

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 18-21343**



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



**Table of Contents**

<b>I. AUTHORITY .....</b>	<b>4</b>
<b>II. METHODOLOGY.....</b>	<b>4</b>
<b>III. ANALYSIS.....</b>	<b>4</b>
<b>IV. DEFINITIONS .....</b>	<b>5</b>
<b>V. PREDICATE .....</b>	<b>6</b>
<b>VI. SUMMARY OF INVESTIGATIVE FINDINGS.....</b>	<b>6</b>
<b>VII. CHARGES.....</b>	<b>8</b>
<b>VIII. CONCLUSION.....</b>	<b>8</b>



FLORIDA DEPARTMENT OF CORRECTIONS  
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**Case Number:** 18-21343

**OIG Inspector:** Inspector Greg Fulcher

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

**Outside Agency Investigator:** Special Agent Shawn Cruse

**Date Assigned or Initiated:** 12-14-2018

**Complaint Against:** N/A

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

**Complainant:** N/A

**Outside Agency Case #:** FM-37-0045

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

**PREA Number:** N/A

**Classification of Incident:** Inmate Death (Suicide)

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Chief Inspector General Case Number:** N/A



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



**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.



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



#### **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.



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



**V. PREDICATE**

On December 14, 2018, the Office of Inspector General received MINS complaint #898941 that indicated on December 12, 2018, at Okeechobee Correctional Institution (C.I.), Inmate Charles Patten DC# V53931 was pronounced deceased [REDACTED] at Okeechobee C.I. Patten was discovered [REDACTED] in his assigned cell, #B1205. Correctional and [REDACTED] responded [REDACTED] arrived. The Florida Department of Law Enforcement responded as the lead investigative agency. On December 14, 2018, this investigative assist was assigned to Inspector Greg Fulcher.

**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 December 12, 2018, at approximately 3:46 a.m., On-call Inspector Supervisor Edward Rau contacted On-call Inspector Greg Fulcher reference an inmate death (suicide), Inmate Charles Patten DC# V53931, at Okeechobee Correctional Institution (C.I.). Patten was housed as a single occupant in a confinement cell, #B-1205. Patten was discovered by staff conducting security rounds within the confinement wing. Patten had tied a sheet to the top bunk and wrapped the end of the sheet as a ligature around his (Patten) neck. Security [REDACTED] responded [REDACTED] to Patten. [REDACTED] were contacted and responded. [REDACTED] arrived and took over care of Patten. Patten was subsequently pronounced deceased in the institution's [REDACTED] Correctional Officer Robert Kelly and Correctional Sergeant Michael Collins were the initial responding staff. Sergeant Collins utilized a ligature cutter to free Patten from the sheet. Supervisor Rau advised he would notify the Florida Department of Law Enforcement (FDLE).

Patten was pronounced deceased [REDACTED] at 3:13 a.m.

Supervisor Rau reported the incident to FDLE Watch Desk at approximately 3:45 a.m.

Patten was a 35 year of age, Black male, weighing approximately 179 pounds, and 5'11" tall.

Contact was made with Okeechobee C.I., reference the incident. Officer in charge, Correctional Captain Robert Woolverton, advised the cell and body were secured awaiting law enforcement's arrival.

At approximately 4:52 a.m., On-call FDLE Agent Shawn Cruse, contacted Inspector Fulcher for a brief of the known information. Agent Cruse advised he would be responding to Okeechobee C.I., reference the death of Patten.

At approximately 5:20 a.m., the District 19 Medical Examiner's Office was notified of the incident. Medical Examiner Investigator Vincent Recco advised the body removal service would be contacted.

At approximately 5:49 a.m., Agent Cruse arrived at Okeechobee C.I., and began the investigation.



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



At approximately 6:18 a.m., Inspector Fulcher arrived at Okeechobee C.I.

Inspector Fulcher photographed and processed Patten's body. [REDACTED] to Patten's body. Patten's [REDACTED]

At approximately 6:49 a.m., Agent Cruse and Inspector Fulcher processed cell # B-1205. The ligature sheet was processed as evidence by Agent Cruse and secured with Patten's body for the medical examiner's autopsy of Patten.

Patten's emergency contact, (step-mother) Didrea Thomas, was informed of Patten's passing by Assistant Warden Javier Jones at approximately 7:30 a.m.

At approximately 8:03 a.m., Tri-County Medical Transport Body Removal arrived. Tri-County staffer, George Stevenson, took possession of Patten's body for transport to the District 19 Medical Examiner's Office for autopsy. Mr. Stevenson was provided a Medical Examiner's Exemption form, a copy of Patten's associated [REDACTED], and a release of body form. Mr. Stevenson subsequently departed without incident.

Investigative Demand forms were completed and documents were obtained for the investigation and FDLE. Documents provided to Agent Cruse: control room log, housing log, staff incident reports, dormitory surveillance video, and investigative demand forms.

At approximately 8:21 a.m., the institution was returned to normal operation.

Inspector Fulcher and Agent Cruse departed Okeechobee C.I., at approximately 8:30 a.m.

*Medical Examiner Investigator Recco advised an autopsy was tentatively scheduled for Thursday, December 13, 2018 (no time).*

[REDACTED] Patten will be part of the official investigation reference Patten's death.

Dormitory video was obtained and reviewed. Dormitory video showed Correctional Officer Robert Kelly conducting a security round through the dormitory wing, when he identified an incident within Patten's cell. Officer Kelly radioed for assistance. Additional staff and [REDACTED] arrived [REDACTED] to Patten. Patten was the sole occupant of the cell. During the review of the video, (additional 1:20 minutes prior to the discovery) no security checks were observed or identified.

*An autopsy will be conducted by the District 19 Medical Examiner's Office. A final report will be provided upon completion.*

On December 13, 2018, Doctor Linda O'Neil conducted an autopsy on Patten. Dr. O'Neil conducted an [REDACTED] [REDACTED] Doctor O'Neil noted there was no internal trauma. A report will be completed pending toxicology.

On February 15, 2019, the District 19 Medical Examiner's Office provided a copy of Patten's autopsy report, #M.E.# 18-19-1051. [REDACTED] in Patten's system.



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



Doctor O'Neil's cause of death to Patten [REDACTED] and the manner of death was listed as suicide.

On May 10, 2019, the Florida Department of Law Enforcement provided a copy of Agent Cruse's closed case report, #FM-37-0045. The report noted FDLE responded to Okeechobee C.I., reference Patten's passing. No criminal or administrative violations were noted. Patten's death was due to asphyxia due to hanging. All investigative activity was concluded and the case report was closed.

**VII. CHARGES**

**List alleged violations of Florida Law:**

No criminal violations were noted or discovered during the course of the investigation.

**VIII. CONCLUSION**

Based on the information gathered during this investigation, it is the recommendation of Inspector Greg Fulcher, this case report be termed as follows:

1. Closed - Exceptionally Cleared

Inspector Fulcher reviewed the investigation completed by FDLE. A review of the incident and investigation by Inspector Fulcher identified an administrative issue. The administrative issue identified was assigned to Inspector Christopher Baty for administrative investigation in OIG case #19-09101.