

**To: Undersheriff Brian Edwards**

**From: Corporal Billy McKelvey**

**Date: March 7, 2011**

**Subject: D-11-026**

**COMPLAINT SYNOPSIS**

On October 27, 2011 detention staff discovered Inmate Elliot Williams deceased in medical cell #1. With this, an investigation was begun.

**INVESTIGATION**

This investigation was conducted to determine the following:

1. If any TCSO employee violated policies that contributed to Inmate Williams' death.
2. Actions taken by Correctional Healthcare Company employees.
3. Any willful acts by TCSO and Correctional Healthcare Company employees that contributed to Inmate Williams' death.

**WITNESSES**

Initially, Detective Jeremy Yerton started a criminal investigation. Due to the involvement by members of the Owasso Police Department, TCSO command staff decided to close the criminal investigation and requested the Oklahoma State Bureau of Investigation for assistance. The following lists of witnesses were interviewed by CID Detective Yerton, Internal Affairs Corporal McKelvey and members of the Oklahoma State Bureau of Investigation.



### **CID Interviews**

Michael Lahita, DO  
Jeffrey Snyder, DO  
Monica Holloway, Deputy  
Arthur Jackson, Corporal  
Kimberly Hughes, LPN  
Taiwo Badidi, DO  
Eddie White II, DO  
Carla Housley, Sergeant  
Mary Hudson, LPN  
Clifford Roberson, DO  
Lois Bell, DO  
Letica Glover  
Raymand Stiles, LPN  
Steven Smith  
Chaplain Charles Bradshaw  
Marshell Brown-Suntken, LPN  
Ronald Reynolds, DO  
Carmen Luca, LPN  
Steven Harnish, MD  
Khadja Limbu, MD  
Janet Lance, RN  
Chystal Rich, DO  
Phillip Washburn, MD  
Patrica Benoit, RN  
Charity Chumley, LPN  
Nicole Bynum, LPN  
Tiffany Walton, RN  
James Pirtle, Sergeant  
Tammy Hanley, DO  
Gary Kaiser, Sergeant  
Tommy Fike, Captain  
Jack Reusser, Sergeant

### **Internal Affairs**

Tabitha Dean, DO  
Lois Bell, DO  
Christopher Leverich, DO  
Doug Hinshaw, Sergeant  
Cindy West, DO  
Carmelita Norris, DO  
Dakota Walsh, DO  
Ellen Beuttel, DO  
Tommy Fike, Captain  
Tammy Hanley, DO  
Andrew Johnson, Inmate  
Derrick Latham, Inmate  
Mario Wilson, Inmate  
Carmelita Norris, DO  
Carl Wiehe, Inmate

### **OSBI**

Jack Wells, Owasso Police  
Tracy Townsend, Owasso Police  
H.D. Pitt JR, Owasso Police

Persons Not Interviewed  
John Bell, Medical Staff

### **TERMS**

DLMCJC	David L. Moss Criminal Justice Center, also known as the Tulsa County Jail
TCSO	Tulsa County Sheriff's Office
CID	Criminal Investigation Division
IA	Internal Affairs
OSBI	Oklahoma State Bureau of Investigation.
COPES	Community Outreach Psychiatric Emergency Services
OC	Oleoresin Capsicum also know as pepper spray
MHP	Mental Health Provider

Pre-booing	An area within DLMCJC where officers complete their paperwork while booking in a inmate.
Slider area	An area that separates the Pre-booking from Booking. This is an area where inmates are thoroughly searched by DLMCJC staff prior to entry.
LPN	License Practical Nurse
CHC	Correctional Healthcare Company
Infirmary	Medical Unit within DLMCJC
RN	Registered Nurse
MD	Medical Doctor
DO	Detention Officer, also known as a Jailer
Corporal	First line supervisor, TCSO
Sergeant	Shift or Unit Supervisor, TCSO
Captain	Shift Watch Commander, TCSO

### **UNDISPUTED FACTS**

1. On October 21, 2011 at about 1000 hours Owasso Police Department responded to a disturbance at the Marriott Hotel. Once there, Owasso Police made contact with Elliot Williams (Deceased) and his father Earl Williams.
2. Earl Williams informed the Owasso Police that his son was married to a foreign national and that their marriage was unfolding. Owasso Police engaged Elliot Williams, Owasso police described their conversation/demeanor with Elliot Williams as ***"Rambled and was incoherent."*** According to Owasso Police, Elliot reached down and picked up dirt off the ground and placed the dirt on his tongue, stating ***"We all come from the dirt and we all go back to the dirt."*** As this time Officers on scene requested dispatch to contact COPES to respond.
3. Owasso Police stated that Elliot's demeanor became more threatening, he stood up, after being told to sit down; he kept his hands in his pockets and makes movements towards the officers. Owasso Police stated, Elliot walked over to his mother, pulls his sweat shirt down and exposes his tattoo on his breast. Owasso Police Wells stated, Earl asked Elliot questions about committing suicide. Elliot admitted he had talked about it. Owasso Police stated, Elliot pulled his sweater down and stated "It's going to be on CNN, man predicts his death." Elliot then patted his chest and states "Boom, boom." Owasso Police stated they became concerned about suicide by cop and asked Elliot to sit back down. Owasso Police stated that Elliot said, ***"What do I have to do to get you to kill me."***
4. Owasso Police started to take Elliot into custody, during this time Owasso Police used OC spray on Elliot. Owasso Police eventually used force taking Elliot to the ground. During this time, Owasso Police stated that Elliot said, ***"What do I have to do to get you to shoot me."***
5. An Owasso Police Supervisor arrived and was briefed on the incident and Elliot Williams was arrested for Obstruction. Owasso Police stated Williams was taken to Owasso City Jail and seated on a bench. While filling out paperwork, Williams would

not give any relevant information and lied down on the bench. An Owasso officer stated that *he heard a thud and noticed that Williams has rolled off the bench and hit the floor.* Owasso Officers admitted to picking *Williams up by the arms and drag him to a cell.* Owasso Police stated, "Williams' socks and pants are taken off and orange jail pants are placed on him."

6. An Owasso Dispatcher notified Owasso Officers that Williams had taken the mat off the bunk and was lying on the floor under the bunk. Once officers arrived at Williams' cell, they noticed that he was on the floor barking like a dog.
7. On October 22, 2011 at approximately 0100 hours Williams was removed from the Owasso Police holding cell and transferred to DLMCJC. Once at DLMCJC (0130 hours), Owasso Officers placed Williams in a holding cell within pre-book and requested that he change from their orange jail clothes back into his street clothes for processing. During this process, Williams refused and Owasso Officers removed him from the holding cell. Owasso Officers believed that Williams was resisting their efforts and took him to the ground by his head and neck, securing his hands behind his back. Williams was then placed on a bench. At this time it is obvious that Williams is having a difficult time standing. The incident that took place in pre-book was captured on CCTV.
8. On this same date, Williams was escorted to the booking slider and turned over to DLMCJC Detention Staff. Video footage shows when Williams entered through the slider area, he was compliant with detention staff. Once through the slider area, Williams had a seat in the short term waiting area, waiting to be processed. At about 0215 hours Williams stands and refuses to set back down. Detention Staff escorts Williams to booking holding cell #10.
9. Once Williams was placed into holding cell #10, Corporal Arthur Jackson talked with Detention Officer Meadows. Detention Officer Meadows stepped towards the booking desk and enters Williams into the holding cell log sheet.
10. On this same date at approximately 0231 hours, detention staff and CHC nursing staff entered the holding cell area.
11. On this same date, Inmate Mario Wilson, was working as a trusty in booking. Wilson stated that at approximately 0300 hours he witnessed Williams ram his head into the cell door. Once Williams ran his head into the cell door, Williams went to the ground. Wilson stated that he informed detention and nursing staff, but they did not respond very quickly. Wilson stated "It's, it's pretty long. Wasn't, like, right off the bat. It's probably, you know, within twenty minutes... or a little over twenty." Wilson stated that he remembers Williams lying on the ground. One of the detention staff looked at Williams and called a nurse over.
12. DLMCJC CCTV captured footage of the booking floor. At the time of the incident there were no cameras in the holding cell area. The booking floor CCTV footage captured footage of both detention staff and medical staff entering the holding cell

area between 0300 hours and shift change at 0700 hours. The footage captured the following entering the holding cells foyer: Captain Wood, Sergeant Reusser, Corporal Jackson, Deputy Holloway, Deputy Tryon, Deputy Guinn, Detention Officer Laheta, Detention Officer Nicole Spilkia, Detention Officer Meadows, Detention Officer Hullinger, Detention Officer Dean and Nurse Hughes. NOTE: Nurse Hughes enters the holding cell foyer four (4) time between 0308 and 0542 hours.

13. During an interview, Hughes stated that she believed it was three o'clock in the morning when Deputy Holloway came and got her and said come to the holding cell quick, this guy is laying flat of his back and he says he can't move.
14. During an interview, Hughes stated that she ran in to holding cell 10. Corporal Jackson was already there. Williams was laying on his back, supine and he was saying ***"I can't move, I can't move."*** Hughes stated that Williams said he had head butted the door. Hughes stated that Williams described how he started at the end of the cell and he just rammed his head there at the door. Williams said ***"My neck hurts."***
15. During an interview, Investigators quizzed Nurse Hughes about immobilizing Williams' neck and put him on a backboard. Hughes stated ***"No, because when he was talking to us before we started to turn him as he asked, he specifically asked to 'turn me to my right side, help me turn' as he was talking to us he was moving his head, not much but just enough like you do when you are expressing yourself, like I am doing now. I know that you can't see this on the voice monitor here but he was just moving his head enough that I knew he was not all that he was claiming to be as hurt as claimed to be."***
16. That during an interview, Hughes stated that on Tuesday night, October 25<sup>th</sup>, 2011, she worked in the medical unit. Hughes stated that on the 25<sup>th</sup>, she came in contact with Williams. Williams told her that he wanted a big pitcher of water to drink. Hughes stated that she responded by telling Williams to scoot his cup to the door and she would fill it. Hughes stated that Williams responded by saying, ***"I can't, I can't move."***
17. During an interview, Hughes stated that she was concerned about Williams' condition. When asked if she contacted Supervisor Chris Roger or any other supervisor Hughes stated ***"No, I didn't."***
18. During an interview, Deputy Holloway stated that Corporal Jackson approached her and asked if she could get the Booking nurse and go check on Inmate Williams in holding cell 10. Holloway stated that she went and got Nurse Hughes and she accompanied Hughes as she checked on Inmate Williams. Holloway stated that she opened the door and announced myself with Nurse Hughes in the cell. Williams was laying on his back with his head facing the back of the cell. Holloway stated that she asked what was wrong and Williams said that ***his neck fell like it was broke*** and could we please roll him over on his side.

19. During an interview, Corporal Jackson stated that his primary function in Booking is to expedite inmates as quickly as possible through booking as far as mug shots, as far as property, receiving property, receiving fingerprints and keeping discipline on the floor. Jackson stated that he remembers having contact with Elliot Williams. Jackson stated ***"We understood that he was uncooperative in the pre-booking area and when he came to booking, he refused verbal commands. And at that time he was placed in holding Cell Number 10."***
20. During an interview, Corporal Jackson stated that Williams was beating on the wall and that when he went to investigate, Williams was down on the floor. Jackson stated that Deputy Holloway told him that Williams needed some help and this is when they called the nurse. Jackson stated, ***"We immediately called for the nurse to come which Nurse Hughes did come. And all three of us went into the cell. I went in, Deputy Holloway went in and the nurse went in... He said his neck was hurt and I believe the nurse asked him how did his neck hurt...how did he get his neck hurt and he said...I think he said he hit the door."***
21. During an interview, Investigators asked if anyone conducted a cursory examination round his neck? Jackson stated, "The nurse did all of the physical uh..."
22. On October 22, 2011 at 0700 hours, shift change occurred for both detention and medical staff. The booking floor CCTV footage captured footage of both detention staff and medical staff entering the holding cell area between 0700 hours and 1330 hours. The footage captured the following entering the holding cells foyer: Captain Fike, Sergeant Reusser, Sergeant Housley, Sergeant Doug Hinshaw, Detention Officer White, Detention Officer Badidi, Detention Officer Roberson, Detention Officer Byrd, Detention Officer Hall, Detention Officer Ruiz, Detention Officer Titsworth, Detention Officer Ihim, Medical Staff Chappell, Taylor, and Hudson.
23. Between 0700 hours until the medical emergency was called at 1330 hours, Medical Staff entered the holding cell foyer twice; once at 1015 hours and again at 1140 hours.
24. During an interview Detention Officer White stated he was told by the previous shift that when Williams was booked in earlier that night, the previous shift couldn't get Williams to get up so at the end of the shift he was still in the holding cell #10. That during an interview, White stated that he checked on Williams (Security Checks) every 15 to 20 minutes. He tried to get Williams up so he could get his mug shots done and his picture taken.
25. During an interview, Detention Officer White stated that most of the time Williams was laying on his back. One time Williams asked White to move him to his side. White stated that he helped Williams to his side. Williams told White his arm was stiff and he had laid in the same position for a long time and he just needed help rolling over. Williams never complained that he was injured.

26. During an interview, Detention Officer White stated Williams had used the bathroom on himself when the medical emergency was called and he asked the nurse to check and see what it was and she confirmed that he defecated. White stated that the nurse asked for assistance rolling Williams over and she checked.
27. During an interview, Sergeant Housley stated that the previous shift passed on that Williams was in holding cell number 10, she believes the previous shift stated Williams was intoxicated. Housley stated Detention Officer Ed White did frequent checks on Williams. Housley stated, she thought she had seen Williams sitting up that morning with his back against the wall. Housley stated White came to her stated that Williams said he couldn't move. Housley stated, at that time, she made the decision for D.O. White to get Nurse Taylor. Housley stated that White and Nurse Taylor began talking to Williams, trying to get him to respond. Williams was unable to get up and Nurse Taylor said call an emergency.
28. During an interview, Nurse Taylor said she came in contact with Williams on October 22, 2011 in holding cell #10 during a medical emergency. Taylor stated that the medical emergency was called ***"Because he was in my opinion, he was not acting in a normal behavior."*** Taylor stated that Williams was not making any sense verbally and just his demeanor, his actions. Taylor stated that detention staff restrained Williams and ***Nurse Chappell arrived and they put him on the gurney and took him back to the infirmary for further assessment.*** Taylor stated that when Nurse Chappell arrived, that was the end of her contact because Chappell took over. Chappell is an RN and she is in charge.
29. During an interview, Sergeant Doug Hinshaw stated he assisted with the medical emergency in holding cell #10. Hinshaw stated that Williams said he couldn't stand up. Hinshaw stated that when he arrived, he could tell that Williams defecated on himself because of how the holding cell smelled.
30. During an interview, Investigators asked, if the nurse talked about Williams faking or did they give an explanation why they didn't see C-collar him, Hinshaw stated ***"There was some...there was some talk of they...they didn't think there was anything wrong with him...because he had walked in under his own power, so something else to that effect; I really don't really remember what it was."*** To clarify, investigators asked did the nurses say 'we think he's faking' or did they use some sort of medical terminology. Hinshaw stated, ***"No, it was basically that he's faking."***
31. During an interview, Sergeant Doug Hinshaw stated that Williams was taken to medical on a gurney. Once in medical, Williams didn't stay on the gurney very long. Hinshaw stated that Nurse Chappell took a pen and ran it down Williams' foot and his leg jerked.
32. During an interview, Investigators asked, how Williams clothing was removed. Hinshaw stated, ***"Whenever...whenever we laid him... down... in the shower...I***

*told him to stand up whenever he was in the shower. He told me he couldn't stand up so we just laid him down. We just thought he was probably intoxicated or whatever so we just laid him down on the shower there...on the shower floor and Captain Fike and I grabbed a hold of his pants legs and tore them off...tweaked them off of him."* Hinshaw stated that Williams underwear came off with his pants but *"The shirt was a little bit more tricky but yeah we kind of rolled him a little bit and got his arms out of tone of the sleeves, I don't remember which one it was first."*

33. During an interview, Sergeant Doug Hinshaw stated, the personnel that assisted in removal of his clothes were, him, Captain Fike, Detention Officer Leverich and Nurse Chappell. Hinshaw stated that Fike, Leverich and him placed Williams in the shower.
34. During an interview Captain Tommy Fike stated he was the Watch Commander on October 22, 2011 and his shift began at 0700. Fike stated that Williams was in booking when he first saw him and Williams had defecated on himself and he was having a lot of problems but Williams, had give him the impression certainly that he had some mental problems. Fike stated that he got Williams out of his cell, took him down to the shower in medical and put him in the shower and *"He would not stand up but we did give him a shower anyway."*
35. During an interview, Captain Tommy Fike stated, "Williams was laying on the floor and we turned the shower on him and got him cleaned up pretty fairly well, because he had defecated on himself." Fike stated that he left Williams there for a while. He was not sure how long it was, but then "We wound up putting him on a gurney."
36. During an interview, Captain Tommy Fike stated that Williams "Refused to turn over but he turned him over and again let the water run for a while on him and then after another time and I really couldn't tell you how long it was but it was a while, 45 minutes or something like that, that he was in the shower, at least 45 minutes." Fike stated, "After a while then we came down and got him up and put him on the gurney and we had his cell cleaned up and put him back in there with a clean blanket again."
37. During an interview, Investigators asked, did he observe Williams at any time actively washing himself? Fike stated, *"No, No...Williams was saying he couldn't move. Yes he was saying he could not move."*
38. During an interview, Investigators asked, if a nurse ever looked at Williams, Captain Fike stated, "The nurses were right there. I think they took his blood pressure and probably they got a little deal that they just put on your finger that gets....oxygen I believe that is what it measures. But I believe that they did both of those things. I am not sure what else that they did or did not do. There were nurses...a couple of people that were kind of there in the whole process."
39. During an interview, Investigators asked, during the time he was on the gurney, do you know if a nurse conducted examined Williams while he was on the gurney?



Captain Fike stated, *"Yeah, I, ah, well, I, I believe so, yes, I mean, at least a cursory exam."*

40. During an interview, Investigators asked the following; did the nursing staff tell him to go take a shower? Why did we, versus the nursing staff, if he was unable to walk and he was making complaints that he couldn't move, why would we put him in the shower versus a nursing staff put him in the shower? Was there a medical need? Captain Fike stated *"Well, they, they, nursing staff would have been there. As far as who actually did that, ah, I couldn't tell you. I mean, they don't like working on anybody that's got feces on 'em and smells that way and, at the same time, I mean, it was, it was, ah, ah, it seemed liked the thing to do. I mean, is to get him cleaned up."*
41. During an interview, Investigators asked, when Williams was placed in the shower do you remember if he was face up or face down, Fike stated, first he was face up. When asked, was Williams feet in the shower and his head laying out. Captain Fike stated, yes, he was in the shower the water was hitting him from mid-chest or upper stomach region down to wash him off. Fike stated, *"After a while, we left that shower running. After a while, we came back and, right now I can't tell you, but, how long it was, but after a while we came back and we rolled him over....I don't think it would have been that long, but, but, it, it wasn't, it wasn't, it was probably thirty minutes, anyway."*
42. During an interview, Investigators asked, have you ever carried anybody and placed them in the shower before. Captain Fike stated *"Yes."* Investigators asked, do you remember when the last time this occurred, Captain Fike stated, *"No. I mean, not a lot, but I have, as the captain. I mean I've been involved in, in probably at least a couple of 'em...you know where we put somebody in the shower. That is, that, that is the trouble with this. I mean, I think when it was happening, I don't think anybody saw anything that was all that unusual."*
43. During an interview, Captain Fike stated, that he believed Medical put him on a suicide watch. That's his understanding but he has no direct knowledge of it.
44. During an interview, Detention Officer West stated Williams went to Medical around 1330. West stated, Sergeant Hinshaw was going to Medical and grabbed her and Detention Officer Leverich to assist. West stated that when she walked into Medical, she observed Williams laying on the shower floor, face down, his feet in the shower and his head lying out.
45. During an interview, Detention Officer West stated, Williams was saying *'he couldn't move, he couldn't get up.'* West stated, someone got a gurney and a trash bag was put on the gurney because there was stuff leaking out Williams rectum. Leverich and Sergeant Hinshaw and she lifted Williams, placing him on the gurney.
46. During an interview, Detention Officer West stated that Williams was taken to medical cell #25 or #26. West stated that Williams was complaining about his

stomach hurting real bad. Sergeant Hinshaw had noticed a discoloration in his left arm verses his right arm and had called for a nurse. West stated that Captain Fike, Sergeant Hinshaw and D.O. Leverich had lifted Williams and put him on to the metal bed. Williams was then lifted and the blanket was placed underneath him. West stated the nurse came down to observe Williams. According to West, the nurse said ***"No, he looks fine to me."*** West stated she did not remember the nurse's name but described the nurse, ***"I know she was a black nurse, but I do not know what her name is."*** Investigators asked if the nurse ever looked at Williams eyes or checked his pulse. West stated, "No but the nurse was involved when Williams was moved from the shower to medical cell #26."

47. During an interview, Detention Officer Norris stated when she was doing the security rounds, Williams asked her to give him some water. Norris stated that she gave Williams water. Norris stated, her partner was Detention Officer Walsh. Norris stated that Walsh opened the door and held the door while her and trusty Andrew Johnson went in and gave Williams water. Norris stated that Nurse Ray was there also. Norris stated that Williams couldn't sit up to drink the water. Norris stated she could see that Williams' feet twitch and moved a little. Norris stated that she had to raise Williams' head and part of his back to bring him into a position where he could drink the water.
48. During an interview, Detention Officer Norris stated, Walsh asked Nurse Ray if there was any reason that he can't get up to get his water. Ray responded, "No, from checking all of his stuff and doing his vital signs and stuff with him, no, that there's no reason."
49. During an interview Detention Officer Walsh stated the first time he physically came in contact with Williams was when Norris asked him to assist in giving Williams water. Walsh stated, he held the door open while Norris gave Williams water and that Norris noted it on the log. Walsh stated that Williams was given water at least two more times during the night.
50. During an interview, Investigators asked, if he remembered which medical staff was present during this time. Walsh stated, Nurse Ray, ***"Cause I asked him specifically after the door shut, I asked him....I said 'Ray, is there any disease or parallelization that would cause him not to be able to move any part of his...his body?' and he said 'well' he goes, 'I've never seen anything like that specifically'; was what his exact words were...and I said, 'so you think he's faking it' and then he didn't say yes or no, he just kinda let on to 'uhm...maybe so.. I said, 'ok.."***
51. During an interview with Carmen Luca (Medical staff), Luca acknowledged she had contact with Williams on Tuesday, October 25, stating ***"I did my morning assessment on him, and I think I entered the room, and I checked his vital signs or I checked something on him. It was something that I did have...I wanted to check on him, and then I remembered the D.O. telling me that, I have to be very careful"***

*when I go in there. I should not be by myself or something like that because he proved to be a little aggressive before so...she kinda warned me to not go in there by myself."*

52. During an interview, Investigators asked Luca to go over with them her morning assessments with Williams. This assessment occurred on October 25, 2011. Luca stated, "John, (John Bell Mental Health Provider) the psych doctor and, he was followed by another doctor (Limbu), I couldn't remember his name, they were coming to do the assessment too, so he...she said let he's...he's gonna do the assessment on him...John said actually let's try to open the door and get inside and take a closer look. So, we entered the room, I think it was a D.O. or something like that opened the door, and me, John, and the other doctor entered the room."
53. That during an interview, Luca stated, on October 27, 2011, they ( John Bell, Limbu, and her) were talking about Williams needing to go to the hospital and have a more checks. Luca stated, by this time, the conversation was taking place in front of Williams cell door. Luca stated that Dr. Washburn walked up. There was a conversation that took place between Washburn and Limbu and John Bell, about sending Williams' to the hospital. Luna stated that Dr. Washburn said "Ok, let's go ahead and finish your list. He's in his routine to visit all the medical one's...and let me think about it." A medical emergency was called later that morning and that is when Williams was found deceased in his cell.
54. That during an interview with Steven Harnish, Harnish stated that he is a board certified psychiatrist and that he has his Medical Degree. That he received his medical degree from University of New Mexico, in Albuquerque, in 1976. Harnish stated that he writes psychotropic medications, monitoring the Mental Health Care delivered by the Mental Health Team. He sees inmates as requested by the Mental Health Team to determine diagnosis and treatment needs.
55. During an interview, Dr Harnish stated, his first contact with Williams was a discussion with the Treatment Team as is his practice on Monday mornings, when the Treatment Team discusses which inmates were in the infirmary; what some of their problems might be; and what we were going to consider doing. Harnish stated that on October 25, the Treatment Team requested that he see Williams because they were concerned about him and requested that he be moved to a suicide watch cell so that he could be monitored 24 hours a day to help determine what going on.
56. During an interview, Dr Harnish stated, about 9:00 in the morning, on Monday, October 25, he had the Detention Officer opened the door of Infirmary cell number #1, and he stepped in and spoke with inmate Williams.
57. During an interview, Investigators asked how the conversation went with Williams on the morning of October 25. Harnish stated, "Well, it went...I suppose we would say...typical for a psychiatric review where I ask the patient about his current

condition; what was happening; in his circumstance, he was claiming to be paralyzed.”

58. During an interview, Dr Harnish stated a particular importance is the fact that the Treatment Team placed Williams in a suicide cell so that he would be monitored as closely as possible. The team placed Williams there so that they could respond to a medical or psychiatric condition so the team would be able to see in the next hours or days. It was the team’s attempt to be as responsive as possible to this inmates needs. Harnish stated, when Williams was placed in cell one, it was because of the camera; because of the ability of the facility to monitor him more closely.
59. During an interview, Investigators asked, is it strictly mental health patients on one side and strictly on medical patients on the other? Is there even a distinction? Does the Mental Health Team see everybody out there? How does, how does that work? Harnish stated, ***“Yes sir, there’s a distinction. We have a board in the Nurse’s Station, which is typical of any in-patient unit across the county at a hospital. And it lists all of the cells, the 28 cells that are down there in the infirmary. And then they’re color-coated for what type of reason they are in there. Black is Medical, green is Mental Health, blue is Special Housing; and so our team goes to that board, reviews who is in there for Mental Health.”***
60. During an interview, Investigators asked when somebody who’s in there for medical and Mental Health, is that a half green/ half black color? Harnish stated ***“Well, depends upon who came first. The name might be written in green, if Mental Health started first and then we needed medical, then they would put under a separate line that they’re being seen for medical for like say...diabetes or seizure disorder, or something, there’s a place to say that. If Medical saw them first, then in green there would be written on that inmate’s line – Mental Health Eval; so that we could keep track.”***
61. That during an interview Investigators asked if somebody’s who’s on suicide watch, they could be either one, Medical, Psychiatric, or..or a combination...or are they typically both? Harnish stated ***“I doubt that they would be medical because suicide watch immediately makes them one of the Mental Health Team patience; so I’d be very surprise if somebody was on the board...on suicide watch, and they were only under medical. It could be both, most likely it’s mental health.”***
62. That during an interview with Investigators Harnish agreed that if somebody coming in from Booking with no physical injuries would probably be mental health. Harnish stated that October 25 was his first physical contact with Williams. That he did a cursory evaluation, because a lot of the initial leg work had been done already so he didn’t have to reinvent the wheel. During the evaluation Williams responded to his questions. Harnish stated in his notes, he indicated that Williams responded to his concerns about whether he was dehydrated, would he be interested in an IV. According to Harnish, Williams did not want an IV. Harnish stated that he told

Williams if he condition remains the same, he may need nursing home care. Harnish stated that Williams initially denied that he had any Mental Health Care and then towards the end of our evaluation he was surprised to hear Williams say, 'oh, but I've been at TCBH in the past'.

63. That during an interview with Investigators Harnish stated Williams didn't look ill, to him at that time, but he was concerned that Williams was saying that he couldn't physically function, so that's why the Team took these measures to be sure he was monitored. Investigators asked was there any medicines given to Williams? Harnish stated ***"No, I didn't want to complicate the situation by adding medication to this. He was not claiming to be depressed. He was not claiming to have hallucinations. I mean...I actually thought that it might be inappropriate for me while we were still trying to find out what was going on, to add a confounding variable of medications. And so...I just gonna be a wait and see situation."***
64. That during an interview with Investigators Harnish asked based on his assessment, did he leave any orders, follow-up care, put a mental health plan, or any kind of treatment plan in place for the team? Harnish stated ***"The plan that I recommended was for him to remain in that cell so that he could be monitored. I wrote in my note that the Team was to respond to any medical or psychiatric condition as determined by the monitoring that was set up, and that was...that was the plan that we were under."***
65. That during an interview with Investigators, Dr. Khadja Limbu stated that he is a ***Medical Doctor*** and he is employed by In His Image and he works with Family Medical Care at St. John Hospital. That he is currently in a residency program in family medicine with In His Image Family Medical Residency Program. The program allows an opportunity to go and shadow, behavioral rotation with Dr. Harnish with David L. Moss Jail once a week, every Thursday from 8-12.
66. That during an interview with Investigators, Investigators asked if he come into contact with a Inmate Elliott Williams? Limbu stated "Yes, I don't know the exact date but it was the last Thursday of October I guess, it was one of the days....I....because Dr. Harnish was not there at the moment so he told me to shadow John who works with the mental health and what I do is usually, I just shadow them. I follow them and see how they work with the people and the inmates. So I was with John (John Bell) and we went to see Mr. Williams."
67. That during an interview with Investigators, Dr. Limbu stated that after he completed an exam of Williams (October 27, 2011) he and John Bell talked with Dr. Washburn. Dr. Limbu stated that he mention Dr. Washburn that Williams needs to be seen. Dr. Limbu stated that he told Dr. Washburn that Williams looked sick, it might be psychosomatic, but he really didn't know. Dr. Limbu stated that he told Dr. Washburn ***"I think we might need to get a CT Scan of the head or something like that just to rule out any medical conditions and he said he would look at him later."***

68. That during an interview with Investigators, Dr. Washburn stated that he is a physician and has been employed here at David L. Moss for 13 months with the Correctional Healthcare Company as the Medical Director.
69. That during an interview with Investigators, Investigators asked if during his assignment in Medical, did he come in contact with Inmate Elliott Williams. Washburn stated, only after he was deceased.
70. That during an interview with Investigators, Investigators asked, if he had any personal knowledge of Inmate Williams being in Medical, Washburn stated, ***“Yes sir, sometimes I make cursory rounds on Friday evening to see if there is any problems. Nothing was reported so I was kind of surprised that all this happened. They said...somebody said he was unable to walk Saturday, I don’t know....but I never got a call on it. I don’t know if they called Dr. Harnish or what so I never did....and then there was a residence from one of the hospitals that saw him Monday. Was it Monday he died...it’s all....Thursday....it’s all a blur to me. And said he needs to be sent out of here and they said they told me, I swear I do not remember that....I do not remember that! If it happened it was my bad.”***
71. That during an interview with Investigators, Nurse Patricia Benoit stated that she works for Correctional Healthcare Company and official title is Qualified Mental Health Professional. That the letters behind her name stand for Licensed Marriage and Family Therapist. Benoit stated that she is one of two and a half people in mental health that does assessments on inmates who report to the doctor and then decisions on medicines or whatever actions may be needed, based on mental health issues. Benoit stated that John Bell is the other full time employee and Charlie Boyle is a part time employee.
72. That during an interview with Investigators, Benoit stated that she first had contact the Williams Monday, October 24, 2011 early afternoon and she went with John Bell and Charity Chumley who is a nurse and a D.O. to Williams’ cell. Benoit stated that Williams was on a suicide watch but he wasn’t in a suicide room that is monitored. Benoit stated that while examining Williams there was a question about whether or not he was really ***paralyzed***. Benoit stated that some common tasks were done “Like where they pick up the arm and if you drop it.” Benoit stated that ***“If a person is really paralyzed or they really can’t move it will land wherever, most people will avoid their face.”*** Benoit stated they tried that, Williams did have some control of his hands.
73. That during an interview with Investigators Benoit stated that on Tuesday, October 25, 2011 her and John Bell had a meeting with Dr. Harnish to do ***“Quick case study, kind of pass on information from one person to the next about inmates before rounds and we asked Dr. Harnish, to see Williams because we didn’t know if it was real or not, we just couldn’t tell.”***