



Florida Department Of Corrections
 Office of the Inspector General
 Report of Investigation
 Gene Hatcher, Inspector General



Inspector General Case #: 09-43331

Facility: South Bay Correctional Facility

Classification of Incident: Homicide

Field Office/Region: Ft. Lauderdale / Region IV

Incident Date: October 16, 2009 Time: 0655 hours

Inspector: Ozell Gary, Assistant Inspector

Date of Report: November 2, 2009

Case Type: C

Check all that apply:

- [REDACTED]
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Principal(s) Exhibits Attached
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Equal Employment Opportunity Commission (EEOC)
- Addendum
- Wing Video Camera(s) Present in the Area of Incident YES NO

SUMMARY OF ALLEGATIONS:

On October 16, 2009, at approximately 0635 hours, Inmate Vincent Lee DC # 096896 stabbed Inmate Willie Smith DC # K62950 in his head with a homemade weapon. Inmate Smith was [REDACTED]. On October 24, 2009, at approximately 1148 hours, Inmate Smith was pronounced dead.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

The Palm Beach County Sheriff's Office (PBSO) was notified and assumed investigative jurisdiction (Case # 09-144054). Inmate Willie Smith was pronounced dead on October 24, 2009, at approximately 1148 hours. Inmate Vincent Lee was placed in Administrative Confinement pending investigation. On October 26, 2009, a warrant was issued for the arrest of Inmate Vincent Lee on charges of First Degree Murder, Introduction of a Weapon into a Correctional Facility and Destruction of / Tampering with Physical Evidence.



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	Name	Title / DC #	D.O.B.	Employee ID #
Complainant:	Robinson, Fredrick	Correctional Officer	[REDACTED]	
Victim:	Smith, Willie	Inmate / K62950	12/9/80	
Witness(es):	Tillman, Willie	Correctional Officer	[REDACTED]	
	Gary, Ozell	Assistant Inspector	[REDACTED]	
Subject(s):	Lee, Vincent	Inmate / 096896	11/11/67	

Arrest: Employee Inmate Other
 Charges: First Degree Murder
 Introduction of a Weapon into a Correctional Facility
 Tampering with Physical Evidence.

Guilty Addendum Pending
 Not Guilty
 Nolo Contendere

Felony Misdemeanor
 Date of Arrest:

P.T.I.
 Other (explanation):
 Date Reported:

Sentence of Court / Agreement:

Administrative Violation(s):

Evidence: Weapon Drugs Other Describe:
 Other Agency Case Number:

FINDINGS:

The following depicts a chronology of events leading to the arrest and criminal charges filed against Inmate Vincent Lee. The PBSO has assumed investigative jurisdiction. At the conclusion of all criminal proceedings, an addendum to this report will be submitted which will include their official investigative report, along with the criminal disposition for the charges filed against Inmate Lee.

In an Incident Report dated October 16, 2009, Correctional Officer Fredrick Robinson indicated the following:

On October 16, 2009, at approximately 0635 hours while conducting feeding in D-Dormitory, Quad 1, inmates in Quad 3 were banging on the window trying to get his attention. He was advised that Inmate Willie Smith DC # K62950 [REDACTED] He responded and found Inmate Smith lying on his back [REDACTED] He immediately [REDACTED] the Shift Supervisor of the incident. (Exhibit A-1)



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[REDACTED] dated
October 16, 2009, indicated the following:

Inmate Willie Smith had [REDACTED]
[REDACTED]

(Exhibit A-2)

In an Incident Report dated October 16, 2009, Correctional Officer Oliver Saunders indicated the following:

On October 16, 2009, at approximately 1030 hours, he was assigned to D-Dormitory, Wing 3 to monitor the crime scene and document all individuals that entered and exited the dormitory.

(Exhibits A-3 & A-4)

A Housing Unit Log for D-Dormitory dated October 16, 2009 indicated the following:

At 0638 hours, there was [REDACTED] involving Inmate Willie Smith D3-108 who was lying on the floor in Quad 3. At 06:50 hours, [REDACTED] At 06:53 hours, Inmate Smith [REDACTED]

(Exhibit A-5)

A Housing Unit Log [REDACTED] dated October 16, 2009 indicated the following:

At 06:38 hours, there was [REDACTED] Officer Lane advised Inmate Willie Smith was [REDACTED] At 06:39 hours, [REDACTED] At 06:46 hours, Captain Nonar, [REDACTED] and Officer O. Williams [REDACTED] At 06:50 hours, [REDACTED] At 06:56 hours, [REDACTED] was at the intake gate. At 06:59 hours, [REDACTED] with Inmate Smith.

(Exhibit A-6)

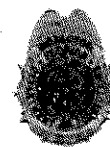
In an Incident Report dated October 15, 2009, Correctional Officer Willie Tillman indicated the following:

On October 15, 2009, at approximately 17:35 hours while conducting a search in D-Dormitory, Wing 3 cell 109, he found a homemade knife behind the stand up locker in the cell assigned to Inmate Vincent Lee. The evidence was turned over to the Palm Beach County Sheriff's Office Crime Scene Investigator.

(Exhibit A-7)



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In a sworn, taped statement taken on October 16, 2009, Inmate Vincent Lee DC # 096896 signed a Rights Acknowledgement and declined to make a statement. **(Exhibits A-8 & B-1)**

In a Palm Beach County Sheriff's Office Witness Statement dated October 16, 2009, Assistant Inspector Ozell Gary indicated the following:

On October 16, 2009, at approximately 07:00 hours, he arrived at the [REDACTED]. The inmate was later identified as Willie Smith DC # K62950. [REDACTED] being escorted by Officer Garland Heath. He along with Captain Nonar and Sergeant Ellison went to D-Dormitory, Wing 3 and [REDACTED] Wing 3 cell 109. He then saw Inmate Vincent Lee attempting to clean cell 109, where he is assigned. Upon entering the cell, he [REDACTED] Inmate Lee had what appeared to be [REDACTED]. After he read Inmate Lee his Rights, he refused to make a statement. **(Exhibit A-9)**

An Arrest Warrant dated October 26, 2009 indicated the following:

Vincent Lee is charged with First Degree Murder, Introduction of a Weapon into a Correctional Facility and Destruction of / Tampering with Physical Evidence. **(Exhibit A-10)**



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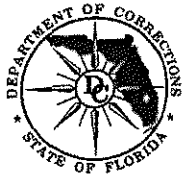


"I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss. 112.532 and 112.533, Florida Statutes."

"Furthermore, under penalties of perjury, I declare I have read the foregoing report and the contents of the report are true and accurate based upon my personal knowledge, information, and belief."

Ozell Gary
Investigator's Signature

11/04/09
Date



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EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT (s) – attached:

1. Incident Report of Officer Robinson
2. [REDACTED]
3. Incident Report of Officer Saunders
4. Housing Unit Log D-Dormitory, Wing 3
5. Housing Unit Log D-Dormitory
6. Housing Unit Log [REDACTED]
7. Incident Report of Officer Tillman
8. Rights Acknowledgement
9. Witness Statement of Assistant Inspector Gary
10. Warrant

B. EXHIBIT (S) – attached:

1. Interview of Inmate Lee

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