

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-09070**



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



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Case Number: 18-09070

OIG Inspector: Inspector Richard Ryder

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Benigno Pereda

Date Assigned or Initiated: 05-22-2018

Complaint Against: N/A

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

Complainant: Captain Lawanda Townsend

Outside Agency Case #: MI-37-0072

Use of Force Number: N/A

PREA Number:

Classification of Incident: Inmate Death (Accident)

Confidential Medical Information Included: Yes No

Whistle-Blower 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 probable cause does not exist to suggest the suspect's behavior or action occurred nor is an arrest or formal charge being initiated.

Closed by Arrest:

Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

Exceptionally Cleared:

Refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense, but one for which an arrest or formal charge is not initiated, or in the case of a death investigation, one for which no evidence exists that the death was the result of a crime or neglect.

Open-Inactive:

Refers to a disposition of a criminal case for which a criminal investigation commenced, but where evidence is insufficient to close as unfounded, closed by arrest, or exceptionally cleared.

Investigative Assist Closed

Refers to a disposition of an investigative assist, where the conduct being investigated by the outside agency did not concern allegations against a Department employee, contractor, inmate, offender, or other person either employed or under the supervision of the Department.



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V. PREDICATE

On or about May 19, 2018, the Florida Department of Corrections, Office of the Inspector General (OIG) was notified of an inmate death (undetermined) at Dade Correctional Institution (DCI). On May 19, 2018, at approximately 8:09 pm, Sergeant Dalon entered wing 2 of Gulf Dorm. When went to cell G-2201, he observed Inmate Prince Davis DC# L06116 [REDACTED] [REDACTED] was notified, responded and brought Inmate Davis [REDACTED] [REDACTED] and upon their arrival, Inmate Davis was pronounced deceased at 8:41 pm. The Florida Department of Law Enforcement (FDLE) responded and took jurisdiction of this case. Upon review of the case an investigative assist was assigned to Inspector Ryder.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses' testimony, subject officer's statements, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

On May 19, 2018, Senior Inspector Laquietta Thompson was dispatched to DCI in reference an inmate death. The below information was obtained from Senior Inspector Thompson's Information Brief, in part:

On May 19, 2018, Supervisor Yolanda Brown received notification from DCI via the Emergency Action Center (EAC) of an inmate death at DCI. Supervisor Brown contacted Senior Inspector Thompson at approximately 2052 hours to respond and forwarded the corresponding EAC notification. According to the EAC notification, Inmate Prince Davis DC# L06116, was pronounced deceased at approximately 2041 hours [REDACTED] Chaplain Alba Diaz will make next of kin notification.

Inmate Davis is a 44years-old and was serving a five year (5Y) sentence for Poss. Control Subs/Other, Broward County Case 06-1207044, and Agg. Battery/w/Deadly Weapon., Broward County Case 06-1414135, imposed on 02/12/2016. Inmate Davis was transferred to DCI on March 22, 2018, from SFRC, after being terminated from Work Release due to his plea of no contest to a disciplinary report for unauthorized use of drugs (470-180038).

On Saturday, May 19, 2018, Sergeant Dalon McDonald reports he was conducting a security check after clearing count at approximately [REDACTED] hours, in Gulf Dormitory wing two. When he reached cell G2201, he observed Inmate Davis laying on the floor [REDACTED] Inmate Davis [REDACTED] [REDACTED] Sergeant McDonald notified [REDACTED], who responded, and escorted Inmate Davis [REDACTED] [REDACTED] responded and pronounced Inmate Davis deceased at approximately 2041 hours.

It should be noted; Sergeant McDonald and Officer Rashaan Butler advised Inmate Davis was alive and responsive during their body count at approximately [REDACTED] hours.

Inmate Davis was in an unauthorized area as he was not assigned to cell G2201. Inmate Davis' correct bunk assignment was G2210U. Inmate Glenn Combee DC# T50857, assigned to G2201L, was present in the cell with Inmate Davis when he was found [REDACTED].



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Inmate Aaron Shuman DC# B07681 is assigned to G2201U, but was not present in the cell during this incident.

At approximately [REDACTED] pm, Inmate Davis was observed in cell G2201, during formal body count by both Sergeant McDonald and Officer Barton.

At approximately 8:00 pm, Sergeant McDonald observed Inmate Davis laying on the floor of cell G2201, [REDACTED]. Sergeant McDonald notified [REDACTED] via his handheld radio. [REDACTED] responded and transported Inmate Davis to [REDACTED] [REDACTED]

[REDACTED] arrived on scene at approximately 8:33 pm and at approximately 8:41 [REDACTED]

FDLE was notified of this incident and Agents Dean Wellinghoff and SA Ben Pereda arrived on scene at approximately 11:15 pm. FDLE agents subsequently began interviews. MDPD and MDPD Crime Scene later arrived on scene and took photographs.

- At approximately 2325 hours, FDLE commenced interviews [REDACTED].
- At approximately 0000 hours, Crime Scene Technician Guillermo Besonias ID# 7713, arrived at DCI and met with this writer and FDLE [REDACTED]
- At approximately 0010 hours, Miami Dade Police Department (MDPD) Officers J. Morris 6931 (C1207), N. Rodney 9306 (C1200), and A. Zayas 7085 (C1207), [REDACTED].
- At approximately 0015 hours, Crime Scene Technician Besonias, and FDLE agents entered [REDACTED] to photograph and process the body of Inmate Davis. While initiating the examination of Inmate Prince, [REDACTED] occurred temporarily postponing the process.
- At approximately 0048 hours, Miami Dade Police Department (MDPD) Officers J. Morris 6931 (C1207), N. Rodney 9306 (C1200), and A. Zayas 7085 (C1207) departed.
- At approximately 0106 hours, SA Pereda, SA Wellinghoff, Crime Scene Technician Besonias, and I entered Gulf Dormitory to cell G2201.
- At approximately 0112 hours, SA Pereda SA Wellinghoff, and Crime Scene Technician Besonias processed the crime scene.
- At approximately 0118 hours, SA Pereda, SA Wellinghoff, and Crime Scene Technician Besonias completed cell G2201, and released the cell.
- At approximately 0120 hours, Crime Scene Technician Besonias departed.
- At approximately 0125 hours, SA Pereda and SA Wellinghoff continued interviews.
- At approximately 0340 hours, Medical Examiner Technicians O. Wallace 4530 and K. Robinson 4541 arrived to pick up Inmate Prince.
- At approximately 0418 hours, Medical Examiner personnel departed.
- At approximately 0435 hours, SA Pereda and SA Wellinghoff completed interviews.
- At approximately 0445 hours, this writer, SA Pereda, and SA Wellinghoff departed Dade CI.



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In his May 19, 2018 Incident Report, Sergeant Dalon McDonald indicated the following:

On May 19, 2018, at approximately 8:10 pm, while assigned as G-Dorm Supervisor, he entered cell G-2201 and found Inmate Davis [REDACTED] was notified. [REDACTED] ff escorted Inmate Davis [REDACTED]

In the Shift Supervisor section of Sergeant McDonald’s Incident Report, Captain Lawanda Townsend indicated the following:

Inmate Davis was escorted to [REDACTED] and upon arrival, Inmate Davis was pronounced deceased.

On October 10, 2018, at approximately 3:00 pm, this writer spoke telephonically with FDLE Agent Supervisor Filipe Williams, who advised that this case, MI-37-0072, is closed as follows: Closed/Unfounded/Resolved

FDLE Agent Pereda completed a thorough investigation into this incident and ultimately closed the case out as Closed/Unfounded/Resolved. The FDLE case, # MI-37-0072 is attached to the Investigative Assist Investigation.

The Autopsy Report submitted by the Miami-Dade County Medical Examiner Department indicated the following, in part:

The Cause of Death: [REDACTED]

Contributory Cause: [REDACTED]

The FDLE report indicates the Manner of Death: Accident

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

VII. CHARGES

List alleged violations of Florida Law:

N/A

VIII. CONCLUSION

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

Closed Unfounded/Resolved (Exceptionally cleared)