

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 14-611



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



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Case Number: 14-611

Inspector: Inspector Mike Wyatt

Date Assigned or Initiated: 01-15-2014

Victim: State Inmate Mark Lanier

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

Complainant: N/A

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: [REDACTED]

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 or about January 15, 2014, the Department of Corrections, Office of the Inspector General received information alleging [REDACTED] occurred at the Lake Correctional Institution on January 14, 2014. Upon initial review of the information, the Office of the Inspector General initiated a criminal investigation on January 15, 2014. This is a companion case to Inspector General Cases 14-612 and 14-613.

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 fact were determined:

On January 17, 2014 at approximately 11:52 AM, Correctional Officer Jacob Strickland provided a sworn audio recorded interview to this Inspector pertaining to the above incident. Inspector Richard Perkinson was present during the entirety of this interview. The interview was conducted at Lake Correctional Institution and contained the following:

On January 14, 2014, Strickland was on duty assigned to Wings [REDACTED] located inside Lake Correctional Institution. At approximately [REDACTED], he along with Officers Daniel Paterson and Charles Ross were conducting an Inmate Count of the Wings. While counting Wing [REDACTED], Strickland overheard Ross yell Inmate Mark Lanier's name. Strickland looked over and witnessed Lanier hanging on his cell door with a piece of green blanket around his neck. Lanier was hanging with his back towards the door, facing the back of the cell. Lanier was wearing his issued pants but no shirt. The blanket was attached to the top of the cell door. It appeared to Strickland that Lanier was hanging low enough that he could have straightened his legs and stood up. Strickland stated as they entered Lanier's cell, his feet were retouching the floor.

Strickland went over to aid Ross in gaining entry into Lanier's cell. Initially, they were unable to gain entry into his cell because the piece of blanket was [REDACTED] preventing the door from rolling open normally. ([REDACTED]) Paterson reached his arms through the food flap and grabbed Lanier's body lifting him up as the other officers attempted to open the door. Other Security Staff arrived to assist and according to Strickland, it took three or four Officers to force the door open in order to gain entry into the cell.

Once inside the cell, Officer(s) removed the blanket from Lanier's neck. Strickland ran and retrieved the ligature cutter from [REDACTED] and returned to the cell. Utilizing the cutter, he cut the piece of



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blanket from the door and removed it. Strickland stated that the blanket was knotted at the top where it was attached to [REDACTED].

At this time, [REDACTED] arrived and Paterson retrieved [REDACTED] brought it back. Lanier was placed [REDACTED], the [REDACTED] and he was [REDACTED].

Strickland stated that Lanier exhibited [REDACTED] in the past, but does not remember him ever [REDACTED].

On January 17, 2014 at approximately 12:10 PM, Correctional Officer Daniel Paterson provided a sworn audio recorded interview to this Inspector pertaining to the above incident. Inspector Richard Perkinson was present during the entirety of this interview. The interview was conducted at Lake Correctional Institution and contained the following:

On January 14, 2014, Paterson was on duty assigned to Wings [REDACTED] located inside Lake Correctional Institution. At approximately [REDACTED] Paterson was observing Officers Jacob Strickland and Charles Ross conduct Count of the inmates on [REDACTED]. Strickland and Ross were going cell to cell on both sides of the Wings, while Paterson stood at the end of the Wing observing them. Paterson stated that Ross became alarmed and yelled to [REDACTED] as he was looking into Inmate Mark Lanier's cell. Paterson ran to Lanier's cell to assist Ross.

Once he arrived, Paterson saw Lanier hanging from his cell door with a piece of green blanket around his neck. It appeared to Paterson that the blanket was jammed in [REDACTED].

At that time, Ross opened the food flap door and Paterson reached through with his arms and attempted to hold Lanier up. It took several Officers to assist in opening the door because the blanket was jammed in [REDACTED] and would not open normally. It took several Officers to force the door open in order to gain entry into the cell. Paterson stated as he reached into the cell to hold Lanier up, Lanier's feet were not touching the floor.

Once entry was gained into the cell, [REDACTED] and [REDACTED]. According to Paterson an Officer, he doesn't remember who, used a ligature cutter and cut the blanket from Lanier's neck. Paterson [REDACTED] gave it Sergeant Joseph Stevens, who was inside the cell. When the [REDACTED] Lanier was removed from his cell by [REDACTED].



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Paterson stated that Lanier exhibited [REDACTED] in the past, but does not remember him ever [REDACTED]

On January 15, 2014 at approximately 12:07 PM, Inmate Ian McIntosh provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:

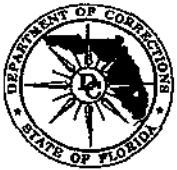
McIntosh stated that on January 14, 2014, he was housed at Lake Correctional Institution in [REDACTED]. McIntosh's cell is across from Inmate Mark Lanier's [REDACTED]. While in his cell, McIntosh overheard Officers ask for [REDACTED] to be opened. At that time, he looked over and saw the inmate assigned to that cell hanging from the cell door with a green sheet or blanket around his neck. According to McIntosh, it appeared that the blanket was affixed to [REDACTED], although he doesn't know how.

On February 11, 2014 at approximately 5:58 PM, Lieutenant Joanne Mason-Ackerman provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:

Mason-Ackerman stated that on January 14, 2014, while working in [REDACTED] at Lake Correctional Institution, she was notified via radio to respond to [REDACTED]. As she arrived, she observed Officer Daniel Paterson with his arms through the food port on the cell door in an attempt to hold up Inmate Mark Lanier, who was hanging by his neck inside the cell. Mason-Ackerman stated that at first, the Officer's were unable to gain entry into the cell because a green blanket or sheet was jamming the door. The blanket was tied around [REDACTED] so the door would not open all the way. She further stated that Paterson's arms being in the food port prevented the door from opening all the way as well.

Paterson removed his arms from the Port and with the help of several Officer's they were finally able to force the door open to gain entry. Once inside the cell, Officers held Lanier up and Officer Anthony Cerna was able to untie the knot from around Lanier's neck. Lanier was placed on the bunk, [REDACTED]. Lanier was placed [REDACTED] and [REDACTED] inside [REDACTED] and [REDACTED] to the Institution. Lanier was transported to [REDACTED]

On February 11, 2014 at approximately 6:50 PM, Sergeant Joseph Stephens provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:



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Stephens stated that on January 14, 2014 while working in [REDACTED] at Lake Correctional Institution, he was notified via radio to respond to [REDACTED]. As he approached, he observed Officer Daniel Paterson with his arms through the food port on the cell door in an attempt to hold up Inmate Mark Lanier. According to Stephens Officers were yelling, "Roll the Door" in an attempt to gain entry into the cell. Stephens stated they tried to open the door, but the door was caught on something and they were unable to gain entry.

The Officer's were finally able to force the door open enough to enter the cell. Stephens advised he and Officer's Eric Lively and Anthony Cerna entered the cell. Once inside the cell, Stephens and Lively held Lanier up while Cerna untied the blanket from around Lanier's neck. Lanier was then placed on the bunk, [REDACTED] and [REDACTED] Lanier was transferred to [REDACTED] and [REDACTED]

Stephens advised that the cell was closed and sealed at the direction of the Lieutenant Joanne Mason-Ackerman. According to Stephens, this is the first time he has seen anyone hang themselves in this fashion.

On February 11, 2014 at approximately 6:56 PM, Officer Anthony Cerna provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:

Cerna stated that on January 14, 2014 at approximately 2:00 AM, while working in [REDACTED] at Lake Correctional Institution, he was notified via radio to respond to [REDACTED]. When he approached, he observed Officer Daniel Paterson with his hands through the food flap with Officer's Jacob Strickland and Charles Ross standing next to him. Cerna stated that Lieutenant Mason-Ackerman, Sergeant Joseph Stephens and Officer Eric Lively arrived with him. Cerna said the cell door would only open half way because [REDACTED], which prevented the door from being rolled open. The Officers forced the door open and Cerna, Stephens and Lively entered the cell. Once inside Lively and Stephens held up Inmate Mark Lanier and Cerna untied the knot in the blanket that was around Lanier's neck. Cerna stated that the knot was tied tight but because the blanket was so thick he was able to untie it. According to Cerna, the knot was tied close to the back of Lanier's head. Cerna advised that upon entry Lanier was facing towards the rear of the cell with his feet off of the ground.



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Lanier was placed on the bunk and [REDACTED]. While [REDACTED] Cerna utilized Lanier's shirt, holding it [REDACTED] because [REDACTED]. Lanier was then taken [REDACTED] inside [REDACTED].

On February 11, 2014 at approximately 7:03 PM, Officer Eric Lively provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:

Lively stated that on January 14, 2014 at approximately 2:00 AM, while working [REDACTED] at Lake Correctional Institution he was notified via radio to respond to [REDACTED]. As he approached, he observed Officer Daniel Paterson with his hands through the flap holding inmate Mark Lanier up. According to Lively the door was jammed and it took several officers to force the door open. Lively along with Sergeant Joseph Stephens and Officer Anthony Cerna entered the cell. Lively grabbed Lanier and held him up while Cerna untied the green blanket that was around Lanier's neck.

Lanier was placed onto the bunk and [REDACTED]. Lanier was transferred to [REDACTED] was continued and he was taken to [REDACTED].

On February 11, 2014 at approximately 7:05 PM, Officer Charles Ross provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at Lake Correctional Institution and contained the following:

Ross stated that on January 14, 2014 at approximately 1:58 AM, while working in [REDACTED] Lake Correctional Institution, he was conducting an Inmate Count on [REDACTED] with Officer's Jacob Strickland and Daniel Paterson. When he reached Inmate Mark Lanier's cell he noticed something, "skin colored" at eye level. Ross thought his was unusual because Lanier is [REDACTED]. He alerted Strickland and Paterson that there was something wrong and they both joined him at Lanier's cell.

At that time Ross noticed that Lanier was hanging inside the cell with a green blanket around his neck. Paterson then reached through the food flap on the door in an attempt to hold Lanier up. Lieutenant Joanne Mason-Ackerman was notified via radio and she and other Security Staff came to assist. Ross stated they got the door opened a crack and as they tried to open it further he overheard Paterson say that his arms were caught. Ross then went to [REDACTED] to get scissors to cut Lanier down. When he returned, Lanier was already on the bunk and [REDACTED]. After Lanier was removed from his cell, Ross secured it.



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On March 26, 2014 at approximately 3:27 PM, [REDACTED] provided a sworn audio recorded interview to this Inspector pertaining to the above incident. The interview was conducted at [REDACTED] residence, [REDACTED] and contained the following:

On January 14, 2014, [REDACTED] was working in [REDACTED] capacity as [REDACTED] at Lake Correctional Institution. [REDACTED] was alerted by [REDACTED] that Inmate Mark Lanier had hung himself. After hearing this news, [REDACTED] quickly entered the Wing where Lanier was housed. When [REDACTED] reached Lanier's cell [REDACTED] observed him hanging and Officer's attempting to gain entry. After the cell door was opened, an Officer asked for scissors in order to cut the noose that was around Lanier's neck.

An Officer was able to loosen the noose from around Lanier's neck and he was placed on the bunk inside the cell. [REDACTED] According to [REDACTED] [REDACTED] Lanier was [REDACTED] [REDACTED] [REDACTED] responded to the Institution and [REDACTED]

I, Inspector Mike Wyatt obtained the Control Room Log's from Lake Correctional Institution Main Unit and the [REDACTED]

It was noted on the Main Unit Log that [REDACTED]

It was noted on the [REDACTED]

I, Inspector Mike Wyatt requested and received the Run Reports from [REDACTED] pertaining to Inmate Mark Lanier.

On January 14, 2012, [REDACTED]
[REDACTED]
[REDACTED]



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[REDACTED]

I, Inspector Mike Wyatt requested and received the [REDACTED] Department pertaining to this incident.

On January 14, 2014, at 2:14 AM, [REDACTED] Lake Correctional Institution and [REDACTED] was already going through the check point and [REDACTED]

I, Inspector Mike Wyatt received Inmate Mark Lanier's [REDACTED] pertaining to this incident.

On January 14, 2014, Inmate Mark Lanier was [REDACTED]

I, Inspector Mike Wyatt received Inmate Mark Lanier's [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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On January 14, 2014, On Call District Supervisor Daryl McCasland was notified [REDACTED] that occurred at Lake Correctional Institution. At approximately 8:11 PM, McCasland notified the FDLE Watch Desk and apprised them of [REDACTED] per Inspector General's Memorandum of Understanding. FDLE advised they would not be responding.

On January 14, 2014, Lieutenant William Cox completed an Incident Report which contained the following:

On January 14, 2014, Cox was the Officer in Charge at [REDACTED]. He was advised by Officer Glen Braunlich that Inmate Mark Lanier who was housed [REDACTED] was pronounced deceased [REDACTED] at 6:40 PM. Cox made the proper notifications.

On January 15, 2014 at approximately 11:37 AM, I, Inspector Mike Wyatt along with Inspector Richard Perkinson processed the crime scene located inside the sealed/secured Cell [REDACTED]. This is the assigned cell for Inmate Mark Lanier, who was found hanging in the cell.

Perkinson photographed the scene and I collected a torn piece of green blanket. The blanket had been tied with a knot to fashion a noose and was around Lanier's neck when Security entered the cell. The blanket will be placed into evidence and maintained at the Central Florida Reception Center Inspector's Evidence Locker, pending transfer to the Office of Inspector General District Seven Evidence Repository. We exited the cell at 12:02 PM.

I, Inspector Mike Wyatt reviewed the Fixed Wing Video from [REDACTED] at Lake Correctional Institution. A synopsis of the video is as follows:

- [REDACTED] Officer's conduct an Inmate Count on Wing [REDACTED]
- 1:08 AM There is movement by the door on cell [REDACTED] housing Inmate Mark Lanier.
- 1:11 AM A picture is pushed through the side of the door on cell [REDACTED]
- 1:17 AM – 1:24 AM There is movement off and on at the door on cell [REDACTED]
- 1:25 AM – 1:27 AM There is movement off and on at the upper part of the door on cell [REDACTED]
- 1:28 AM Something dark is pushed out of the top of the door on cell [REDACTED]
- 1:31 AM – 1:32 AM There is movement off and on at the door on cell [REDACTED]
- [REDACTED] Officer's conducting Inmate Count on Wing Four Upper discover Inmate Lanier hanging in his cell [REDACTED]. Officers are unable to gain entry into the cell because the door is jammed. Officer Daniel Paterson reaches his arms through the food flap on the cell door in an attempt to hold Lanier up.
- 2:00 AM Other officers arrive and together they are able to force open the door on cell [REDACTED]. Officers enter the cell.
- 2:01 AM [REDACTED]



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- 2:04 AM Inmate Lanier is removed from his cell, [REDACTED]
- 2:12 AM Cell [REDACTED] as locked and secured by security staff.

During the entirety of the video no one enters or exits Cell [REDACTED] until Inmate Lanier was found hanging by Security Staff.

The Fixed Wing Video is too large to be uploaded into IGIS, therefore a copy will be submitted separately. The original video will be placed into evidence and maintained at the Central Florida Reception Center Inspector's Evidence Locker pending transfer to the Office of Inspector General District Seven Evidence Repository.

On February 4, 2014, I, Inspector Mike Wyatt obtained the Medical Examiner's Report that was completed on Inmate Mark Lanier. The Report was prepared by Chief Medical Examiner Valerie Rao M.D. Dr. Rao concluded the Cause of Death for Lanier was [REDACTED] and ruled his Manner of Death to be a 'Suicide'. Her autopsy findings are as follows:

Cause of Death: [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

VII. CHARGES

List alleged violations of Florida Law:

1. None

VIII. CONCLUSION

Based on the information gathered during this investigation coupled with the medical records provided, it is the recommendation of Inspector Mike Wyatt that the Cause of Death for Inmate Mark Lanier was [REDACTED] and his Manner of Death was a Suicide.

1. Exceptionally Cleared



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