

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 18-07048**



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



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**Case Number:** 18-07048

**OIG Inspector:** Inspector Matt Stutts

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

**Outside Agency Investigator:** Special Agent April Glover

**Date Assigned or Initiated:** 04-18-2018

**Complaint Against:** Inmate Theodore Shirley DC# 144886

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

**Complainant:** Officer Rick Williams

**Outside Agency Case #:** TL-37-0075

**Use of Force Number:** None

**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:** None



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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 April 16, 2018, at approximately 10:26 pm., while assigned to D-dormitory, at Mayo Correctional Annex (MCI), Officer Rick Williams (*Officer Williams*) reported the following: staff observed Inmate Theodore Shirley (*Inmate Shirley*) DC#144886 [REDACTED] in his cell in D-dormitory. Inmate Shirley [REDACTED] Inmate Shirley was pronounced deceased [REDACTED] at 10:53 p.m.

Senior Inspector Justin Bates (*Inspector Bates*) was on-call and responded on April 16, 2018. After initial response this case was reassigned to MCI Inspector Matt Stutts on April 18, 2018, to provide agency assistance to the responding agent with the Florida Department of Law Enforcement (FDLE).

**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:

The following is derived from the brief (*attached*) prepared by Inspector Justin Bates (*Insp. Bates*):

He contacted MCI at approximately 11:18 p.m. and spoke with Colonel Ronald Rosell (*Col. Rosell*) to obtain additional details concerning the incident he was responding to. Col. Rosell advised the following:

Inmate Shirley, [REDACTED] in his cell [REDACTED]. Based on his (*Col. Rosell*) observations and information provided by staff it appeared the death [REDACTED].

At approximately 11:24 p.m., Insp. Bates contacted by Special Agent April Glover (*SA Glover*) of FDLE, and briefed her on the incident. SA Glover advised she would be enroute. At approximately 11:44 p.m., Insp. Bates arrived at MCI and began his death investigation and reported the following: he spoke with Col. Rosell [REDACTED] the body of Inmate Shirley. Insp. Bates [REDACTED] or foul play to the body of Inmate Shirley, [REDACTED]. Inmate Shirley's [REDACTED] Inmate Shirley's person. At approximately 12:21 a.m., SA Glover arrived at MCI and assumed the lead on the investigation. SA Glover observed the body and took photographs of the body. Insp. Bates and SA Glover proceeded to D-dormitory and processed the scene. SA Glover interviewed staff which responded to the scene. At approximately 1:00 a.m., Inmate William Jaeger (*Inmate Jaeger*) DC# R67706, who was Inmate Shirley's cell mate, was interviewed by Insp. Bates and SA Glover. Inmate Jaeger indicated the following:

Inmate Shirley was sitting on his bunk, [REDACTED] Inmate Shirley [REDACTED] so he (*Inmate Jaeger*) went and advised staff of Inmate Shirley's [REDACTED]. Officers [REDACTED] to Inmate Shirley.

The photos concerning the death are attached to this report.



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On August 03, 2018, the Autopsy Report (*attached*) was received and it was forwarded to SA Glover. The autopsy was conducted by Doctor Lisa Flannagan (*Dr. Flannagan*) on April 17, 2018. Dr. Flannagan documented the following:

**FINAL PATHOLOGIC DIAGNOSIS:**

- i. [REDACTED]
- ii. [REDACTED]
- iii. [REDACTED]

**CAUSE OF DEATH:** [REDACTED].

On August 13, 2018 SA Glover’s Investigative and Summary Reports were received and are attached to this report.

**VII. CHARGES**

List alleged violations of Florida Law:

None

**VIII. CONCLUSION**

Based on the information gathered during their investigation, it is this writer’s recommendation this case be closed, as no further investigative activities are warranted. This case will be termed as follows:

- 1. Exceptionally Cleared