

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 14-8606



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



Table of Contents

<u>I. AUTHORITY</u>	4
<u>II. METHODOLOGY</u>	4
<u>III. ANALYSIS</u>	4
<u>IV. DEFINITIONS</u>	5
<u>V. PREDICATE</u>	6
<u>VI. SUMMARY OF INVESTIGATIVE FINDINGS</u>	6
<u>VII. CHARGES</u>	6
<u>VIII. CONCLUSION</u>	7



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



Case Number: 14-8606

Inspector: Inspector Dorothy Minta

Date Assigned or Initiated: 07-05-2014

Complaint Against: Inmate David Brown DC#180307

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

Complainant: Officer Terry Hilton

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Homicide

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Equal Employment Opportunity Investigation: Yes No

Chief Inspector General Case Number: N/A



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



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.



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



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.



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



V. PREDICATE

At approximately 10:15 PM on July 4, 2014, Officer Terry Hilton entered Wing #1 of H-Dormitory at Columbia Correctional Institution (CCI) [REDACTED]. When Officer Hilton approached cell H1-109, which housed Inmates Inmate Dennis Alvarado, DC# B04023 and David Brown, DC# 180307, he observed Inmate Alvarado lying on the floor of the cell, face up, [REDACTED]. Officer Hilton activated Emergency Radio Traffic ICS for [REDACTED] inmate.

Inmate Brown was secured in hand restraints and moved to the nearest secure area (*a shower cell*). Inmate Alvarado was [REDACTED] were initiated. [REDACTED] JoAnn Grajewski arrived [REDACTED] Inmate Alvarado. Inmate Alvarado was moved to [REDACTED].

Inmate Alvarado was [REDACTED] was notified and arrived. [REDACTED] pronounced Inmate Alvarado deceased at 10:53 PM. [REDACTED].

The incident was reported to the Office of Inspector General via call-out on July 4, 2014, and assigned as a criminal investigation to Senior Inspector Dorothy Minta on July 5, 2014.

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:

Officer Terry Hilton was interviewed and reported, on July 4, 2014, he entered Wing #1 of H-Dormitory at CCI after assisting with showers on Wing #3, [REDACTED]. When Officer Hilton approached cell H1-109, he observed Alvarado lying on the cell floor, face up, with his head towards the cell door. Inmate Alvarado would not respond to Officer Hilton. Officer Hilton does not recall what Inmate Alvarado was wearing other than he did not have a shirt on. Officer Hilton initiated ICS and advised he had [REDACTED] inmate on the cell floor. Officer Hilton noted the other inmate (*Later identified as Inmate David Brown*) in the cell was standing by the door with his back towards the door.

Officer Hilton opened the handcuff port and handcuffed Inmate Brown, who was still standing at the door facing the back of the cell. Officer Hilton asked Inmate Brown what was going on, but he did not reply. Other staff responded with the shield, and the cell door was breached (*opened*). Officer Hilton entered the cell with the shield and placed it on Inmate Alvarado as Sergeant Jeremy Wilburn escorted Inmate Brown from the cell. Inmate Alvarado did not move and hand restraints were secured on him, and Officer



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



Hilton and another officer (*He does not recall who*) picked Inmate Alvarado up [REDACTED] which had been brought and placed just outside the cell door.

Once Inmate Alvarado was [REDACTED] by staff present, including [REDACTED] that had arrived, and continued as he was [REDACTED] Officer Hilton did not know Inmate's Brown or Alvarado before this incident. Neither of the inmates had caused any problems in confinement, and neither of them had voiced any complaints while in confinement.

On the evening of July 4, 2014, Officer Hilton and Officer Michael Matthews had conducted showers on Wing #3. During this time, other officers who were not showering inmates [REDACTED] on the wings that were not showering. Officer Hilton [REDACTED] he arrived for duty between 7:00 PM and 7:30 PM. Officer Hilton saw both inmates in cell H1-1109, and nothing appeared out of the ordinary.

Officer Michael Matthews was interviewed and reported he was assigned to Wing #3 in H-Dormitory at CCI on July 4, 2014. At approximately 10:15 PM, Officer Matthews was in the Officer's Station and heard Officer Hilton say over the radio he had [REDACTED] inmate in a cell on Wing #1 and responded.

Upon arriving at cell H1-109, Officer Matthews observed Inmate Brown standing at the cell door and Inmate Alvarado lying on the cell floor, face up. Inmate Brown was handcuffed (*Officer Matthews did not recall by whom*) and escorted out of the cell. Officer Matthews observed Inmate Brown was carrying some soap and legal work when he came out of the cell. Sergeant Jeremy Wilburn escorted Inmate Brown from the area, towards the showers. Officer Matthews did not hear Inmate Brown say anything. Once Inmate Brown was escorted from the cell, Inmate Alvarado was on the floor, face up, and facing the door.

Officer's Hilton and Daniel Morrison entered the cell with Officer Hilton holding the shield. Officer Hilton placed the shield on Inmate Alvarado and Officer Morrison secured handcuffs on him. Inmate Alvarado [REDACTED] had arrived by this time. Inmate Alvarado was [REDACTED]

Officer Matthews stayed in H-Dormitory [REDACTED] and noted Inmate Brown was in the shower and had turned the water on himself. Officer Matthews was instructed to begin a log of Wing #1 and keep the wing secured, which he did until told by the Inspectors he could stop.

Officer Matthews collected Inmate Brown's clothing and placed it into an evidence bag and initiated a chain of custody for them (*These items were turned over to Amy George, FDLE Crime Laboratory Analyst*). Officer Matthews does not recall any issues with or between Inmate's Alvarado and Brown.

Officer Kyle Goodrich was interviewed and reported on July 4, 2015, he was assigned to the Officer's Station in H-Dormitory at CCI. [REDACTED] Officer Goodrich heard Officer Hilton call for



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



ICS (*Emergency Traffic*) on the radio due to [REDACTED] inmate. Staff responded to Wing #1 where Officer Hilton was. Officer Goodrich remained in the Officer's Station and did not see anything occur inside the cell.

Officer Goodrich observed staff bring an inmate out of the cell, [REDACTED] (*Later identified as Inmate Alvarado*). Security [REDACTED] left the dormitory with the inmate.

Officer Hilton was assigned to Wing #1 and had not mentioned to Officer Goodrich about anything unusual on the wing throughout the night. Officer Goodrich observed Officer Hilton when he made the initial count on Wing #1 and did not observe him stop at any cell for a long period of time.

Officer Brandon Clemens was interviewed and reported he was assigned as the Internal Security Officer at CCI on July 4, 2014, and responded to H-Dormitory following a radio transmission of [REDACTED] inmate on Wing #1. When Officer Clemens arrived on Wing #1 and approached cell H1-109, the cell door was being breached and was around 10:15 - 10:20 PM. Officer Clemens responded at the same time as Sergeant Quinton Frye [REDACTED]. Officer Clemens observed Inmate Alvarado lying on his back on the cell floor and a black inmate (*Later identified as Inmate Brown*) being escorted from the cell and placed in the first shower cell. Officer Clemens stood to the side of the cell as other staff went in. Inmate Alvarado was [REDACTED] handcuffed, brought out of the cell, [REDACTED].

Officer Clemens believes Sergeant Robert Pinkerton [REDACTED] [REDACTED] as Inmate Alvarado was [REDACTED]. Officer Clemens was operating the video camera as Inmate Alvarado was [REDACTED] and continued videoing him [REDACTED] pronounced him deceased. Once he completed videoing, Officer Clemens remained [REDACTED] as security on Inmate Alvarado's body until the body left CCI with the funeral home staff.

Sergeant Robert Pinkerton was interviewed and reported he was assigned as the Confinement Supervisor in H-Dormitory at CCI on July 4, 2014. [REDACTED] Officer Hilton initiated ICS (*Emergency traffic*) for [REDACTED] inmate on Wing #1. Sergeant Pinkerton told one of the officers (*Not sure which one*) to get the shield as they all responded.

When Sergeant Pinkerton arrived at cell H1-109, he observed an inmate (*Later identified as Inmate Alvarado*) lying on the floor, face up, with his head towards the door. Sergeant Jeremy Wilburn radioed the Captain and requested permission to breach (*open*) the cell door. The other inmate (*Later identified as Inmate Brown*) in the cell was already handcuffed.

The cell door was breached, and Inmate Brown was escorted out of the cell. Officer Hilton entered the cell with the shield and placed the shield over Inmate Alvarado. Sergeant Pinkerton told someone to handcuff Inmate Alvarado. Sergeant Pinkerton does not recall who did, but Inmate Alvarado was



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



handcuffed in the front. Sergeant Quentin Frye checked for and indicated [REDACTED] Inmate Alvarado.

[REDACTED] arrived around this time, and Inmate Alvarado was brought out of the cell [REDACTED] by Officers Hilton and Daniel Morrison. Sergeant Pinkerton checked Inmate Alvarado again [REDACTED]

[REDACTED] Someone (He did not recall who) relieved Sergeant Pinkerton from [REDACTED], and he took over [REDACTED]. A few minutes later, Sergeant Pinkerton relieved Sergeant Jeremy Wilburn from [REDACTED]. Sergeant Pinkerton continued [REDACTED] as Inmate Alvarado was [REDACTED]. Once [REDACTED] Sergeant Wilburn relieved Sergeant Pinkerton, and he returned to H-Dormitory.

Inmate Brown did not say anything to Sergeant Pinkerton as he was escorted from the cell. Sergeant Pinkerton told Officer Michael Matthews to strip search Inmate Brown when he was escorted to the shower; however, he did not tell staff to take his clothing. When he returned [REDACTED] Sergeant Pinkerton told staff to take Inmate Brown's clothing as evidence. Sergeant Pinkerton also recalled telling someone to get a camera and begin recording Inmate Brown.

The only thing Inmate Brown has said to Sergeant Pinkerton was to ask him who the Warden was and if he could get his property out of the shower. Sergeant Pinkerton told Inmate Brown, who the Warden was and told him he would have to wait for whatever property was left in the shower.

Sergeant Quentin Frye was interviewed and reported he was present in the Medical Department on July 4, 2014, when a radio transmission came in about [REDACTED] inmate on Wing #1 in confinement (H-Dormitory). Sergeant Frye responded and escorted [REDACTED] to H-Dormitory. Upon arriving in H-Dormitory and as he [REDACTED] entered Wing #1, Sergeant Frye observed Inmate Brown being placed in handcuffs.

The cell door was breached, and Inmate Brown was escorted to the showers. Staff entered the cell, placing the shield over Inmate Alvarado and secured handcuffs on him. Sergeant Frye observed Inmate Alvarado lying on his back, face up [REDACTED], and the area had the stench of urine and feces. Sergeant Frye [REDACTED]

[REDACTED]
 [REDACTED] and Sergeant Frye saw Inmate Alvarado's eyes were closed and did not recall seeing them open at all. [REDACTED] as they



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



escorted Inmate Alvarado [REDACTED] arrived and relieved them from [REDACTED]. The [REDACTED] Inmate Alvarado.

Sergeant Kenneth Fralick was interviewed and reported he was assigned as the Housing Supervisor in A-Dormitory at CCI on July 4, 2014, and at approximately 10:25 PM, there was a radio transmission for [REDACTED] inmate on Wing #1 in H-Dormitory. Sergeant Fralick responded to H-Dormitory and upon arriving, he observed an inmate, whom he did not know (*Later identified as Inmate Alvarado*) being removed from cell H1-109. Inmate Alvarado [REDACTED] Security staff, [REDACTED] [REDACTED] and Sergeant Fralick assisted [REDACTED] [REDACTED] arrived and relieved them from [REDACTED]. Once relieved by [REDACTED] Sergeant Fralick [REDACTED].

Sergeant Jeremy Wilburn was interviewed and reported he was assigned to F-Dormitory at CCI on July 4, 2014, and responded to H-Dormitory after an ICS (*Emergency Traffic*) call concerning [REDACTED] inmate on Wing #1. When Sergeant Wilburn arrived, he noticed Officers Hilton and Matthews had Inmate Brown in handcuffs and Inmate Alvarado was lying on the cell floor, face up, [REDACTED]. Sergeant Wilburn radioed the Captain for permission to breach the cell, and Sergeant Pinkerton arrived with the shield.

The cell door was breached, and Sergeant Wilburn escorted Inmate Brown from the cell and secured him in the shower. When Sergeant Wilburn returned to cell H1-109, other officers, [REDACTED] were [REDACTED] needed to be initiated and began immediately by Sergeant Pinkerton. Officer Hilton relieved Sergeant Pinkerton, and Sergeant Wilburn relieved Sergeant Pinkerton.

Inmate Brown did not make any statements or say anything to Sergeant Wilburn while he was securing him in the shower. Sergeant Wilburn could not tell if Inmate Alvarado was breathing or not. [REDACTED] Inmate Alvarado from the dormitory [REDACTED] and until they were relieved [REDACTED].

Officer Daniel Morrison was interviewed and reported he was assigned to A-Dormitory at CCI on July 4, 2014, and around 8:00 PM, he went to H-Dormitory to assist with showers on Wing #2, and they were completed around 10:00 PM. Officer Morrison was in the H-Dormitory Officer's Station when Officer Hilton called on the radio about [REDACTED] inmate on Wing #1 and he responded.

Upon arriving at cell H1-109, Officer Morrison observed Officer Hilton entering the cell with the shield. Officer Morrison noticed one inmate (*Later identified as Inmate Brown*) was being escorted out of the cell in handcuffs to the shower, and there was one inmate lying on the cell floor, face up (*Later identified as Inmate Alvarado*). Officer Hilton put the shield on Inmate Alvarado, and Officer Morrison secured handcuffs on him.



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



Officers Morrison and Hilton moved Inmate Alvarado [REDACTED]
[REDACTED] Security staff immediately [REDACTED]
Officer Morrison got [REDACTED] with Inmate Alvarado to [REDACTED] as they
[REDACTED] Once they exited the wing, Officer Morrison got [REDACTED], and one of
the sergeants got [REDACTED] Officer Morrison reported to the Control Room to
get everything ready for a transport.

[REDACTED] JoAnn Grajewski was interviewed and reported she was on-duty at CCI on July 4,
2014, and responded to H-Dormitory, Wing #1 for [REDACTED] inmate. Upon arriving, [REDACTED] Grajewski
observed an inmate (*Later identified as Inmate Alvarado*) on the floor in cell H1-109. Inmate Alvarado
was [REDACTED] Grajewski [REDACTED] as he was being handcuffed [REDACTED]
[REDACTED] Inmate Alvarado was moved [REDACTED]

[REDACTED] Grajewski advised the Captain [REDACTED] needed to be activated, which was completed. Staff continued
[REDACTED] and Inmate Alvarado was moved from H-Dormitory to [REDACTED] [REDACTED]
continued [REDACTED] arrived, relieved the staff, and pronounced Inmate Alvarado deceased. [REDACTED] Grajewski
noticed Inmate Alvarado [REDACTED]
[REDACTED]

[REDACTED] Christina Shivers was interviewed and reported she was assigned to
[REDACTED] at CCI on July 4, 2014, and an inmate (*Later identified as Inmate Alvarado*) [REDACTED]
[REDACTED] Shivers relieved the security officers who were
[REDACTED] and continued [REDACTED] arrived. [REDACTED] relieved [REDACTED] Shivers and [REDACTED] until they
pronounced Inmate Alvarado deceased.

[REDACTED] Shivers noticed Inmate Alvarado [REDACTED]
Shivers has no knowledge of what occurred in H-Dormitory and did not see Inmate Alvarado's cellmate.

An attempt was made to interview Inmate Brown and collect any evidence that may have been on his
person. Prior to turning on the recorder, Inmate Brown stated, "I have nothing to say to any of you until I
get a lawyer, or you get a warrant." No additional attempts to interview Inmate Brown were made.

On July 5, 2014, an affidavit for a search warrant was prepared by FDLE Special Agent Craig Riley and
presented to Columbia County Judge Tom Coleman. After reviewing the affidavit, Judge Coleman issued
a warrant to collect saliva samples (*DNA*), fingernail scrapings, overall photographs, combed and/or
plucked hair samples from anywhere on the body, and any other suspected biological evidence from
Inmate Brown. Once the warrant was obtained, Inmate Brown submitted willingly to the demands of the
warrant.

The warrant was returned to the Columbia County Clerk of Courts Office on July 10, 2014.



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



The Florida Department of Law Enforcement (FDLE) Crime Laboratory Analyst (CLA) Amy George responded to CCI. CLA George processed Inmate Alvarado's [REDACTED], cell H1-109, and Inmate Brown after a warrant was obtained. CLA George collected several items for processing, and those items are pending examination by the Laboratory. CLA George provided a report indicating what she collected and a receipt indicating which department each item was sent to for examination. Security staff also provided a chain of custody for the clothing they collected from Inmate Brown and turned them over to CLA George.

In an FDLE Laboratory Report, dated September 28, 2014, from the FDLE Tallahassee Regional Operations Center, the following was noted from evidence collected by CLA George:

The evidence collected was:

1. A1, Gray, and multi-colored blanket
2. A2, blue short sleeve shirt
3. A3, silver colored metal necklace
4. A4, white blanket
7. B1, clothing from David Brown
Exhibits B1A and B1B - pair of black and white shower shoes
Exhibits B1C and B1D – pair of socks
Exhibit B1E – cut white T-shirt
Exhibit B1F – pair of blue pants
Exhibit B1G – pair of boxer shorts
Exhibit B1H – blue shirt
8. C1, buccal swabs from David Brown
9. C2, fingernail cuttings from David Brown

The results were:

Exhibits A1 and B1F gave chemical indications for [REDACTED]. Exhibit B1H failed to give chemical indications for [REDACTED].

Exhibits A1, B1F, and B1H, failed to give indications of the presence of semen.

Exhibits A1, B1F, and B1H, gave chemical indications for the presence of amylase, a constituent of saliva and other body fluids.

A sample from Exhibit A3 was collected in an attempt to determine the possible handler of this exhibit.

Samples were collected from the left and right-hand fingernail cuttings from Exhibit C2 (*called Exhibits C2-L and C2-R, respectively*) for DNA analysis.

Samples were collected from areas 6, 7, 8 and 9 of the blanket (*Exhibit A1*), area 5 from the



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



pants (*Exhibit B1F*) and areas 4 and 7 from the shirt (*Exhibit B1H*) for DNA analysis.

Exhibits A2, A4, B1A, B1B, B1C, B1D, B1E, and B1G, were not examined.

STR DNA analysis was performed on samples from Exhibits A1, A3, B1F, B1H, C1 and C2 utilizing the AmpF/ STR Identifiler Plus PCR Amplification Kit.

A complete DNA profile was obtained from the buccal swabs from David Brown (*Exhibit C1*).

The DNA profile obtained from the silver colored metal necklace (*Exhibit A3*) demonstrated the presence of a mixture of at least two individuals. No further analysis can be conducted until buccal swabs or another suitable standard from Dennis Alvarado is submitted.

DNA results foreign to David Brown (*Exhibit C1*) were obtained from the left-hand fingernail cuttings (*Exhibit C2-L*). Due to the limited nature of these foreign DNA results, this data is not interpretable.

A partial DNA profile foreign to David Brown (*Exhibit C1*) was obtained from the right hand fingernail cuttings (*Exhibit C2-R*).

Complete DNA profiles, consistent with originating from the same male contributor, were obtained from areas, 6, 7, 8, and 9 of the blanket (*Exhibit A1*). There is a possibility of an additional contributor to the DNA profile obtained from area 7 of the blanket (*Exhibit A1*) which is not suitable for comparison. David Brown (*Exhibit C1*) is excluded as the source of the DNA profiles obtained from areas 6, 7, 8 and 9 of the blanket (*Exhibit A1*).

The DNA profile obtained from area 5 of the pants from David Brown (*Exhibit B1F0*) demonstrated the presence of a mixture of at least two individuals. Assuming two donors to the mixture, a complete DNA profile major contributor and a partial DNA profile for the minor contributor could be determined. David Brown (*Exhibit C1*) is excluded as the source both major and minor DNA profiles.

No DNA results foreign to David Brown (*Exhibit C1*) were found at area 4 of the shirt (*Exhibit B1H*). No DNA results were obtained from area 7 of the shirt (*Exhibit B1H*).

REMARKS:

The DNA profile developed from Exhibit C1 has been entered into CODIS.

It is requested that buccal swabs or another suitable standard from Dennis Alvarado be submitted for DNA analysis.

FDLE Special Agent Craig Riley was advised on the above report via email. The blood spot card received from the Medical Examiner's Office for Inmate Alvarado was turned over to SA Riley and delivered to the lab for processing.

A report was received from the Florida Department of Law Enforcement (*FDLE*) Tallahassee Regional Operations Center Laboratory, dated October 30, 2014, and indicated the following:

Evidence Collected:

Exhibit 1-DB, [REDACTED] for Dennis Alvarado

Case Number: 14-8606



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



Results:

STR DNA analysis was performed on a sample from Exhibit 1-DB utilizing the AMPF/STR Identifiler Plus PCR Amplification Kit. A complete DNA profile was obtained. Assuming two donors to the mixed DNA profile obtained from the silver colored metal necklace (Exhibit A3, previous report) and that Dennis Alvarado (Exhibit 1-DB) is a contributor, DNA results for an additional contributor foreign to Dennis Alvarado (Exhibit 1-DB) were obtained. David Brown (Exhibit C1, previous report) is included as a possible additional contributor. For 3 loci, the frequency of occurrence of the additional contributor obtained from Exhibit A3 for unrelated individuals is approximately 1 in 64. The partial DNA profile foreign to David Brown (Exhibit C1, previous report) obtained from the right-hand fingernail cuttings (Exhibit C2-R, previous report) matches the DNA profile from Dennis Alvarado (Exhibit 1-DB). For 6 loci, the frequency of occurrence of the partial foreign DNA profile obtained from Exhibit C2-R for unrelated individuals is approximately 1 in 1,500. The complete DNA profiles obtained from areas 6, 7, 8 and 9 of the blanket (Exhibit A1, previous report) and the major DNA profile obtained from area 5 of the pants from David Brown (Exhibit B1F, previous report) all match the DNA profile from Dennis Alvarado (Exhibit 1-DB). The frequency of occurrence of the DNA profiles obtained from Exhibit A1 (at areas 6, 7, 8 and 9) and the major DNA profile obtained from Exhibit B1F (at area 5) for unrelated individuals is approximately 1 in 230 quintillion. Dennis Alvarado (Exhibit 1-DB) is excluded as the source of the partial minor DNA profile obtained from the area 5 of the pants from David Brown (Exhibit B1F, previous report).

An email was sent to FDLE Special Agent Craig Riley (Who has been assigned to the case) to ensure he is aware the report is available on the FDLE Laboratory Website.

On July 5, 2014, an autopsy was performed on the body of Inmate Alvarado at the District 4 Medical Examiner's Office in Jacksonville, Florida by Dr. Wendy Stroh. Dr. Stroh verbally stated the probable cause of death [REDACTED]. However, Dr. Stroh indicated the final results were pending toxicology and microscopic tissue examination.

On February 10, 2015, the final autopsy report completed by Associate Medical Examiner, Dr. Wendy Stroh, at the Office of the Medical Examiner, District 4 Medical Examiner in Jacksonville, Florida, was received. Dr. Stroh concluded Inmate Alvarado's cause of death was; [REDACTED] and the manner of death as; Homicide.

On July 23, 2014, Inmate's Joseph Jones, DC# J32609, Ryan Linsinbigler, DC# I06647, Henry Roberson, DC# I13682, and Kareem Robinson, DC# G04186, were assigned as orderlies in H-Dormitory on July 4, 2014. Inmate's Michael McKenzie, DC# 128903 and Sainovil Saintilus, DC# L41044 were housed in cell H1-108, and all were interviewed. In their sworn, recorded statements, all of the inmates said they had no



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



knowledge of the incident that occurred in cell H1-109 on July 4, 2014. They did not see or hear anything, did not know the inmates who lived in the cell, and had no knowledge of there being problems between them.

Additionally, an attempt was made to interview Inmate Herber Frias, DC# L41044, who was housed in cell H1-1110. Inmate Frias refused to be interviewed and stated he had nothing to say to anyone who worked for the Department of Corrections, the Office of Inspector General, or the Florida Department of Law Enforcement.

Inmate's Luis Munuzuri-Harris, DC# V09696 and Percival Marshall, DC# 066766 made contact requesting to be interviewed, stating they had information concerning the death of Inmate Alvarado. In their sworn, recorded statements, both inmates admitted they were not present in H-Dormitory on July 4, 2014, (*Inmate Munuzuri-Lewis was housed at CCI Annex and Inmate Marshall was housed in F-Dormitory*). Both inmates were housed with Inmate Alvarado in T-Dormitory at CCI Annex on July 1, 2014, and witnessed parts of a use of force (14-8482) involving Inmate Alvarado and staff. Both inmates believe this may have had something to do with Inmate Alvarado's death, but had no evidence to support their belief.

On February 10, 2015, Senior Inspector Dorothy Minta testified before a Grand Jury in Columbia County, Lake City, Florida in reference to the homicide of Inmate Alvarado. Following the testimony, the Grand Jury indicted Inmate Brown on First Degree Murder charges in the death of Inmate Alvarado.

On October 22, 2015, an email was received from Assistant State Attorney (ASA) Sandra Rosendale inquiring about a demand for discovery. This was forwarded to Acting Inspector Supervisor Johnathan McCray, who forwarded it to Senior Attorney, Rana Wallace. On October 26, 2015, following numerous questions about what the Public Defender's (PD) Office wanted, I reviewed the demand for discovery, as I had previously just forwarded it through my chain of command. Upon review of the demand, I found PD Jonathan Austin indicated in the demand:

1. Reference is made to a video recording made of the Defendant when he was detained in a shower immediately after being taken from his cell. Defense requests a copy of this video as it may be relevant and material to the defense.
2. Copies of any and all video recordings in the possession of the State, including the Department of Corrections, and the DOC Inspector General's Office made from wing videos or other equipment which depicts either the cell, the dorm, the defendant or the deceased in the 24 hours up to the discovery of the deceased or anytime thereafter.
3. A copy of the Inspector General's report regarding the investigation of the deceased in this matter.



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



In reading comments made by the Shift Captain, on an incident report written by Officer Terry Hilton on July 5, 2014 (*MU-14-1079 attached*), it noted Captain Eric Roberts indicated he instructed Officer Brandon Clemens to retrieve a handheld camera and begin recording. In the comments by Major Laurie Owens, she indicated the video was attached to the report. The Major's Office was contacted and asked about any videos. Ms. Lynn Bradley pulled the report packet and found a video was attached along with a chain of custody. The report packet, video, and chain of custody were collected from the Main Unit and reviewed. There was a handwritten report in the packet (*#MU-14-1084*) written by Officer Clemons. Officer Clemons reported he videoed [REDACTED] Inmate Alvarado.

There was also an incident report by Officer Kendall McMullen (*#MU-14-1093*) indicating the video camera seals were broken so the cameras could be utilized to record Inmate's Alvarado and Brown. There was only one video in the packet. I noted on the chain of custody for the video Captain Roberts turned the video over to Major Owens, who turned it over to Warden Monroe Barnes.

Warden Barnes reviewed the video and put on the chain of custody the video went from him to the file, which is where it was found. I have reviewed the video, and it begins [REDACTED] Inmate Alvarado. I have not found any video of Inmate Brown, and I did not find any reports from anyone indicating they videoed Inmate Brown.

Additionally, there was an incident report that Captain Roberts (*MU-14-1092*) attempted to download the fixed wing video and found the system was not working and had stopped recording 7-3-14 at 2221hrs and resumed 7-5-14 at 0027hrs.

This information was relayed to Acting Inspector Supervisor Darryl Cherry and Rana Wallace. Acting Supervisor Cherry advised he would make contact with the ASA and advise them of what was discovered today (October 26, 2015). Acting Supervisor Cherry advised me to make contact with FDLE Special Agent (SA) Craig Riley and advise him what was discovered today and how he wanted to obtain the video and incident reports. Contact was made with SA Riley, and it was decided the video would remain as evidence with the Office of the Inspector General (*OIG*).

NOTE: The video was too large to upload into IGIS and will be maintained as evidence in the District 4 OIG RECA.

VII. CHARGES
List alleged violations of Florida Law:

1. Violation of § 782.04 (1)(a) Florida Statutes, Murder.

§ 782.04 (1)(a), Florida Statute, The unlawful killing of a human being:
Case Number: 14-8606



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



1. When perpetrated from a premeditated design to effect the death of the person killed or any human being.

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of Inspector Dorothy Minta the allegation against Inmate David Brown DC#180307 for **Homicide, in violation of § 782.04(1)(a), Florida Statutes**, be termed as follows:

1. **Closed by Arrest**