

Florida Department Of Corrections
RECEIVED Office of the Inspector General
 DEPARTMENT OF CORRECTIONS
 Report of Investigation
 JUN 02 2009
 Walt Murphree, Interim Inspector General

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 DEPARTMENT OF CORRECTIONS

MAY 28 2009

BUREAU OF
 STATE INVESTIGATIONS

Inspector General Case #09-11503

Facility: Gulf Correctional Institution Annex
 OFFICE OF THE INSPECTOR GENERAL
 REGION I

Classification of Incident: [REDACTED]

Field Office/Region: Tallahassee/Region I

Incident Date: 03/02/2009 Time: 7:50 a.m.

Inspector: Art Rountree (*Lead Investigator*), Cecil Smith and Louis Cordova

Date of Report: 05/27/2009

Case Type: A

Check all that apply:

- [REDACTED]
- 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
- Complaint of Discrimination
- Addendum
- Wing Video Camera(s) Present in the Area of Incident

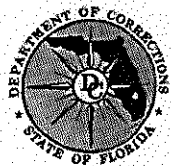
SUMMARY OF ALLEGATIONS:

Inmate Angus Wallen was found by Inmate Brent Florczak (*cellmate*) suspended from the top bunk with a small rope in cell P1-218. Inmate Florczak and another inmate removed the cord from Inmate Wallen's neck, laid him on his bunk and [REDACTED] Security and [REDACTED] arrived and [REDACTED] Inmate Wallen was later pronounced deceased by [REDACTED] Personnel who responded to the institution.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

- The investigation concluded that Inmate Angus Wallen [REDACTED]; [REDACTED] There is no evidence to suggest that any other person physically assisted or caused Inmate Wallen's death.

	Name	Title / DC #	D.O.B.	Emp. ID#
Complainant:	Faison, Henry	C.O. Captain	[REDACTED]	6502
Victim:	Wallen, Angus M.	Inmate / DC#D13545	02/12/1979	
Witness(es):	Duran, Brandi	Correctional Officer	[REDACTED]	7837
	Strength, Jeremy	Correctional Officer	[REDACTED]	37848



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

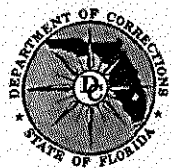
attention at that time. He went to the water fountain and got some hot water before going back upstairs. He was standing outside cell P1-217 with Inmate Jeremy Reynolds and Inmate Richard Wiley. He yelled again and asked, "Gus, you alright over there?" but Inmate Wallen did not respond. He did not hear the toilet flush or any other sound from the cell. A few minutes later, the officer announced work call. He reached over and tapped the blanket with his hand and said, "Gus, it's work call man!" He looked over the blanket and saw Inmate Wallen with the cord around his neck, and he yelled, "Damn," which got Inmate Wiley's attention. They went into the cell, and he picked Inmate Wallen up while Inmate Wiley took the cord off his neck. They laid Inmate Wallen on the bunk [REDACTED]

[REDACTED] yelled for help. [REDACTED] Several other inmates came into the cell, and he walked out to call for help. When staff arrived, they sent everyone to their cells, and he was secured in another cell. He was later removed by Captain Henry Faison and segregated from the other inmates. He did not see anyone else go into the cell with Inmate Wallen between the time he left the cell and when he found Inmate Wallen with the cord around his neck. (Exhibit B-1)

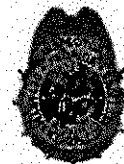
In his sworn digitally recorded statement given on March 2, 2009, Inmate Jeremy Reynolds indicated the following:

He knew Inmate Wallen from the wellness program. Inmate Wallen helped him run and do the exercises. He was housed in cell P1-217 and talked to Inmate Wallen occasionally. He talked to Inmate Wallen about working out that day. He talked to Inmate Wallen the previous night, and he seemed alright. He never talked to him [REDACTED] Inmate Wallen got along good with Inmate Florczak, and he never heard them argue or have any confrontation. He did not know of anyone that wanted to hurt Inmate Wallen.

He was brushing his teeth that morning and Inmate Florczak came to him and commented that Inmate Wallen had been in there (cell) "taking a dump for a while." Inmate Florczak said that he had to get back in the cell so he could get dressed and leave. When he finished brushing his teeth, Inmate Wiley walked up and started talking to Inmate Florczak about baseball. Inmate Florczak asked Inmate Wallen if he was alright and got no response. Inmate Florczak looked over the sheet hanging across the doorway and screamed, "Oh shit! Oh my god." Inmate Florczak ran into the cell, and he followed him. He saw Inmate Wallen hanging from a "rope" around his neck. Half of his legs were touching the ground. The rest of his body was still suspended. The rope was tied to the top bunk and looked like the cord out of a laundry bag. He saw Inmate Wiley and Inmate Florczak pick up Inmate Wallen. Inmate Wiley took the rope off his neck, and they put him on the bunk. [REDACTED] and he left to call the officer for help. (Exhibit B-2)



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

In his sworn digitally recorded statement given on March 2, 2009, Inmate Richard Wiley indicated the following:

Just prior to staff calling for the yard that morning, he was upstairs talking to Inmate Florczak. Inmate Florczak told him that he was waiting for Inmate Wallen to finish using the bathroom. Inmate Florczak called into the cell and asked Inmate Wallen if he was alright and did not get a response. There was a blanket draped over the doorway of the cell for privacy. Inmate Florczak looked over the blanket and said, "Oh no, Gus." He could hear in his voice that something was wrong. Inmate Florczak ran into the room, and he followed him. Inmate Wallen was hanging just above the floor at the foot of the bunk. He grabbed Inmate Wallen's upper body, and Inmate Florczak grabbed his lower body. They lifted him up, and he untied the cord. They put him on the bed. Inmate Wallen's eyes were open and not blinking.

[REDACTED] Inmate Florczak was standing behind him during this time. [REDACTED] A couple minutes later staff arrived, and he left and went downstairs. Inmate Wallen did not [REDACTED] (Exhibit B-3)

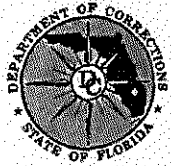
In his sworn digitally recorded statement given on March 2, 2009, Inmate William Cardwell indicated the following:

He was in his cell [REDACTED] which is straight across from Inmate Wallen's cell. He woke up and fixed himself a cup of coffee and sat on his bunk. There was a blanket up across the doorway of Inmate Wallen's cell. He did not know how long the blanket had been up. He saw Inmate Florczak, Inmate Reynolds and Inmate Wiley standing outside of the cell. They stood there for four or five minutes, and then Inmate Florczak said, "Damn, Gus, what's goin on? What's taking so long?" Inmate Florczak then pulled (*the blanket*) back to look in the cell. He could see Inmate Wallen hanging with a cord around his neck, which was tied to the top bunk. Inmate Florczak "jerked" the blanket down and he heard him say, "Ah, Gus". Inmate Wallen's [REDACTED]

[REDACTED] It appeared that he had [REDACTED] He did not know which inmate untied him, but one of them grabbed the cord and put Inmate Wallen on the bunk [REDACTED] He never saw Inmate Florczak, Inmate Wiley or Inmate Reynolds go inside the cell prior to the discovery of Inmate Wallen hanging. From where his cell is located, he would have seen if someone else entered the cell. He did not see anyone go in or out of the cell. He did not recall if Inmate Wallen had any enemies or had [REDACTED] [REDACTED] He knew that he recently had an appeal turned down and had tried to encourage him to "hang in there." (Exhibit B-4)

In his sworn digitally recorded statement given on March 2, 2009, Inmate William Jordan indicated the following:

He knew Inmate Wallen and played cards with him almost daily. He noticed that he was [REDACTED] and recalled Inmate Wallen telling him and others that [REDACTED]



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

[REDACTED] Inmate Wallen was well liked, and he did not know anyone that had a problem with him. He always paid his gambling debts and did not owe anyone anything. He recalled hearing Inmate Florczak yelling for Inmate Wallen to get up. He knew that Inmate Wallen and Inmate Florczak did not like each other and assumed they may have had an altercation and ran upstairs to the cell. He saw Inmate Wiley [REDACTED] He realized they were trying to help Inmate Wallen, and he left the cell. (Exhibit B-5)

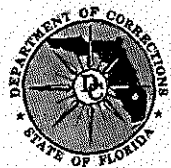
In his sworn digitally recorded statement given on March 2, 2009, Inmate Richard Miller indicated the following:

He was housed in cell [REDACTED] adjacent to Inmate Wallen's cell. When he woke up, Inmate Florczak had left the cell and gone downstairs to cell 105 or 106. He saw Inmate Wallen's hands as he put a blanket up across his cell door. He did not see Inmate Wallen's face, but after Inmate Florczak left the room he assumed Inmate Wallen was the only person in the cell. He did not hear any struggle, strangle noises or other voices coming from the cell. Inmate Florczak was downstairs for about ten (10) minutes. Inmate Florczak came back upstairs because they (staff) were calling for everyone to leave the dormitory, and he could not get back in the cell. Inmate Florczak was wearing shorts with thermal underwear underneath and a thermal under shirt. He commented to Inmate Florczak that Inmate Wallen had been in there "for a minute" (long time). He told Inmate Florczak that he better get Inmate Wallen because they needed to leave the dormitory. Inmate Florczak said something, but he did not hear it. He walked off to clean the shower. He heard Inmate Florczak call for Inmate Wallen, and there was no response. He looked around and saw Inmate Florczak pull back the blanket. There was another tall white inmate with gold teeth there (Inmate Reynolds) with Inmate Florczak who called [REDACTED] and then entered the cell with Inmate Florczak. He saw them bring Inmate Wallen out of the cell and laid him on a mattress. He saw them [REDACTED] He knew that Inmate Wallen had two very close friends who had left recently. One went home a month before and another transferred the previous week. [REDACTED]

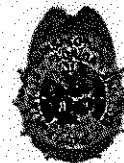
He recalled that Inmate Wallen played cards (gambled), and he saw him with coffee and other canteen items the previous day. He commented that he (Wallen) was getting back in the groove, and Inmate Wallen replied, "Whatever." (Exhibit B-6)

In his sworn digitally recorded statement given on March 2, 2009, Inmate David Lee indicated the following:

He was housed in cell [REDACTED] adjacent to Inmate Wallen's cell. He knew Inmate Wallen and talked to him several times. Inmate Wallen was quiet, and he did not notice anything remarkable about his demeanor leading up to the incident. When he woke up that morning his cellmate told him that "Gus" (Wallen) had hung himself. He walked to Inmate Wallen's cell, and someone had already put Inmate Wallen on the bed. Inmate Florczak and some other



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

unknown inmates were [REDACTED] He saw Inmate Wallen was [REDACTED] The officer came to the cell, and that was all he saw. Inmate Wallen got along with everyone and was likable. He did not know of any enemies he had and did not know of any confrontations he had with anyone. (Exhibit B-7)

In his sworn digitally recorded statement given on March 2, 2009, Inmate Kevin Ingram indicated the following:

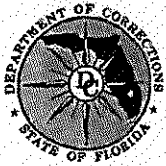
He was housed in P1-Dormitory with Inmate Wallen. He was assigned as the caustic room orderly and left the dormitory prior to the incident. He was friends with Inmate Wallen and they played cards together. He last spoke to Inmate Wallen the previous evening about 5:00 p.m. They had played cards together all day. Inmate Wallen was disappointed recently because a good friend of his left, but other than that [REDACTED] He did not know of anyone who Inmate Wallen owed money or who would want to harm him.

(Exhibit B-8)

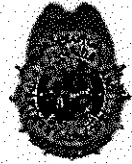
In his sworn digitally recorded statement given on March 2, 2009, Inmate Anthony Aleccia indicated the following:

He was housed in P1-201. Inmate Wallen was his best friend. He met him last year when they were first housed together. They worked together on the recreation yard and worked out together. Inmate Wallen was up before him that morning and walked by his cell with his canteen bag over his shoulder. Inmate Wallen looked as if he wanted to talk but realized that he had just awakened. He smiled at Inmate Wallen who smiled back and then put his head down as he walked away. After he got out of bed, he fixed a cup of tea. He saw Inmate Florczak downstairs and a blanket was up over the cell door. He figured that Inmate Wallen was using the toilet. After about twenty (20) minutes, he heard Inmate Florczak yell into the cell about him taking so long. Staff announced work call, and he started to walk out of the dormitory. Someone ran downstairs and told him Inmate Wallen had [REDACTED] or was laid out on his bed. Staff rushed past him and went to Inmate Wallen's cell. He did not go to the cell but heard Inmate Wiley [REDACTED] Inmate Wallen once told him that [REDACTED]

[REDACTED] He last spoke to him the previous night. Inmate Wallen had lost \$40 to \$50 during a poker game, but he did not know who he lost to. Inmate Wallen was obsessive about paying his debts. Inmate Wallen told him he [REDACTED] He told Inmate Wallen he felt like that too sometimes and that he should just "hold the line." (Exhibit B-9)



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

In her incident report dated March 2, 2009, Correctional Officer Brandi Duren indicated the following:

She was assigned to P-Dormitory on March 2, 2009. At approximately 7:40 a.m., she was notified [REDACTED] in P1-Dormitory. As she responded to the dormitory, various inmates directed her to cell P1-218. As she entered the cell, she observed Inmate Wallen [REDACTED] on the bottom bunk, and Inmate Wiley [REDACTED]. Inmate Florczak and Inmate Reynolds were standing in the cell. She notified Sergeant George Mathes and Captain Henry Faison of the incident. Sergeant Mathes, Sergeant Alfred Cutchin, Sergeant Brian Jencks, Sergeant Richard Davis and Officer Jeremy Strength responded to the cell. Sergeant Cutchin obtained the [REDACTED]. At approximately 7:50 a.m., Captain Faison arrived followed by [REDACTED] at approximately 7:57 a.m. She was instructed to contact [REDACTED]. At approximately 8:16 a.m., [REDACTED] in front of P-Dormitory. At approximately 8:25 a.m., [REDACTED] area with Inmate Wallen. (Exhibit A-1)

In his incident report dated March 2, 2009, Correctional Officer Sergeant George Mathes indicated the following:

He was assigned as the Internal Security Supervisor on March 2, 2009. At approximately 7:42 a.m., he received a call from Officer Duren in reference to an [REDACTED]. At approximately 7:45 a.m., he and Officer Strength arrived and found Inmate Wallen lying on his back on the lower bunk in cell P1-218. [REDACTED]

(Exhibit A-2)

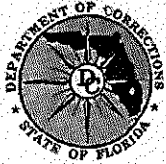
In his incident report dated March 2, 2009, Correctional Officer Sergeant Richard Davis indicated the following:

He was assigned as the O-Dormitory Housing Supervisor on March 2, 2009. At approximately 7:42 a.m., he responded to [REDACTED] in P-Dormitory. At approximately 8:00 a.m., he [REDACTED]

(Exhibit A-3)

In an affidavit dated May 22, 2009, Correctional Officer Sergeant Brian Jencks indicated the following:

He was assigned as the P-Dormitory Housing Supervisor on March 2, 2009. At approximately 7:45 a.m., he heard Officer Duren call for assistance in P1-Dormitory. He responded and saw Sergeant Mathes and Officer Strength [REDACTED]. He secured the entrance door to the dormitory and began to secure inmates in their cells. (Exhibit A-4)



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

In an affidavit dated May 22, 2009, Correctional Officer Sergeant Alfred Cutchin indicated the following:

He was assigned as the Q-Dormitory Housing Supervisor on March 2, 2009. At approximately 7:40 a.m., he responded to [REDACTED] in P-Dormitory. Upon arrival at P1-Dormitory, he observed Sergeant Mathes and Officer Strength with Inmate Wallen. He went to the officer's station and retrieved [REDACTED]. He returned to P1-Dormitory, [REDACTED] Sergeant Mathes and began securing inmates in their cells. (Exhibit A-5)

In his incident report dated March 2, 2009, Correctional Officer Jeremy Strength indicated the following:

He was assigned as an Internal Security Officer on March 2, 2009. At approximately 7:42 a.m., he responded to a radio call from Officer Duren in reference to an [REDACTED] in P-Dormitory. At approximately 7:45 a.m., he and Sergeant Mathes arrived and found Inmate Wallen lying on his back on the lower bunk in cell P1-218. [REDACTED]

[REDACTED] at 7:57 a.m. He then began securing inmates in their cells. (Exhibit A-6)

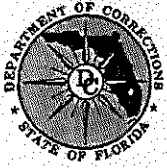
In his incident report dated March 2, 2009, Correctional Officer Lieutenant James McCorvey indicated the following:

He was assigned as the Work Squad Lieutenant on March 2, 2009. At approximately 7:42 a.m., he responded to [REDACTED] in P1-Dormitory. At approximately 8:00 a.m., he [REDACTED] on Inmate Wallen. He continued to assist [REDACTED] (Exhibit A-7)

[REDACTED] response to a request for assistance. [REDACTED] at approximately 8:00 a.m. Inmate Wallen was on a mattress outside of his cell, and security staff [REDACTED]. She noted that Inmate Wallen was [REDACTED]

(Exhibits A-8 & A-9)

Security staff initiated recording with a handheld video camera while staff [REDACTED] Inmate Wallen outside of his cell. The handheld video recording continued until [REDACTED] of P-Dormitory. There is nothing remarkable noted during the video recording. (Exhibit B-10)



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

Cell P1-218 was photographed by Senior Prison Inspector Cecil Smith. The photographs depicted the condition of the cell following the incident. The cord used was still tied to the top bunk of the cell. There was no sign of a struggle and [REDACTED]. The mattress from the bottom bunk had been pulled onto the walkway outside of the cell. There were [REDACTED]. The cord was removed and placed into evidence. (Exhibits A-10, B-11 & B-12)

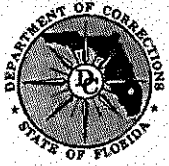
Forensic Investigator Whit Majors of the Fourteenth Circuit Medical Examiner's Office responded to the institution following the incident on March 2, 2009. He examined and photographed Inmate Wallen's body [REDACTED]. He examined Inmate Wallen's cell (P1-218) and photographed the rope still attached to the top bunk. (Exhibits A-11 & B-13)

A search of Inmate Wallen's cell was conducted by Senior Prison Inspector Art Rountree (Lead Investigator), Senior Prison Inspector Cecil Smith and Institutional Inspector Louis Cordova. Inmate Wallen's personal items and letters were reviewed. However, there was [REDACTED].

Inmate Angus Wallen's telephone conversations prior to the incident were reviewed. He spoke to both his parents several days before. The conversation was normal, and there was [REDACTED]. Two nights before the incident he made two unsuccessful attempts to call his parents. There were no further attempts to contact his parents. (Exhibits A-12 & B-14)

An autopsy was conducted by District Fourteen Medical Examiner Doctor Michael Hunter on March 3, 2009. [REDACTED]. Doctor Hunter concluded that Inmate Wallen's cause of death [REDACTED] and the manner was suicide. (Exhibits A-13 & A-14)

During the review of this incident it was determined that staff responded appropriately. They utilized their training [REDACTED]. There was no indication of any violations of procedures or post orders.



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General

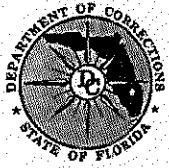


Case Number: 09-11503

Principal(s) Exhibits

Whit Majors
Forensic Investigator
District 14 Medical Examiner's Office
3737 Frankford Avenue
Panama City, Florida 32405
(850)747-5740

Dr. Michael Hunter
Medical Examiner
District 14 Medical Examiner's Office
3737 Frankford Avenue
Panama City, Florida 32405
(850)747-5740



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



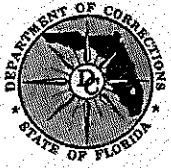
Case Number: 09-11503

[Signature] Senior Prison Inspector 5/27/09 Date

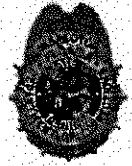
[Signature] Prison Inspector Supervisor 6/1/2009 Date

VSC/A ^{FOR} Chief Prison Inspector 6/3/09 Date

____ Deputy/Inspector General _____ Date



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Walt Murphree, Interim Inspector General



Case Number: 09-11503

EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident report submitted by Officer Brandi Duren
2. Incident report submitted by Sergeant George Mathes
3. Incident report submitted by Sergeant Richard Davis
4. Affidavit completed by Sergeant Brian Jencks
5. Affidavit completed by Sergeant Alfred Cutchin
6. Incident report submitted by Officer Jeremy Strength
7. Incident report submitted by Lieutenant James McCorvey
8. [REDACTED]
9. [REDACTED]
10. Photograph exhibit depicting cell P1-218 following the incident
11. Case Summary completed by Forensic Investigator Whit Majors
12. Call log of Inmate Angus Wallen's telephone activity prior to his death
13. Autopsy Report completed by Doctor Michael Hunter
14. Report from the Forensic Toxicology Laboratory

B. EXHIBIT(s) - not attached:

1. Digitally recorded statement of Inmate Brent Florczak
2. Digitally recorded statement of Inmate Jeremy Reynolds
3. Digitally recorded statement of Inmate Richard Wiley
4. Digitally recorded statement of Inmate William Cardwell
5. Digitally recorded statement of Inmate William Jordan
6. Digitally recorded statement of Inmate Richard Miller
7. Digitally recorded statement of Inmate David Lee
8. Digitally recorded statement of Inmate Kevin Ingram
9. Digitally recorded statement of Inmate Anthony Aleccia
10. Digital Video Disk containing the handheld video recording
11. Compact Disk containing digital photographs taken by Senior Prison Inspector Smith
12. The cord recovered from Inmate Angus Wallen's cell
13. Compact Disk provided by Forensic Investigator Whit Majors
14. Compact Disk of Inmate Angus Wallen's telephone conversations prior to his death