

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 17-10721



FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



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Case Number: 17-10721

Inspector: Inspector Harry Hutson

Date Assigned or Initiated: 6-20-2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Cross City Correctional Institution

Decedent : Inmate David Shaw, DC# 304994

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

Equal Employment Opportunity 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 a preponderance of the evidence exists to suggest the suspect's alleged behavior or action did not occur.

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.



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V. PREDICATE

At approximately 1040 hours on 6-17-2017, at Cross City CI, Inmate David Shaw, DC# 304994 [REDACTED] by the Cross City CI [REDACTED] Inmate Shaw [REDACTED] and was [REDACTED] period. At approximately 1400 hours Inmate Shaw began having [REDACTED] [REDACTED] was notified and responded at 1410 hours. Inmate Shaw was transported to [REDACTED] at 1432 hours. Inmate Shaw was [REDACTED] to the [REDACTED] for observation at 2100 hours. At approximately 0130 hours, on 6-18-2017, Inmate Shaw's [REDACTED] to the point where he [REDACTED], and was transferred to the [REDACTED] At 0324 hours, Captain Bobby Brown notified Inspector Hutson that Inmate Shaw had [REDACTED] from which he could [REDACTED] Inmate Shaw was pronounced deceased by [REDACTED] at 0324 hours, on 6-18-2017. Inmate Shaw's death was reported in MINS on 6-19-2017, and assigned to Inspector H. Hutson on 6-20-2017, as Death Investigation 17-10721.

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:

Deceased Inmate David Shaw, DC# 304994, DOB/08-03-1973, was initially received by the department on 9-21-2004 when he began serving a life sentence for Armed Robbery and 1st Degree Murder from Duval County. He arrived at Cross City CI on 4-18-2004 as a resolution to a protection issue.

At approximately 1040 hours on 6-17-2017, Inmate Shaw [REDACTED] and was [REDACTED] by the Cross City CI [REDACTED]. Inmate Shaw [REDACTED] of [REDACTED] and was [REDACTED] period. At approximately 1400 hours Inmate Shaw began having [REDACTED] [REDACTED] and he became combative.

[REDACTED] was notified at 1405 hours and [REDACTED] was notified and responded at 1410 hours. Inmate Shaw was transported to [REDACTED] at 1432 hours. Inmate Shaw was [REDACTED] for observation at 2100 hours. At approximately 0130 hours, on 6-18-2017, Inmate Shaw's [REDACTED] to the point where he [REDACTED], and was transferred to the [REDACTED]

At 0324 hours, Captain Bobby Brown notified Inspector Hutson that Inmate Shaw had [REDACTED] [REDACTED] from which he could [REDACTED]. Inmate Shaw was pronounced deceased by [REDACTED] [REDACTED] at 0324 hours, on 6-18-2017.

Inspector Hutson responded to [REDACTED] to initiate an investigation. Upon his arrival, Inspector Hutson examined the entire exterior of the inmate's body in an effort to locate any indication of trauma or suspicious injury. [REDACTED] and photos of the entire body were taken to document this fact. The cause of Inmate Shaw's death is shown as [REDACTED] in inmate Shaw's [REDACTED]