



VIRGINIA DEPARTMENT OF CORRECTIONS

Incident Report

038.1 A-2

DOC Location: C00 Central Office, Administration

Report generated by Wood, J

Report run on 11/03/2015 at 1:44 PM

Incident Number:	Date/Time of Incident:	DOC Location:
WRSP-2015-00109	October 31, 2015 @ 10:13 AM	Wallens Ridge State Prison

Error: Subreport could not be shown.

Location of Incident:					
Weapon Used:	Yes	Type of Weapon:	Sharp or sharpened material/instrument		
Gang Related:	No	PREA:	No	Videotaped:	None

Description of Incident:

Synopsis: On October 31, 2015, at approximately 10:13 a.m., a fight was announced via radio in cell A-136. While conducting security rounds, offenders C. Brown [redacted] and A. Whitten #1138537 were found in an altercation. K-9 Officer W. Gunter, who was one of the first Officers to respond, stated via the radio that a weapon was involved. Several staff responded to the altercation. The offenders refused orders to separate which resulted in the use of O/C gas. When the O/C proved to be ineffective, the cell door was accessed and K-9 entered the cell and brought the altercation under control. Medical staff assessed both offenders, administered treatment, and advised the security staff that both offenders would require off site medical care for injuries suffered during the altercation. Life Care Ambulance Service was contacted and two units reported to Wallens Ridge State Prison. Both offenders were transported to Lonesome Pine Hospital for further medical treatment. After treatment, both were transported back to Wallens Ridge to be housed in the medical department. Due to their actions, both offenders were charged with offense codes 105b(Aggravated assault upon an offender), 218(Fighting with any person), and 102(Possession of a weapon or sharpened instrument). Offender Whitten was also charged with offense code 100(Killing or attempting to kill any person).

Narrative: On October 31, 2015, at approximately 10:13 a.m., Officer A. Lawson was conducting security rounds in the A-1 general population unit. When Lawson arrived at cell 136, he observed offenders C. Brown [redacted] and A. Whitten #1138537 involved in a physical altercation. Officer Lawson announced via radio that there was a fight in cell A-136. Officer Lawson gave the offenders several direct orders to separate and lay on the floor; they refused. Officer Lawson accessed the tray slot and administered a one half to one second burst of O/C gas from his MK-4. The O/C had no effect on the offenders and they continued to fight. Officer D. Cooke responded to the cell door and he also gave direct orders for the offenders to stop fighting and they refused. Officer Cooke administered another one half to one second burst of O/C gas which also had no effect.

K-9 Officer Gunter responded along with his assigned canine Bert [redacted]. Officer Gunter observed the offenders in the floor fighting with Whitten on top of Brown. Offender Whitten appeared to have a weapon and was making a stabbing motion as he continued to assault Brown. K-9 Officer Gunter announced via radio that a weapon was involved and he gave the offenders several orders to stop fighting. When they did not comply, and Whitten did not drop the weapon, Officer Gunter advised the staff to access the cell door. The cell door was accessed and K-9 Gunter along with canine Bert entered the cell. Canine Bert was utilized and engaged offender Whitten. Initially canine Bert engaged Whitten on the back of the head. Due to this being a possible vital area of the body, Officer Gunter gave the command for Bert to release and he did. Whitten continued to assault offender Brown with the weapon. K-9 Officer Gunter again utilized canine Bert, this time engaging Whitten on the upper back. Officer Gunter again ordered Whitten to drop the weapon. Offender Whitten dropped the weapon and both offenders stopped fighting. K-9 Officer Gunter used his foot to push the weapon out of the reach of the offenders. Offender Brown was removed from cell and placed in restraints by Officer's Cooke and C. Collins. Brown was then escorted from the unit to the medical department for evaluation. Once Whitten had complied completely with Officer Gunter's orders, Gunter ordered canine Bert to release and he complied. Officer's Lawson and H. Middleton placed restraints on offender Whitten and escorted him to medical.

The Watch Commander, Captain B. Collins, instructed Sergeant M. Ferguson to retrieve a camera and take pictures of the cell and of the weapon that was recovered. Captain Collins also ordered the cell to be secured for the Institutional Investigator's Office. Captain Collins also advised Officers C. Thomas and D. Purkey to retrieve video cameras and begin filming both Brown and Whitten. Once in medical, RN M. Jessee assessed offender Brown. Nurse Jessee noted multiple lacerations and bleeding. He also noted that Brown was alert and oriented. The bleeding stopped, bandages were applied along with sterile strips. Nurse Jessee advised the offender needed to be transported by ambulance to the Lonesome Pine Hospital Emergency Room for further treatment. Nurse Jessee then assessed offender Whitten, noting multiple lacerations along with canine bites and bleeding. Nurse Jessee advised that Whitten also needed to be transported by ambulance to the Emergency Room further treatment. Life Care Rescue Squad was contacted and sent two ambulances to Wallens Ridge State Prison.



Captain Collins advised Sergeant J. Rutherford along with Officer's Bailey and Middleton to retrieve equipment and prepare to escort offender Brown to Lonesome Pine Hospital. Life Care Ambulance departed Wallens Ridge at approximately 10:55 a.m. Sergeant Hobbs, along with Officers S. Marcum and J. Rhoten were assigned to escort Whitten to Lonesome Pine Hospital and they departed Wallens Ridge at approximately 11:15 a.m. At approximately 4:45 p.m., both offenders were transported back to Wallens Ridge State Prison and housed in medical for observation. Due to their actions, both Whitten and Brown will be placed in special housing and were charged in accordance with OP 861.1 with offense codes 218(Fighting with any person), 105b(Aggravated assault upon a non-offender), and 102(Possession of a weapon). Whitten was also charged with offense code 100(Killing or attempting to kill any person). Digital photos were taken of all injuries. There was no use of force and no injuries incurred by staff or the offenders other than those noted above.

Addendums:

Start Date & Time: **Comments:**

Notifications:

Name:	Title:	Date/Time Notified:
Fleming, Leslie J	Warden	October 31, 2015 @ 10:30 AM
Anderson, David E	Major	October 31, 2015 @ 10:38 AM
Combs, John C	Assistant Warden	October 31, 2015 @ 10:38 AM
Fleming, Kenneth M	Investigator	October 31, 2015 @ 10:38 AM
Washington, Gerald K	Regional Director	October 31, 2015 @ 11:25 AM
Kennedy, Malcolm E	OLU-Lieutenant	October 31, 2015 @ 11:30 AM
Anderson, David E	Major	October 31, 2015 @ 05:00 PM
Combs, John C	Assistant Warden	October 31, 2015 @ 05:00 PM
Fleming, Kenneth M	Investagator	October 31, 2015 @ 05:00 PM
Fleming, Leslie J	Warden	October 31, 2015 @ 05:00 PM
Ponton, Henry J	Regional Administrator	October 31, 2015 @ 05:00 PM
Baker, Brandon	OLU-Lieutenant	October 31, 2015 @ 05:30 PM
Reporting Staff:	Collins, Beverly D	Title/Shift: Captain, A Break, Day
Date Reported:	10/31/2015	Time: 05:00 PM
Approved By:	Brown, James L	Title: Captain
Action Taken:	Approved	Review Date: 11/02/2015