

MARION COUNTY, FLORIDA – Slater Legal PLLC and Stewart Tilghman Fox Bianchi & Cain, P.A. filed a [wrongful death and civil rights lawsuit](#) in Marion County on behalf of the Estate of Scott “Scotty” Whitley, III. Scotty was known to suffer from mental illness and despite his condition was repeatedly pepper sprayed and tased, killing him in his cell.

Scott “Scotty” Whitley III had a diagnosed history of schizophrenia, which was well known to the Marion County Sheriff’s Office. In fact, MCSO officers placed Scotty under Baker Act protection and supervision more than a half-dozen times in 2021 and 2022. On November 16, 2022, MCSO placed him under arrest and charged him with resisting arrest. He was booked at the Marion County Jail where he remained detained for several days leading up to his death.

MCSO knew that Scotty suffered from significant mental health issues and placed him in administrative confinement as a “Suicide Precaution Inmate.” Eventually, Scotty was placed alone, completely nude, in a single cell with an uncovered concrete slab to sit and sleep on.

On November 25, 2022, days after his incarceration, detention deputies went to Scotty’s cell to conduct an inspection. Scotty was alone and naked and the floor was wet and slippery, likely from the humidity in the cell. At that time, Scotty was sitting naked on the concrete bed area. Deputies claimed they ordered Scotty to submit to hand restraints but that he did not respond to those requests. Roughly 17 minutes later, deputies returned. Scotty approached the door and began to talk to the deputies. At that point, Scotty was pushed to the ground, got up and began retreating. Despite his retreat, MSCO deputies struck him in the face with pepper spray forcing Scotty towards the window of his cell for fresh air. Scotty was left alone for several minutes and deputies planned to “suit up” to extract him from his cell despite Scotty not posing any threat. Scotty, still naked and covered in pepper spray, went to sit on the toilet as ordered by the deputies so that they could enter the cell to restrain him. However, despite his compliance, supervisory staff ordered deputies to “just go in and grab” him. They rushed his cell, taking Scotty to the ground, hitting his upper extremities against the concrete. Despite his compliance, deputies deployed multiple Taser strikes against Scotty while he laid on the ground screaming and pleading for help. Other deputies administered more pepper spray and Scotty remained motionless on the ground before being dragged out of the cell on his stomach. By then, his chest was not rising and his face was blue. Scotty was dead.

The incident was captured on camera at the jail. The Sheriff has not agreed to make the video footage of the incident available to the public.

Attorneys [James Slater](#) and [Michael Levine](#) filed the lawsuit seeking to hold the MSCO accountable for Scotty’s wrongful death and stated: “When Scotty Whitley was booked at the Marion County Jail, the detention deputies knew he suffered from a serious mental health condition,” said family attorney, James Slater. “For the brief period Scotty was detained at the jail, he was repeatedly punished and attacked by deputies for displaying his mental illness. He was left naked and alone in confinement, where he was killed by deputies despite complying with their commands and remaining seated in his cell. Without any mental health intervention, the deputies stormed Scotty’s cell and attacked him, killing him. In a humane and civilized society, we cannot accept what happened to Scotty as normal institutional practice. We demand justice for Scotty’s family and systemic reform at the jail.”