

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-17044**



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



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Case Number: 16-17044

OIG Inspector: Inspector Lisa Roberts

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Pritesh Patel

Date Assigned or Initiated: 09-13-2016

Complaint Against: N/A

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

Complainant: Officer Fernando David Aponte-Santiago

Outside Agency Case #: TM-37-0015

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Suicide

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 September 10, 2016, at approximately 3:36pm, while assigned as the On Call Inspector, Lisa Roberts was dispatched by the On Call Inspector Supervisor, Daryl McCasland to Sumter Correctional Institution (SCI), in reference to a reported suicide of Inmate Richard Daniels DC# 167582. Florida Department of Law Enforcement (FDLE) was notified of the incident and Special Agent Supervisor (SAS) Edie Neal advised FDLE would be responding to SCI. Special Agent (SA) Pritesh Patel was assigned as the case agent, FDLE Case #TM-37-0015. This was reported via MINS on September 10, 2016 and assigned as an Investigative Assist on September 13, 2016 to Inspector Roberts.

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:

I contacted the Officer-in-Charge, (OIC) at SCI, Captain Jeffery Johnson and was briefed of the incident. He indicated that Inmate Daniels was [REDACTED] and had been since August 26, 2016. He advised that at approximately 1:57pm, Officer Fernando Aponte [REDACTED] and discovered Inmate Daniels hanging in the bathroom of his cell U2202. [REDACTED] activated [REDACTED]. Inmate Daniels was removed from the noose and Captain Johnson and Colonel Christopher Edelen immediately [REDACTED]. At approximately 2:35pm, [REDACTED] departed SCI with Inmate Daniels [REDACTED] Inverness. [REDACTED] pronounced Inmate Daniels deceased at 3:15pm. The scene was secured and a crime scene log was started.

I responded to SCI and made contact with Warden John DeBell who indicated that Inmate Daniels' next of kin was notified. SAS Neal arrived at SCI and she indicated that Sumter County Sheriff's Office, (SCSO) Crime Scene Technician would be responding to work the crime scene. SA Tom Mayes and SA Patel would be responding to SCI. SA's Alvin Guzman and Abby George would be responding to [REDACTED] Inverness. Medical Examiner's Investigator, Felicia Pena contacted SCI and spoke with SAS Neal about the investigation.

SCSO Crime Scene Technician, Christopher Lightcap, and SA's Mays and Patel arrived at SCI. SAS Neal, SCSSO Lightcap, SA Mayes and SA Patel entered the crime scene and began their investigation. SCSSO Lightcap processed the crime scene by taking photographs, sketching the scene and collecting the bedsheet as evidence. SAS Neal, SA Mayes and SA Patel searched through Inmate Daniels' property and living area. Once they completed with their search and SCSSO Lightcap concluded processing the crime scene, I released the crime scene back to security.

SCSSO Lightcap departed the institution, SA's Mayes and Patel began interviewing all witnesses. I had [REDACTED] fax a copy of Inmate Daniels [REDACTED] to the Medical Examiner's Office. SA Patel filled out an investigative demand for records and indicated he would be obtaining a subpoena for [REDACTED]



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On September 27, 2016, I emailed all records requested to SA Patel, to include Inmate Daniels' phone conversations from Securus (Inmate Phone System), incident reports, crime scene and [REDACTED] dormitory logs, photographs taken by security, and [REDACTED].

On January 24, 2017, I received FDLE report TM-37-0015 from SA Patel. I reviewed the report and there were no administrative issues noted. SA Patel indicated he was closing the case because the 5th Judicial Circuit Medical Examiner's Office conducted an autopsy on Inmate Daniels and Doctor Wendy Lavezzi summarized and advised that she did not believe foul play was involved in the death of Inmate Daniels. Dr Lavezzi ruled the manner of death as suicide [REDACTED].

VII. CHARGES

List alleged violations of Florida Law:

1. No Administrative concerns were brought up or observed during this investigation.

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of SA Patel that the case be closed based on the information provided by the Medical Examiner's Office that the cause of death was suicide caused by hanging and no evidence that Inmate Daniels was a victim of a criminal action. There were **no Administrative concerns** being brought up during this investigation that this case, be termed as follows:

1. Investigative Assist Closed

Inspector Roberts reviewed the investigation completed by FDLE, and administrative issues were not identified.