

# Florida Department of Corrections



## Office of the Inspector General

### CRIMINAL INVESTIGATION

Case # 17-01833



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



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**CASE SUMMARY REPORT**



**Case Number:** 17-01833

**Inspector:** Inspector Kenneth Smith

**Date Assigned or Initiated:** 2-3-2017

**Complaint Against:** Inmate Mark Kuzara DC#567035

**Location of Incident – Institution/Facility/Office:** Reception and Medical Center [REDACTED]

**Complainant:** Sergeant Victor Heidelberg

**Use of Force Number:** N/A

**PREA Number:** N/A

**Classification of Incident:** Inmate Death (Suicide)

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Equal Employment Opportunity Investigation:**  Yes  No

**Chief Inspector General Case Number:** N/A



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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 a preponderance of the evidence exists to suggest the suspect's alleged behavior or action did not occur.

**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.



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**V. PREDICATE**

On January 31, 2017, at approximately 7:45 AM, Inmate Mark Kuzara DC#567035 was pronounced deceased of Natural Causes [REDACTED] while house at the Reception and Medical Center [REDACTED] (RMC). Inmate Kuzara's death did not meet the FDLE MOU guidelines therefore they were not contacted. This information was entered into MINS#754385 on February 1, 2017, and assigned as Criminal Case 17-01833 to Inspector Kenneth Smith on February 3, 2017.

**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 31, 2017, at approximately 7:45 AM, Inmate Mark Kuzara DC#567035 was pronounced deceased of Natural Causes [REDACTED] while house at the Reception and Medical Center [REDACTED] (RMC). Inmate Kuzara's death did not meet the FDLE MOU guidelines therefore they were not contacted.

Note: Inmate Kuzara was housed at Lake C.I. in the [REDACTED] unit until December 7, 2016. He was transferred to [REDACTED] and then to the Reception and Medical Center [REDACTED] on January 21, 2017. Inmate Kuzara was on One-On-One status at RMC due to him self-harming by cutting and swallowing objects.

At 7:45 AM Inmate Kuzara was pronounced deceased. At 8:37 AM Inspector Kenneth Smith was notified of the death. At 9:15 AM Inspector Smith arrived at RMC. A visual inspection of the body of Inmate Kuzara was conducted with [REDACTED] or foul play noted. The body of Inmate Kuzara was fully photographed. At 9:40 AM The body of Inmate Kuzara was released for pickup by the medical examiner.

[REDACTED] indicated Inmate Kuzara has [REDACTED] due to him swallowing objects and he was on many of [REDACTED] which sometimes cause [REDACTED]

On January 31, 2017, Gainesville Medical Examiner William Hamilton submitted the final autopsy report for Inmate Kuzara. Doctor Hamilton listed the cause of death as [REDACTED]

The Manner of Death was listed as Suicide due to [REDACTED]

Florida Department of Law Enforcement (FDLE) Supervisor Special Agent Matt Walsh was contacted following the Medical Examiner's listing the cause of death as a suicide and he indicated the following:

Since the Medical Examiner's Office indicated Inmate Kuzara died from [REDACTED] [REDACTED] the FDLE would not respond or investigate this incident.



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No Administrative violations were noted during this investigation.

**VII. CHARGES**

**List alleged violations of Florida Law:**

1. N/A

**VIII. CONCLUSION**

Based on the information gathered during this investigation, it is the recommendation of Inspector Kenneth Smith this case be closed. The Gainesville Medical Examiner listed Inmate Kuzara's death as Natural due to [REDACTED] [REDACTED]  
[REDACTED]

1. Exceptionally Cleared

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INVESTIGATIVE REPORT**

**PREDICATE:**

On January 31, 2017, at approximately 7:45 AM, Inmate Mark Kuzara DC#567035 was pronounced deceased of Natural Causes [REDACTED] while house at the Reception and Medical Center [REDACTED] (RMC). Inmate Kuzara's death did not meet the FDLE MOU guidelines therefore they were not contacted. This information was entered into MINS#754385 on February 1, 2017, and assigned as Criminal Case 17-01833 to Inspector Kenneth Smith on February 3, 2017.

**NARRATIVE:**

In the Case Summary Report, the Conclusion section, the cause of death was listed in error as Natural. The cause of death was listed by the Medical Examiner as Suicide.