

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 18-07979**



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**INVESTIGATIVE ASSIST SUMMARY REPORT**



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**Case Number:** 18-07979

**OIG Inspector:** Stacy L. Harris

**Outside Agency:** Florida Department of Law Enforcement

**Outside Agency Investigator:** Special Agent Travis Lawson

**Date Assigned or Initiated:** 05/03/18

**Complaint Against:** Inmate Edward Waters, DC #050081 (Deceased)

**Location of Incident – Institution/Facility/Office:** Holmes Correctional Institution

**Complainant:** Warden Addison Summers

**Outside Agency Case #:** PE-37-0133

**Use of Force Number:** N/A

**PREA Number:** N/A

**Classification of Incident:** Inmate Death

**Confidential Medical Information Included:**  Yes       No

**Whistle-Blower Investigation:**  Yes       No

**Chief Inspector General Case Number:**



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**I. AUTHORITY**

The Florida Department of Corrections, Office of the Inspector General, by designation of the Secretary and § 944.31, Florida Statutes, is authorized to conduct any criminal investigation that occurs on property owned or leased by the department or involves matters over which the department has jurisdiction.

The testimony references included in this report are summations of oral or written statements provided to inspectors. Statements contained herein do not necessarily represent complete or certified transcribed testimony, except as noted. Unless specifically indicated otherwise, all interviews with witnesses, complainants, and subjects were audio or video recorded.

**II. METHODOLOGY**

The investigation reviewed the derivations of the allegation advanced by the complainant. The scope of this investigation does not seek to specifically address tort(s), but violations of criminal statutes. The criterion used to evaluate each contention or allegation was limited to the following standard of analysis:

1. Did the subject's action or behavior violate Florida criminal statutes?

**III. ANALYSIS**

The standard and analysis in this investigation is predicated with the burden of proving any violation of law, established by probable cause. The evidence considered for analysis is confined to the facts and allegations stated or reasonably implied. The actions or behavior of the subject are presumed to be lawful and in compliance with the applicable Florida law, unless probable cause indicates the contrary.



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#### **IV. DEFINITIONS**

**Unfounded:**

Refers to a disposition of a criminal case for which probable cause does not exist to suggest the suspect's behavior or action occurred nor is an arrest or formal charge being initiated.

**Closed by Arrest:**

Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

**Exceptionally Cleared:**

Refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense, but one for which an arrest or formal charge is not initiated, or in the case of a death investigation, one for which no evidence exists that the death was the result of a crime or neglect.

**Open-Inactive:**

Refers to a disposition of a criminal case for which a criminal investigation commenced, but where evidence is insufficient to close as unfounded, closed by arrest, or exceptionally cleared.

**Investigative Assist Closed**

Refers to a disposition of an investigative assist, where the conduct being investigated by the outside agency did not concern allegations against a Department employee, contractor, inmate, offender, or other person either employed or under the supervision of the Department.



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**V. PREDICATE**

On April 20, 2018, at approximately 11:37 p.m., Inspector Supervisor Katouree Jackson notified Lead Senior Inspector Stacy L. Harris of Inmate Edward Waters, DC #050081, Holmes Correctional Institution, [REDACTED] incident. Inmate Waters was found [REDACTED] on his bunk in B – Dormitory [REDACTED] was currently working on him. Inspector Harris then contacted Shift Supervisor Captain Bobby Jackson who advised [REDACTED] was just leaving the institution with Inmate Waters and advised Inmate Waters was found at the [REDACTED] count [REDACTED] on bunk B2-113L. Inspector Harris requested Captain Jackson review the video footage of the dormitory and consult [REDACTED] [REDACTED]. Inspector Harris advised Captain Jackson she was en route and a criminal investigation was initiated at that time.

**VI. SUMMARY OF INVESTIGATIVE FINDINGS**

Based on the exhibits, witnesses' testimony, statements, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

At approximately 11:37 p.m., Inspector Supervisor Jackson notified Senior Inspector Harris [REDACTED] [REDACTED] of Inmate Edward Waters, DC #050081 at Holmes Correctional Institution.

At approximately 11:41 p.m., Inspector Harris contacted Captain Jackson, Shift Supervisor, who advised Inmate Waters was found [REDACTED] t approximately [REDACTED] during count, on his bunk, B2-113L. The area of the bunk had been secured and [REDACTED] was currently on scene [REDACTED] [REDACTED] Captain Jackson advised Inmate Waters' date of birth was April 3, 1950, and [REDACTED] It is suspected Inmate Waters was smoking an unknown substance, but this was yet undetermined. Inspector Harris instructed Captain Jackson to review the dormitory video footage to determine the last time Inmate Waters was seen moving around and check with [REDACTED] to determine if he [REDACTED]

At approximately 12:04 a.m., Captain Jackson contacted Inspector Harris and advised Inmate Waters had been pronounced deceased at 11:52 p.m. [REDACTED] [REDACTED]

At approximately 12:07 a.m., Inspector Harris contacted Supervisor Jackson and advised of Inmate Waters' passing. Supervisor Jackson advised she had just concluded her telephone call with FDLE and would call them back to provide this updated information.

At approximately 12:12 a.m., Inspector Harris contacted Captain Jackson and advised to burn two copies of the dormitory video footage [REDACTED] to copy the past thirty days of Inmate Waters' [REDACTED] Captain Jackson advised Inspector Harris Inmate Waters was last seen up and around at 9:55 p.m., and was then seen being carried to his bunk by unidentified inmates. Inmate Waters [REDACTED]

At approximately 12:38 a.m., FDLE Supervisor Chuck Bufalino contacted Inspector Harris who provided the above information regarding Inmate Waters. Supervisor Bufalino advised he would have agents en route.



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At approximately 1:30 a.m., Inspector Harris arrived at Holmes Correctional Institution and met with Assistant Warden Jerry Kelly and Captain Jackson. Warden Kelly advised copies of the video were in the process of being burned to discs [REDACTED] was working on copying [REDACTED] of Inmate Waters. Captain Jackson advised it was not clearly seen on video Inmate Waters smoking however, it appeared as if he was smoking at another area in the dormitory and then he was carried to his bunk by inmates. Captain Jackson advised staff in the dormitory were the same staff on shift at the time of Inmate Waters [REDACTED] and were available for interview. Captain Jackson provided Inspector Harris with a copy of the B – Dormitory housing log, which indicated Sergeant Jerry Stewart initiated ICS response to Wing 2 at 11:07 p.m., for assistance with Inmate Waters, [REDACTED]

At approximately 1:50 a.m., FDLE Agent Travis Lawson arrived and was briefed on all information gathered thus far. Agent Lawson requested to first review the video from the dormitory and was escorted to the control room by Captain Jackson to do so. Copies of Inmate Waters' face sheet were provided to Agent Lawson.

At approximately 2:15 a.m., Ms. Beverly Bottoms provided copies of Inmate Waters' [REDACTED] to Inspector Harris.

At approximately 3:01 a.m., Inspector Harris notified the Medical Examiner's Office, at the request of FDLE.

At approximately 3:03 a.m., Medical Examiner Danielle Kildow contacted Inspector Harris who provided all information regarding Inmate Waters' death, and advised the inmate's body was located [REDACTED] who then advised Inspector Harris to contact District 14 Medical Examiner's Office.

At approximately 3:05 a.m., Called District 14 Medical Examiner Whit Majors who advised he had already been contacted by Agent Lawson and was en route [REDACTED] to recover the body of Inmate Waters.

At approximately 3:30 a.m., FDLE Agent Lawson departed the institution.

At approximately 3:45 a.m., Inspector Harris obtained a copy of the dormitory video footage.

On September 10, 2018, Inspector Harris sent an email to FDLE Agent Lawson in which she requested the assigned Agency Case number and a copy of his case summary report.

Inspector Harris emailed Whit Majors, Medical Examiner's Office, and requested a copy of the autopsy report of Inmate Edwards. Mr. Majors responded on September 10, 2018, and advised his office was still waiting on toxicology reports. Therefore, the reports were not completed yet and Mr. Majors would notify Inspector Harris when they were available.

On October 26, 2018, Inspector Harris received an email from Assistant Chief Debra Arrant which contained a copy of FDLE Agent Lawson's case summary report which indicated the following:

"At approximately 0300 hours (CST) on April 21, 2018, the Florida Department of Law Enforcement (FDLE) was contacted by Florida Department of Corrections (FDC), Office of the Inspector General



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(OIG) regarding an alleged injury/death at Holmes Correctional Institute involving inmate Edward Waters (050081). Inmate Waters was allegedly found [REDACTED] his open bay dorm. Inmate Waters [REDACTED] where he was subsequently pronounced deceased. The FDLE initiated an inmate death investigation regarding the circumstances of inmates Waters' death.

In particular, the following Investigative Report pertains to the receipt of the District Fourteen Medical Examiner's Autopsy and Toxicology reports.

On October 1, 2018, Special Agent (SA) Travis Lawson received a copy of the Autopsy and Toxicology reports from the District Fourteen Medical Examiner's Office for FDC inmate Edward Waters. Upon review of the report, SA Lawson noted that District Fourteen Medical Examiner, Dr. Jay Radtke listed the following:

- Cause of Death: [REDACTED]
- Manner of Death: Accident

A copy of the Autopsy Report will be maintained as electronic Related Item number 11 in this case file.

A copy of the [REDACTED] will be maintained as electronic Related number 12 of this case file.

A copy of the Miami-Dade Medical Examiner's Toxicology Report will be maintained as electronic Related Item number 13 of this case file.

No evidence is maintained by FDLE in this investigation.”

On November 7, 2018, Inspector Harris emailed Whitt Majors and requested and received a copy of the Medical Examiner's Autopsy Report.

A review of the autopsy report indicated the following:

“On April 20, 2018, the decedent was smoking suspected cannabinoids with other inmates when he [REDACTED]. 911 was called. [REDACTED] arrived [REDACTED] [REDACTED] arrived and transported him [REDACTED] where he was pronounced dead.

I was contacted [REDACTED] to report the death. I was provided with the circumstances surrounding the death.

Jurisdiction was accepted and the body was transported to the District 14 Medical Examiners Office.

[REDACTED] was completed on April 23, 2018.

The decedent's [REDACTED]  
[REDACTED]



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The incident was investigation by the Florida Department of Law Enforcement.

- Cause of Death: [REDACTED]
- Manner: "Accident"

Inspector Harris reviewed the investigation completed by FDLE, and no administrative issues were identified.

**VII. CHARGES**

- None – Inmate Death

**VIII. CONCLUSION**

Inspector Harris reviewed the investigation completed by FDLE, and administrative issues were not identified. Therefore, based on the information gathered during this investigation, it is the recommendation of Senior Inspector Stacy L. Harris the death of Inmate Edward Waters, DC #050081, be determined as accidental, with the case of death of [REDACTED],” and this investigation be closed, termed:

- Investigative Assist Closed