affidavit of Colonel Joseph Schwarz dated December 29, 2010.
17. Incident report of Sergeant David Middleton dated December 25, 2010.
18. Affidavit of Sergeant David Middleton dated December 30, 2010.
19. Y-Dormitory Confinement Housing log dated December 22, 2010 through December 25, 2010.
20. Shift Supervisor comments of Captain Donald Gafford dated December 25, 2010.
21. Affidavit of Officer Kevin Steele dated December 29, 2010.
22. Duty Warden comments of Major Vicki Burnham dated December 25, 2010.
23. Affidavit of Officer Raymond Ayala dated January 3, 2011.
24. Affidavit of [REDACTED] dated December 29, 2010.
25. Affidavit of [REDACTED] dated December 29, 2010.
26. Affidavit of Officer Kevin Bullard dated December 28, 2010.
27. Control Room Key Issue log dated December 25, 2010.
28. Affidavit of Officer Bryan Hart dated December 29, 2010.
29. Incident report of Captain Rogelio Trevino dated December 26, 2010.
30. [REDACTED] log dated December 25, 2010 through December 27, 2010.
31. Affidavit of Officer Kenneth Shaw dated December 26, 2010.
32. Shift supervisor comments of Captain James Lassiter dated December 26, 2010.
33. Incident report of Sergeant Jarrod Jones dated December 26, 2010.
34. [REDACTED] Body Release form dated December 28, 2010.



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35. Photographs taken during autopsy dated December 28, 2010.
36. Department of Corrections, Office of the Inspector General, Right Acknowledgement/Wavier form dated December 27, 2010.
37. Department of Corrections Inmate Population Information Detail of Inmate John Scaife.
38. Affidavit of Sergeant Xavier Grice dated January 6, 2011.
39. Affidavit of Sergeant Cory Settlemires dated January 6, 2011.
40. Affidavit of Officer Jonathan Baker dated January 6, 2011.
41. Affidavit of Sergeant Wayne Igo dated January 4, 2011.
42. Affidavit of Officer Leonard White dated January 4, 2011.
43. Control Room logs dated December 22, 2010 through December 26, 2010.
44. Dailey Record of Special Housing dated December 22, 2010 through December 25, 2010.
45. Diagram of E-Dormitory, Wing One, Bunk Layout dated December 27, 2010.

B. EXHIBIT(s) - not attached:

1. CD containing Fixed Wing (Pelco) Video of Y-Dormitory Confinement Unit from dated December 23, 2010 through December 25, 2010.
2. CD containing digitally recorded statements of the following:
 - Inmate Emilio Quintana dated December 27, 2010.
 - Inmate Christopher Hall dated December 27, 2010.
 - Inmate Hector Solorzan dated December 27, 2010.
 - Inmate John Howard dated December 27, 2010.
 - Inmate Glenn Battle dated December 27, 2010.
 - Inmate Mathieu Gosselin dated December 27, 2010.
 - Inmate Charles Richards dated December 27, 2010.

STATE OF FLORIDA
DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
REGION 1 - WEST

RECEIVED
DEPARTMENT OF CORRECTIONS
JUL 28 2011
STATE INSPECTOR GENERAL

MEMO TO: Terrance Edmonson, Inspector General
FROM: Robert Calamari, Law Enforcement Inspector
DATE: June 20, 2011
SUBJECT: IG Case #10-1-10647, closed by arrest / Inmate John Scaife DC #069460

This case alleging the commission of a criminal violation of law is **closed by arrest**.

This memorandum is to document the arrest for the criminal charge against Inmate John Scaife DC # 069460, for an incident that took place on December 22, 2010.

On February 18, 2011 an investigative report charging Inmate Scaife with Manslaughter and Battery was submitted to Assistant State Attorney (ASA) Lee Robinson. The subject was arrested pursuant to a warrant for a violation of §782.07.1 (*Manslaughter*) and §784.082 (3) (*Battery by Person Detained in Prison or Jail Facility*) Florida Statutes by the Escambia County Sheriff's Office on or about May 19, 2011.

The Escambia County Clerk of the Court (Case#2011CF001868A) is attached. **(Exhibit A-46)**

Robert Calamari

Robert Calamari, Law Enforcement Inspector

Stuart Harrison

Stuart Harrison, Inspector Supervisor

for
Cc: File

6/27/11
Date

COPIY

Escambia County Florida Clerk of the Circuit Court
Courtviewer Records Search

CASE

Case Number **2011 CF 001868 A** Case Judge **E / BOLES, W. JOEL**
 Case Type **FELONY** File Date **04/21/2011**
 Case Action Code Case Status **OPEN**

PARTIES

Rcd	Party Type	Name	Race	Gender	D.O.B. / D.O.D.
1	Defendant	SCAIFE, JOHN XRef-ID: 53096954	B	M	01/05/1953

Address: *INMATE DC #069460 CENTURY CORRECTIONAL INSTITUTION 400 TEDDER ROAD CENTURY FL 32535 (Home Address on 04/21/2011)*
 Attorney: *PUBLIC DEFENDER PD*

PARTY CHARGE SUMMARY

Rcd	Chg/ Cnt	Phase	Charge Description	Charge Disposition	Disposition Date
1	1	Prosecutor	MANSLAUGHTER - OTHER THAN BY MOTOR VEHICLE		
2	2	Prosecutor	BATTERY-BY PERSON DETAINED IN PRISON OR JAIL FACIL		

DISPOSITIONS

Rcd	Status	Status Date	Disposition Code	Disp Date	Judge
1	OPEN	04/21/2011	Undisposed		E / BOLES , W. JOEL

DOCKETS

Rcd	Date	Description	Document Tag #
1	04/21/2011	NEW CASE AFFIDAVIT PROCESSED	
2	04/21/2011	INFORMATION FILED INSPECTOR GENERAL CASE NO 10-1-10647	
3	04/21/2011	ISSUE CAPIAS, RETURNABLE INSTANTER: BOND SET AT NO BOND	
4	04/21/2011	CAPIAS ISSUED FELONY CAPIAS (REGULAR) w/barcd Sent on: 04/21/2011 13:37:19	
5	04/21/2011	ALERT ISSUED NON PUBLIC RECORD CAPIAS issued on: 04/21/2011 For: SCAIFE, JOHN Bond Amt: Bond Type: NO BOND ALLOWED	
6	05/11/2011	FILE MOTION TO TRANSPORT BY ASA C. ROBINSON	
7	05/16/2011	JUDGE BOLES	
8	05/16/2011	ORDER TO TRANSPORT DEFENDANT (AS SOON AS TRANSPORTATION CAN BE ARRANGED) FILED - (FAXED TO WARRANTS, CONFIRMATION	

ATTACHED)

- 9 05/20/2011 ALERT SERVED
NON PUBLIC RECORD CAPIAS served on: 05/19/2011
For: SCAIFE, JOHN
- 10 05/20/2011 COURT EVENT SET
Event: VIDEO APPEARANCE
Date: 05/20/2011 Time: 9:30 am
Judge: KINSEY, PAT Location: DIVISION V COURT ROOM
- 11 05/20/2011 COURT EVENT SET
Event: ARRAIGNMENTS
Date: 06/09/2011 Time: 9:00 am
Judge: GEEKER, NICKOLAS P. Location: M.C. BLANCHARD JUDICIAL
BUILDING
- 12 05/20/2011 ARREST DATE: 5/19/2011
- 13 05/20/2011 ARREST REPORT FILED
- 14 05/20/2011 CAPIAS RETURNED SERVED: 5/19/2011
- 15 05/20/2011 JUDGE KINSEY
- 16 05/20/2011 INITIAL VIDEO/WEEKEND/HOLIDAY APP HELD FOR ORIG CHGS W/
FOLLOWING ACTION TAKEN BY THE COURT ON 5/20/2011
- 17 05/20/2011 DDIRECT FILE CAPIAS
- 18 05/20/2011 PUBLIC DEFENDER APPOINTED
- 19 05/20/2011 PROVISIONAL ORDER APPOINTING PUBLIC DEFENDER FILED; P/D
COPIED
- 20 05/20/2011 NONADVERSARIAL PROBABLE CAUSE DETERMINATION RULE 3.133
FILED
- 21 05/20/2011 ACKNOWLEDGMENT OF RIGHTS FOR FIRST APPEARANCES FILED
- 22 05/20/2011 BOND REMAINS SAME - NONE
- 23 05/20/2011 PASS/RESET TO/FOR 6/9/2011
- 24 05/23/2011 FILED DEFENDANT'S INVOCATION OF CONSTITUTIONAL RIGHTS
- 25 05/23/2011 ENTRY OF PLEA OF NOT GUILTY FILED
- 26 05/23/2011 NOTICE OF DISCOVERY FILED
- 27 06/06/2011 DISCOVERY EXHIBIT FILED
- 28 06/09/2011 JUDGE GEEKER
- 29 06/09/2011 DEFT IN CUSTODY (NOT PRESENT IN COURT)
- 30 06/09/2011 DEFT FOUND INDIGENT
- 31 06/09/2011 PLED NOT GUILTY, SET FOR JURY TRIAL 9/26/2011, DD 9/14/2011 @ 8:30
A.M.
- 32 06/09/2011 HEARING WORKSHEET FILED
- 33 06/10/2011 COURT EVENT SET
Event: DOCKET DAY
Date: 09/14/2011 Time: 8:30 am
Judge: BOLES, W. JOEL Location: M.C. BLANCHARD JUDICIAL BUILDING

EVENTS

Rcd	Date	Start Time	End Time	Event Type	Judge	Result
1	05/20/2011	9:30:00 AM	9:30:00 AM	VIDEO APPEARANCE DIVISION V COURT ROOM	KINSEY , PAT	
2	06/09/2011	9:00:00 AM	9:00:00 AM	ARRAIGNMENTS M.C. BLANCHARD JUDICIAL BUILDING	GEEKER , NICKOLAS P.	
3	09/14/2011	8:30:00 AM	8:30:00 AM	DOCKET DAY M.C. BLANCHARD JUDICIAL BUILDING	BOLES , W. JOEL	

FINANCIAL SUMMARY - COSTS AND FINES

No Information available - See Dockets

FINANCIAL SUMMARY - HOLDING

No Information available - See Dockets

FINANCIAL SUMMARY - DISBURSEMENTS

No Information available - See Dockets

RECEIPTS

No Information available - See Dockets

TICKLERS

CITATIONS

None

ADDITIONAL CIVIL

None

CLAIMANTS

None

ADDITIONAL FIELDS

None

CRIMINAL OBTS

PARTY CHARGE SUMMARY

Rcd	Chg/ Cnt	Phase	Charge Description	Charge Disposition	Disposition Date
1	1	Prosecutor	MANSLAUGHTER - OTHER THAN BY MOTOR VEHICLE		
2	2	Prosecutor	BATTERY-BY PERSON DETAINED IN PRISON OR JAIL FACIL		

CHARGE NUMBER 1

BASIC PHASE - Charge 1

OBTS Number	1701221518	Agency	Other
Agency Number Type		Agency Number	
COMPLAINT NUMBER		10-1-10647	

INITIAL PHASE - Charge

PROSECUTOR PHASE - Charge

Charge Status	Initiated by Prosecutor (Direct Files Only)	Direct File	1
Charge/Count	1	Prosecutor File Dt	04/21/2011
Action Code	782.07(1)	Final Decision Dt	04/21/2011
Level/Degree	Second Degree Felony	Pros Final Action	FILED
F.S.S.	782.07(1)	Offense Activity	Not Applicable
Gen Offense Char	Not Applicable	Drug Type	Not Applicable
Charge Description	MANSLAUGHTER - OTHER THAN BY MOTOR VEHICLE		

COURT PHASE - Charge 1

Charge Status		Final Plea / Date	
Charge/Count	1	Court Action / Date	
Action Code		Trial Type	
Level/Degree		Judge	E / BOLES, W. JOEL
F.S.S.		Offense Activity	
Gen Offense Char		Drug Type	
Charge Description			

POST SENTENCE PHASE - Charge 1

REARREST PHASE - Charge 1

SENTENCE PHASE - Charge 1

CHARGE NUMBER 2

BASIC PHASE - Charge 2

OBTS Number	1701221518	Agency	Other
Agency Number Type		Agency Number	
COMPLAINT NUMBER		10-1-10647	

INITIAL PHASE - Charge

PROSECUTOR PHASE - Charge

Charge Status	Initiated by Prosecutor (Direct Files Only)	Direct File	1
Charge/Count	2	Prosecutor File Dt	04/21/2011
Action Code	784.082(3)	Final Decision Dt	04/21/2011
Level/Degree	Third Degree Felony	Pros Final Action	FILED
F.S.S.	784.082(3)	Offense Activity	Not Applicable
Gen Offense Char	Not Applicable	Drug Type	Not Applicable
Charge Description	BATTERY-BY PERSON DETAINED IN PRISON OR JAIL FACIL		

COURT PHASE - Charge 2

Charge Status		Final Plea / Date	
Charge/Count	2	Court Action / Date	

Action Code

Trial Type

Level/Degree

Judge

E / BOLES, W. JOEL

F.S.S.

Offense Activity

Gen Offense Char

Drug Type

Charge Description

POST SENTENCE PHASE - Charge 2

REARREST PHASE - Charge 2

SENTENCE PHASE - Charge 2

Search Again

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