

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

RECEIVED  
 DEPARTMENT OF CORRECTIONS  
 OCT 19 2009  
 BUREAU OF  
 STATE INVESTIGATIONS

**CONFIDENTIAL INFORMATION-  
 NOT FOR DISTRIBUTION OUTSIDE OF THE DEPARTMENT OF CORRECTIONS**

Inspector General Case #: 09-32897

Facility: Lowell Annex

Classification of Incident: Inmate Death [REDACTED]

Field Office/Region: Orlando

Incident Date: July 22, 2009 Time: 6:13 P.M.

Inspector: Tammy Gourley

Date of Report: October 5, 2009

Case Type: C

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 (if applicable)
- Complaint of Discrimination
- Addendum
- Wing Video Camera(s) Present in the Area of Incident  YES  NO

**SUMMARY OF ALLEGATIONS:**

On July 22, 2009 at 5:06 P.M. while conducting a security check of cell T4114, Disciplinary Confinement, Correctional Officer Samantha Straughter discovered Inmate Bernadette Gregory DC# G05707 in front hand restraints hanging from the top bunk in her assigned cell. Inmate Gregory had a white cloth ligature tied around her neck and to the top of her bunk.

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

District Five Medical Examiner, Barbara Wolf, M.D., ruled that Inmate Bernadette Gregory's cause of death was [REDACTED] and her manner of death was suicide. The death of Inmate Gregory was not a result of a criminal act.

It was noted during a preliminary review of the fixed wing video to gain a perspective of the incident that Sergeant Kimberly Brooks applied handcuffs to Inmate Gregory and then left her unattended in her cell. As a result, a separate investigation was initiated (IG Case # 09-32913).

There was nothing reviewed on the fixed wing video to indicate any improper conduct concerning the reaction to, reporting of, or processing of Inmate Gregory's death by staff.



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	Name	Title / DC #	D.O.B.	Employee ID #
<b>Complainant:</b>	Southerland, Kim (Chris)	Warden	[REDACTED]	20158
<b>Victim:</b>	None			
<b>Witness(es):</b>	Brooks, Kimberly	CO Sergeant	[REDACTED]	47024
	Straughter, Samantha	Correctional Officer	[REDACTED]	39653
	Williams, Shaquita	Correctional Officer	[REDACTED]	50511
	Hall, Eric	CO Lieutenant	[REDACTED]	8598
	Enscoe, Debbie	Correctional Officer	[REDACTED]	27884
	Tyson, Lakeisha	CO Sergeant	[REDACTED]	36527
	[REDACTED]	[REDACTED]	[REDACTED]	8680
	[REDACTED]	[REDACTED]	Unknown	
	[REDACTED]	[REDACTED]	[REDACTED]	43487
<b>Subject:</b>	Gregory, Bernadette	Inmate / DC# G05707	02/28/67	

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): None

Evidence:  Weapon       Drugs       Other      Describe:

Other Agency Case Number: 5<sup>th</sup> District Medical Examiner #2009-0636

**FINDINGS:**

In an Incident Report written July 22, 2009 Correctional Officer Sergeant Kimberly Brooks indicated the following:

That she was assigned to T Dormitory as the Housing Sergeant for Quad 3 and 4. At approximately 4:20 P.M. Inmate Bernadette Gregory [REDACTED]. Inmate Gregory was placed in hand restraints and Officer Straughter was notified of her [REDACTED]. Upon exiting Quad 4, T Dormitory [REDACTED] were advised of the [REDACTED] however, they advised to contact [REDACTED]. T Dormitory Control Room Officer Fischer was contacted and told to contact [REDACTED] and advise them that Inmate Gregory [REDACTED]. At approximately 5:07 P.M. Officer Straughter called on the radio and asked her to come to Quad 4. She asked Officer Straughter over the radio if everything was okay and Officer Straughter did not respond.



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Sergeant Brooks indicated that she secured an inmate in the holding cell she had been escorting and ran to Quad 4 where she saw Inmate Gregory's assigned cell door open. Officer Enscoe and [REDACTED] Inmate Gregory. Additional [REDACTED] security staff were responding and [REDACTED] Officer Fisher was instructed to call 911. (Exhibit A-1)

In an Incident Report written July 22, 2009 Correctional Officer Samantha Straughter indicated the following:

On July 22, 2009 at approximately 4:55 P.M., while assigned to T Dormitory Quad 4 and delivering laundry to cell T4113 she glanced into cell T4114 and observed Inmate Bernadette Gregory DC# G05707 sitting on her bed. She then proceeded to go around Quad 4 to several other cells. At 5:05 P.M. she (Straughter) went to cell T4114 [REDACTED] when she observed Inmate Gregory sitting on her locker with what appeared to be a sheet around her neck. Officer Shaquita Williams assisted in opening Inmate Gregory's cell door and additional assistance was requested.

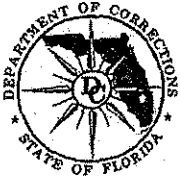
Officer Straughter indicated that she called Inmate Gregory's name several times but she received no response. At this time Lieutenant Hall entered the cell. Officer Straughter noted that she could not recall her actions after this point. (Exhibit A-2)

In an Incident Report written July 22, 2009 Correctional Officer Shaquita Williams indicated the following:

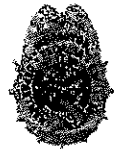
On July 22, 2009 at approximately 5:05 P.M. while assigned to Quad 3 and leaving the Quad Officer Straughter approached her to hurry and help her roll cell T4114. Upon entering the cell she observed Inmate Bernadette Gregory on her knees at the foot of her bunk. Upon further inspection she saw a thick cloth wrapped around Inmate Gregory's neck. She immediately left to get Lieutenant Hall and obtain a ligature cutter but forgetting which cell Inmate Gregory was in she had to go back with Lieutenant Hall and Officer Enscoe to show them the correct cell. Upon returning to get the ligature cutter someone had already obtained them. After returning back to cell T4114 she heard someone yell to get the [REDACTED] Officer Williams stated she had no other involvement in the incident. (Exhibit A-3)

In an Incident Report written July 22, 2009 Correctional Officer Lieutenant Eric Hall he indicated the following:

That on July 22, 2009 he was assigned as the Shift Lieutenant for Annex Third Shift. At approximately 5:07 P.M. he responded to Quad 4 T Dormitory after a call for assistance. Upon arriving at the cell door T4114 the door was breached and Officer Samantha Straughter was inside. Inmate Bernadette Gregory who lives and was assigned to that cell had a piece of fabric around her neck. The fabric was tied around the bunk post at the top end of the bed. Immediately an unknown staff member was told to retrieve the ligature cutters from T Dormitory Control Room and he began lifting Inmate Gregory in an attempt to relieve the pressure from the ligature around Gregory's neck.



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Officer Debbie Enscoe arrived and assisted him (Hall) with lifting Inmate Gregory. Lieutenant Hall indicated he was able to untie the ligature from the bed post and from the neck of Inmate Gregory. With the assistance of Officer Enscoe Inmate Gregory was placed on the cell floor face up. At 5:08 [REDACTED] arrived as Inmate Gregory was being placed on the cell floor. [REDACTED]

(Exhibit A-4)

In an Incident Report written July 22, 2009 Correctional Officer Debbie Enscoe indicated the following:

That on July 22, 2009 she responded to T Dormitory Quad 4, Cell 4114 after a call for assistance over the radio. At approximately 5:07 P.M. she entered cell T4114 which housed Inmate Bernadette Gregory and saw Lieutenant Hall trying to remove a sheet that was tied around Inmate Gregory's neck. Inmate Enscoe indicated that she immediately lifted Inmate Gregory body so Lieutenant Hall could remove the sheet. The sheet was removed and Inmate Gregory was placed on the cell floor. Officer Enscoe indicated she immediately [REDACTED]

she (Enscoe) removed the hand restraints from Inmate Gregory and exited her cell. (Exhibit A-5)

In an Incident Report written July 22, 2009 Correctional Officer Sergeant Lakeisha Tyson indicated the following:

That on July 22, 2009 at approximately 5:05 P.M. she responded to T Dormitory Quad 4, after a call for assistance over the radio. Upon her arrival she heard Lieutenant Hall yell from cell T4114 that he needed a ligature cutter. Returning back to cell T4114 with the ligature cutter Inmate Gregory was already lying on the cell floor and Officer Enscoe and [REDACTED] to Inmate Gregory. [REDACTED]

(Exhibit A-6)

In Incident Reports written July 22, 2009 by [REDACTED] they indicated the following:

That on July 22, 2009 [REDACTED] was needed in T Dormitory. Upon their arrival Inmate Gregory was [REDACTED]

[REDACTED] of the death of Inmate Gregory. (Exhibit A-7, 8 & 9)

On July 22, 2009, Inmate Bernadette Gregory DC# G05707 [REDACTED] in T Dormitory Confinement at Lowell Correctional Institution Annex. During a preliminary review of the fixed wing video to gain a perspective of the incident, it was observed that Sergeant Kimberly Brooks applied handcuffs to Inmate Gregory and then left her unattended in her cell, therefore a separate investigation was initiated (IG Case # 09-



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32913). No staff or inmates were observed entering or exiting cell T4114 prior to Inmate Gregory emergency. There was nothing reviewed on the fixed wing video to indicate any improper conduct concerning the reaction to, reporting of, or processing of Inmate Gregory's death by staff. (Exhibit B-1)

On July 22, 2009 Ray Williams, Senior Forensic Investigator, 5<sup>th</sup> District Medical Examiner and this writer, Inspector Tammy Gourley photographed Cell T4114 which housed Inmate Gregory. Neither inmate Gregory nor her body was present when the photographs were taken. There was no ligature found attached to the bunk bed or the ladder. A white cotton inmate pajama blouse was found at the head of the left corner the bottom bunk bed. The pajama top blouse is consistent with the type of cloth or sheet material described by security staff tied around Inmate Gregory neck and used as the ligature when she was discovered. The pajama top blouse had one double knot tied at the right lapel and button seam of the blouse. [REDACTED]

[REDACTED] The pajama blouse was wrinkled and appeared to have been twisted tight at one time although when found and photographed by investigators was lying loosely at the head of the lower bunk bed. Inmate Gregory foot locker was pushed against the head of the bunk bed ladder and against the wall. The top bunk bed ladder and rail was not bent or broken. Medical supplies were strewn about the cell. (Exhibit B-2)

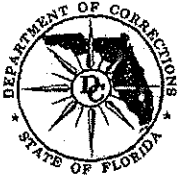
During the course of this investigation a suicide type note was found in the pocket of the dress Inmate Gregory's was wearing [REDACTED]. The note indicated a happy birthday (homemade) type card or letter to her husband stating "I love Babu." The writing indicated two hearts beat for forever. Inmate Gregory further indicated she hoped her husband found peace [REDACTED] and doesn't know if her husband will want to wait for her. Gregory wrote "she will set him free." (Exhibit A-10)

A search of Inmate Bernadette Gregory's cell and property on 7/24/09 resulted in the discovery of what appeared to be [REDACTED] hidden in Inmate Gregory's Bible. On Monday, July 27, 2009 [REDACTED] (Exhibit A-11, 12)

Institutional Disciplinary Records indicate that Inmate Bernadette Gregory had received four Disciplinary Reports between May 2009 and June 2009 for Disrespect to Officials, Lying to Staff, and two for Disorderly Conduct. Inmate Gregory was serving Disciplinary Confinement time for the infractions although she had filed an appeal with the assistance of inmate law clerks and was awaiting final disposition to have the discipline overturned.

[REDACTED] on occasion that Inmate Gregory failed to cooperate and participate [REDACTED] and had problems getting along with the staff and inmates.





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**EXHIBIT/ATTACHMENTS SECTION**

- A. **EXHIBIT(s) - attached:**
1. **Incident Report Sergeant Brooks**
  2. **Incident Report Officer Straughter**
  3. **Incident Report Officer Williams**
  4. **Incident Report Lieutenant Hall**
  5. **Incident Report Officer Enscoe**
  6. **Incident Report Officer Tyson**
  7. **Incident Report [REDACTED]**
  8. **Incident Report [REDACTED]**
  9. **Incident Report [REDACTED]**
  10. **[REDACTED]**
  11. **Incident Report [REDACTED]**
  12. **[REDACTED]**
  13. **Medical Examiner District 5 Autopsy Report Gregory**
- B. **EXHIBIT(s) - not attached:**
1. **Fixed Wing video**
  2. **Photographs**