



November 2, 2015

Michael McIntosh, Adams County Sheriff
Adams County Sheriff's Office
332 N. 19th Avenue
Brighton, CO 80601

Re: The investigation of the death of Christopher Cayton at the Adams County Detention Facility at 150 N. 19th Avenue, Brighton, Colorado on July 8, 2015.

Dear Sheriff McIntosh:

The investigation and legal analysis of the death of Christopher Cayton, while in-custody at the Adams County Detention Facility (ACDF) on July 8, 2015, has been completed. Detective Matthew Marquez of the Adams County Sheriff's Office led the investigation and presented his reports, photos, videos, documents, and materials to the office of the Seventeenth Judicial District Attorney for our review on October 21, 2015. Based on the evidence presented, Mr. Cayton died of asphyxia due to hanging. Your investigation and the evidence demonstrate that the manner of death was suicide. Therefore, no criminal charges will be filed against anyone in this matter.

STATEMENT OF INVESTIGATION

Events prior to Mr. Cayton's death:

Christopher Cayton was arrested and placed into custody on January 29, 2015 on eight felony charges, the most serious being Aggravated Incest (F-3), Sexual Exploitation of a Child (F-3), Sexual Assault on a Child by a Person in a Position of Trust (F-3), and Unlawful Distribution of a Schedule 1 or 2 Controlled Substance to a Minor (DF-1). As part of a standard intake screening, Mr. Cayton was asked questions about his mental health. During the screening, Christopher Cayton denied any history of mental health issues. He specifically denied current or past thoughts of suicide. He indicated that he had no prior diagnoses of mental health issues, psychiatric hospitalizations, or current or past use of psychotropic medications. He indicated that he did not desire to see a mental health clinician at the time of intake. Mr. Cayton was classified as medium security. On January 31, 2015, he was moved from the intake pod to his first housing assignment, E-module, Pod 6.

On February 2, 2015, Mr. Cayton was moved from pod 6 to pod 1 in E-module. This move was triggered because Mr. Cayton reported to the staff in the jail that his cellmate had learned that he was charged with a sex offense against a child and had threatened to assault him, so authorities at the jail moved him for his own safety.

On February 10, 2015, inmates in Mr. Cayton's pod had threatened him. The inmates entered his cell without his permission and stole items he had purchased from the commissary as well as some of his legal paperwork. This crime was motivated by the inmates discerning that Mr. Cayton was in custody for sex offenses. [Note that seven inmates were charged with crimes ranging from felonies to misdemeanors stemming from this incident.]

On February 10, 2015, following the threats in E-module, pod 1, deputies at the jail referred Mr. Cayton to the mental health professionals at the jail. Mr. Cayton was, therefore, initially housed in the medical unit for a mental health observation. On this date, Mr. Cayton indicated to a mental health professional that he had made one prior suicide attempt in January, sometime after the New Year. He indicated, however, that he did not want to die.

On February 11, 2015, a mental health evaluation was completed. In that evaluation, Mr. Cayton indicated that he had no "completed suicide attempts," i.e. that he had only thought of suicide and/or taken preliminary steps to commit suicide. He denied any current suicidal ideation. Mr. Cayton was diagnosed with Depression, Post-Traumatic Stress Disorder, and Amphetamine / Psycho stimulant Dependence (due to a report of past, recurring use of methamphetamine) and he was re-housed in A-module, pod 1.

Mr. Cayton was again re-housed on February 25, 2015 after reporting that he was fearful because inmates in A-1 had found out about his charges. He was moved from A-module, pod 1 to C-module, pod 1.

On March 19, 2015, Mr. Christopher Cayton was threatened and involved in a physical confrontation after inmates in C-1 discovered his charges. Mr. Cayton was moved to protective custody in A-module, pod 5. Again, this was done for Mr. Cayton's own safety.

After being moved to protective custody, Mr. Cayton received another mental health evaluation. This occurred on March 24, 2015. During this evaluation, Mr. Cayton denied any current suicidal ideation. He now indicated that he had five prior suicide attempts – one in 2008, three in 2014/2015, and "a hanging attempt reportedly while incarcerated." (Note: there is no record or any evidence of a prior suicide attempt occurring in the Adams County Detention Facility.) Mr. Cayton's diagnosis was updated to reflect: Bipolar I disorder, Post-Traumatic Stress Disorder, and Amphetamine Dependence. Mr. Cayton was prescribed lithium (a mood stabilizer primarily used for bipolar disorder) and Risperdal (an anti-psychotic).

While in protective custody, Mr. Cayton received regular "mental health segregation contacts," i.e. contacts to monitor how he was coping with segregation. These contacts occurred on March 20, March 25, April 1, and April 8, 2015. Nothing unusual was noted during these contacts. On April 10, 2015, Mr. Cayton refused to have his scheduled mental health segregation contact.

On April 15, 2015, Mr. Cayton had a follow up psychiatric appointment. During that appointment, Mr. Cayton stated that his depression had "started to climb back up," and he placed his level of depression at "eight to nine" on a ten point scale where ten is the worst depression. He also disclosed having suicidal ideation earlier in the week. He stated that two or so weeks ago, he had tied his sheet with the intent to hang himself. He stated that he did not go through with the suicide due to feeling he had a greater purpose in the world, and then gave some examples such as mentoring others, informing others about methamphetamine, etc. as part of his greater purpose for being. Mr. Cayton also disclosed that he had tried to kill himself with poison several months ago. Mr. Cayton was prescribed Prozac and continued lithium and Risperdal. The Nurse Practitioner provided this information to the examiner who ordered that Christopher Cayton be housed on suicide watch in the infirmary for further evaluation and supervision. In addition to his other medications, Prozac was prescribed for Mr. Cayton.

Mr. Cayton was held in the medical unit on suicide watch April 15, 2015 until April 18, 2015, when he was returned to protective custody. He was observed, and he was contacted daily while being held in the medical unit.

On his April 16, 2015 contact, Mr. Cayton refuted the idea that he was suicidal by stating that he had "made a bet with god." The bet was that he would try to kill himself, and, if god wouldn't let him, it meant that he was supposed to live. Mr. Cayton then stated, "...and I'm still here, ain't I?" Mr. Cayton became angry when he learned that he wouldn't immediately be released from suicide observation and moved to protective custody. He threatened to call the news. During his April 17, 2015 contact, Mr. Cayton again stated that he was not suicidal and would never attempt to hurt himself. Mr. Cayton stated he was misunderstood. He stated that he did not plan to hurt himself, but that he had had thoughts of death. He then made some comments about the supernatural, and he noted that he was comforted by the spirits of his deceased friends and relations. He stated that he also took comfort in the bible and his relationship with god. When he was contacted on April 18, 2015, Mr. Cayton expressed that he didn't like administrative segregation (protective custody), but that he felt safe compared to being in a regular pod. He spoke of positive things which he said kept him from wanting to hurt himself.

After he was released from suicide watch or observation, he was returned to protective custody, and regular mental health segregation contacts resumed. These occurred on April 21, April 29, May 8, May 12, May 14, May 19, June 3, June 9, June 12, June 19, June 26, and July 3, 2015. Nothing unusual was noted during these contacts, except as noted below.

Mr. Cayton was seen again on April 28, 2015 after submitting a "kite" requesting to do so. [Note: In the jail, inmate requests – including requests to see a mental health professional – are referred to as "kites."] Mr. Cayton expressed concern about his family selling his belongings and how his incarceration was damaging his relationship with his family. He stated that he learned he was looking at "twenty years" (in prison), which worried him. However, he reported that his sleep and appetite were okay, and he denied any thought of suicide.

On April 29, 2015, a psychiatric progress note indicates that Mr. Cayton stated that he did not think he was depressed and that he was not suicidal. He indicated he was exercising, sleeping well,

talking to his mother, and had good energy and a good appetite. He expressed that, "I'm looking at twenty five years in prison."

On May 18, 2015, Mr. Cayton was seen by mental health professionals at the request of deputies at the jail. Mr. Cayton had reported to them that he had a "panic attack" the week before and was still "anxious." Mr. Cayton was counseled on anxiety management strategies.

On May 21, 2015, as part of a routine review of inmate classifications, Mr. Cayton was reclassified to maximum security. This reclassification had no practical impact on Mr. Cayton while he remained in protective custody.

On June 9, 2015 during a contact, Mr. Cayton stated that he pled guilty on June 8 and that he was looking at a ten to thirty two year sentence in prison. He stated he hoped he could bond out before his sentencing in ten weeks. Mr. Cayton denied any suicidal ideation.

At this time, Mr. Cayton requested to be moved back into general population. On July 6, 2015, the Administrative Review Board met and decided Christopher Cayton could be returned to general population. This occurred on July 6, 2015 at about 11:00 p.m. Christopher Cayton was moved to A-module, pod 4.

On July 7, 2015, Christopher Cayton had a professional visit from Adams County Probation Officer Kelly Whalen. Det. Marquez interviewed Ms. Whalen for this investigation. She visited Christopher Cayton to interview him to prepare a pre-sentence investigation report or PSIR. (The PSIR is provided to the sentencing judge. It contains information pertinent to the defendant's sentence and includes a sentencing recommendation.) Kelly Whalen stated as part of the investigation she directly asked Christopher Cayton if he was feeling suicidal, and he stated he did not feel suicidal. Kelly Whalen also stated she told Christopher Cayton he was facing a mandatory prison sentence.

Mr. Cayton's death on July 8, 2015:

On July 8, 2015 at approximately 3:46 p.m., deputies were conducting cell inspections in A-module, pod 4. While the deputies were on the lower tier of the pod, they heard inmates yelling that someone had killed himself in the shower on the upper tier. The three deputies immediately ran up the stairs. They observed Christopher Cayton with a blue sheet tied around his neck. The other end of the sheet was tied around the shower curtain rod. Mr. Cayton was hanging with his feet off the ground. Deputy Ball used his department issued safety knife to cut the sheet, and deputies laid Christopher Cayton on the ground. Deputy Ball immediately began chest compressions on Mr. Cayton.

Nursing staff arrived and took over chest compressions until staff from the Brighton Fire Department and Platte Valley Ambulance arrived. Attempts to revive Christopher Cayton were unsuccessful, and he was pronounced deceased at 4:18 p.m. by Doctor Carey Cuprisin of Platte Valley Medical Center.

The video of A-module, pod 4 shows that at 3:09 p.m., the inmates were released from lockdown and the pod doors are opened. Christopher Cayton immediately comes out of his cell and goes into the shower on the upper tier. Mr. Cayton appears to have a sheet lying over his shoulder. Movement can be seen both below the shower curtain and in the light above the shower curtain. At 3:27 p.m., the shower curtain began to shake and continued to shake until 3:31 p.m. At 3:45 p.m., several inmates near the shower on the upper tier appear to point toward the shower. At 3:46 p.m., an inmate, identified by the investigator as Inmate Raymond Jaques, moves the shower curtain and apparently realizes an inmate is hanging in the shower. Deputies immediately run up the stairs, cut the sheet, and began administering chest compressions.

Investigation after Mr. Cayton's death:

Detectives at the jail searched Mr. Cayton's cell. No suicide note was found. A completed medical kite was found on the top bunk. The kite was a request to talk to mental health about his mental health medication. In it, Mr. Cayton states that he was feeling tense since moving to general population and that he did not want to feel that way anymore.

Christopher Cayton's cellmate, Isaac Duncan, was interviewed. Isaac Duncan stated he knew his cellmate as "Chris." Isaac Duncan stated he never heard Chris make any statements about suicide or about being depressed. He and Chris had been playing dominoes in the cell from noon to 3:00 p.m., during the lockdown. Mr. Duncan stated that as it got closer to the end of the lockdown, Chris began pacing inside the cell. Isaac Duncan stated he did not see any notes or anything.

Raymond Jaques, who had discovered Mr. Cayton, stated he did not know the inmate who he had found hanging. Raymond Jaques stated he was on the upper tier when a tall black inmate and an inmate he knew as "DJ" were looking at the shower and noticed something under the shower curtain that looked like legs. ("DJ" was later identified as Inmate Daniel Romero and the tall black inmate was identified as John Bellamy.) Raymond Jaques said he went over and pulled the shower curtain and saw an inmate hanging. Raymond Jaques said he yelled "man down," and the deputies who were downstairs ran up to the shower. Raymond Jaques stated he was holding the inmate up when the deputies came and took over holding the inmate up. Raymond Jaques stated he was not aware of any conflicts in the pod.

John Bellamy turned in a written statement in which he claimed he did not see anything. He was interviewed and confronted with the information that he was seen near the shower. John Bellamy stated he had not had any interactions with the inmate who hung himself other than when the inmate complimented him on a picture he was drawing. John Bellamy stated he never heard the inmate make any suicidal statements and was unaware of any issues for the inmate in the pod. John Bellamy stated that on the day of the inmate's death, he had just gone upstairs to "take a piss." When he came out of his cell, someone "pulled the curtain back."

Daniel Romero had refused to provide a written statement in the time after the incident. He stated he did not want his name on any paperwork. Daniel Romero stated he looked toward the shower and saw legs or knees under the shower curtain and did not know what was going on. Daniel Romero pointed it out to Raymond Jaques, and Raymond Jaques told him, "He hung himself." Raymond Jaques pulled the shower curtain. Daniel Romero said when saw the inmate hanging in

the shower, he went to his cell and threw up. Daniel Romero stated Christopher Cayton had told him he was going to prison for ten to thirty two years, but did not make any suicidal statements.

Det. Marquez reviewed Christopher Cayton's electronic phone log. The phone log showed 167 completed calls from Christopher Cayton. Christopher Cayton also had three video visits from his sister, Angela Myers. Det. Marquez listened to several of Christopher Cayton's phone calls and watched the three video visits from his sister.

In a call to his mother on July 8, 2015 at 9:35 a.m., Christopher Cayton sounded upbeat and laughed several times. He asked his mother to write a letter to the judge on his behalf for his sentencing hearing. He did not make any statements indicating he was contemplating taking his life.

Christopher Cayton spoke to his mother on July 7, 2015. Christopher Cayton talked about how he had just been moved to general population and was housed in maximum security. Christopher Cayton said max was scary because he was around "murderers and thieves." Christopher Cayton sounded upset when he told his mom he was going to prison for at least ten years. Christopher Cayton told his mom he had just spoken to a probation officer. Mr. Cayton began crying toward the end of the call and stated, "Boy I fucked up."

On the June 22, 2015 visit from his sister, his sister begs him not to kill himself while he is in jail. Christopher Cayton replied, "Ok."

On July 30, 2015, Det. Marquez received a "psychological autopsy report" for Christopher Cayton. This report was generated by Mental Health Supervisor Emily Oosterhouse. Per the report, Christopher Cayton did not submit any kites or documented requests for mental health in June or July of 2015 and had no pending mental health requests. Under the review of risk factors the report states, "In the absence of reported current suicidality and without outside background information to contradict Mr. Cayton's current denials of suicidal ideation, Mr. Cayton was not currently housed in the infirmary or placed on any level of suicide watch. However, he did present with a history of mental illness, history of suicidal thoughts, history of suicide attempts, impulsive behavior (i.e. substance abuse, legal history), and incarceration in adult jail (as opposed to his history in NYC settings)."

On August 6, 2015, Det. Marquez received a written statement from Inmate Desmond Jones. Mr. Jones was housed in the same pod as Mr. Cayton at the time of his death. Like everyone else in the pod, Mr. Jones was given an opportunity to provide a written statement on July 8, 2015; however, he did not turn in a statement at that time.

In a follow up interview to the written statement, Desmond Jones stated he did not turn in a statement on the day the incident occurred because he did not trust the Deputies and wanted to turn the statement in to somebody he trusted. Desmond Jones stated he was removed from the ACDF and was transported to Arapahoe County on July 9, 2015. Mr. Jones stated he had just returned. A check of Mr. Jones's jail log confirmed he left the facility on July 9, 2015 and had been returned on July 30, 2015.

In his written statement, Desmond Jones stated that on July 6, 2015 at about 10:00 p.m., two deputies told Mr. Cayton that he would be moving back to general population. Desmond Jones stated that Christopher Cayton began to plead to stay in ad-seg (i.e. "administrative segregation") and stated he would be in danger if he moved back to general population. According to Desmond Jones's statement, Christopher Cayton told one of the deputies that he would refuse to move, and that deputy told Mr. Cayton that he would use physical force to move him if he refused. Desmond Jones stated that he convinced Christopher Cayton to move by reassuring him he would be moving to the same pod and would not let anything happen to him.

Det. Marquez interviewed Desmond Jones after receiving the written statement. Desmond Jones stated he gotten to know Christopher Cayton. Christopher Cayton spoke to him about moving back to general population, and Christopher Cayton wanted to go to general population. However, Mr. Cayton wanted to go to **minimum** security. When he was told that he would be moving to **maximum** security, Christopher Cayton started "freaking out within himself."

Desmond Jones stated he knew that Christopher Cayton was charged with sexual offenses because Christopher Cayton had told him. Mr. Cayton told a deputy that he did not want to move and asked what would happen if he refused to move. The deputy told Christopher Cayton that he had to move and that he would make him move if necessary. Christopher Cayton told Mr. Jones that he was looking at a lot of time in prison and was struggling with that. Christopher Cayton expressed feeling that his family did not care about him anymore. Desmond Jones stated he was not aware of any suicide attempts by Christopher Cayton while they were housed together. Desmond Jones stated when Christopher Cayton was told he was moving to general population, Christopher Cayton told him he wanted to go to the medical unit. Desmond Jones stated he convinced Christopher Cayton not to go to medical.

Desmond Jones stated when he and Christopher Cayton moved from module-A, pod 5 to module-A, pod 4 together, none of the inmates in pod 4 knew about Christopher Cayton's charges. However, Christopher Cayton was "stand off-ish" and that brought "speculation" from other inmates in pod 4. Desmond Jones stated he was not aware of any threats made to Christopher Cayton. Desmond Jones stated he had heard about an incident earlier that day in which another inmate was being accused of being a snitch. Desmond Jones speculated that perhaps Christopher Cayton thought inmates were accusing him of being a snitch.

An autopsy was performed on the body of Christopher Cayton on July 10, 2015. The autopsy was performed by Dr. Michael Arnall, a board certified forensic pathologist. Dr. Arnall later prepared an autopsy report. Dr. Arnall listed the cause of Mr. Cayton's death as **asphyxia due to hanging** and the manner of his death as **suicide**.

LEGAL ANALYSIS

Criminal liability is established in Colorado when it is proven beyond a reasonable doubt that someone has committed all of the elements of an offense defined by Colorado statutes, and it is proven beyond a reasonable doubt that the offense was committed without any statutorily recognized justification or excuse.

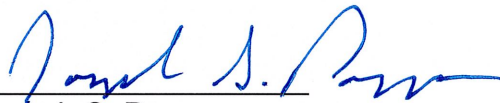
There is no evidence to support the filing of criminal charges for the death of Christopher Cayton. The evidence demonstrates that on July 8, 2015, Mr. Cayton took half a sheet into the module's shower and hung himself from the shower rod with his jail issued sheet.

Conclusion

On July 8, 2015, Mr. Christopher Cayton was in the Adams County Detention Facility awaiting sentencing on serious felony charges. All of the evidence indicates that Mr. Cayton died as a result of suicide and there is no indication that the detention personnel contributed to his death.

If you have any questions pertaining to this report or findings and conclusions, please contact me.

Sincerely,



Joseph S. Pacyga
Chief Trial District Attorney
17th Judicial District Attorney's Office