

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-09927**



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



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Case Number: 18-09927

OIG Inspector: Inspector Harry Hutson

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Ryan Bunton

Date Assigned or Initiated: 06-03-2018

Complaint Against: N/A

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

Decedent: Inmate Johnny Miller, DC# 094717

Outside Agency Case #: TL-37-0082

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

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 6/3/2018 at approximately 2330 hours, 62 year old Inmate Miller, Johnny W., DC# 094717, B/M, DOB: April 18, 1956, was pronounced deceased [REDACTED] in D-dorm at Cross City Correctional Institution. At 2300 Hours Inmate Miller was found [REDACTED] on his bunk (# 2115L) by Inmate Dallis Crossin DC# U44212. Inmate Crossin notified Correctional Officer Bernise Walker and Officer Lyle Jerrells. Both officers were assigned to the dormitory. [REDACTED] by Officer Walker and Captain Bobby Brown who responded to the scene. [REDACTED] were continued by Cross City CI [REDACTED]. At 2325 Hours [REDACTED]. At 2330 Hours [REDACTED] pronounced Inmate Miller deceased. At 0214 Hours FDLE Special Agent Ryan Bunton advised he was responding. At 0250 Hours, FDLE Special Agent Ryan Bunton and Inspector Cynthia Paddock arrived and began the Investigation at Cross City CI.

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:

SUMMARY OF INVESTIGATIVE ACTIVITY

On 6/3/2018 at approximately 2330 hours, 62 year old Inmate Miller, Johnny W., DC# 094717, B/M, DOB: April 18, 1956, was pronounced deceased by [REDACTED] in D-dorm at Cross City Correctional Institution. At 2300 Hours Inmate Miller was found [REDACTED] on his bunk (# 2115L) by Inmate Dallis Crossin DC# U44212. Inmate Crossin notified Correctional Officer Bernise Walker and Officer Lyle Jerrells. Both officers were assigned to the dormitory. [REDACTED] by Officer Walker and Captain Bobby Brown who responded to the scene. [REDACTED] were continued by Cross City CI [REDACTED]. At 2325 Hours [REDACTED]. At 2330 Hours [REDACTED] pronounced Inmate Miller deceased. At 0214 Hours FDLE Special Agent Ryan Bunton advised he was responding. At 0250 Hours, FDLE Special Agent Ryan Bunton and Inspector Cynthia Paddock arrived began the Investigation at Cross City CI.

The following narrative is from the Information Brief completed by Inspector Paddock and forwarded to Chief of State Investigations Douglas Weiner in part:

On 6/3/2018 at approximately 2330 hours, 62 year old Inmate MILLER, JOHNNY W., DC# 094717, B/M, DOB: April 18, 1956, was pronounced deceased by [REDACTED] in D-dorm at Cross City Correctional Institution. The inmate was found on his bunk (# 2115L), lying on his back [REDACTED]. Information received is that this is possibly K2 related. Duty Warden Griffin will notify the next-of-kin.

At 2300 Hours Inmate Miller was found [REDACTED] on his bunk by Inmate Dallis Crossin DC# U44212. Inmate Crossin notified Correctional Officer Bernise Walker and Officer Lyle Jerrells. Both officers were assigned to the dormitory. [REDACTED] by Officer Walker and Captain Bobby Brown who responded to the scene. [REDACTED] by Cross City CI [REDACTED].



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██████████ At 2325 Hours ██████████. At 2330 Hours ██████████ pronounced Inmate Miller deceased.

At 0214 Hours FDLE Special Agent Ryan Bunton advised he was responding. 0250 Hours, FDLE Special Agent Ryan Bunton and Inspector Cynthia Paddock arrived and began the investigation at Cross City CI. Correctional Officer Lyle Jerrells was present at bed # D-2115L with Inmate Miller. Inmate Miller was observed lying on his bed pad, on the floor, next to his bunk, face up in a prone position. ██████████ observed near Inmate Millers ██████████

0343 Hours Bill Grotjahn of the 8th District Medical Examiner's Office was notified and gave permission for a funeral coach to respond to take possession of Inmate Miller for transport to the Medical Examiner's Office. ██████████. Photographs of the body were taken and will be included in the case file. Dormitory video ██████████ were also obtained.

Upon arrival at Cross City Correctional Institution-Main Unit, Inspector Paddock met with Florida Department of Law Enforcement Special Agent Ryan Bunton to assist SA Bunton with the investigation. SA Bunton and Inspector Paddock responded to D-dormitory where it was observed that Inmate Johnny Miller #094717, was present lying on his bed pad, on the floor, next to his assigned bunk (# 2115L), face up in a prone position. Crime scene tape was present affixed to nearby Inmate beds. Officer Lyle Jerrells was present at bed# D-2115L maintaining a log of events. SA Bunton and Inspector Paddock photographed the area to include the deceased Inmate Johnny Miller.

██████████ At 0343 hours Inspector Paddock notified Bill Grotjahn with the 8th District Medical Examiner's Office who gave permission for a funeral coach to respond to take possession of Inmate Miller for transport to the Medical Examiner's Office. Inmate Miller's body was removed from the dormitory, escorted by security staff, ██████████ to await transport and for post mortem photographs to be obtained. ██████████.

(Note: The inmates assigned to bunk locations near Inmate Miller's assigned bed had been moved by security staff prior to SA Bunton and Inspector Paddock's arrival.)

SA Bunton completed an Investigative Demand for Records Pursuant to Criminal Investigation form. Post mortem photographs were taken of Inmate Miller while present ██████████. Dormitory video was obtained for review. A copy of the dormitory video, ██████████ and post mortem photographs were provided to SA Bunton. A DVD of dormitory video will be placed with the completed report available for review, photographs and ██████████ are attached to this report in IGIS.

On June 3, 2018, occurring at Cross City Correctional Institution (Main Unit), Correctional Officer Bernice Walker documented the following incident occurred in part:

On Sunday June 3, 2018, I was assigned as the Delta Dorm Supervisor. At approximately 11:00 pm Inmate Crossin, Dallis DC# U44212 approached the Officer Station Window of D-Dorm Wing-2, stating that his "Bunkie" ██████████. I went to investigate and that's when I noticed Inmate Miller, Johnny DC# 094717 (assigned to bunk D2115L) laying on his bunk with his eyes open, ██████████. At that time Officer L. Jerrells initiated ICS, and requested A-team responders ██████████. At approximately 11:03 pm Captain B. Brown arrived and Officer Vanmeter and myself moved Inmate Miller to the ground at which time ██████████ by Captain Brown and myself ██████████.



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████████████████████ arrived in the dorm at approximately 11:07 PM and
████████████████████ The OIG authorized this
report to be written.

A copy of the aforementioned incident report is attached to this report in IGIS.

01-23-2019 - Case reassigned to Inspector Hutson.

03-12-2019 – Received an FDLE investigative report for FDLE case number TL-37-0082 in which SA Buntun reported that he received a copy of medical examiner’s report ME 18-341—relating to the death of Inmate Johnny Miller, DC# 094717. The report lists the cause of death as ██████████
██████████ The manner of death is listed as **accident**. The findings appear to be consistent with Inmate Miller ██████████ causing his own death. SA Buntun also documented that the FDLE case will be closed. (See attached FDLE and Medical Examiner’s reports.)

VII. CHARGES

None

VIII. CONCLUSION

Inspector Hutson reviewed the investigation completed by FDLE, and administrative issues were not identified. Based on the findings of the FDLE investigation and the Medical Examiner’s Office, it is recommended that this investigative assist report be closed and termed:

Exceptionally Cleared