

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-18192**



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



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Case Number: 18-18192

OIG Inspector: Inspector Rusty Davis

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Jerrick Pittman

Date Assigned or Initiated: 11-13-2018

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Taylor Correctional Institution

Complainant: Inmate James Stephens DC# 099092

Outside Agency Case #: TL-37-0098

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Death Investigation

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number: N/A



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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 October 13, 2018 while working in an on-call status for the Office of Inspector General (OIG), Inspector Chris McGauley (*Inspector McGauley*) responded to Taylor Correctional Institution (TCI), about the death of Inmate James Stephens (*Inmate Stephens*) DC# 099092. Inmate Stephens was found [REDACTED] in his cell and later pronounced deceased [REDACTED]. The Florida Department of Law Enforcement (FDLE) was contacted in compliance with the OIG's MOU.

Inspector McGauley began a preliminary investigation on the same date. This case was reassigned to Inspector Rusty Davis (*Inspector Davis*) after the MINS report was submitted to the OIG, on October 16, 2018.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

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

On October 13, 2018, at approximately Inspector Chris McGauley (*Inspector McGauley*) was contacted by Inspector Supervisor Yolanda Brown (*Supervisor Brown*) and advised Inmate James Stephens (*Inmate Stephens*) DC# 099092 currently housed at Taylor Correctional Institution (TCI) was found [REDACTED] in his cell and pronounced deceased on October 13, 2018, while [REDACTED].

Florida Department of Law Enforcement (FDLE) Special Agent Jerrick Pittman (*SA Pittman*) and Inspector McGauley responded to DMH. SA Pittman advised he would be taking the lead in the investigation. Inspector McGauley was assigned the Investigative Assist on October 13, 2018.

Inspector McGauley and S.A. Pittman travelled to TCI, where photographs of Inmate Stephen's cell were taken, cell searched, and video footage of the dormitory were collected.

On October 13, 2018, this Death Investigation assist was assigned to me (*Inspector Rusty Davis*). I contacted SA Pittman and notified him of my assignment to this Death Investigation. Upon closure of his investigation, SA Pittman was requested to provide me his final report and a copy of the autopsy report.

On October 14, 2018, the Medical Examiner's Office conducted an autopsy (*report attached*) of Inmate Stephens. The autopsy revealed no evidence of [REDACTED] to Inmate Stephens' person. In addition, there were [REDACTED] processes which could have caused Inmate Stephens' death noted during the autopsy. The [REDACTED] in Inmate Stephens' [REDACTED].

SA Pittman emailed his final report (*attached*) FDLE Case# TL-37-0098.

As a result, the cause of Inmate Stephens' death was due to [REDACTED].



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Based on the ruling that the death was a result termed [REDACTED], no further investigative action will be taken.

VII. CHARGES

List alleged violations of Florida Law:

N/A

VIII. CONCLUSION

Based on the information gathered during their investigation, FDLE Special Agent Jerrick Pittman termed their investigation closed as Death [REDACTED] and nefarious activity did not play a role in the death of Inmate Stephens. This investigative assist will be termed as follows:

1. Investigative Assist Closed

Inspector Davis reviewed the investigation completed by FDLE, and no administrative issues were identified. This Investigative Assist is closed.