



Florida Department Of Corrections
Office of the Inspector General
Report of Investigation
Gene Hatcher, Inspector General



Inspector General Case #: 09-3-2280

Facility: Lake Correctional Institution (LCI)

Classification of Incident: [REDACTED]

Field Office/Region: Orlando

Incident Date: June 15, 2009

Time: 12:44 p.m.

Inspector: Richard G. Easterbrook, Jr.

Date of Report: October 22, 2009

Case Type: C1

Check all that apply:



[REDACTED] Prison Rape Elimination Act (PREA) Number (if applicable)

Principal(s) Exhibits Attached

Department of Corrections presented to State Attorney ☐ Declined ☐ Accepted

Use of Force (UOF) Number (if applicable)

Equal Employment Opportunity Commission (EEOC)

Addendum

Supplementary Report Lead Inspector:

Video Documentation

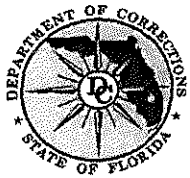
SUMMARY OF ALLEGATIONS:

On June 15, 2009, Inmate Tyrone E. Jones died [REDACTED] in Clermont, Florida. The inmate had been in [REDACTED] On June 16, 2009, the Medical Examiner's Office determined that the Cause of Death [REDACTED]

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

Downgrade recommended. Investigation revealed no suspicious actions on the part of staff or other inmates. No force was used by staff on the inmate in question. All appearances and facts support the findings of the Medical Examiner's Office. There were no indications of foul play or negligence. [REDACTED]

	Name	Title / DC #	D.O.B.	Employee ID #
Complainant:	N/A			
Victim:	Jones, Tyrone E.	Inmate/061708	05/09/1956	N/A
Witness(es):	Ford, Charles	Correctional Officer Lt.	[REDACTED]	6950



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	Kuzara, Mark W.	Inmate/567035	11/16/1975	N/A
	[REDACTED]	[REDACTED]	N/A	N/A
	[REDACTED]	[REDACTED]	[REDACTED]	53752
	Street, Justin	Correctional Officer	[REDACTED]	47551
	Velez, Angel	Correctional Officer	[REDACTED]	34788
Subject(s):	N/A			

Arrest: ☐ Employee ☐ Inmate ☐ Other ☐ Guilty ☐ Addendum Pending
Charges: N/A ☐ Not Guilty

☐ Felony ☐ Misdemeanor

Date of Arrest: N/A

☐ Nolo Contendere

☐ P.T.I.

☐ Other (explanation):

Date Reported: N/A

Sentence of Court / Agreement: N/A

Administrative Violation(s): N/A

Evidence: ☐ Weapon ☐ Drugs ☐ Other Describe: (See Exhibits)
Other Agency Case Number: N/A

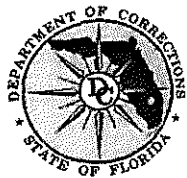
FINDINGS:

In an Incident Report, dated May 30, 2009, Correctional Officer Justin Street indicated that following:

On Saturday, May 30, 2009, at approximately 11:15 a.m., Street was working on the second floor in the [REDACTED] area. The Officer was supervising the feeding of Inmate Tyrone Jones, who had [REDACTED]

Jones was escorted to a Dayroom table on Wing 4 in the [REDACTED] area. [REDACTED] was at the table, observing Inmate Jones and another inmate named Mark Kuzara. Officer Velez was present to watch and escort Inmate Kuzara. Inmate Jones reached over the table, grabbed food from Inmate Kuzara's tray and began to eat it. Officer Street and Correctional Officer Angel Velez immediately attempted to confiscate the tray, without using force. At that time, [REDACTED] Officer Street watched Inmate Jones, as Officer Velez escorted Inmate Kuzara to Wing 3 for another tray of food. Inmate Jones then spat out the food and [REDACTED] Jones then continued to eat.

While eating, Inmate Jones [REDACTED] [REDACTED] While Officer Street watched, Inmate Jones [REDACTED] Street then notified Correctional Officer Sgt. Benjamin Silvino (Housing Supervisor) of the situation.



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At approximately 11:17 a.m., Inmate Jones [REDACTED]
Officer Street and others [REDACTED]

(Exhibit A-1)

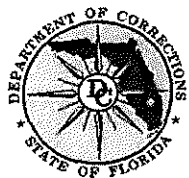
The Fixed-Wing videotapes for the area, date, and time in question were checked. None of the videotapes contained a recording of the correct area and/or timeframe. This Inspector also checked the Fixed-Wing videotapes for the lower floor, just in case the cassettes had been labeled incorrectly, to no avail.

In a sworn, recorded statement, dated June 1, 2009, [REDACTED] indicated the following:

On May 30, 2009, during "Chow," (lunch) Officer Street brought Inmate Tyrone Jones to the table on the Wing in question. Inmate Kuzara was already present, handcuffed, and escorted by Officer Velez. Inmate Jones was also handcuffed. He did not have a tray of food at this point, but staff was waiting for it. Inmate Jones had been brought out [REDACTED] the entire time.) [REDACTED] was standing nearby. Jones then reached over and grabbed food from Inmate Kuzara's tray and began to shove handfuls into his mouth. The food appeared to be a "beef-a-roni" type food and some vegetables. [REDACTED] and the officers tried to get the tray away from Inmate Jones and told him to spit out the food. He spat out some food and the [REDACTED]. Staff then escorted Inmate Kuzara away for another tray of food.

[REDACTED] then told Officer Street that [REDACTED]. She then left. Officer Street then found [REDACTED]. Staff returned to the inmate and brought him [REDACTED].

[REDACTED] the food he had taken from Inmate Kuzara was from a regular diet menu. [REDACTED] Jones had been placed on [REDACTED]. That is why he had [REDACTED]. Inmate Jones also had [REDACTED].



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[REDACTED] also advised that staff, including the Officers, responded to her and helped a lot. She did not see any Officers hurt, abuse, or otherwise treat the inmate in a negligent manner, during the incident in question. (Exhibit B-1)

In a sworn, recorded statement, dated June 1, 2009, Correctional Officer Angel Velez indicated the following:

On May 30, 2009, Officer Velez was escorting (in charge of) Inmate Mark Kuzara during the time in question. Velez had taken Inmate Kuzara from the Wing 4 Dayroom table, on the second floor of the [REDACTED] after Inmate Tyrone Jones had taken Inmate Kuzara's food. Officer Velez was not present when Inmate Tyrone Jones began [REDACTED] When Inmate Jones took Inmate Kuzara's tray of food, the officer escorted Kuzara to Wing 3. Velez only became aware of Inmate Jones' [REDACTED] when he saw Officer Justin Street [REDACTED] Street asked for Velez's help placing Inmate Jones [REDACTED]

Velez was then asked by [REDACTED] He went to the first floor and found [REDACTED]

[REDACTED] Velez brought [REDACTED] When Officer Velez returned to the [REDACTED] also saw that [REDACTED]

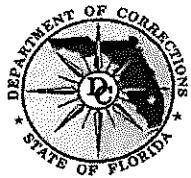
Officer Velez indicated that the inmate [REDACTED] Velez had even witnessed him [REDACTED] before staff could stop him from doing so. The officer said the inmate seemed to [REDACTED] At one time Officer Velez witnessed the inmate [REDACTED] Officer Velez, after seeing the inmate eat several times, indicated that he never chewed his food. The inmate was also known [REDACTED]

Correctional Officer Velez said that [REDACTED] did a good job with the equipment at hand when they [REDACTED] Velez also indicated that he [REDACTED]

In a sworn, recorded statement, dated June 1, 2009, Inmate Mark Kuzara indicated the following:

On the date and time in question, Inmate Kuzara was eating his meal at the Dayroom table on Wing 4, on the second floor of the [REDACTED] When Inmate Jones came to the table, he took his (Kuzara's) meal tray and used both of his hands to take "handfuls of food – started stuffing his face." Staff then took Inmate Kuzara to Wing 3, on the same floor and obtained another meal for Kuzara. While Inmate Kuzara was present at the table in question, staff did nothing wrong, nor did they use force upon Inmate Tyrone Jones. (Inmate Kuzara has [REDACTED])

(Exhibit B-1)



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In an Incident Report, dated June 15, 2009, Correctional Officer Lt. Charles Ford indicated the following:

On June 15, 2009, at approximately 12:44 p.m., he was assigned as Shift Supervisor, when he was notified by Correctional Officer Marc Gadsen that Inmate Tyrone Jones DC# 061708 had died [REDACTED]. The initial cause of death was [REDACTED]. Inmate Jones had arrived [REDACTED] on May 30, 2009, after [REDACTED]. He remained [REDACTED]. Inmate Jones' body was then turned over to the District 5 Medical Examiner's Office for an autopsy.

(Exhibit A-2)

In the Cause and Manner of Death and Autopsy Report, dated June 16, 2009 and July 7, 2009, respectively, Pathologist Wendy A. Lavezzi, MD, indicated the following:

The Cause of Death of Inmate Tyrone Jones was due to [REDACTED]. The Manner of Death was listed as an "Accident."

Among other important findings were the [REDACTED]

The autopsy was conducted at the Medical Examiner's Office, 5th Judicial Circuit (the case number was 2009-0518), located at 809 Pine Street, Leesburg, Florida.

(Exhibit B-2)

(This report was delayed due the high number of other investigations and reports.)

DOWNGRADE JUSTIFICATION: Investigation revealed no suspicious actions on the part of staff or other inmates. This case was downgraded and closed per Acting Prison Inspector Supervisor Mike Spurlock.

Charles Ford

Inspector

Oct. 22, 2009 Date

Mike Spurlock

Inspector Supervisor

Oct. 26, 2009 Date

Lead Inspector Supervisor

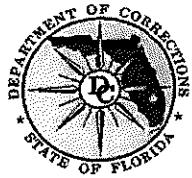
Date

Chief Inspector

Date

Deputy/Inspector General

Date



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[Signature]

Inspector

10.22.09

Date

[Signature]

[Signature]
Inspector Supervisor

10/26/09

Date

Lead Inspector Supervisor

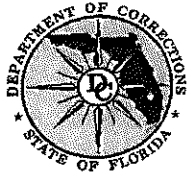
Date

Chief Inspector

Date

Deputy/Inspector General

Date



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EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident Report of Correctional Officer Justin Street
2. Incident Report of Correctional Officer Lt. Charles Ford

B. EXHIBIT(s) - not attached:

1. Sworn, recorded statements of:
 - [REDACTED]
 - Correctional Officer Angel Velez
 - Inmate Mark Kuzara
2. Cause and Manner of Death and Autopsy Report of Pathologist Wendy A. Lavezzi, MD