

# Florida Department of Corrections



## Office of the Inspector General

### CRIMINAL INVESTIGATION

Case # 14-6066



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**CASE SUMMARY REPORT**



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**Case Number:** 14-6066

**Inspector:** Christopher Welsh

**Date Assigned or Initiated:** 05-16-2014

**Complaint Against:** N/A

**Location of Incident – Institution/Facility/Office:** Okeechobee Correctional Institution

**Complainant:** Correctional Officer Lee Davis

**Use of Force Number:** N/A

**PREA Number:** N/A

**Classification of Incident:** Death Investigation (Inmate)

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Equal Employment Opportunity 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.



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V. PREDICATE

On May 14, 2014 the Department of Corrections, Office of the Inspector General received information that Inmate Bryan Kendzia #046328 had attempted to [REDACTED] on May 13, 2014 at Okeechobee Correctional Institution. On May 15, 2014, Inmate Kendzia died [REDACTED]. The Office of the Inspector General initiated an investigation into the incident on May 16, 2014.

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:

Captain Pace completed an Incident report and indicated that on May 13, 2014 at approximately 7:00pm, while assigned as the Shift Supervisor, he responded to G-dormitory in response to [REDACTED]. Upon arrival he observed Inmate Kendzia in cell G1122s lying on his left side, on the ground, adjacent to the toilet. Inmate Kendzia had [REDACTED] along his [REDACTED] from his [REDACTED] and was [REDACTED]. Captain Pace indicated that on top of Inmate Kendzia's footlocker were three razor blades [REDACTED].

[REDACTED] were subsequently notified in which Inmate Kendzia was initially transported to [REDACTED] and subsequently [REDACTED]. Inmate Kendzia was pronounced dead at [REDACTED] on May 15, 2014 at 5:20pm.

Inmate Kendzia's [REDACTED], Inmate Escobedo was interviewed and stated he was assigned to Inmate Kendzia [REDACTED] and witnessed Inmate Kendzia in his cell with the [REDACTED] lying on the floor in his assigned cell. He stated Inmate Kendzia had received a Disciplinary Report for destruction of state property for damaging [REDACTED] on a previous date and was upset that he would lose his opportunity for a parole hearing and [REDACTED]. Inmate Escobedo further stated that Inmate Kendzia [REDACTED] while speaking to a family member during a recorded telephone call stating "[REDACTED]".

Inmate Kendzia's Securus phone calls were monitored and on May 13, 2014, Inmate Kendzia contacted his mother, Joan Kendzia, ([REDACTED]) and indicated that he received a Disciplinary Report and states "this cunt of a Lieutenant (Dinius) that needs to be sliced from her vagina all the way up to her throat."



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Later in the phone call Inmate Kendzia states, [REDACTED].  
 [REDACTED]. You'll get a phone call in a day or so."

Inmate Kendzia states to his mother just go about your life and she states to him "it's tough, that's' the problem, it's hard to close the door, Brian." During the conversation Ms. Kendzia states "I knew this day would come and I was afraid this day would come." She further stated "All I can say is It's your decision, not mine to make, you've gone through so much." Inmate Kendzia finally states "I just want to ask you one thing, [REDACTED]."

In the Medical Examiners Report dated August 7, 2014, it was determined that the cause of death of Inmate Kendzia was due [REDACTED] and the manner of death was suicide.

**VII. CHARGES**

List alleged violations of Florida Law:

N/A

**VIII. CONCLUSION**

Based on the information gathered during this investigation, it is the recommendation of Inspector Christopher Welsh the allegation against N/A be termed as follows:

Exceptionally Cleared