

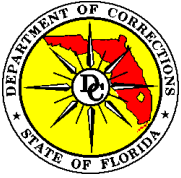
# Florida Department of Corrections



## Office of the Inspector General

### CRIMINAL INVESTIGATION

Case # 13-8396

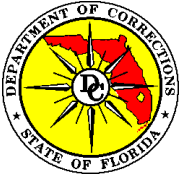


FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**CASE SUMMARY REPORT**



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**CASE SUMMARY REPORT**



**Case Number:** 13-8396

**Inspector:** Inspector Wanda Buchanon

**Date Assigned or Initiated:** 8/05/2013

**Complaint Against:** Inmate Jacob Spears

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

**Complainant:** State of Florida

**Use of Force Number:** NA

**PREA Number:** NA

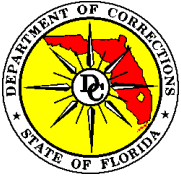
**Classification of Incident:** Homicide F.S.S. 782.04(2)

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Equal Employment Opportunity Investigation:**  Yes  No

**Chief Inspector General Case Number:** NA



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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.

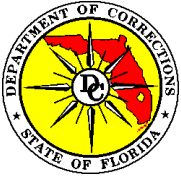
**II. METHODOLOGY**

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:**

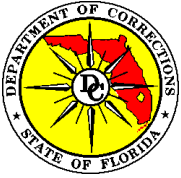
Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

**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 August 2, 2013, at approximately 9:50am Correctional Officer Sergeant James Tredinick found Inmate Brian Rector DC#129712 in his assigned cell (B1112L) at Martin Correctional Institution protective housing unit [REDACTED]

**VI. SUMMARY OF INVESTIGATIVE FINDINGS**

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

On August 02, 2013, at approximately 10:00am, Colonel George Morris notified this writer of Inmate Brian Rector's. He was discovered on his bunk in his assigned cell in B-Dormitory, the protective management unit; [REDACTED] pronounced him deceased at approximately 9:55am. Colonel Morris also called the Martin County Sheriff's Office.

Correctional Officer Jason Lawrence had Inmate Rector's cellmate, Inmate Jacob Spears DC#125990 in custody. In a spontaneous utterance, Inmate Spears told Officer Lawrence that he murdered Inmate Rector.

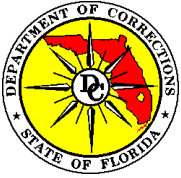
Detective Maggie Flynn of the Martin County Sheriff's Office responded to the institution. During a post-Miranda interview with Detective Flynn, Assistant State Attorneys Nirlaine Smartt and Nita Denton Inmate Jacob Spears stated that he repeatedly slapped Inmate Rector in the head, strangled him with his hands, threw him around the cell, and used a long john shift to choke him. He tortured Inmate Rector from 3:46am until 4:10am. He checked [REDACTED] concluded he was dead. He placed Inmate Rector's body back his (Rector) bunk facing inward to give the appearance that he was asleep.

Dr. Linda O'Neil from the Medical Examiner's Office cited the cause of death [REDACTED] the manner of death a homicide. Detective Flynn completed a Complaint Affidavit; Martin County case number 13-08050.

**VII. CHARGES**

**1. Violation of ss. 782.04(2) Murder**

The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.



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**VIII. CONCLUSION**

Based on the information gathered during this investigation, it is the recommendation of Inspector Wanda J. Buchanon the allegation against Inmate Jacob Spears **for Murder in violation of ss. 782.04 (2)** be termed as follows:

1. Closed by Arrest