



Florida Department of Corrections  
Office of the Inspector General  
Report of Investigation  
Jeffery T. Beasley, Inspector General

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DEPARTMENT OF CORRECTIONS

FEB 16 2012

**ORIGINAL**

BUREAU OF  
Inspector General Case # **11-2-9208**

Facility: (201) Columbia CI M/U

Classification of Incident: **[REDACTED]**

Field Office/Region: Gainesville / 2 - West

Incident Date: September 5, 2011 Time: 4:50PM

Inspector: Raleigh Sistrunk

Date of Report: January 10, 2012

Case Type: A

- Case of Special Interest
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Department of Corrections presented to State Attorney  Declined  Accepted
- Use of Force (UOF) Number (if applicable)
- Equal Employment Opportunity Commission (EEOC)
- Wing Video Camera(s) Present in the Area of Incident

**SUMMARY OF ALLEGATIONS:**

On September 5, 2011, Officer Robert Davis reported that while in the Officer's Station of F-Dormitory, at approximately 4:50pm, he observed several inmates **[REDACTED]** Inmate Vernon Donaldson **[REDACTED]** **[REDACTED]** The inmates were requesting him to open the door to allow them **[REDACTED]** Davis allowed the inmates to exit the dorm and alerted the control room. Donaldson **[REDACTED]** **[REDACTED]** and was pronounced dead at 5:20pm. While staff attempted to lock down the dormitory, they discovered Inmate Gabriel Walker in his cell **[REDACTED]**. Walker was **[REDACTED]** **[REDACTED]** The Office of the Inspector General, Gainesville Filed Office, was notified and responded to the Institution. During the investigation it was determined that Donaldson and Walker were engaged in a physical altercation with weapons. This incident was entered into the Management Information Notification System and assigned to Senior Inspector Raleigh Sistrunk for investigation.

**SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:**

This case alleging the commission of a criminal violation of law is **closed exceptionally**, but remains active, pending State Attorney review and recommendation for appropriate charges. Investigation finds that Inmate Vernon Donaldson died (*Homicide*) as a result of an armed physical altercation with Inmate Gabriel Walker during which both inmates possessed homemade knife-type weapons. Both inmates were in violation of FS 944.47(1)(a)(5) (*Felonious possession of a weapon*). Inmate Walker reports that he was attacked by Donaldson and that he pulled his knife after being stabbed by Donaldson and reports he was defending himself. Donaldson never made a statement before passing.

*This case is **CLOSED EXCEPTIONALLY**. At such time that the State Attorney's Office makes a charging decision, a supplemental investigative report will be submitted.*



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	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
<b>Complainant:</b>	Robert Davis	Officer	[REDACTED]	62840
<b>Victim:</b>	Vernon Donaldson	DC# J11882	04/26/82	
<b>Witness(es):</b>	Darrell Jenkins	DC# 306233	02/09/78	
	Michael Edwards	DC# 497324	12/02/67	
	Julio Paniagua	DC# L56634	08/27/85	
	Jeffery Proctor	DC# T09723	09/28/78	
	David Gauthier	DC# L38128	05/02/63	
	Michael Jackson	DC# 122195	4/28/74	
	Hanh Nguyen	DC#365491	10/10/61	
	Terrence Williams	DC# M20455	07/31/80	
	Christopher Tessier	DC# 299085	03/16/72	
	Garrett White	DC# A50577	08/05/89	
	Anthony Youngston	DC# 385989	10/28/77	
	Solomon Hansbury	DC# 119361	12/13/71	
	Datoral Smith	DC# 119361	08/12/78	
	Carlos Gomez	DC# 890813	02/21/73	
	Alvin Jackson	DC# 434360	3/11/69	
	Anthony Brooks	DC# 884635	04/03/59	
	Francisco Beltram	DC# 614737	04/09/71	
	William Conley	DC# 099313	05/23/68	
	Kenneth Dupree	DC# 099313	10/28/67	
	Paul Rentas-Rivera	DC# 127311	01/20/76	
	David Matthews	DC# B02861	10/19/72	
	Glenn Woods	DC# 422541	06/20/69	
	Jeffery Gottman	DC# 188620	05/01/67	
	Tyrone Hunter	DC# 169673	01/10/98	
	Leroy Mason	DC# 185438	02/09/72	
	Ralph Muma	DC# J42183	07/11/58	
	Scott Jones	DC# 369649	09/01/76	
	Theodore Harris	DC# 057072	09/14/54	
	Shelton Hanna	DC# 456319	11/14/77	
	Tracy Williams	DC# 181335	03/04/68	
	Edward Goodman	DC# 301929	03/13/74	
	Angelo Reddick	DC# 184389	08/18/69	
	Anthony Jones	DC# 887855	03/05/73	
	Kadarra Davis	DC# L54435	07/25/86	
	Walter Taylor	DC# 121998	06/08/66	



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	David Bernuth	DC# 244917	03/01/67	
	Torrence Lawton	DC# 182233	12/01/70	
	Calvin McQueen	DC# S11788	03/02/66	
	Van Jackson	DC# L06325	03/11/79	
	David Anderson	DC# 265001	11/20/74	
	Deonte Phillips	DC# T14832	07/03/79	
	Ronald Mosley	DC# 166417	04/13/82	
	Raymond Bradham	DC# 568856	03/21/69	
	Elijah Brookins	DC# P01395	03/20/79	
	Edward Swinson	DC# 569464	11/01/57	
	Elisha Thomas	DC# J37765	06/22/62	
	Ibrahima Bobb	DC# B00929	06/13/80	
	Joseph Cotto	DC# B01020	05/20/81	
	Herbert Spivey	DC# 060040	03/17/60	
	Hector Rosado	DC# X29881	04/23/67	
	John Kist	DC# R01516	03/24/48	
	Robert Seals	DC# 540271	11/28/77	
	Lemuel Isaac	DC# N01716	09/05/74	
	John Harris	DC#337100	12/07/71	
	Robert Davis	Officer	[REDACTED]	62840
	Garrett Durham	Sergeant	[REDACTED]	6052
	Trent Jansen	Officer	[REDACTED]	10500
	[REDACTED]			
	Steven Esposito	Sergeant	[REDACTED]	26023
<b>Subject(s):</b>	Gabriel Walker	DC#194273	3/7/77	
	Vernon Donaldson	DC# J11882	04/26/82	

Arrest:  Employee  Inmate  Other

Addendum Pending

Charges:

Felony  Misdemeanor Date of Arrest:

Date Reported:

Final Court Action(s):

Other Agency Case Number:



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**FINDINGS:**

On September 5, 2011, Senior Inspector Raleigh Sistrunk who was assigned as the on-call Inspector for Region II was dispatched and arrived on scene at Columbia CI, at approximately 6:25pm. Senior Inspectors Joseph Aretino and Danny Gonzalez and Inspectors David Manning, Tony Nolan, Pete Lindboe and State Attorney Investigator Ryan Nydam also responded.

During a briefing of the incident, it was learned that Officer Robert Davis was assigned to the Officer's Station in F-Dormitory when he observed several inmates [REDACTED] Inmate Vernon Donaldson [REDACTED]. The inmates were requesting he open the door [REDACTED] Donaldson [REDACTED] Davis allowed the inmates to exit the dorm and alerted the control room. Davis did not witness how Donaldson [REDACTED] Sergeant Garrett Durham instructed Davis to lock down the dormitory. When Durham responded to the dormitory and began ordering the inmates to report to their cells and lock down, he discovered Inmate Gabriel Walker housed in G4-112L standing in front of his toilet [REDACTED] attempting to [REDACTED]. Durham related that he ordered Walker to cease his action and submit to restraints to which he reluctantly complied. He radioed [REDACTED] Shift Supervisor and advised them that there was a second [REDACTED]. While escorting Walker [REDACTED] Durham questioned him as to what happened at which time, Walker advised that Donaldson had approached him and began stabbing him at which time he took Donaldson's knife from him and started stabbing him back.

Inmate Donaldson was pronounced dead at 5:20pm. Donaldson's body was examined and photographed as he was found [REDACTED]. Donaldson was [REDACTED] unclothed with the exception of a white sock on each foot. [REDACTED]

[REDACTED] Donaldson's body was transported to the Medical Examiner's Office in Jacksonville for an autopsy. The clothing that had been removed from Donaldson [REDACTED] collected as evidence.

Inmate Walker [REDACTED]. The clothing that had been removed from Walker [REDACTED] was collected as evidence. Inmate Walker was interviewed by Inspector Tony Nolan that night [REDACTED] and gave a post-Miranda statement that Donaldson attacked him first and stabbed him several times. After fighting with him, he took Donaldson's knife away and stabbed him back. Several photographs of Walker were taken, however, due to the [REDACTED]

Fifty-five (55) inmates were housed in F-Dormitory, Quad 4 during the incident. The remaining fifty-three inmates were interviewed during the investigation. Sixteen (16) inmates denied witnessing any portion of the incident. Fifteen (15) inmates testified that they only witnessed Inmate Donaldson [REDACTED]. The remaining inmates gave sworn testimony to what they witnessed.



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In his incident report and his sworn, recorded interview conducted by Inspector David Manning on September 5, 2011, Officer Robert Davis indicated the following:

He was assigned to F-Dormitory and was present in the Officer's Station. He heard a noise and observed an unknown inmate standing at the quad door asking him to open the door to cell #114 (*which housed Inmates Bradham and Phillips*) with hand signals. Officer Davis related that he noticed a lot of inmate movement within the quad. He then observed an inmate later identified as Inmate Donaldson walking on the top tier past cell #4202, staggering. As Donaldson walked between cell 4202 and 4201, he fell to the floor. Several inmates who were on the top tier ran over and grabbed Donaldson [REDACTED]. Davis related that as they approached the quad door, he saw that Donaldson [REDACTED] and opened both the quad door and outside exit door for the inmate [REDACTED]. Davis related that Donaldson [REDACTED] by Inmate Ronald Mosley, Edward Goodman, Lemuel Isaac, Anthony Jones and Kadarra Davis. Davis related that he immediately notified Security #9 (*Sergeant Garrett Durham*) of the incident. When he called Sergeant Durham, Durham notified the Captain who in turn advised him to lock down the dorm. When the inmates [REDACTED] returned to the dorm, he made sure that they remained secured in the sally port.

(EXHIBITS # A-1 and # B-3)

In his incident report dated September 13, 2011, Sergeant Garrett Durham indicated the following:

On September 5, 2011, at approximately 5:00pm he received a radio transmission that Inmate Vernon Donaldson [REDACTED]. Donaldson approached him at Pavilion 1 [REDACTED]. Durham related that he questioned the inmates [REDACTED] as to what happened and they advised Donaldson had been stabbed while inside of F-Dormitory Quad 4. Durham called and advised the Shift Supervisor of the incident [REDACTED] while enroute to F-Dormitory.

Upon entering F-Dormitory he began ordering inmates to report to their cells and lock down. While securing the cells in F4 he observed Inmate Walker, housed in G4-112L, standing in front of his toilet in [REDACTED]. Durham related that he ordered Walker to cease his action and submit to restraints to which he reluctantly complied. He radioed [REDACTED] the Shift Supervisor and advised them that there was a second [REDACTED].

While escorting Walker [REDACTED] he questioned him as to what happened at which time, he advised that Donaldson had approached him and began stabbing him at which time he took Donaldson's knife from him and started stabbing him back.

Durham related [REDACTED] he was instructed [REDACTED] on Inmate Donaldson. [REDACTED]

[REDACTED] Durham advised that he assigned Officer Harrison to stand at the door of the



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[REDACTED] a running log and not to let anyone enter the room unless they were identified as inspectors or until further notice. Inmate Walker was then [REDACTED]

(EXHIBIT # A-2)

After F-Dormitory was locked down, with the exception of Warden Don Davis and Assistant Warden Tony Anderson, no one entered the dormitory and all of the cells remained secured until the arrival of representatives from the Inspector General's Office and the Office of the State Attorney. Quad 4 of F-Dormitory was photographed and evidence was collected and processed. During this time, a weapon was discovered hidden in a pile of dirty clothing in the corner of the dayroom near the exit door (see Exhibits # A-3, # A-4, # B-1 and # B-2). [REDACTED] the area at the top of the stairs on the south side of the quad outside of cell F4212, leading around the top tier to the area between cell F4201 and F4202, then down the stairs and out of the dormitory.

The evidence and a complete list of items collected as evidence, location of recovery and person who recovered the item is maintained in the case file and in the evidence room. Schematics of the dormitory show the location of the incident and the location of evidence discovered at the scene. (EXHIBITS # A-3, A-4, # B-1 and # B-2)

Photographs of the scene and/or evidence collected at the Columbia CI homicide crime scene were taken and are presented in a montage. The photographs also show the placards used to identify evidence and items of interest and are detailed below. Listed in bold, are the corresponding [REDACTED]

1. [REDACTED] in front of cell F42112. [REDACTED]
2. [REDACTED] in front of cell F42112.
3. [REDACTED] in front of cell F42112.
4. Dust pan on walkway floor near cell F4212.
5. Shampoo bottle on walkway floor near cell F4212.
6. [REDACTED] in front of cell F4211.
7. [REDACTED] in front of cell F4211.
8. [REDACTED] in front of cell F4210.
9. [REDACTED] between cells F4210 and F4209.
10. [REDACTED] between cells F4210 and F4209.
11. [REDACTED] between cells F4210 and F4209.
12. [REDACTED] between cells F4210 and F4209.
13. [REDACTED] between cells F4210 and F4209.
14. Gray trash can with [REDACTED] on lid. (Swab # 3).
15. [REDACTED] in front of cell F4207 and near the gray trash can listed as # 14.
16. [REDACTED] in front of cell F4207 and near the gray trash can listed as # 14.
17. [REDACTED] in front of cell F4206.
18. [REDACTED] between cells F4202 and F4201. (Swab # 2).
19. [REDACTED] white t-shirt on floor between cells F4202 and F4201.
20. [REDACTED] between cells F4202 and F4201.
21. Homemade knife in state issued blue pants.



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- 22. [REDACTED] of F-Dorm, Quad 4 day room near picnic table closest to benches. (Swab # 4)
- 23. [REDACTED] between day room benches and entrance door of F-Dorm, Quad 4. (Swab # 5)
- 24. [REDACTED] day room floor of F-Dorm, Quad 4 near picnic table closest to benches. (Swab # 7)
- 25. Blue state issued pants which contained the homemade knife listed as # 21.
- 26. [REDACTED] in front of cell F4112.
- 27. [REDACTED] cell F4112. (Swab # 6).
- 28. White t-shirt found in toilet in cell F4112. (EXHIBITS # A-3 and # B-2)

A review [REDACTED] Inmate Vernon Donaldson shows [REDACTED]  
 [REDACTED]  
 Upon Inmate Donaldson being pronounced dead, the body remained secured and under supervision of security staff. Pictures were taken of Donaldson as he was found [REDACTED] Inmate Donaldson's body was later released for transport to the Duval County Medical Examiner's Office for an autopsy. (EXHIBIT # A-5)

An autopsy was conducted on Inmate Vernon Donaldson on September 6, 2011, by Dr. Valerie Rao of the Medical Examiner's Office in Jacksonville, Florida. Inspector Sistrunk was in attendance. Dr. Rao detailed that Inmate Donaldson [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED] the Manner of Death is Homicide. (EXHIBIT # A-6)

[REDACTED]  
 [REDACTED]  
 [REDACTED] (EXHIBITS # A-7, # A-8 and # B-2)

On September 9, 2011, additional pictures were taken of Inmate Walker [REDACTED]  
 [REDACTED] (EXHIBITS # A-9 and # B-2)



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In his sworn, recorded interview on September 5, 2011, Inmate Ronald Mosley indicated the following:

He is housed in F4113U. Inmate Mosley related that he was in his cell and observed inmates [REDACTED] Mosley indicated [REDACTED] Donaldson while they were at the exit door. He assisted [REDACTED] Mosley denied knowledge of any prior issues between Walker and Donaldson. (EXHIBIT # B-3)

In his sworn, recorded interview on September 5, 2011, Inmate Edward Goodman indicated the following:

He sleeps in F4211U. Inmate Goodman related that he was in his cell and heard someone yelling, "My room. My room." He then observed Inmate Donaldson walking toward the stairs on the upper tier and collapse. Goodman related that Donaldson [REDACTED] He denied seeing Donaldson walk past his cell and denied knowing what he was doing prior to collapsing. He recalls seeing Inmate Walker sweeping the floor during count. He denied knowledge of any issues between Walker and Donaldson prior to the incident. (EXHIBIT # B-3)

In his sworn, recorded interview on September 5, 2011, Inmate Lemuel Isaac indicated the following:

He sleeps in F4211L. Inmate Isaac related that he was in the dayroom by the fan and heard someone say "get the door". He got the officer's attention to open the door and helped the other inmates [REDACTED] (EXHIBIT # B-3)

In his sworn, recorded interview on September 5, 2011, Inmate Kadarra Davis indicated the following:

He sleeps in F4206L. When count cleared, he got on the phone. He talked for about 15 minutes. He had just got off the phone when he heard someone say they needed help [REDACTED] so he assisted. He observed inmates [REDACTED] Inmate Davis denied knowledge of any problem between Donaldson and Inmate Walker. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Michael Edwards indicated the following:

He sleeps in cell 4102. Just after count cleared, he was in his cell and observed Inmate Jenkins tell Inmate Donaldson to "Come-on, let's go up here and settle this shit here now!" referring to Inmate Gomez' room (F4212). Inmate Edwards indicated that Inmate Julio Paniagua was running a Skins game (card game) and that Jenkins and Donaldson were accusing Inmate Gabriel Walker of cheating. Walker was already in Paniagua's cell.

Edwards related that Jenkins "boosted" (encouraged) Donaldson up and went with him to Paniagua's cell. Edwards related that Donaldson and everyone else knew that Walker always carried a knife with him. Donaldson entered the cell F4212 and pulled his knife first which appeared to be approximately 9" total in length. Walker rushed Donaldson and pushed him back against the wall near the toilet. They were stabbing each other. Edwards related that they tussled and ended up outside the cell on the





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catwalk. They separated themselves. Walker walked down the stairs and Donaldson walked around the catwalk where he collapsed.

Edwards related that Jenkins stood there and watched the whole incident. Paniagua sat on his bunk watching the incident. A couple of days earlier, Donaldson and Walker had an argument. Donaldson asked about when he (*Walker*) was going to pay his money. Walker stated "don't be sweating me about petty shit like that." Walker went to his room and appeared to get his weapon. Walker then challenged Donaldson to come get it. Donaldson told Walker that he would have to come out there (*dayroom*) to stab him up. (EXHIBIT # B-3)

In his sworn, recorded interview conducted by Inspector Gonzalez on September 6, 2011, Inmate Julio Paniagua indicated the following:

He lives in cell F4212U, with Inmate Carlos Gomez. Inmate Carlos Gomez sleeps in the lower bunk. He was sitting on his bunk when he observed Inmate "Ghetto" (*Walker*) and "Pie" (*Donaldson*) outside of his cell arguing about some money from a card game. Paniagua denied participating in the card game. Walker owed Donaldson some money, but it went further than that. Donaldson and Walker had not been getting along very well. They had argued about a week and a half ago about the money. Donaldson and Walker play Skins almost every day.

Paniagua related that Walker was upstairs first talking to an unknown inmate when Donaldson approached. Donaldson pulled his knife first. Walker was trying to hold Donaldson's hand. Walker then pulled his knife (*silver*) from his side pocket. They both were fighting back and forth. Walker then went down the stairs to his cell and Donaldson collapsed near cell F4202. [REDACTED] He was not sure if "D" (*Jenkins*) went upstairs or not. Paniagua related that Walker runs a "store" (*unauthorized canteen*) and Donaldson owed him money; some from canteen items he received from the store and some from a gambling debt. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate John Harris indicated the following:

He is housed in F4103. His roommate was at work during the incident. He was in his room after count. After count he observed Inmates Walker and Donaldson separating going in opposite directions from upstairs around F4212. Walker was coming down the stairs and Donaldson was walking around the top tier around cell 4203 and fell down. Both Walker and Donaldson [REDACTED] Several inmates went upstairs to help Donaldson. Harris denied seeing any weapons in either inmate's hands. Harris related that Walker was disrespecting Donaldson by not paying his gambling debt. Walker owed Donaldson about 50-75 dollars. Donaldson and Walker had argued about a gambling debt about a week ago. Harris related that Walker is known to carry a knife. (EXHIBIT # B-3)



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In his sworn, recorded interview on September 5, 2011, Inmate Jeffrey Proctor indicated the following:

He is housed in cell F4-112 and is Inmate Walker's roommate. Inmate Proctor related that he was watching television in the dayroom. Inmate Proctor related that he heard a commotion upstairs between cells 4211 and 4213. He looked up and observed Inmate Donaldson collapse. Donaldson was wearing blue pants and no shirt. He did not know if or what shoes he was wearing. He also observed Inmate Walker walking down the stairs and then straight to his cell (F4112). Walker [REDACTED]. Walker was wearing blue pants, a t-shirt and brogans. Walker began [REDACTED]. He denied seeing any knives, but did see [REDACTED] Donaldson and Walker. He denied knowledge of what Donaldson and Walker were fighting about. Proctor related that Sergeant Durham entered and told everyone to lock down, so he went to his cell. While in the cell, Walker told him that Donaldson had "ambushed" him. Sergeant Durham walked by the cell and saw Walker [REDACTED]. Proctor related that Durham told him to stay on his bunk and don't touch anything. He complied. Proctor related that he had no idea why they were fighting and denied seeing any weapons during the incident. Proctor related that Walker does gamble but has always paid his debts.

(EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate David Gauthier indicated the following:

He sleeps in room F4202. He observed Inmate Donaldson walked past his cell holding a t-shirt [REDACTED]. Inmate Gauthier related that Donaldson collapsed in front of his cell. He laid there less than two minutes [REDACTED]. Gauthier related that Donaldson was wearing blue shorts and black boots. He did not see him holding a weapon when he walked by, but after he collapsed, someone kicked a long knife and it slid to a stop right in front of his cell. He later looked out of his cell and observed two Hispanic inmates in cell F4212 cleaning the walls in the cell. He does not know where the knife went from there.

(EXHIBIT # B-3)

*It should be noted that a review of the recorded phone calls from F4 shows that at 4:55pm Inmate Michael Jackson called his family. 9:19 into the call, the background in the quad begins to elevate. At 9:40 into the call, Jackson begins making the following statements: "They are fighting in here." "Another one needs stabbing." "They trying to get the dude out of the room." "[REDACTED] he has been stabbed a lot of times." "It's all over canteen." "All that gambling." "The dude did not want to pay the dude his money." "The dude [REDACTED]"*

(EXHIBIT # B-4)

In his sworn, recorded interview on September 6, 2011, Inmate Michael Jackson indicated the following:

Inmate Jackson was very uncooperative and reluctant to provide any information. Jackson related that he was on the phone when the incident occurred. Inmate Jackson related that he heard people scream about a fight. Jackson then related that he saw Inmate Donaldson on the upper tier and then collapse around cell 4101 and 4102. Jackson related that he observed Inmate Donaldson holding a knife in his hand. He also saw about five inmates [REDACTED]

(EXHIBIT # B-3)



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In his sworn, recorded interview on September 5, 2011, Inmate Christopher Tessier indicated the following:

He sleeps in cell F4201U. He was in the sally port area when he observed four inmates [REDACTED] [REDACTED] Inmate Tessier related that he also observed Inmate Walker fall/stumble down the stairs with a knife in his hand. Walker walked to his cell down stairs. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate John Kist indicated the following:

He sleeps in F4104L. He heard a lot of scuffling. When he looked he observed Inmate Walker [REDACTED] [REDACTED] coming down the stairs near the phone, taking off his shirt. Walker went straight to his room. Kist related that he also observed several inmates [REDACTED] down the stairs saying that [REDACTED] Kist denied seeing Walker or Donaldson with a weapon. He heard rumors that Donaldson and Walker were fighting over a gambling debt.

Kist indicated that a few days earlier, Donaldson and Walker were arguing about a gambling debt. Kist related that there was an apparent challenge from Walker to Donaldson to come into the cell and settle the issue. Donaldson did not want to go into the cell with Walker because he knew that Walker always had a knife. Kist related that he heard Donaldson tell Walker that he would fight him, but he was not going into his cell to get stuck (*stabbed*). Donaldson did not go into the cell. Kist related that a few weeks ago, Walker got into a knife fight with an inmate from another dorm. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Theodore Harris indicated the following:

He was in cell F4202L, when he observed Inmate Donaldson walk past his cell and then collapse. Donaldson [REDACTED] Inmate Harris denied witnessing the incident, but heard that the incident was over gambling. He recalls an argument about a gambling debt a couple of days earlier in the dayroom between Donaldson and Inmate Walker. Both inmates were making threats toward each other. (EXHIBIT # B-3)

In his sworn, recorded interview on September 5, 2011, Inmate Hector Rosado indicated the following:

He sleeps in F4106. He is housed with Inmate Donaldson. He was watching television when he observed several inmates [REDACTED] He thinks Donaldson was fighting with Inmate Walker on the cat-walk (*upstairs*) near the stairs (*by the phone*). (EXHIBIT # B-3)

In his sworn, recorded interview on September 5, 2011, Inmate Robert Seals indicated the following:

He sleeps in F4109U. He was in his cell and heard Inmate Jenkins on the top tier say, "he went down." He observed Jenkins and several inmates [REDACTED] around cell F4201 [REDACTED] Donaldson was not wearing a shirt. Seals denied witnessing the altercation. Seals related that during count, he observed Inmate Walker and Inmate Paniagua in F4212, talking about a gambling game from the day before. Walker stated that he did not care if he (*other inmate*) gets paid, don't put no



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pressure him (*Walker*). Later, he observed Walker coming down the stairs [REDACTED] wrapping his shirt [REDACTED]. He also observed Walker [REDACTED] in his cell until Sergeant Durham entered and told everyone to lockdown. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Deonte Phillips indicated the following:

He was in his cell when his roommate, Inmate Bradham, beat on the cell door and said that Inmate "Pie" (*Donaldson*) had been stabbed and was dead. Phillips related that he looked and observed inmates Jenkins, Mosley, Isaac, Davis and Goodman [REDACTED]. Bradham advised him that Donaldson and Walker had been gambling and Walker did not want to pay him. Bradham related to him that they started fighting and it led to the stabbing. Phillips related that Donaldson had been doing a lot of gambling since he moved in. He denied seeing Walker during the incident. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Torrence Lawton indicated the following:

He sleeps in cell F4107U. Inmate Lawton related that he was in his cell when he observed Inmate Walker coming down the other stairs [REDACTED]. Walker went straight to his cell. He then observed several inmates [REDACTED]. Donaldson [REDACTED] the officer came in and locked everyone down. Lawton denied knowledge of any issues between Donaldson and Walker, but heard rumors that Walker owed Donaldson a gambling debt. He denied observing any knives. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Edward Swinson indicated the following:

He sleeps in F4111L. He was in the dayroom and observed [REDACTED]. He denied witnessing any type of altercation. Swinson related that a couple of days earlier, Donaldson and Walker were arguing about a Skins game and a debt. Walker owed Donaldson money. He denied observing any knives. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate Herbert Spivey indicated the following:

He sleeps in cell F4109L. Inmate Spivey related that he was playing dominoes when he observed several inmates carrying [REDACTED]. He is unaware of any issues between Walker and Donaldson. (EXHIBIT # B-3)

In his sworn, recorded interview on September 6, 2011, Inmate David Anderson indicated the following:

He sleeps in F4110U. He was in his cell during the incident. Inmate Anderson related that he could feel tension in the quad and knew something was up. He looked out of the cell and observed Inmate Walker walking down the stairs [REDACTED]. Walker was wearing blue pants and a t-shirt. He denied observing



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any weapon. Walker went to his cell. He denied seeing Donaldson walking around. Anderson related that a couple of weeks ago, he observed Walker get in a knife fight over a pair of shoes. He does not know who the other inmate was. **(EXHIBIT # B-3)**

In his sworn, recorded interviews on September 5, 2011, Inmate Anthony Jones indicated the following:

He was in the dayroom sitting on the bench when he observed Inmate Donaldson collapse upstairs near cells 201-202. He asked Donaldson if he was alright [REDACTED]. Donaldson was [REDACTED]. Inmate Jones related that he and other inmates [REDACTED]. One of the inmates [REDACTED]. Jones was uncooperative and appeared to be withholding information. Jones denied seeing any type of altercation and denied seeing [REDACTED] in the dorm. **(EXHIBIT # B-3)**

In his sworn, recorded interview on September 6, 2011, Inmate Alvin Jackson indicated the following:

He was in his cell (F4208) during the incident. Inmate Jackson related that he observed Inmate Donaldson walk past his cell [REDACTED]. Donaldson was wearing a pair of shorts. He knows Inmate Walker. Jackson related that he has not seen or heard of any problems in the dorm. **(EXHIBIT # B-3)**

During sworn recorded interviews, the following Inmates indicated that they did not witness any portion of the incident and offered no testimony of evidentiary value:

- |                   |                    |                   |
|-------------------|--------------------|-------------------|
| Angelo Reddick    | Anthony Youngston  | Terrence Williams |
| David Bernuth     | Elisha Thomas      | Van Jackson       |
| Francisco Beltram | Hanh Nguyen        | Walter Taylor     |
| Kenneth Dupree    | Paul Rentas-Rivera | William Conley    |
| Ralph Muma        | Raymond Bradham    | Tracy Williams    |
| Shelton Hannah    |                    |                   |
- (EXHIBIT # B-3)**

During sworn recorded interviews, the following Inmates indicated that they only witnessed Inmate Donaldson [REDACTED]

- |                 |              |                  |
|-----------------|--------------|------------------|
| Anthony Brooks  | Carlos Gomez | Datoral Smith    |
| Garrett White   | Glenn Woods  | Ibrahima Bobb    |
| Jeffery Gottman | Leroy Mason  | Solomon Hansbury |
| Tyrone Hunter   | Scott Jones  | Elijah Brookins  |
| Joseph Cotto    | Lemuel Isaac | Calvin McQueen   |
- (EXHIBIT # B-3)**



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In his sworn, recorded interview conducted by Inspector David Manning on September 6, 2011, Officer Trent Jansen indicated the following:

He was assigned as the [REDACTED] and witnessed Inmate Donaldson [REDACTED]. He heard radio traffic indicating that an inmate [REDACTED] with Donaldson [REDACTED]. Officer Jansen could not recall which officer was escorting them.

Jansen related that Inmate Walker [REDACTED]

Jansen further related that he bagged the clothing of Inmate Walker and stored them in a locked closet with a chain of custody. (EXHIBIT # B-3)

In his sworn, recorded interview conducted by Inspector David Manning on September 6, 2011, [REDACTED] indicated the following:

[REDACTED]

(EXHIBIT # B-3)

In his sworn, recorded interview conducted by Inspector David Manning on September 6, 2011, [REDACTED] indicated the following:

[REDACTED]

(EXHIBIT # B-3)



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In his sworn, recorded interview conducted by Inspector Tony Nolan on September 6, 2011, [REDACTED] Inmate Gabriel Walker indicated the following:

After being advised of his rights, Inmate Walker waived his rights and agreed to answer questions. Walker initially related that he went in his assigned cell (F4112) when Inmate Donaldson attacked him and stabbed him several times with a homemade knife-type weapon. Walker indicated that he and Donaldson tussled over the knife. During this time an unknown inmate entered his cell and stabbed him [REDACTED]. He retrieved Donaldson's weapon and stabbed him several times. Walker denied going upstairs and denied having a weapon of his own. *Walker changed his story several times during the interview and appeared to be making up details as he went along.* (EXHIBIT # B-3)

In his sworn, recorded interview conducted by Inspector Raleigh Sistrunk on September 9, 2011, Inmate Gabriel Walker was advised of his rights. He waived his rights and indicated the following:

He recanted his previous testimony given to Inspector Nolan and indicated [REDACTED]. Walker related that the incident occurred in F4212. After cleaning the quad during count, the count cleared and he was inside cell F4212 talking to Inmate Chino. Inmate Walker related that he was facing the window with his back to the door when he felt two very quick stabs [REDACTED]. He turned around and saw Inmate Vernon Donaldson, who he knew as "Pie" (*Vernon Donaldson*). Donaldson was holding a knife in his right hand with the blade extending from the pinky finger down. He also observed an inmate known to him as "D" (*Darrell Jenkins*) and Inmate Gomez who sleeps in F4212L standing behind Donaldson just outside the cell. He remembers hearing Inmate Gomez telling Donaldson not to do this in his cell. Someone tried to enter the cell. He heard Jenkins telling them not to enter the cell and "let them handle their business, they both got knives." Donaldson continued to try to stab him. Walker related that he grabbed Donaldson's right hand (*holding the knife*) with his left hand and struck Donaldson [REDACTED]. Donaldson was holding his shirt and trying to free his right hand. Walker related that he and Donaldson were tussling, going around in circles. Walker related that he stumbled over a locker and almost fell. He let go of Donaldson to catch himself on the wall. Donaldson then stabbed him [REDACTED]. He regained control of Donaldson's right hand.

Walker related that he pushed Donaldson out of the cell and attempted to push him over the top rail and/or down the stairs. Walker pushed Donaldson against several of the walls in the cell. They tussled out of the cell. They were outside of cell F4213 when Donaldson yanked his right hand free. Walker indicated that he was facing the officer's station and Donaldson was facing the dormitory. Walker related that he then retrieved his knife from inside of his pants and held it in his right hand (*admitted to being right-handed*). Donaldson charged at him and swung his knife, but missed. Walker related that he swung his knife and struck Donaldson [REDACTED]. Donaldson swung again and missed again. Walker related that he swung and struck Donaldson [REDACTED]. At the same time, Donaldson swung his knife again and struck him (*Walker*) [REDACTED]. Walker admitted to stabbing Donaldson [REDACTED]. He did not specifically recall stabbing



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Donaldson [REDACTED] but admitted that it is possible he did. Walker indicated that he knew he stabbed Donaldson [REDACTED]

Walker related that after Donaldson stabbed him [REDACTED] he retreated down the stairs (*in front of F4213*) because [REDACTED]. He does not know what Donaldson did at this point. About half way down the stairs, he stumbled. An unknown black male approached him and said "I got you" and told him to release the knife. He heard voices saying get him out of here. Walker related that he complied after being told that Donaldson [REDACTED]

The unknown Black male then assisted him to his cell. They walked between the benches and the stairs toward his cell (*F4112*). He does not know what happened to his knife. Upon entering his cell, he began [REDACTED]. He heard Sergeant Durham enter the Quad and tell everyone to lock down. This is when his roommate (*Proctor*) entered the cell. Proctor did not lock the door when he came in. Walker related that he believes that he was wearing his blue pants, t-shirt and boots when the incident occurred. He was using his t-shirt [REDACTED]. The last place he put the shirt was in the sink, not the toilet.

Walker related that Donaldson and Jenkins are friends from Jacksonville. He knows that Jenkins had a lot of influence over Donaldson and believed that Donaldson got the knife from Jenkins. He also related that Donaldson referred to Jenkins as his uncle or his big brother. Walker further related that he and Donaldson did not have any problems, but he and Jenkins have always had a lot of animosity between them. He described it as a power struggle because Jenkins used to run the dorm until he moved in.

Walker denied knowing who the knife maker is in the dormitory and indicated that he "found" his knife. He described his knife as a metal knife with black string on it as a handle. Walker agreed to identify his weapon if it was shown to him. Walker denied ever having possession of Donaldson's knife. Walker related that he could not recall if Donaldson had the lanyard of the knife around his wrist. Walker agreed to take a lie detector test.

Walker related that he wanted to say this incident was over gambling, but indicated that he did not owe Donaldson any money. In fact, Donaldson was up \$95.00 in the Skin game that Paniagua was running. Walker related that he owed Paniagua \$95.00, not Donaldson. He further related that Paniagua collected and paid out the money. Walker admitted [REDACTED]. He related that Donaldson [REDACTED]. Walker indicated that [REDACTED]. Walker denied having any issues with Paniagua, Gomez or Donaldson. Walker indicated that he had no idea why Donaldson and Jenkins came upstairs or why Donaldson attacked him. Walker admitted that he had just sold his radio to Inmate Rentas-Rivera to pay the debt to Paniagua. (EXHIBIT # B-3)

In his incident report dated September 6, 2011, Sergeant Steven Esposito related that at approximately 2:20am, while assigned as a search team member and conducting a search of F-Dormitory Quad 4, he discovered a homemade weapon approximately 8" long sharpened to a point on one end from a piece of metal discovered in the overhead locking mechanism between cells F4-206 and F4-207. Esposito related that Sergeant Stephenson





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and Officer Bass were present at the time. The weapon and chain of custody were forwarded to the inspector (*Photographs taken by this Inspector and attached*). **(EXHIBIT # A-10)**

In his sworn, recorded interview on September 16, 2011, Inmate Darrell Jenkins indicated the following:

He was read a summary of his previous interview and related that he was in his cell when he heard the commotion. Jenkins was confronted with the testimony of witnesses that indicate he was upstairs with Inmate Donaldson when the incident occurred. Jenkins related that people are putting his name in the incident because he is a "loan shark" and everyone owes him money and wants him locked up. He denied being upstairs with Donaldson. Jenkins denied stopping inmates from trying to break of the fight between Donaldson and Walker and denied seeing them (*Donaldson and Walker*) with weapons. Jenkins related that there is no reason for his DNA to be on any weapon, especially one suspected to belong to Inmate Donaldson. Jenkins could not recall what Donaldson was wearing [REDACTED]

[REDACTED] Jenkins was advised of witness testimony indicating that prior to the incident, he (*Jenkins*) told Donaldson "let's go up there and handle this". Jenkins denied being involved in the incident in anyway and denied being present upstairs during the incident. He claimed to be the inmate that holds down the problems in the dorm (*peacemaker*) and that if he knew the incident was going to occur, he would have stopped it. Jenkins repeatedly denied being present upstairs or witnessing the incident. Jenkins claimed to be a loan shark, but could not or would not identify the names of inmates who owe him money. *During this interview Jenkins was evasive, uncooperative and repeatedly denied details of the incident that were established by multiple witnesses.* **(EXHIBIT # B-3)**

In his sworn, recorded interview conducted by Inspector Raleigh Sistrunk on September 16, 2011, Inmate Walker was advised of his rights. He waived his rights and indicated the following:

Inmate Walker was shown two weapons found during searches in F-Dormitory. Walker initially denied that either weapon belonged to him. Walker related that that the weapon discovered in the locking mechanism between cells 4206-4207 upstairs, is the weapon used by Inmate Donaldson. Upon closer inspection Inmate Walker related that his weapon was similar in width and length as the one found in the laundry pile and appears to be made from the same material. Walker related that he believed that his weapon was "way bigger" than the weapon found in the locking mechanism between cells 4206-4207. Walker then changed his mind and related that after closer inspection, he believes that the weapon found in the laundry pile (*the longer one*), is the weapon used on him by Donaldson because while tussling with Donaldson, he grabbed the blade and tried to bend his (*Donaldson's*) weapon (*the weapon found in the laundry pile is slightly bent*). Walker was still unsure if the weapon found in the locking mechanism was his weapon.

Inmate Walker reiterated his previous testimony that an unidentified black inmate convinced him to relinquish his weapon, assisted him to his cell and locked him inside. Walker was confronted with witness testimony refuting his statement that an unknown inmate took his weapon and assisted him to his cell. Walker contended that his statement is true and an unknown inmate took his weapon and assisted him to his cell. Inmate Walker was questioned concerning allegations that a several days



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earlier, he got into a knife fight with a black inmate known to him only as "Sneaky". He was not sure where "Sneaky" was housed. Walker explained that he had "obtained" a pair of shoes and sold them to "China." The original owner of the shoes went to China wanting his shoes back. China brought the shoes back to him with the inmate. Walker told the inmate that he could have the shoes for what he (*Walker*) had paid for them. Walker related that he and the inmate "went at it". Walker admitted that he had [REDACTED] Walker related that the other inmate [REDACTED] Walker stated that he "Sneaky" got lucky that day. Walker admitted that he had "poker chips" in his cell that belonged to him.

Inmate Walker related that he and Inmate Darrell Jenkins did not get along good and had had issues while at the gambling table. Walker indicated that most of the inmates in the dorm feared him and were hoping that Donaldson would have killed him. Walker was questioned as to where someone might have hidden the knife that belonged to him. Walker disclosed probable locations where a knife could be hidden and that information was forwarded to security staff. (EXHIBIT # B-3)

*Immediately after the incident, Sergeant Durham entered the dormitory and began ordering inmates to go into their cells and lock down. After an initial search, by the representatives of the Inspector General's Office and the evidence was collected, the dormitory was released to security. Members of the RRT Team (Rapid Response Team) entered the dormitory while the inmates were still locked down and conducted a thorough and methodical search of the dormitory. During this search, Sergeant Steven Esposito discovered the weapon in the locking mechanism between cells F4-206 and F4-207. During the search, each cell, every inmate and the areas mentioned by Inmate Walker were searched by the team and no other weapons were found in the dormitory.*

*In summary, based on witness and subject inmate testimony, it appears that the following sequence of events occurred. Based on this information diagrams were created to show the sequence of events and the movements of Inmates Donaldson and Walker:*

*Inmate Donaldson and Inmate Walker became involved in a card game (Skin) where Inmate Walker lost and owed Donaldson money. Donaldson and Walker had an argument the day before regarding the payment of the gambling debt. Inmate Walker was known to always be armed with a knife-type weapon. On September 5, 2011, after completion of his assigned task of sweeping the dormitory during count and after the 4:00pm count had cleared, Inmate Walker was standing inside of cell F4212, talking to Inmate Paniagua with his back to the door. Allegedly, Inmate Darrell Jenkins convinced Inmate Donaldson not to let Walker beat him out of the money owed him and to "handle" the situation. Donaldson, who was housed downstairs, obtained a knife-type weapon and proceeded upstairs where he found Walker in cell F4212 with his back to the door. Donaldson then stabbed Walker [REDACTED] Both inmates began tussling and fighting over Donaldson's weapon while inside of the cell. During this time, Donaldson also stabbed Walker [REDACTED]. The fight then spilled out onto the catwalk at the top of the stairs where Walker pulled his knife from his waist line and they continued to fight with weapons and both inmates were stabbed [REDACTED] At this point, Donaldson had stabbed Walker [REDACTED] Walker disengaged and retreated down the stairs to his assigned cell (F4112) where he began [REDACTED] Donaldson simultaneously disengaged and began*



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walking around the catwalk toward to other staircase. Donaldson collapsed between cells F4201 and F4202. Several inmates [REDACTED] When security staff observed inmates [REDACTED] they released the inmates [REDACTED] Staff then locked down the dormitory and requested assistance. While locking down the dorm, Inmate Walker was discovered in his cell [REDACTED]

Schematics of the dormitory show the location of the incident and trace the apparent track of participants. (EXHIBIT # A-11)

The evidence in this case is maintained in the Evidence Room at the Gainesville Field Office of the Inspector General.

A copy of this investigative report along with exhibits and a memo to the SAO requesting review and guidance for charging decisions will be hand delivered to the State Attorney's Office in Lake City, Florida, during a scheduled appointment on January 20, 2012.

***This case is CLOSED EXCEPTIONALLY. At such time that the State Attorney's Office makes a charging decision, a supplemental investigative report will be submitted.***



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*Ralph [Signature]*  
 \_\_\_\_\_  
 Law Enforcement Senior Inspector

*1-18-12*  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Regional Supervisor / *[Signature]*  
 Lead Inspector JH

*1-18-12*  
 \_\_\_\_\_  
 Date

*[Signature]*  
 \_\_\_\_\_  
 Law Enforcement Lead Inspector Supervisor EGR

*1/19/12*  
 \_\_\_\_\_  
 Date

*David W. Clark*  
 \_\_\_\_\_  
 Deputy Inspector General / Deputy Inspector General  
 Chief of Investigations Chief of Special Operations

*2/27/2012*  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Inspector General

\_\_\_\_\_  
 Date



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**EXHIBIT/ATTACHMENTS SECTION**

**A. EXHIBIT(s) - attached:**

1. Incident Report submitted by Officer Robert Davis.
2. Incident Report submitted by Sergeant Garrett Durham.
3. Photographs of F-Dormitory, Quad 4 and evidence placards.
4. Schematics of the F-Dormitory, Quad 4 and evidence placards.
5. [REDACTED]
6. Autopsy Report on Inmate Donaldson.
7. [REDACTED]
8. Pictures of Inmate Walker [REDACTED]
9. Pictures of Inmate Walker taken on 09/09/11.
10. Incident Report submitted by Sergeant Esposito and photographs of the weapon.
11. Schematic of F-Dormitory Quad 4 with possible tracks of participants.

**B. EXHIBIT(s) - not attached:**

1. Physical evidence being stored in the Gainesville Field Office Evidence Room (*itemized list of evidence maintained in case file*) to include:
  - Multiple items collected from F-Dormitory Quad 4 [REDACTED] at Columbia C.I.
  - Clothing and shoes collected from Inmate Vernon Donaldson.
  - Clothing and shoes collected from Inmate Gabriel Walker.
  - Weapons recovered from F-Dormitory Quad 4.
  - Items received from the Medical Examiner's Office.
2. Photographs taken of Inmate Donaldson [REDACTED]
3. Compact disc containing digital photographs.
4. Compact disc containing digitally recorded interviews.
5. Compact disc containing a digitally recorded phone call made by Inmate Michael Jackson.



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FEB 27 2012



BUREAU OF  
 STATE INVESTIGATIONS

Inspector General Case #: 11-2-9208 Supplemental

Facility: (201) Columbia CI M/U

Classification of Incident: [REDACTED]

Field Office/Region: Gainesville / 2 - West

Incident Date: September 5, 2011 Time: 4:50PM

Inspector: Raleigh Sistrunk

Date of Report: February 14, 2012

Case Type: A

- Case of Special Interest
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Department of Corrections presented to State Attorney  Declined  Accepted
- Use of Force (UOF) Number (if applicable)
- Equal Employment Opportunity Commission (EEOC)
- Wing Video Camera(s) Present in the Area of Incident

**SUMMARY OF ALLEGATIONS:**

On September 5, 2011, Officer Robert Davis reported that while in the Officer's Station of F-Dormitory, he observed several inmates [REDACTED] Donaldson was [REDACTED]. The Office of the Inspector General, Gainesville Field Office was notified and responded to the Institution. This incident was entered into the Management Information Notification System and was assigned to Senior Inspector Raleigh Sistrunk for investigation on September 5, 2011.

Investigation determined that on September 5, 2011, Inmate Vernon Donaldson died [REDACTED] altercation with Inmate Gabriel Walker, during which both inmates possessed homemade (knife-type) weapons.

On January 20, 2012, a copy of the investigative report was submitted to the Office of the State Attorney (SAO), Third Judicial Circuit for review and consideration of criminal charges against Inmate Walker.

*This supplemental report is to document the State Attorney's charging decision.*

**SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:**

This case alleging the commission of a criminal violation of law is **CLOSED, CLEARED EXCEPTIONALLY.**

On February 5, 2012, Assistant State Attorney (ASA) Roberta Getzan declined to seek prosecution of Inmate Gabriel Walker in this case. ASA Getzan related "Although there is no question that Gabriel Scott Walker caused the death of Vernon Donaldson by stabbing him repeatedly with a sharp object, Florida law prevents the SAO from proceeding with prosecution of Walker for the death of Donaldson.

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**Florida Statute 776.012 allows a person to use deadly force when he believes that such force is necessary to prevent imminent death or great bodily harm, or to prevent the imminent commission of a forcible felony. The facts in this case are clear that Donaldson initiated the attack on Walker with a deadly weapon. The actions by Walker that resulted in the death of Donaldson fall within the legally allowed use of deadly force.”**

**“Furthermore, Florida State Statute 776.012 grants immunity from criminal prosecution to persons who have used deadly force in situations listed in Statute 776.012. The law requires a determination that probable cause exists to show that the force was unlawful. All the evidence in this case points out to the fact that the use of deadly force by Walker was justifiable homicide and therefore lawful.”**

**As to the Possession of a Weapon charge for the knife used in the incident, ASA Getzan exercised prosecutorial discretion and declined to file that charge.**



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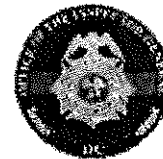
Case Number: 11-2-9208 Supplemental

	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
<b>Complainant:</b>	Robert Davis	Officer	07/29/ [REDACTED]	62840
<b>Victim:</b>	Vernon Donaldson	DC# J11882	04/26/82	
<b>Witness(es):</b>	Darrell Jenkins	DC# 306233	02/09/78	
	Michael Edwards	DC# 497324	12/02/67	
	Julio Paniagua	DC# L56634	08/27/85	
	Jeffery Proctor	DC# T09723	09/28/78	
	David Gauthier	DC# L38128	05/02/63	
	Michael Jackson	DC# 122195	4/28/74	
	Hanh Nguyen	DC#365491	10/10/61	
	Terrence Williams	DC# M20455	07/31/80	
	Christopher Tessier	DC# 299085	03/16/72	
	Garrett White	DC# A50577	08/05/89	
	Anthony Youngston	DC# 385989	10/28/77	
	Solomon Hansbury	DC# 119361	12/13/71	
	Datoral Smith	DC# 119361	08/12/78	
	Carlos Gomez	DC# 890813	02/21/73	
	Alvin Jackson	DC# 434360	3/11/69	
	Anthony Brooks	DC# 884635	04/03/59	
	Francisco Beltram	DC# 614737	04/09/71	
	William Conley	DC# 099313	05/23/68	
	Kenneth Dupree	DC# 099313	10/28/67	
	Paul Rentas-Rivera	DC# 127311	01/20/76	
	David Matthews	DC# B02861	10/19/72	
	Glenn Woods	DC# 422541	06/20/69	
	Jeffery Gottman	DC# 188620	05/01/67	
	Tyrone Hunter	DC# 169673	01/10/98	
	Leroy Mason	DC# 185438	02/09/72	
	Ralph Muma	DC# J42183	07/11/58	
	Scott Jones	DC# 369649	09/01/76	
	Theodore Harris	DC# 057072	09/14/54	
	Shelton Hanna	DC# 456319	11/14/77	
	Tracy Williams	DC# 181335	03/04/68	
	Edward Goodman	DC# 301929	03/13/74	
	Angelo Reddick	DC# 184389	08/18/69	
	Anthony Jones	DC# 887855	03/05/73	
	Kadarra Davis	DC# L54435	07/25/86	
	Walter Taylor	DC# 121998	06/08/66	





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	David Bernuth	DC# 244917	03/01/67	
	Torrence Lawton	DC# 182233	12/01/70	
	Calvin McQueen	DC# S11788	03/02/66	
	Van Jackson	DC# L06325	03/11/79	
	David Anderson	DC# 265001	11/20/74	
	Deonte Phillips	DC# T14832	07/03/79	
	Ronald Mosley	DC# 166417	04/13/82	
	Raymond Bradham	DC# 568856	03/21/69	
	Elijah Brookins	DC# P01395	03/20/79	
	Edward Swinson	DC# 569464	11/01/57	
	Elisha Thomas	DC# J37765	06/22/62	
	Ibrahima Bobb	DC# B00929	06/13/80	
	Joseph Cotto	DC# B01020	05/20/81	
	Herbert Spivey	DC# 060040	03/17/60	
	Hector Rosado	DC# X29881	04/23/67	
	John Kist	DC# R01516	03/24/48	
	Robert Seals	DC# 540271	11/28/77	
	Lemuel Isaac	DC# N01716	09/05/74	
	Robert Davis	Officer	07/29/	62840
	Garrett Durham	Sergeant	09/22/	6052
	Trent Jansen	Officer	04/17/	10500
	Steven Esposito	Sergeant	02/19/	26023
<b>Subject(s):</b>	Gabriel Walker	DC#194273	3/7/77	
	Vernon Donaldson	DC# J11882	04/26/82	

Arrest:  Employee  Inmate  Other

Addendum Pending

Charges: None

Felony  Misdemeanor Date of Arrest:

Date Reported:

Final Court Action(s):

Other Agency Case Number:



Florida Department of Corrections  
Office of the Inspector General  
Report of Investigation  
Jeffery T. Beasley, Inspector General



**Case Number:** 11-2-9208 Supplemental

**FINDINGS:**

On January 20, 2012, this writer met with ASA Roberta Getzan, Office of the State Attorney, Third Judicial Circuit, and hand delivered a copy of the investigative report and staffed the facts of this case with her and requested SAO review and charging recommendation(s). **(EXHIBIT # A-12)**

On February 15, 2012, a letter was received from ASA Roberta Getzan detailing their review of the case and declining prosecution as follows:

*Getzan related that a review of reports and statements submitted in this case establish the following facts:*

- 1. Gabriel Scott Walker (Walker) and Vernon Donaldson (Donaldson) argued for several days before this incident took place about a debt that Walker owed Donaldson.*
- 2. Donaldson was attempting to collect the debt and Walker either did not have the money or refused to pay it. A few days before the incident took place the arguments between the two escalated to the point where Walker went to his cell, armed himself, and challenged Mr. Donaldson to "come and get it." Donaldson was heard telling Walker that he (Donaldson) would have to go stab him. However, that day there was no physical altercation between the two because Donaldson refused to enter Walker's cell.*
- 3. Mr. Walker had a reputation of having a weapon in his cell. Some other inmates stated that Walker was known to carry a knife on his person.*
- 4. On September 5, 2011, Walker was visiting another inmate's cell. Donaldson entered the cell where Walker was visiting. Donaldson was observed to be armed with a knife when he entered the cell where Walker was visiting. Walker had been standing with his back to the door. Donaldson entered the cell and stabbed Walker [REDACTED]. Walker armed himself with a knife and the two began to fight. Donaldson [REDACTED] during the fight with Walker. Walker [REDACTED].*

*Although there is no question that Gabriel Scott Walker caused the death of Vernon Donaldson by stabbing him repeatedly with a sharp object, Florida law prevents the SAO from proceeding with prosecution of Walker for the death of Donaldson.*

*Florida Statute 776.012 allows a person to use deadly force when he believes that such force is necessary to prevent imminent death or great bodily harm, or to prevent the imminent commission of a forcible felony. The facts in this case are clear that Donaldson initiated the attack on Walker with a deadly weapon. The actions by Walker that resulted in the death of Donaldson fall within the legally allowed use of deadly force.*

*Furthermore, Florida State Statute 776.012 grants immunity from criminal prosecution to persons who have used deadly force in situations listed in Section 776.012. The law requires a determination that probable cause exists to show that the force was unlawful. All the evidence in this case points out to the fact that the use of deadly force by walker was justifiable homicide and therefore lawful.*



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*As to the count of Possession of Contraband for the knife used in the incident, we exercise prosecutorial discretion and decline to file that charge.* (EXHIBIT # A-13)

**This case is CLOSED, CLEARED EXCEPTIONALLY.**



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Case Number: 11-2-9208 Supplemental

*[Signature]*

Law Enforcement Senior Inspector

*2/15/12*

Date

*NA*

Regional Supervisor

*[Signature]*

Lead Inspector

*2/15/2012*

Date

*[Signature]*

Law Enforcement Lead Inspector Supervisor

*2/15/12*

Date

*[Signature]*

Deputy Inspector General  
 Chief of Investigations

Deputy Inspector General  
 Chief of Special Operations

*2/27/2012*

Date

Inspector General

Date



Florida Department of Corrections  
Office of the Inspector General  
Report of Investigation  
Jeffery T. Beasley, Inspector General



**Case Number:** 11-2-9208 Supplemental

**EXHIBIT/ATTACHMENTS SECTION**

**A. EXHIBIT(s) - attached:**

12. Letter to SAO presenting case.
13. Letter from SAO declining prosecution.

**B. EXHIBIT(s) - not attached:**

None