

Case# 08-23613

Florida Department of Corrections
Office of the Inspector General



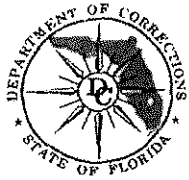
"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes."

"Furthermore, under penalties of perjury, I declare I have read the foregoing report and the contents of the report are true and accurate based upon my personal knowledge, information, and belief."

Sr. Insp. E. J. Whatley
Investigators Signature

07/28/08
Date

COPY



Florida Department Of Corrections
 Office of the Inspector General
 Report of Investigation
 Paul C. Decker, Inspector General



Case Number: 08-23613

AUG 05 2008

Inspector General Case #: 08-23613 Facility: Union Correctional Institution
 Classification of Incident: [REDACTED] (Inmate) Field Office/Region: Gainesville / 2
 Incident Date: 04/28/08 Time: 2:03 a.m. Inspector: E. J. Whatley
 Date of Report: 07/21/08 Case Type: A

Check all that apply:

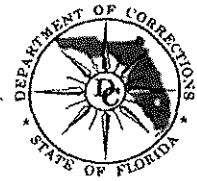
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Principal(s) Exhibits Attached
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Complaint of Discrimination
- Addendum
- Wing Video Camera(s) Present in the Area of Incident YES NO

SUMMARY OF ALLEGATIONS:

On April 28, 2008, Officer Timothy Hines reported via incident report that on April 28, 2008, at approximately 2:03 a.m., while being assigned to P-dorm 1 south, he was conducting a security check of wing five and observed Inmate William Coday #L41976, in cell P5-210, lying in bed, underneath a sheet and wool blanket, [REDACTED] Officer Hines notified Sergeant Choyce Green of the incident, who notified the shift supervisor. Lieutenant Randolph Salle and Lieutenant Glenn Anders responded, Lieutenant Salle [REDACTED] Inmate Coday was [REDACTED] pronounced Inmate Coday deceased at 2:42 a.m., on April 28, 2008.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

- Inmate Coday was found [REDACTED] A review of the fixed wing video could not determine that security checks were performed prior to the incident; this is due to the checks [REDACTED] According to floor log, and statements from inmates and officers the checks were being made every [REDACTED] minutes as required. Preliminary cause of death is pending further studies by the medical examiner's office. There is no evidence of staff misconduct or foul play. An addendum to this report will be submitted upon receipt of the autopsy report.



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	Name	Title / DC #	D.O.B.	Employee ID #
Complainant:	Hines, Timothy	Officer	[REDACTED]	9625
Victim:	None			
Witness(es):	Anders, Glenn	Lieutenant	[REDACTED]	413
	Hines, Timothy	Officer	[REDACTED]	9625
	King, Howard	Officer	[REDACTED]	40925
	Cary, Lonnie	Officer	[REDACTED]	50131
	Rhodes, Richard	Inmate / 099269	10/03/53	
	Bradley, Donald	Inmate / 066600	07/04/60	
	Bogle, Brett	Inmate / 110365	05/01/69	
Subject(s):	Coday, William	Inmate / L41976	01/25/57	

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

Sentence of Court / Agreement:

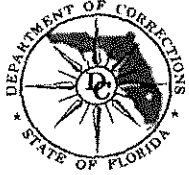
Administrative Violation(s):

Evidence: Weapon Drugs Other Describe:
 Other Agency Case Number:

FINDINGS:

On April 28, 2008, Officer Timothy Hines reported via incident report that on April 28, 2008, at approximately 2:03 a.m., while being assigned to P-dorm 1 south, he was conducting a security check of wing five. While conducting the security check he observed Inmate William Coday #L41976, in cell P5-210, lying in bed, underneath a sheet and wool blanket, [REDACTED]. Officer Hines notified Sergeant Choyce Green of the incident, who notified the shift supervisor. Lieutenant Randolph Salle and Lieutenant Glenn Anders responded, Lieutenant Salle [REDACTED]

[REDACTED] pronounced Inmate Coday deceased at 2:42 a.m., on April 28, 2008. This incident was reported by MINS (Management Information Notes System). (Exhibit A-1)



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On April 28, 2008, Inspector Kevin Snow reviewed the fixed wing video for wing 5 of P-dorm at 12:25.38 a.m., two officers are viewed counting, and lights are turned on. Video feed lost at 1:53.59 a.m. and resumes at 1:54.51 a.m., lights are viewed on. At 1:58.03 a.m. three staff members enter wing. At 1:58.41 a.m. staff members exit wing, appear to be running. At 2:02.19 a.m. [REDACTED] on the wing with several staff members. At 2:04.22 a.m. another staff member is on the wing. At 2:05.08 a.m. a staff member exits the wing. At 2:06.56 a.m. another staff member exits the wing. At 2:07.24 a.m. staff member enters the wing. At 2:08.46 a.m. numerous staff members enter the wing. At 2:10.48 a.m. staff members exit the wing. At 2:11.19 a.m. Captain Mercado and another officer enters the wing. At 2:14.30 a.m. [REDACTED] exits the wing with Inmate Coday [REDACTED] (Exhibit B-1)

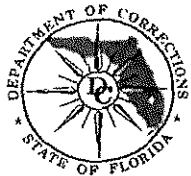
On April 28, 2008, photographs of Inmate Coday's cell were taken. Also photographed in the cell was the location of what is believed to be the weapon Inmate Coday used [REDACTED] Photographs were also taken of Inmate Coday while at the medical examiners office in Gainesville, Florida. (Exhibit B-2)

On April 29, 2008, during a sworn recorded interview, Inmate Richard Rhodes indicated the following:

On April 27, 2008, at approximately 9:00 p.m., Inmate Coday told him that he (*Coday*) was going to listen to the hearts of space on the radio. Inmate Coday also asked him what was on television at that time. When he talked to Inmate Coday he did not [REDACTED] but he did seem concerned about the Florida Supreme Court giving him a life sentence. Inmate Coday advised him (*Rhodes*) that he received news that the one judge on the Supreme Court that was pushing for him to remain on death row had stepped down from the Florida Supreme Court, and his concern was that it left the rest of them open to give him a life sentence, and there would be no argument for the death penalty. Inmate Coday indicated to him (*Rhodes*) that he did not want a life sentence [REDACTED] Inmate Rhodes indicated that at approximately 1:50 a.m. on April 28, 2008, he heard Inmate Coday making some noises [REDACTED] he (*Coday*) was moaning "Please mama help me, please mama help me," it was more like a [REDACTED] Inmate Rhodes called down the hallway to have another inmate to holler for help. The officer arrived on the wing within 7 minutes of calling them. After the officer saw what was going on, he left and got the other staff. The whole process took 10 or 12 minutes. Inmate Rhodes indicated that he observed the officer come on the wing every [REDACTED]. (Exhibit B-3)

On April 29, 2008, during a sworn recorded interview, Inmate Donald Bradley indicated the following.

Inmate Coday had made comments to him that there was on Supreme Court Justice that was restricting him from getting a life sentence. Inmate Bradley thought Inmate Coday was happy about that, until he heard Inmate Coday talking to another inmate, stating that he did not want a life sentence. Inmate Coday indicated he may have written a letter to the Supreme Court to not give him a life sentence, to go ahead and stop his appeals [REDACTED] On April 27, 2008, at approximately 8:00 p.m., he was talking to Inmate Coday, when Inmate Coday was aware that he (*Bradley*) did not have a sweet treat to eat, and gave him an oatmeal pie. On April 28, 2008, Inmate Bradley indicated he heard a muffled noise coming from Inmate Coday's cell, like he was saying, "Mom mama, mama, help me, help me mama, help me help." An unknown inmate on the wing yelled man down, in a matter of minutes the lights came on and an officer passed his cell. When the officer stopped in front of Inmate



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Coday's cell, he said, "Oh my God, I better go call the captain." Inmate Bradley indicated that he did not know how Inmate Coday got a razor blade, that the officers that pass out razors during their shower periods are very specific about passing it out, marking down if that inmate received a razor or declined a razor, and then in the process of picking the razor up in front of his cell, they're very specific in examining the razor to make sure the silver strip is in the razor, to indicate a blade. Inmate Bradley denied he heard Inmate Coday ask anyone for a razor blade. (Exhibit B-3)

On April 29, 2008, during a sworn recorded interview, Inmate Brett Bogle indicated the following:

On April 28, 2008, between 1:40 and 1:50 a.m., he was awakened by hearing an inmate moaning "Help, help me, mama," and the other inmates on the wing hollering for the officers, to get them back there. The officers arrived at approximately 2:00 a.m. Inmate Coday did not give him any indication [REDACTED] (Exhibit B-3)

On May 30, 2008, during a sworn recorded interview, Officer Howard King indicated the following:

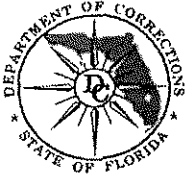
On April 28, 2008, he was working in P-dorm, and assigned to 2 South. Officer King indicated that at 12:30 a.m., a formal count was made by Officers Cary and J.D. Smith. At 1:00 a.m. he (*King*) made a security check and observed Inmate Coday in his cell, but did not remember how the inmate was positioned in the cell. At 1:30 a.m. he (*King*) left and went to the southwest unit to deliver some paperwork. Officer King indicated that he did not know how the inmate got a razor blade. (Exhibit B-3)

On July 01, 2008, during a sworn recorded interview, Officer Lonnie Cary indicated the following:

On April 28, 2008, he was working in P-dorm, and assigned to 2 South, the area where Inmate Coday was located. At approximately 1:30 a.m., he made an informal count, and saw Inmate Coday, in his bed, covered up with a blanket. He did not have any of his extremities hanging out, [REDACTED] Officer Cary indicated that when he does an informal count he, he does it from the cat walk and shines a light into the cell looking for some body part to determine the inmate is in his cell. Officer Cary indicated that at approximately 2:00 a.m. he was in 1 North helping pack an inmate's property. (Exhibit B-3)

On May 30, 2008, during a sworn recorded interview, Officer Timothy Hines indicated the following.

On April 28, 2008, he was working in P-dorm, and assigned to 1 south. He was told to do a check of the second floor by Sergeant Green. Officer King and Officer Cary were assigned to the second floor, but Officer Cary was packing property on the north side and Officer King was taking care of some errands. The first wing he went down was 5 left, the wing where Inmate Coday was housed. He did a security check down the cat walk. When he looked into the cell from the cat walk using his flashlight he saw [REDACTED] and had the officer turn on the cell lights. He could see then that Inmate Coday [REDACTED] Inmate Coday was laying on his left side, covered up with a blanket, with his arm sticking out. After he observed Inmate Coday, he had the control room officer call Sergeant Green, and he grabbed some leg restraints. They observed that Inmate Coday was [REDACTED] when they pulled him out of his cell [REDACTED] Officer Hines



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indicated that he did not check the cell after the inmate was pulled out for any weapons, and did not know how the inmate would have gotten a razor blade in his cell. **(Exhibit B-3)**

On May 30, 2008, during a sworn recorded interview, Lieutenant Glenn Anders indicated the following:

On April 28, 2008, he was the Lieutenant over P-dorm, at approximately 1:15 a.m. he did a security check of P-dorm. Lieutenant Anders indicated that when he does a security check of P-dorm he goes in to make sure all of the paperwork is straight and the staff is where they need to be and are doing what they are supposed to be doing. He makes himself available to everyone and does a video tape change. After he makes the video change he makes sure it is working and drops the used video in the video drop box in the assistant warden's office. Lieutenant Anders indicated that when he does his security check, he does not go down the wing. At approximately 2:00 a.m., while making his other rounds on the compound, the captain called him and told him to go back to P-dorm. When he arrived at P-dorm he went down the wing where Inmate Coday was housed and observed Inmate Coday laying on his left side, with his right arm draped over his left. He could see Inmate Coday's left hand and right arm. Inmate Coday had a sheet and two wool blankets over his body. When he (Anders) arrived, the inmate seemed to

[REDACTED] Inmate Coday was restrained [REDACTED]

[REDACTED] Lieutenant Anders indicated that the officers do the formal counts on the wing, when the officers do the security checks they are done on the cat walk, [REDACTED] **(Exhibit B-3)**

A memorandum dated March 23, 2008, from Captain John Fell, indicated that until further notice, per order of Colonel D.A. Mallard, [REDACTED] *(This memorandum was issued due to security reasons)* **(Exhibit A-2)**

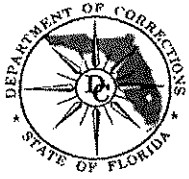
A review of the housing unit log from P-dorm 2 south, indicate that at 12:30 a.m., Officer Cary and Officer J.D. Smith conducted a security count. At 1:00 a.m., Officer King conducted a security check. At 1:30 a.m., Officer Cary conducted an informal count, and at 2:00 a.m., Officer Hines conducted a security check, at which time Inmate Coday was found. **(Exhibit A-3)**

An [REDACTED] for Inmate William Coday was reviewed, and indicated that [REDACTED]

[REDACTED] **(Exhibit A-4)**

A copy of the preliminary autopsy findings was obtained from the Gainesville Medical Examiners Office. The cause of death is pending further studies. **(Exhibit A-5)**



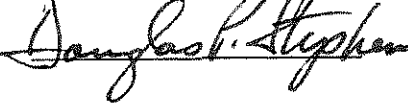
Upon a finding of the cause of death an addendum will be filed.

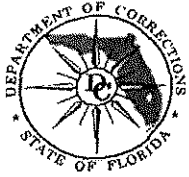


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<u>E.J. Whatley</u>	Inspector	<u>07/28/08</u>	Date
	Inspector Supervisor	<u>7/28/08</u>	Date
	Chief Prison Inspector	<u>8/13/08</u>	Date
_____	Deputy/Inspector General	_____	Date



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EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident Report filed by Officer Timothy Hines on April 28, 2008.
2. Email memo from Captain John Fell dated March 23, 2008.
3. Housing unit log from P-dorm 2 south from April 28, 2008.
4. [REDACTED] Inmate William Coday dated April 28, 2008.
5. Preliminary Autopsy Finding from Gainesville Medical Examiners Office

B. EXHIBIT(s) - not attached:

1. Fixed wing video from P-dorm for April 28, 2008.
2. Digital photographs of cell and inmate.
3. Sworn Statements of Lieutenant Glenn Anders, Officer Timothy Hines, Officer Howard King, Officer Lonnie Cary, Inmate Richard Rhodes, Inmate Donald Bradley and Inmate Brett Bogle.

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Office of the Inspector General



"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statutes."

"Furthermore, under penalties of perjury, I declare I have read the foregoing report and the contents of the report are true and accurate based upon my personal knowledge, information, and belief."

Handwritten signature of Sr. Insp. E. J. Whatley.

Sr. Insp. E. J. Whatley
Investigators Signature

10/01/08
Date

COPY



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Paul C. Decker, Inspector General

R. J. D.
OCT 08 2008
OFFICE OF THE INSPECTOR GENERAL

Case Number: 08-23613

Inspector General Case #: 08-23613 Facility: Union Correctional Institution
Classification of Incident: ██████████ (Inmate) Field Office/Region: Gainesville / 2
Incident Date: 04/28/08 Time: 2:03 a.m. Inspector: E. J. Whatley
Date of Report: 09/29/08 Case Type: A

Check all that apply:

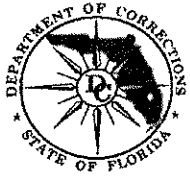
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Principal(s) Exhibits Attached
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Complaint of Discrimination
- Addendum
- Wing Video Camera(s) Present in the Area of Incident YES NO

SUMMARY OF ALLEGATIONS:

On April 28, 2008, Officer Timothy Hines reported via incident report that on April 28, 2008, at approximately 2:03 a.m., while being assigned to P-dormitory 1 south, he was conducting a security check of wing five and observed Inmate William Coday #L41976, in cell P5-210, lying in bed, underneath a sheet and wool blanket, ██████████ Officer Hines notified Sergeant Choyce Green of the incident, who notified the shift supervisor. Lieutenant Randolph Salle and Lieutenant Glenn Anders responded, Lieutenant Salle a ██████████ Inmate Coday was ██████████ pronounced Inmate Coday deceased at 2:42 a.m., on April 28, 2008. (This was addressed in the original investigation).

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

The autopsy report on Inmate William Coday, completed by Dr. Martha J. Burt of the Gainesville Medical Examiner's Office indicated that the cause of death was ██████████ and the manner of death was listed as Suicide.



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E.J. Whatley

Inspector

10/01/08 Date

Inspector Supervisor

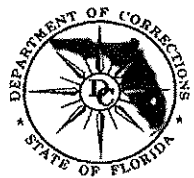
10/11/08 Date

Chief Prison Inspector

10/8/08 Date

Deputy/Inspector General

— Date



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EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

6. Autopsy Finding from Gainesville Medical Examiners Office

B. EXHIBIT(s) - not attached: