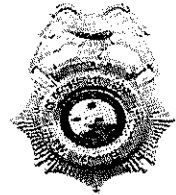




Florida Department of Corrections  
 Office of the Inspector General  
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Inspector General Case #: 12-4-4461

Facility: 510/Charlotte C.I.

Classification of Incident: 15E – [REDACTED] Death  
 (Inmate)

Field Office/Region: Hardee C.I./IV

Incident Date: 08/16/12

Time: 5:15 p.m.

Inspector: Kevin Ortiz

Date of Report: 11/06/12

Case Type: A

- Case of Special Interest
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Department of Corrections presented to State Attorney  Declined  Accepted
- Use of Force (UOF) Number (if applicable) 2012-510-0103
- Equal Employment Opportunity Commission (EEOC)
- Addendum
- Wing Video Camera(s) Present in the Area of Incident

**SUMMARY OF ALLEGATIONS:**

On 08/16/12, Inmate Ernest Whitfield was pronounced deceased while [REDACTED] in Kendall, Florida. Inmate Whitfield had [REDACTED] which resulted in a use of force to [REDACTED]. He was later transported [REDACTED]. This was reported via MINS on 08/21/12, and was assigned for investigation on the same date.

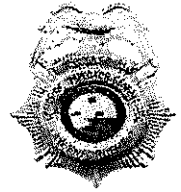
**SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:**

As a result of this investigation, it is determined that Inmate Ernest Whitfield died as a result of [REDACTED]. The manner of death was Accident.

No administrative issues were noted during the investigation. It was discovered during the investigation that Inmate Whitfield [REDACTED]. Once this came to staff's attention, appropriate action was taken to stop Inmate Whitfield. Inmate Whitfield was not transported [REDACTED] until the next day because [REDACTED].



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	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
<b>Complainant:</b>	Benedict, Mark	Officer (SFRC)	11/26/ [REDACTED]	1501
<b>Victim:</b>	Whitfield, Ernest	Inmate/DC#B07418	06/21/75	
<b>Witness(es):</b>	Mann, Penny	Captain	03/27/ [REDACTED]	14422
	Nye, Randy	Lieutenant	01/03/ [REDACTED]	27997
	[REDACTED]	[REDACTED] (contractor)	02/21/ [REDACTED]	
	Zelina, Craig	Senior Classification Officer	10/15/ [REDACTED]	50383
	Kraus, Michael	Officer	05/03/ [REDACTED]	29245
	Lombardo, Timothy	Officer	07/10/ [REDACTED]	42895
	Al-Turkmani, Ayham	Officer	01/24/ [REDACTED]	61578
	Brady, Christopher	Officer	01/12/ [REDACTED]	62363
	Dandorph, Zachary	Officer	09/26/ [REDACTED]	54060
	Benavides, Alberto	Officer	12/19/ [REDACTED]	52761
	McAvoy, Brian	Officer	09/17/ [REDACTED]	52548
	Triplett, Tyler	Sergeant	06/12/ [REDACTED]	35994
<b>Subject(s):</b>				

Arrest:  Employee  Inmate  Other

Addendum Pending

**Charges:**

Felony  Misdemeanor      Date of Arrest:

Date Reported:

Final Court Action(s):

Other Agency Case Number:

**FINDINGS:**

In an incident report dated 08/16/12, Officer Mark Benedict indicated that at approximately 5:15 p.m., he was assigned to [REDACTED] when he was advised that Inmate Ernest Whitfield was pronounced deceased [REDACTED]. (Exhibit A-1)

A Miami Dade County Preliminary Police Death Investigation Report For the Medical Examiner was prepared by Detective E. Melgarejo. The victim was an inmate at Charlotte C.I. located in Punta Gorda, Florida. While



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at that facility, the victim sustained [REDACTED] by unknown means. He was transported [REDACTED] for treatment on 08/08/12. He expired on 08/16/12 at 5:15 p.m. (Exhibit A-2)

An Autopsy Report completed by the Miami Dade County Medical Examiner revealed the cause of death was [REDACTED]. The Manner of death was Accident. (Exhibit A-3)

On 08/07/12, Inmate Whitfield was involved in Use of Force #2012-510-0012. Inmate Whitfield was housed alone in C dormitory. A cell extraction was ordered due to Inmate Whitfield [REDACTED]. Inmate Whitfield received an [REDACTED] and was then placed [REDACTED]. Inmate Whitfield was transported to [REDACTED] on 08/08/12 [REDACTED].

[REDACTED] revealed that Inmate Mitchell [REDACTED] following the use of force on 08/07/12 due to him being, "Combative and resistant." On a [REDACTED] it was noted that it was not safe to transfer Inmate Mitchell for [REDACTED]. On 8/08/12, he was transferred to [REDACTED]. (Exhibit A-4)

The fixed wing video for C dormitory wing three was reviewed for 08/07/12 from approximately 7:00 a.m. until the conclusion of the use of force, approximately 9:15 a.m. Inmate Whitfield was housed alone in the cell. At times Inmate Whitfield could be seen through the cell door window pacing in the cell. No one entered the cell prior to the extraction team entering. (Exhibit B-1)

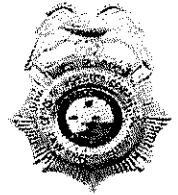
The handheld video for the cell extraction on 08/07/12 was reviewed. The video began at 8:43 a.m., prior to the cell extraction while the team was gathered in the sally port of C dormitory. Before the team entered the cell, Inmate Whitfield was not seen on the video. A thumping sound could be heard inside of the cell. The team entered approximately 4 minutes and 36 seconds after the video began and restrained Inmate Whitfield. Inmate Whitfield was taken out of the cell [REDACTED] could be seen to Inmate Whitfield's [REDACTED]. He was eventually taken to another wing where he was placed in four point restraints. Inmate Whitfield stated throughout the video [REDACTED]. The video recorded the entire cell extraction and concluded once Inmate Whitfield was placed in four point restraints, at approximately 9:27 a.m. No improper actions by staff are noted on the video. (Exhibit B-2)

A review of the Daily Record of Special Housing (DC229) for Inmate Ernest Whitfield revealed that on 08/07/12, at 5:00 a.m., Inmate Whitfield's [REDACTED] and attitude was satisfactory. At 7:10 a.m., Inmate Whitfield was [REDACTED] and there was a bad smell. At 7:50 a.m., Inmate Whitfield was hitting his head on the toilet. (Exhibit A-5)

In sworn recorded interviews taken on 09/13/12, and on 10/02/12, Officer Alberto Benavides indicated that he was assigned to C dormitory on the date and time in question. The 5 a.m. entry on the DC229 (Daily Record of Special Housing) was his. He saw Inmate Whitfield at 5 a.m. Inmate Whitfield [REDACTED] at 5 a.m. He (Whitfield) was sleeping and was visible. The next entry was at 7:10 a.m. It was unsatisfactory. That was when Inmate Whitfield began pacing in the cell and he smelled urine and feces. He asked Inmate Whitfield



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if he was okay. Inmate Whitfield ignored him and later told him [REDACTED]. He said that he would [REDACTED]. Later, he smelled Inmate Whitfield [REDACTED]. He notified his sergeant. A little while later he heard banging so he went to the cell. Inmate Whitfield was banging his head on the toilet. Inmate Whitfield was banging his head hard. He notified his sergeant and conducted an observation until he was relieved. Inmate Whitfield also had attempted to drown himself in the toilet bowl.

(Exhibit B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/21/12, Lieutenant Randy Nye indicated that at approximately 10 minutes till 8 a.m. was when this came to his attention. He was the housing supervisor of the dormitory conducting rounds when [REDACTED] had advised him that Inmate Whitfield was banging his head on the toilet. He went there and Inmate Whitfield was banging his head inside of the toilet bowl numerous times. He knocked on the window trying to get his attention and get him to stop but Inmate Whitfield would not acknowledge him. Inmate Whitfield was also yelling [REDACTED]. Inmate Whitfield would not come to the door to be restrained so he notified the captain. He gave Inmate Whitfield the final order to comply before the extraction team went in and he failed to comply with that order. He was present when the extraction team went in. Staff did nothing improper. [REDACTED] Inmate Whitfield had were [REDACTED].

(Exhibit A-6 & B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/21/12, Captain Penny Mann indicated that early in the morning it came to her attention that Inmate Whitfield was banging his head on the toilet. She got with [REDACTED]. Inmate Whitfield was extracted from the cell [REDACTED]. She saw Inmate Whitfield banging his head on the toilet numerous times. She was present during the cell extraction. Staff did nothing improper. When Inmate Whitfield came out of the cell he did [REDACTED] what she saw when he was in the cell. Inmate Whitfield was then placed in four point restraints for approximately four hours. He was released from the four point restraints. He was transported [REDACTED] the next day.

(Exhibit A-7 & B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/21/12, Officer Timothy Lombardo indicated that he was called to the east support building and was advised of the situation in C dormitory. When they entered, the inmate was continuing to bang his head on the toilet. He applied the shield with enough pressure to get him to stop banging his head. Officer Dandorph then reached for the shield. When they exited the cell he did observe [REDACTED] which was [REDACTED]. Prior to entering the cell he witnessed the inmate bang his head four or five times on the toilet. The inmate was also saying, [REDACTED]. At no time did any staff do anything improper.

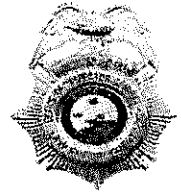
(Exhibit A-8 & B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/22/12, Officer Christopher Brady indicated that he was called on the radio to report for a cell extraction. He was not in C dormitory prior to that. Other than what he was briefed on he did not know what Inmate Whitfield was doing. When the team lined up, he could not see Inmate Whitfield in the cell. Inmate Whitfield was yelling [REDACTED]. The team entered the cell. Inmate Whitfield continued yelling [REDACTED]. Inmate Whitfield was restrained and was taken [REDACTED]. He did not see Inmate Whitfield after that. Staff did not do anything improper. It was a routine cell extraction.

(Exhibit A-9 & B-3)



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In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/22/12, Officer Zachary Dandorph indicated that he was called to report for a cell extraction. While lined up at the door, he did not see Inmate Whitfield in the cell. Inmate Whitfield said [REDACTED]. The door was opened and the team went in. Inmate Whitfield was resisting, but was not trying to strike them. No one did anything improper while subduing him. He was placed in restraints and taken [REDACTED]. Inmate Whitfield kept saying over and over [REDACTED]. After he left the dormitory, he did not see Inmate Whitfield again.

(Exhibit A-10 & B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/21/12, Officer Michael Kraus indicated that he saw Inmate Whitfield prior to the team entering the wing. Inmate Whitfield was slamming his head on the inside of the toilet. He then reported for a cell extraction. The order was given to extract Inmate Whitfield to stop him from banging his head. They lined up at the door. He was the last team member. They entered and restrained him. Inmate Whitfield kept saying [REDACTED]. Staff did not do anything improper.

(Exhibit A-11 & B-3)

In an incident report dated 08/07/12, and a sworn recorded interview taken on 08/22/12, Officer Ayham Al-Turkmani indicated that he was in a dormitory when he heard on the radio to report to the east support building. That means that there will be a use of force. He reported to the building, got suited up, and went to C dormitory. He did not see the inmate prior to lining up at the door. He was team member number 4. He was not able to see inside. He could hear the inmate say [REDACTED]. The door opened and the team entered. After they gained control of the inmate and got him to the office, he saw the [REDACTED]. The inmate had [REDACTED]. At no time did any staff do anything improper. It was a, "Text book," cell extraction. He was present until the inmate was placed in four point restraints. The inmate was trying to get free and kept saying [REDACTED].

A couple of days later, he [REDACTED] as the date of the cell extraction. [REDACTED]. The inmate was [REDACTED] and there were no problems. As soon as he retrieved his restraints and staff there restrained the inmate, he left.

(Exhibit A-12 & B-3)

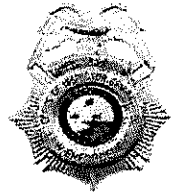
*During a review of the fixed wing video, Senior Classification Officer Craig Zelina was identified as a staff member that conducted rounds the morning of this incident.*

In a sworn recorded interview taken on 09/12/12, Senior Classification Officer Craig Zelina indicated that he remembered the inmate. He was conducting his routine rounds. He walked up to the cell door window and looked in. The cell was secured. The inmate was sitting on the floor in front of the toilet. He did not see the inmate bang his head. He could tell [REDACTED]. He stayed there for approximately 15 seconds. The inmate did not say anything to him. To his knowledge [REDACTED].

(Exhibit B-3)



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A review of the Housing Log revealed that the required 30 minute security checks were properly conducted. Sergeant Triplett, Officer Benavides, and Officer McAvoy conducted security checks that morning. The log also indicated that Lieutenant Nye and Sergeant Triplett conducted rounds of wings three and four at approximately 7:50 a.m. *Testimony indicated they were in wing four when Inmate Whitfield's emergency came to their attention.* It was noted in the log that Inmate Whitfield refused to submit to hand restraints at 8:20 a.m. The extraction team entered the cell at 8:46 a.m. (Exhibit A-13)

In a sworn recorded interview taken on 09/13/12, Sergeant Tyler Triplett indicated that he was assigned to C dormitory on the date of the incident. He and the lieutenant were conducting rounds when they were called back to that particular cell. The inmate had begun to bang his head inside of the toilet bowl. He told the inmate to stop a couple of times but the inmate was not hearing them. The inmate continued [REDACTED]. Other than conducting an observation once in a while he had other duties to conduct. He was in and out. The inmate [REDACTED]. There was no improper conduct by staff. (Exhibit B-3)

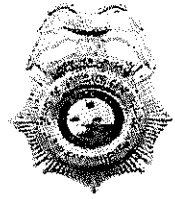
In a sworn recorded interview taken on 09/13/12, Officer Brian McAvoy indicated that he was assigned to C dormitory. Inmate Whitfield had his head in the toilet banging his head on the toilet. They gave him orders to stop but he continued. He kept saying, "[REDACTED]" and smashed his head on the toilet. Eventually he had to be extracted from the cell. At no time did staff do anything improper. (Exhibit B-3)

In a sworn recorded interview taken on 08/21/12, [REDACTED] indicated that she was present when Inmate Whitfield was brought out of his cell after he had been banging his head. He was taken out of the cell [REDACTED]. He was [REDACTED]. He did not appear [REDACTED]. The only time she saw him was after the head banging episode. He had [REDACTED]. He immediately called [REDACTED]. Everyone worked together quickly. [REDACTED] had no indication [REDACTED]. There was no history of [REDACTED] reported [REDACTED]. This was a surprise to [REDACTED]. (Exhibit B-3)





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**EXHIBIT/ATTACHMENTS SECTION**

**A. EXHIBIT(s) - attached:**

1. Incident Report by Officer Mark Benedict
2. Preliminary Police Death Investigation Report For the Medical Examiner
3. Autopsy Report by the Miami Dade County Medical Examiner
4. Department [REDACTED] for Inmate Ernest Whitfield
5. Daily Record of Special Housing for Inmate Whitfield
6. Incident Report by Lieutenant Randy Nye
7. Incident Report by Captain Penny Mann
8. Incident Report by Officer Timothy Lombardo
9. Incident Report by Officer Christopher Brady
10. Incident Report by Officer Zachary Dandorph
11. Incident Report by Officer Michael Kraus
12. Incident Report by Officer Ayham Al-Turkmani
13. Housing Unit Log

**EXHIBIT(s) - not attached:**

1. Compact disc containing the fixed wing video
2. Compact disc containing the hand held video
3. Compact disc containing the sworn recorded interviews of: Lieutenant Randy Nye, Captain Penny Mann, Officer Timothy Lombardo, Officer Christopher Brady, Officer Zachary Dandorph, Officer Michael Kraus, Officer Ayham Al-Turkmani, Senior Classification Officer Craig Zelina, Officer Alberto Benavides, Sergeant Tyler Triplett, Officer Brian McAvoy, and [REDACTED]