

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-20432**



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



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Case Number: 17-20432

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Barry Hatton

Date Assigned or Initiated: November 11, 2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Okaloosa Correctional Institution

Complainant: Captain Jody Chopp

Outside Agency Case #: PE-37-0103

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate 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 November 11, 2017, at approximately 10:44 p.m., Inspector Supervisor David Allen notified Senior Inspector Stacy L. Harris [REDACTED] Inmate Jessie Johnson, DC #Q11095, Okaloosa Correctional Institution. Supervisor Allen advised security staff [REDACTED] [REDACTED] for Inmate Johnson. Inspector Harris then contacted the Institution and spoke with Captain Jody Chopp who advised Inmate Johnson [REDACTED] in his bunk, A2111L, at approximately 10:05 p.m., and was alleged to have smoked an unknown substance shortly before his discovery. Inspector Harris advised Captain Chopp she would be en route and a criminal investigation was initiated. On March 12, 2018, the case was re-assigned to Senior Inspector Louis Cordova.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses' testimony, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

Investigator's Note: *The summary findings listed below were obtained from the FDLE investigative reports associated with FDLE Case# PE-37-0103.*

According to FDLE Special Agent Barry Hatton, on Saturday, November 11, 2017, at approximately 2348 hours, the Florida Department of Law Enforcement (FDLE) Watch & Warning desk received notification of an in-custody death at the Okaloosa Correctional Institution. Inmate Jesse L. Johnson, Jr., Department of Corrections Number: Q11095, was pronounced deceased [REDACTED]

Inmate Johnson had been reported [REDACTED] at his bunk by an inmate at 2205 Hours. Johnson was housed in general population in "A" dormitory. Inmate Johnson [REDACTED] [REDACTED] at the prison [REDACTED] where he was pronounced deceased.

Special Agent Hatton was notified and responded to the prison. Upon arrival, Special Agent Hatton met with Inspector Harris. Inspector Harris stated she had reviewed video and it was obvious Inmate Johnson was smoking something, suspected K-2 drug, prior [REDACTED] [REDACTED] Inspector Harris stated another inmate, Jerry M. Borges, was also smoking the drug with Inmate Johnson, but he denied doing so.

Once Inmate Johnson was reported [REDACTED] by an inmate, prison staff [REDACTED] [REDACTED] Inmate Johnson [REDACTED] [REDACTED] where he was pronounced deceased.

Interviews and video evidence in the possession of the Okaloosa Correctional Institution indicated Inmate Johnson was smoking a suspected drug, possibly K-2, [REDACTED] dying.

An autopsy of Inmate Johnson was conducted by Andrea N. Minyard, M.D., Forensic Pathologist, Chief Medical Examiner, District 1, Florida. Dr. Minyard's completed autopsy report dated March 4,



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2018, revealed the following: Inmate Johnson's cause of death [REDACTED]

[REDACTED]. The manner of death was ruled accidental.

Investigator's Note: *Senior Inspector Cordova's review of the death investigation completed by FDLE did not identify any administrative issues.*

VII. CHARGES

There were no charges. Dr. Minyard ruled Inmate Johnson's death was accidental [REDACTED]

VIII. CONCLUSION

Based on the information gathered during FDLE Special Agent Barry Hatton's investigation, it is the recommendation of Senior Inspector Louis Cordova that the death of Inmate Johnson be termed as follows:

- **Exceptionally Cleared**