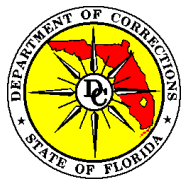


# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 14-4533**

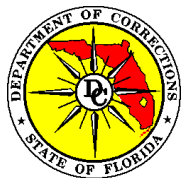


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**Case Number:** 14-4533

**OIG Inspector:** Senior Inspector Wayne Elrod

**Outside Agency:** Florida Department of Law Enforcement

**Outside Agency Investigator:** Special Agent David Staley

**Date Assigned or Initiated:** 04-11-2014

**Complaint Against:** Correctional Lieutenant Tyler Triplett  
 Correctional Sergeant Daniel Lynch  
 Correctional Sergeant Rosemary Harrington  
 Correctional Sergeant Ahsaki Jones  
 Correctional Sergeant Errol Grant  
 Correctional Sergeant Kent Stott  
 Correctional Officer Edward Sinor  
 Correctional Officer Thomas Weidner  
 Correctional Officer Andrew Love  
 Correctional Officer Mestley Saintervil  
 Correctional Officer Joseph Troyan

**Location of Incident – Institution/Facility/Office:** Charlotte Correctional Institution

**Complainant:** State of Florida

**Outside Agency Case #:** FM-37-0002

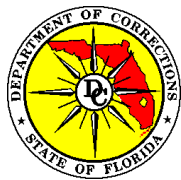
**Use of Force Number:**

**PREA Number:**

**Classification of Incident:** Homicide

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No



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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 April 11, 2014, at 1:16 a.m., Inmate Matthew Walker, DC# 181642 was pronounced deceased following a use of force, #14-4354, at Charlotte Correctional Institution (510). The criminal investigation is being investigated by the Florida Department of Law Enforcement (FDLE).

## 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 April 11, 2014, Senior Inspector Lorelei Anderson assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. Inspector Anderson assisted by:

- Initiated and compiled Informational Brief.
- Provided escort for FDLE Crime Laboratory Analysts Reidy and Balunan upon their arrival at the institution.
- Assisted with interviews of E-Dormitory, quad 4 inmates.
- Provided FDLE agents with the following information:
  1. E-Dormitory housing unit logs
  2. E-Dormitory crime scene log
  3. Outside (*sidewalk*) crime scene log
  4. Photographs (*staff look-up*) of all officers involved in the use of force
  5. E-Dormitory floor plan
  6. Charlotte Correctional Institution diagram (*map*)
  7. Sergeant Rosemary Harrington's personal contact information
  8. Sergeant Kent Stott's personal contact information
  9. Sergeant Harrington's and Sergeant Stott's medical notes
  10. Inmate Walker's information details (*face sheet*)
- Reviewed Inmate Walker's disciplinary history
- Reviewed Inmate Walker's MINS history
- Reviewed Inmate Walker's Securus recorded telephone calls (*none*)
- Reviewed Inmate Walker's visitation history
- Provided escort for officers involved in the use of force after FDLE agents completed
- interviews

On April 11, 2014, Senior Inspector Janene McLaughlin assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. Inspector McLaughlin assisted by:

- Assisted in escorting FDLE Special Agents to the location of the deceased inmate
- Provided FDLE with a list (CDC print-out) of all inmates assigned to E-Dormitory, quad 4
- Provided FDLE with the Daily Security Roster from the Roster Management System for the date of April 11, 2014, Night – D Shift
- Provided them with two fixed wing videos [REDACTED] support cameras



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- Provided FDLE with a compound diagram of Charlotte Correctional Institution
- Interviewed Inmate Eduardo Exposito, DC#B12269: He had no information concerning the incident (recorded, sworn statement obtained)
- Conducted a preliminary interview of Inmate Marlon Gonzalez, DC#M38064: He heard Lieutenant Triplett threaten to kill the inmate they were escorting. He heard another unknown officer say in response, "It's not worth it". Inmate Gonzalez was interviewed by FDLE Agents.
- Assisted with identifying the inmate houseman for E-Dormitory, quad 4
- Obtained copy of direct supervision log of Inmate Tony Mestre, DC#L47253
- Assisted in retrieving and escorting staff for FDLE interviews
- Collected equipment check out logs for radio assignments for the following staff:
  - Lieutenant Triplett
  - Officer Sinor
  - Sergeant A. Jones
  - Sergeant Lynch
  - Officer Weidner
  - Sergeant Grant
  - Officer Love
  - Sergeant Harrington
  - Sergeant Stott
  - Officer Saintervil
- Collected the following radios as evidence:
  - [REDACTED]: assigned to Lieutenant Triplett
  - [REDACTED]: assigned to Officer Sinor
  - [REDACTED]: assigned to Sergeant A. Jones
  - [REDACTED] assigned to Sergeant Lynch
  - [REDACTED]: assigned to Officer Weidner
  - [REDACTED]: assigned to Sergeant Grant
  - [REDACTED]: assigned to Sergeant Stott
  - [REDACTED]: assigned to Officer Saintervil
  - [REDACTED] assigned to Officer Love
- Arranged for replacement uniforms and shoes for security staff
- Assisted in obtaining complaint/allegation history from MINS, IGIIS, and IG Logs for the following staff:
  - Lieutenant Triplett
  - Officer Sinor
  - Sergeant A. Jones
  - Sergeant Lynch
  - Officer Weidner
  - Sergeant Grant
  - Officer Love
  - Sergeant Harrington
  - Sergeant Stott
  - Officer Saintervil

On April 15, 2014, per the request of FDLE, Inspector McLaughlin requested to the Department of Corrections Office of Information Technology (OIT) to capture all emails sent between the following staff at Charlotte Correctional Institution on the dates of April 11–12, 2014, not to include



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any emails to higher levels of the Administration. On April 16, 2014, OIT provided the requested emails (3) and they were in turn given to FDLE Special Agents.

- Lieutenant Triplett
- Officer Sinor
- Sergeant A. Jones
- Sergeant Lynch
- Officer Weidner
- Sergeant Grant
- Officer Love
- Sergeant Harrington
- Sergeant Stott
- Officer Saintervil

On April 11, 2014, Senior Inspector Scott Thomas assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. Inspector Thomas assisted by:

- Escorting special agents into the facility to the inspector's office as they arrived.
- Escorting special agents out of the facility to retrieve necessary equipment and supplies.
- Escorting agents to the Housing Unit E Wing Four to view Inmate Walker's cell.
- Assisted the Crime Scene Unit with the weighing and collection into evidence the chemical agent canister issued to Sergeant Daniel Lynch.
- Collected [REDACTED] staff who reported using force against Inmate Walker providing copies of the same to special agents.
- Assisted in the coordination and escort of inmates who were interviewed by special agents.
- Escorted crime scene unit out of the facility with collected evidence.

On April 11, 2014, Senior Inspector Frank Lewis assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. Inspector Lewis assisted by:

- Assisted in escorting special agents into the facility to the inspector's office as they arrived.
- Assisted in escorting special agents out of the facility to retrieve necessary equipment and supplies.
- Assisted in escorting agents to the Housing Unit E Wing Four to view Inmate Walker's cell.
- Collected Medical Reports of staff who reported using force against Inmate Walker providing copies of the same to special agents.
- Assisted in the coordination and escort of inmates who were interviewed by special agents.

On April 11, 2014, Supervisor Yolanda Brown assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. Supervisor Brown assisted by:

Met with FDLE Supervisor Vaden "Shane" Pollard and Special Agents-Briefed on the formality of the investigation and assisted in coordinating OIG inspectors' assistance.





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- Briefed Assistant Chief Kathleen Harrell. Additional inspectors from District 10 responded: Frank Lewis and Scott Thomas.
- Attended FDLE intelligence briefing with Supervisor Pollard and Special Agents.
- Attended FDLE briefing with Supervisor Pollard, Regional Director Randall Tiff, Asst Regional Director Bill Smith, Warden Thomas Reid and Special Agents.
- Briefed Inspector General Jeffery Beasley.
- Authorized the transfer of inmates: Tony Mestre #L47253 and Donte Peterson #T62960

On April 14, 2014, Supervisor Pollard requested the contact information of the staff placed on administrative leave. The information was forwarded to Supervisor Pollard by Inspector Elrod/Brown via email.

On April 15, 2014, Supervisor Pollard advised the FDLE briefing with be held on Tuesday, April 22, 2014 at 9:30 a.m., at the Ft. Myers Regional Operations Center, 4700 Terminal Drive Suite 1, Fort Myers, Florida 33907.

On April 11, 2014, Senior Inspector Wayne Elrod assisted Florida Department of Law Enforcement Special Agents at Charlotte Correctional Institution pertaining to the death of Inmate Matthew Walker, DC#181642. I assisted by:

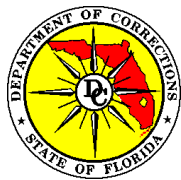
On April 11, 2014, at approximately 2:44am, I received a call from Supervisor Brown to respond to Charlotte Correctional Institution, in reference to a death investigation. Upon arrival, it was discovered that Inmate Matthew Walker #181642 was deceased. His body lay on the side walk in front of the OIC building. Inmate Walker had been transported from E-Dormitory to the multi-purpose building, in reference to a Use of Force (UOF). During the transport, it was discovered that Inmate Walker [REDACTED]

FDLE Crime Scene Investigators (CSI) arrived at which time I provided assistance to them. Charlotte County Medical Examiners (CCME) Investigator Les Husbands arrived to document/process the body of Inmate Walker. Les Husbands coordinated transport of Inmate Walker to the Medical Examiner's Office.

On April 11, 2015, CCME Office contacted me and informed me that the autopsy would be at 2:30 pm. CSI Bulonen and I responded to the ME Office to witness the autopsy. FDLE Special Agents Larry Long and Tracey Rousseau were also present during the autopsy. The autopsy was concluded at 5:18 pm, at which time I responded back to Charlotte Correctional Institution. Once back at Charlotte Correctional Institution, I helped in coordinating inmates to be interviewed by FDLE.

Once back at Charlotte Correctional Institution, I helped coordinate inmates to be interviewed by FDLE.

On April 14, 2011, I put together files on the officers involved in the UOF which documented any investigation that the officer may have been involved in for FDLE. I also retrieved radio [REDACTED] from G-dorm at approximately 12:20 pm. That radio was the one that Sergeant Harrington was using on the night of April 11, 2014. The radio was placed into a brown paper bag and sealed with a chain of custody. The radio was later taken to the FDLE Field Office located in Fort Myers, and turned over to Agent Vass to be placed into evidence at the request of Special Agent Supervisor Shane Pollard.



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April 15, 2014, I assisted FDLE Agents during their interviews with inmates from E-Dormitory quad 4 and E-Dormitory quad 1. At the request of Agent Shane Pollard, I pulled copies of post orders, policies, and administrative code. Specific Post Orders were #1, #3, #9, and #37. And aerial view of Charlotte Correctional Institution was also obtained for Agent Pollard.

April 21, 2014, I assisted FDLE Agents in obtaining schedules for officers [REDACTED], in order to coordinate interviews at Charlotte Correctional Institution.

April 24, 2014, Interviews were coordinated and set up for FDLE Agents. Offices on the compound were opened and ready for FDLE use. Upon conclusion, FDLE Agents Jankowski and Staley were escorted to E-Dormitory where additional photographs were taken. Dormitory logs [REDACTED] were compiled and turned over to FDLE Agents along with hand held and fixed wing video.

April 30, 2014, Agent Staley requested information on DOC policy and procedures. The requested policy and procedures were obtained and e-mailed to Agent Staley.

May 2, 2014, Agent Staley requested the OC spray logs for all of the canisters that were issued to the officers involved in the UOF. All information was gathered and sent to Agent Staley on May 5, 2014.

May 8, 2014, Agent Staley contacted me inquiring about Inmate Ralph Perez DC #349548, requesting to let him know where Inmate Perez was housed on April 10, 2014. That was responded to on May 9, 2014.

May 13, 2014, Agent Staley was contacted in reference to the cell that housed Inmate Walker and if FDLE still needed the cell to be sealed and held for them. At 5:11pm, that same day Agent Staley advised that the cell could be released.

May 14, 2014, an e-mail was sent to Warden Reid advising him that the cell could be released. Agent Vass sent an e-mail inquiring of the name of the Colonel at Charlotte Correctional Institution. A response was sent same day.

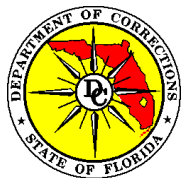
On July 25, 2014, FDLE Special Agent David Staley was notified via voicemail, in reference to Inmate Anthony Giordano #195788 allegedly witnessing officers killing an inmate.

On July 30, 2014, assisted FDLE Agents Staley and Vass with Use of Force Incidents and reporting for the involved officers. The FDLE Agents were also familiarized with the Department of Corrections, Use of Force policy and terminology.

The autopsy report dated May 21, 2014 was received and indicated that Inmate Matthew Walker died due [REDACTED]

[REDACTED] The manner of death was classified as a homicide. The autopsy was performed by Doctor R. H. Imami of The Office of the District Medical Examiner, District 22 in Port Charlotte, Florida.

On August 20, 2014, Special Agent David Staley advised that he has completed his case and has submitted it for approval. Once approved, he will submit copies to the State Attorney's Office and the Inspector General's Office for review.



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On August 25, 2014, Special Agent David Staley requested assistance in obtaining documents concerning Correctional Officer Joseph Troyan. In addition, it was requested to provide information on the fixed wing video cameras that are located in [REDACTED] Dormitory Quad [REDACTED]. Agent Staley was advised that there were [REDACTED] cameras in that quad but they were inoperable at the time of the incident. A layout of the quad was provided showing the locations of the cameras.

On August 29, 2014, Judge Donald Mason signed a court order to release [REDACTED] Inmate Matthew Walker to the Florida Department of Law Enforcement.

On September 12, 2014, I assisted Agent David Staley in determining how long each inmate witness in the Walker's case had been confined at Charlotte Correctional Institution.

On September 18, 2014, contact was made with Agent David Staley to advise him that the Department of Corrections is moving forward with the termination of the officers on administrative leave associated with the FDLE investigation. Agent Staley was asked if the termination of those employees would adversely affect their investigation. Agent Staley advised that the termination would not affect their investigation as their investigation is over and is in the review process at this time.

On September 19, 2014, Officers Daniel Lynch, Edward Sinor, Andrew Love, Mestely Saintervil, Rosemary Harrington, Errol Grant, Ahsaki Jones, Kent Stott, and Thomas Weidner were dismissed from their current positions as correctional officers with the Florida Department of Corrections.

On September 24, 2014, Agent Staley made contact with this office and requested information on Inmate Walker's disciplinary report history. The information was obtained and sent to Agent Staley on September 25, 2014.

As of December 17, 2014, this case is still under review by the State Attorney's Office.

On July 7, 2015, I received the FDLE Case Summary, dated October 24, 2014, along with the Grand Jury Presentment which was convened on May 27, 2015 and dismissed on June 16, 2015.

Based on the Grand Jury Presentment no charges were filed against the officers involved in the death of Inmate Matthew Walker.

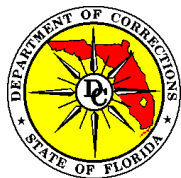
## **VII. CHARGES**

### **List alleged violations of Florida Law:**

No Charges were filed by the State Attorney's Office.

## **VIII. CONCLUSION**

Based on the information gathered during the investigation, it is the recommendation of the Grand Jury the allegation against Lieutenant Tyler Triplett, Sergeant Daniel Lynch, Sergeant Rosemary Harrington, Sergeant Ahsaki Jones, Sergeant Errol Grant, Sergeant Kent Stott, Officer Edward Sinor, Officer Thomas Weidner, Officer Andrew Love, Officer Mestley Saintervil, and Officer Joseph Troyan that no criminal charges be filed.



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Inspector Elrod reviewed the investigation completed by FDLE, and administrative issues were identified. The administrative issues identified were assigned to Senior Inspector Lark Napier for administrative investigation in OIG case # 15-14202.