

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-01659**



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



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Case Number: 18-01659

OIG Inspector: Inspector Richard Ryder

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent John Schultz

Date Assigned or Initiated: 01-25-2018

Complaint Against: N/A

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

Complainant: Sergeant Nathanie Malone

Outside Agency Case #: OR-37-0077

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number:



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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 January 24, 2018, the Florida Department of Corrections, Office of the Inspector General (OIG) received information alleging an inmate death (undetermined) had occurred at Martin Correctional Institution (MCI). On January 23, 2018 at approximately 5:44 pm, Sergeant Nathanie Malone observed Inmate Alejandro Velasquez, DC# E14229 inside of the cell [REDACTED], and Inmate Velasquez was taken to [REDACTED] where he was pronounced deceased at 6:58 pm. The Florida Department of Law Enforcement (FDLE) responded and took jurisdiction of this case. Upon review of the case an investigative assist was assigned to Inspector Ryder.

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 January 23, 2018 Senior Inspector Frank Lewis was dispatched to MCI in reference an inmate death. The below information was obtained from Senior Inspector Lewis' Information Brief, in part:

On January 23, 2018, Inspector Lewis responded to MCI in reference to the unattended death of Inmate Alejandro Velasquez. Upon arriving [REDACTED] contact with Florida Department of Law Enforcement (FDLE) Special Agent (SA) J. Coppola and FDC Officers I. Johnson and C. Hall.

[REDACTED] pronounced Inmate Velasquez deceased at 6:58pm [REDACTED]

SA Coppola and Senior Inspector Lewis viewed Inmate Velasquez's body [REDACTED] SA Coppola photographed the body.

Upon arriving to MCI, Senior Inspector Lewis made contact with SA J. Schultz (lead SA) and Captain B. Varnum. Captain Varnum indicated at approximately 5:44pm Sergeant N. Malone responded to G-dormitory and found Inmate Velasquez [REDACTED] inside cell G1202. Inmate Velasquez was not assigned to that cell; he was assigned to cell G1201. [REDACTED] responded to scene, [REDACTED] arrived and transported Inmate Velasquez [REDACTED] where he was pronounced deceased.

Inmate Velasquez [REDACTED].

On December 7, 2017 Inmate Velasquez received a DR for unauthorized use of drugs. He subsequently tested positive and admitted to using synthetic cannabinoids. He was released from confinement on January 3, 2018.

SA Schultz (assigned agent) reviewed surveillance video of [REDACTED]-dormitory wing [REDACTED]. He noticed multiple inmates looking inside, entering/exiting or hanging around [REDACTED]. Copies of the video surveillance will be made and placed into evidence.



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SA Schultz searched and photographed cells G1201 and G1202. He found no signs of a physical confrontation.

Inmates Armando Amaya DC #M54186 and Marco Burgos DC #L15752 are assigned to cell G1202. SA Schultz will interview them at a later date.

Inmates Velasquez and Emmanuel Bruce DC #M04448 are assigned to cell G1201. SA Schultz will interview Inmate Bruce at a later date.

Inmate Velasquez is a black male; DOB 04/21/1974, serving a 10-year sentence for Burglary and Dealing in Stolen Property. His scheduled EOS date was 06/02/2021. Inmate Velasquez had been housed at MCI since 09/27/2017 and housed inside cell G1201 since 01/11/2018.

END OF INFORMATION BRIEF:

Agent Schultz completed a thorough investigation into this incident and ultimately closed the case out as Unfounded/Resolved. The FDLE case, # OR-37-0077 is attached to the case opening report.

On August 8, 2018 at approximately 1:10 pm this writer spoke telephonically with Agent Schultz who advised that his case, OR-37-0077, is closed. On August 15, 2018 Agent Schultz advised via email that case OR-37-0077 was closed out as Unfounded/Resolved on May 15, 2018.

Agent Schultz said that the death was ruled an accidental death and that the Manner of Death was accidental and the Cause of Death [REDACTED].

The Autopsy Report submitted by the Medical Examiner Department – District 19, indicates the following, in part:

The Cause of Death: [REDACTED]

The Manner of Death: Accident

There are no know administrative violations to address at this time.

VII. CHARGES

List alleged violations of Florida Law:

N/A

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent John Schultz that this case be termed as follows:

Closed Unfounded/Resolved