

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-23120**



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



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Case Number: 17-23120

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Bobby Hall

Date Assigned or Initiated: December 25, 2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Northwest Florida Reception Center

Complainant: Officer Nicholas Turney

Outside Agency Case #: PE-37-0107

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate 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 December 25, 2017, the Department of Corrections Office of the Inspector General received notification Inmate Patrick Wilkinson (DC#781430) [REDACTED] in his confinement cell at Northwest Florida Reception Center (NWFRFC). [REDACTED], and Inmate Wilkinson was pronounced deceased on December 25, 2017, at approximately 2:19 p.m. Florida Department of Law Enforcement (FDLE) notification was made, and Senior Inspector Louis Cordova responded to NWFRFC on December 25, 2017, to provide investigative assistance to FDLE.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

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

Investigator's Note: *The summary findings listed below were obtained from the FDLE investigative reports associated with FDLE Case# PE-37-0107.*

According to FDLE Special Agent Hall, on December 25, 2017, at approximately 0254 hours CST, The Florida Department of Corrections (FDOC), Office of the Inspector General (OIG), requested the FDLE respond to NWFRFC regarding the in-custody death of Inmate Wilkinson, who was found [REDACTED] in his cell with a noose around his neck. Inmate Wilkinson was later pronounced deceased [REDACTED]

FDLE Special Agent Hall and FDLE Special Agent Brian Livesay arrived at NWFRFC and were briefed and received the following information: Inmate Wilkinson was housed in G2-107 prior to his death. On December 25, 2017, at approximately 0156 hours, correctional officers responded to G-dormitory after Inmate Wilkinson was discovered [REDACTED] in his confinement cell by a correctional officer making normal rounds. Inmate Wilkinson was found with a sheet tied around his neck, hands and ankles on the floor of his cell. NWFRFC correctional officers [REDACTED] [REDACTED] Inmate Wilkinson was transported to NWFRFC's [REDACTED] [REDACTED] and pronounced Inmate Wilkinson deceased at 0219 hours.

FDLE Special Agents Hall and Livesay conducted a search of Inmate Wilkinson's cell and did not locate any items of evidentiary value with the exception of the bed sheet used to tie Inmate Wilkinson. The bed sheet looped through the holes in the upper bunk of the cell, which lead to the lower bunk area.

Video surveillance was obtained from [REDACTED] dormitory. FDLE Special Agent Hall conducted a preliminary review of the video surveillance and determined Inmate Wilkinson was last seen alone in his cell at approximately 1156 hours on December 24, 2017.

On January 17, 2018, Special Agent Hall reviewed the video from [REDACTED]-dormitory. The video provided, in substance, the following information:



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On December 24, 2017, from approximately 2340 hours until December 25, 2017, at approximately 0004 hours when the G Dorm cell lights were turned off, an inmate was observed moving around in G Dorm, cell 107.

On December 25, 2017, at approximately [REDACTED] hours, a correctional officer was observed making rounds and shining a flashlight into cell 107.

At approximately 0151 hours, the lights to cell 107 were turned on.

At approximately 0152 hours, the correctional officer was observed walking away from the cell and returning almost immediately. An additional two (2) correctional officers arrived at cell 107.

At approximately 0155 hours, an additional two (2) correctional officers arrived and the door to cell 107 was opened.

At approximately 0200 hours [REDACTED] arrived. Officers [REDACTED] went in and out of the cell several times.

At approximately 0205 hours, the inmate in cell 107 [REDACTED] and taken from G-dormitory.

According to FDLE Special Agent Hall, all witness correctional officers [REDACTED] were identified for interviews.

According to Lieutenant Christopher Peak, at approximately 01:50 hours on December 25, 2017, he was notified he was needed in the confinement dormitory in reference to [REDACTED] inmate. Upon his arrival to G-dormitory, Lieutenant Peak observed correctional staff standing at the cell door (G2-107). Lieutenant Peak stated he looked in the cell [REDACTED] from the inmate and did not see any. Lieutenant Peak radioed for the cell door to be opened and he entered the cell. Lieutenant Peak observed the inmate was in a fetal position on the cell floor with a ripped bead sheet around his neck and ankles. Ligation cutters were then requested, and the bed sheet was cut from Inmate Wilkinson's neck. Lieutenant Peak indicated [REDACTED] [REDACTED] was begun on Inmate Wilkinson until the arrival [REDACTED] [REDACTED] was attached to Inmate Wilkinson. Lieutenant Peak noted [REDACTED]. Inmate Wilkinson [REDACTED] [REDACTED] Lieutenant Peak [REDACTED] [REDACTED] and pronounced Inmate Wilkinson deceased.

According to Officer Nicholas Turney, at approximately [REDACTED] hours, he was working in G-dormitory as the Housing Officer. Officer Turney was conducting a security check in G-dormitory, quad 2, when he observed Inmate Wilkinson lying on the floor of his cell [REDACTED] Officer Turney attempted to get a response from Inmate Wilkinson by loud verbal commands and kicking his cell door numerous times. Officer Turney said he then notified his shift supervisor of the [REDACTED] inmate. Officer Turney was then asked to leave the cell block and had no further involvement in the incident.

According to Sergeant Aaron Penix, he was assigned as the D-dormitory Housing Supervisor. At approximately 0150 hours, Sergeant Penix was advised by Officer Turney there was [REDACTED] inmate in cell G2-105. Sergeant Penix responded to G-dormitory. After the Officer-in-Charge arrived,



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the cell was breached. Inmate Wilkinson was bound by the neck, hands and feet with a sheet fashioned as a rope. The sheet was removed from Inmate Wilkinson's neck to clear the airway. Sergeant Penix retrieved a ligature cutter and cut free Wilkinson's hands and feet. [REDACTED] on Wilkinson [REDACTED] [REDACTED] Inmate Wilkinson [REDACTED] Wilkinson [REDACTED] nd taken to the NWFRC [REDACTED]

According to [REDACTED] were needed in the confinement dormitory as soon as possible [REDACTED] nd others responde [REDACTED] [REDACTED] Officers were already [REDACTED] [REDACTED] to Inmate Wilkinson [REDACTED] [REDACTED] Inmate Wilkinson [REDACTED] and taken to the NWFRC [REDACTED] [REDACTED] arrived and pronounced him deceased at 0219 hours.

According to [REDACTED] were called to G-dormitory. When [REDACTED] [REDACTED] correctional officers were alread [REDACTED] was attached to Inmate Wilkinson [REDACTED] The inmate was placed [REDACTED] r and taken to the NWFRC [REDACTED] [REDACTED] The inmate [REDACTED] or said anything. [REDACTED] pronounced Inmate Wilkinson deceased at 0219 hours.

On March 8, 2018, Special Agent Hall received a copy of the Medical Examiner's autopsy report of Inmate Wilkinson from the Fourteenth Judicial Circuit Medical Examiner, Dr. Jay Radtke. The report provided, in summary, the following information:

Medical Examiner Case Number - 2017 MLA 0494

1. Evidence of hanging

- a. [REDACTED]
- b. [REDACTED]
- c. [REDACTED]
- [REDACTED]
- d. [REDACTED]
- e. [REDACTED]
- f. torn cloth tied around the wrist and ankles
- g. [REDACTED]
- h. [REDACTED]

[REDACTED]

Cause of death: [REDACTED]
Manner of death: suicide



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The toxicology report revealed negative results for Amphetamines, Barbiturates, Benzodiazepines, Cannabinoids, Cocaine/Metabolites, Opiates, Oxycodone/Metabolite, Alcohol, Ethanol and all other tested chemicals.

Investigator's Note: *Senior Inspector Cordova's review of the death investigation completed by FDLE identified administrative issues. It was noted in the video review that thirty (30) minute security checks were not made in accordance with F.A.C. 33-602.220 (Administrative Confinement), and Post Order #10 (Confinement Housing Sergeant / Officer). This was confirmed in the e-mail dated December 25, 2017, which was sent by Major Joseph Floyd to Regional Director Angela Gordon. In addition, the G-dormitory Housing Log also reflected the security checks were not being completed in accordance with policy and procedure.*

The administrative issues identified were assigned to Inspector Daniel Morris for administrative investigation in I.G. Case # 18-05558.

VII. CHARGES

There were no charges. Dr. Radtke ruled Inmate Wilkinson's death as suicide [REDACTED]

VIII. CONCLUSION

Based on the information gathered during FDLE Special Agent Bobby Hall's investigation, it is the recommendation of Senior Inspector Louis Cordova that the death of Inmate Wilkinson be termed as follows:

- **Exceptionally Cleared**