

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-05979**



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



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Case Number: 15-05979

OIG Inspector: Inspector Harry Hutson

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Jennifer Wolf

Date Assigned or Initiated: 03-18-2016

Complaint Against: N/A

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

Complainant: FDC

Outside Agency Case #: TL-37-0026

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Investigative Assist – Death - FDLE

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 3/12/2016, at approximately 1000 hours, in J-dormitory at Cross City Work Camp, Inmate David Ruhnke DC# 748267 [REDACTED] When Sgt. William Barfield inquired as to [REDACTED] he noticed that Inmate Ruhnke was [REDACTED] Inmate Ruhnke advised the sergeant that he [REDACTED] Inmate Ruhnke was later transported to the Main Unit [REDACTED] and eventually transported [REDACTED]

On March 13, 2016, at approximately 0307 hours, [REDACTED] Sergeant Kandelera Dexter observed Inmate Ruhnke [REDACTED] what appeared to be the finger tip of a rubber glove which contained a green colored, unknown substance. When Sergeant Dexter asked the inmate about the contents, Inmate Ruhnke advised her he had ingested two glove fingertips of "spice." On March 15, 2016, Inmate Ruhnke [REDACTED]. The [REDACTED] met with the inmate's mother and [REDACTED] was signed. Inmate Ruhnke later died on March 17, 2016, at 1504 hours. Inspector Hutson responded and began the initial investigation. The death investigation was later assumed by Florida Department of Law Enforcement (FDLE) Special Agent Jennifer Wolf due to the unknown circumstances of Inmate Ruhnke's ingestion of a controlled substance.

On March 18, 2016, the incident was assigned to Inspector Hutson as Investigative Assist 16-05979.

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:

Upon his arrival at [REDACTED] Inspector Hutson examined Inmate Ruhnke's body for signs of trauma or suspicious injury. No such indicators were located and this fact was documented with photographs of the entire body. FDLE Agent Mark Pentolino also inspected the body with no signs of trauma being observed.

Cross City CI [REDACTED] for Inmate Ruhnke indicate he [REDACTED] on March 12, 2016, at 1140 hours, [REDACTED] At 1640 hours Inmate Ruhnke departed the compound with [REDACTED] with a [REDACTED] [REDACTED] corroborates the institutional [REDACTED] minor differences in arrival/departure times (*within ten minutes*). [REDACTED] records indicate Inmate Ruhnke arrived at [REDACTED] at approximately 1743 hours.

The following narrative was taken from the FDLE Investigative Summary for Case Number TL-37-0026 which was submitted by Special Agent Jennifer Wolf, concerning

On March 21, 2016, FDLE Special Agent (SA) Jennifer Wolf and FDLE SA Glover, and Office of Inspector General Inspector Ken Hutson conducted interviews with several inmates who were



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housed at the Cross City Work Camp. Interviews were conducted with inmates who were assigned to the same work squad as Inmate Ruhnke. Inmate Ruhnke was assigned to a work squad that maintained the roll off dumpster garbage collections sites located in Dixie County.

The following inmates were interviewed and provided the noted information:

Joshua L. Ruiz FDOC# J43100 heard Inmate Ruhnke [REDACTED]

Lamar R. Player FDOC# G07660 stated Inmate Ruhnke "looked bad". Ruhnke was not able to go to work for a few days prior t [REDACTED] Inmate Player heard Ruhnke [REDACTED] Ruhnke has been known as someone who had introduced contraband into the facility.

Kevin L. Terry FDOC# G00101, Inmate Ruhnke was [REDACTED] and there were rumors he [REDACTED] Inmate Ruhnke frequently associated with Inmate Guy Gregory FDOC 538041.

Matthew B. Prose FDOC# G14511, Inmate Ruhnke last worked approximately a week and a half ago. Inmate Ruhnke had recently [REDACTED] Inmate Ruhnke told Inmate Prose he was [REDACTED] Inmate Ruhnke frequently associated with Inmate Guy Gregory FDOC# 538041. Inmate Ruhnke has been known to bring contraband into the institution. Inmate Prose heard Inmate Ruhnke had been paid by an unknown person to bring anything from cigarettes to narcotics into the correctional facility.

Robert J. Klopp FDOC# R54759, Inmate Ruhnke had [REDACTED]
[REDACTED]

Guy B. Gregory FDOC# 538041, Inmate Ruhnke had been [REDACTED] for the past few weeks. Inmate Ruhnke told Inmate Gregory he (Ruhnke) [REDACTED] On Thursday, March 17, 2016, Inmate Ruhnke [REDACTED] Inmate Ruhnke had not eaten and had not gotten out of bed for three days when Inmate Gregory notified FDOC staff of [REDACTED] Inmate Gregory tried talking to Inmate Ruhnke but his (Ruhnke) [REDACTED] Inmate Gregory observed Inmate Ruhnke [REDACTED] Inmate Gregory heard Inmate Ruhnke swallowed "K-2". K-2 is common street term for synthetic cannabinoids.

None of the inmates interviewed could provide any information regarding how Inmate Ruhnke obtained the synthetic cannabinoids or who may have provided it to him.

On March 21, 2016, Office of Inspector General Inspector Harry K. Hutson provided FDLE SA Wolf with a DVD containing video surveillance from March 12, 2016 from inside the J dormitory. SA Wolf reviewed the DVD and the following was noted:

9:53:17 - Inmate Ruhnke is observed lying on a bunk in the J dormitory. Additional inmates are observed lying in their bunks and others are walking around inside the dormitory. Inmate Ruhnke is restless and is moving around a lot compared to the other inmates who are lying in their beds.



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Inmate Ruhnke uncovers himself and sits up in the bunk. An inmate walks over to Inmate Ruhnke from across to the room and stands near Ruhnke.

9:53:37 - The inmate standing near Inmate Ruhnke runs out of the dorm. The inmate returns and was looking around the dorm.

9:54:07 – An FDOC officer opens a door and the inmate picked up a trashcan and places it in front of Inmate Ruhnke who is bent over but seated on his bunk.

9:56:03 - FDOC officer observed standing near Inmate Ruhnke near the wall.

9:56:20 – Inmate Ruhnke removes an unknown item from the right side of his pants and hands the unknown item to an unknown inmate.

9:57:15 - FDOC officer remains near Inmate Ruhnke

10:21:12 – [REDACTED] brought into the dorm.

10:21:33 – Inmate Ruhnke [REDACTED] with the assistance of other inmates and FDOC officers. Inmate Ruhnke was taken out of the dorm

On March 30, 2016, FDLE Special Agent (SA) Jennifer Wolf and FDLE SA Glover conducted an interview with William "Chad" Barfield at the Cross City Correctional Institution. At the time of the interview, Barfield was employed by the Florida Department of Corrections as a Sergeant.

On March 12, 2016, Barfield was assigned as the housing sergeant for the Cross City Work Camp. This was Barfield's second day working at the work camp as he had recently transferred from the Cross City Main Unit. Barfield was notified, by radio, of [REDACTED] within the Juliet "J" dormitory at the facility. When Barfield entered the dormitory he observed Inmate Ruhnke sitting on the edge of his bed, [REDACTED] Barfield observed [REDACTED] but did not observe any contraband.

Inmate Ruhnke told Barfield he had [REDACTED] Inmate Ruhnke disclosed to Barfield he [REDACTED] Inmate Ruhnke did not make any additional statements to Barfield. Several inmates in the dormitory told Barfield Inmate Ruhnke had [REDACTED] in the past week and a half [REDACTED]

Barfield notified [REDACTED] staff of Inmate Ruhnke's [REDACTED] was brought into the dormitory to transport Inmate Ruhnke to [REDACTED] because he was [REDACTED] After Inmate Ruhnke was taken to [REDACTED] responded and transported him (Inmate Ruhnke) [REDACTED]

On March 30, 2016, FDLE Special Agent (SA) Jennifer Wolf and FDLE SA Glover conducted an interview with Officer Charles Bernsteel at the Cross City Correctional Institution. At the time of the interview, Bernsteel was an officer employed by the Florida Department of Corrections.



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Bernsteel was working at the Cross City Work Camp when he was notified to respond [REDACTED] at approximately 1700 hours on March 12, 2016. Bernsteel was assigned as security and followed Inmate Ruhnke who was transported to [REDACTED]. While at [REDACTED] Bernsteel maintained his position as security. Inmate Ruhnke was mumbling, moving around, and conscience. Bernsteel was not in a position to be able to hear what Inmate Ruhnke was saying due to his security position in the doorway of [REDACTED]. Bernsteel was relieved of his security duties by FDOC Sergeant Kandelara Dexter at approximately 2000 hours.

On March 30, 2016, FDLE Special Agent (SA) Jennifer Wolf and FDLE SA Glover conducted an interview with Kandelara Dexter at the Cross City Correctional Institution. At the time of the interview, Dexter was employed by the Florida Department of Corrections and held the position of Sergeant.

On March 12, 2016, Dexter was called to report to [REDACTED] to assist with Inmate Ruhnke who had been transported from the Cross City Work Camp. Dexter was scheduled to work from 1800 hours on March 12, 2106 until 0600 hours on March 13, 2016.

While in the [REDACTED] [REDACTED] Dexter noticed Inmate Ruhnke was not able to [REDACTED] any food or drink and [REDACTED] Inmate Ruhnke appeared [REDACTED]. Dexter continued to follow FDOC procedure while with Inmate Ruhnke. Ruhnke asked Dexter for water to drink. Dexter verified with [REDACTED] staff that Inmate Ruhnke was allowed to drink water. After Inmate Ruhnke would drink the water provided he would [REDACTED]

Once Inmate Ruhnke was moved to a room within the [REDACTED] Dexter asked Inmate Ruhnke a few questions and he knew where he was. While in the room, Inmate Ruhnke [REDACTED] what appeared to be a partially decomposed finger portion of a latex type glove into a bed pan. The glove was opened and Dexter immediately identified the substance inside as "K-2" based on her previous training and experience. K-2 is a common street term for synthetic cannabinoid. Dexter asked Inmate Ruhnke how much of the K-2 he ingested. Inmate Ruhnke stated he ingested two finger portions containing K-2 and tobacco. The K-2 was collected as evidence by Dexter. Inmate Ruhnke had not disclosed the consumption of K-2 to FDOC or [REDACTED] staff prior to [REDACTED] the finger portion of the glove. FDOC supervision and staff were notified of the incident.

Dexter noted Inmate Ruhnke's [REDACTED] would change frequently while at [REDACTED]. Dexter would notify [REDACTED] staff when Ruhnke's [REDACTED] would change. Dexter did not have any additional contact with Inmate Ruhnke.

In a report of autopsy findings of Medical Examiner Dr. William Hamilton, MD, date March 18, 2016, the following autopsy findings are documented for Medical Examiner case number ME 16-138 concerning Inmate David Ruhnke:

1. [REDACTED]
2. [REDACTED]



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3. [REDACTED]

4. [REDACTED]

5. [REDACTED]

6. [REDACTED]

7. [REDACTED]

8. [REDACTED]

Probable Cause of Death: [REDACTED]
[REDACTED]

Contributory Factor: [REDACTED]

Manner of Death: Accident.

FDLE Agent Wolf presented the facts of this case to Third Judicial Circuit Assistant State Attorney (ASA) John Weed. In a letter dated September 6, 2016, ASA Weed declined to pursue prosecution of anyone in the matter of the death of Inmate Ruhnke, citing that the death appeared to be the result [REDACTED] and there being no evidence of criminal conduct.

During the course of this investigative assist and the FDLE death investigation, No evidence of administrative violations has been found, nor was there any leads as to how or when Inmate Ruhnke obtained the illegal substance.

VII. CHARGES

None

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the determination of FDLE Special Agent Jennifer Wolf that Inmate Ruhnke's death was accidentally self-inflicted and not the result of criminal activity on the part of another person.

Inspector Hutson reviewed the investigation completed by FDLE, and administrative issues were not identified. It is the recommendation of Inspector Hutson that this investigation be closed with no further action.



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1. Investigative Assist Closed.