

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 14-12762**



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



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**Case Number:** 14-12762

**OIG Inspector:** Inspector Janine Knight

**Outside Agency:** Florida Department of Law Enforcement

**Outside Agency Investigator:** Special Agent Kristen Cortes

**Date Assigned or Initiated:** September 30, 2014

**Complaint Against:** Inmate [REDACTED]

**Location of Incident – Institution/Facility/Office:** Northwest Florida Reception Center

**Complainant:** State of Florida

**Outside Agency Case #:** PE-37-0008

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

**PREA Number:** N/A

**Classification of Incident:** Death Investigation - Homicide

**Confidential Medical Information Included:** \_\_\_ Yes    X No

**Whistle-Blower Investigation:** \_\_\_ Yes    X 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 or about September 30, 2014, the Department of Corrections, Office of the Inspector General received information that Inmate ██████████ ██████████ Inmate Joshua Smith DC#D99759, was found ██████████ in his bunk (F2-113L) at Northwest Florida Reception Center (NWFRFC). Inmate ██████████ was pronounced deceased by ██████████ Travis Cook. On September 30, 2014, Inspector Hugh Kopp responded to the Institution to render assistance to the Florida Department of Law Enforcement (FDLE). Case was reassigned to Inspector Janine Knight on July 21, 2015.

**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:

Inspector Knight reviewed the investigation completed by FDLE report #PE-37-0008, and no administrative issues were identified.

On September 30, 2014, at approximately 0650 Hrs. ██████████ an inmate ██████████ at the Northwest Florida Reception Center (NWFRFC), Main Unit, in Washington County, Florida, was found deceased in his bed. The Florida Department of Corrections (FDOC), Office of Inspector General (OIG) notified the Florida Department of Law Enforcement (FDLE) and requested assistance with the investigation. Special Agent (SA) Kristen Cortes reports the following information in furtherance of this investigation.

Previously on February 23, 2016, SA Cortes provided an Investigative Summary to State Attorney's Office (SAO) of the 14th Judicial Circuit, Assistant State Attorney (ASA) Gregory Wilson for his review at the request of FDLE Resident Agent in Charge (RAC) Stephen Roper.

On April 21, 2016, RAC Roper was notified by SAO ASA Greg Wilson he had reviewed the investigative summary in this case and FDLE had exhausted all investigative leads at this time.

On April 22, 2016, RAC Roper telephonically contacted SA Cortes and briefed SA Cortes on the SAO review by ASA Wilson. RAC Roper requested SA Cortes retrieve the investigative summary from the SAO and close this case notwithstanding the development of any additional information.

On April 28, 2016, SA Cortes retrieved FDLE Case PE-37-0008 Investigative Summary notebook from the State Attorney's Office.

On May 4, 2016, SA Cortes confirmed FDOC Inmate Joshua Smith was still incarcerated at Florida State Prison under close management one status, see investigative report number eight-five (IR-85) in this investigative case file for additional details.

Based on the aforementioned information, SA Cortes requested that RAC Roper close this case at this time. The evidence in this case will be maintained indefinitely.



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Inspector Knight reviewed the Autopsy report for Inmate [REDACTED] indicated the cause of death [REDACTED] and the manner of death was Homicide.

Disposition: *The Demand for Records request has been satisfied in that all known requested documentation and/or recorded telephone calls have been mailed to the requesting party, no further action necessary. This assist is deemed closed.*

**VII. CHARGES**

- Florida State Statute 782.04 (1)(a)1 Murder. The unlawful killing of a human being: When perpetrated from a premeditated design to effect the death of the person killed or any human being. (**Murder/Homicide**)

**VIII. CONCLUSION**

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Kristen Cortes the allegation against Inmate Joshua Smith for **Homicide**, be termed as follows:

- **Investigative Assist Closed**