

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 16-03474**



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



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**Case Number:** 16-03474

**OIG Inspector:** Senior Inspector Louis Cordova

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

**Outside Agency Investigator:** Special Agent Kristen Cortes

**Date Assigned or Initiated:** February 8, 2016

**Complaint Against:** N/A

**Location of Incident – Institution/Facility/Office:** Apalachee East Unit

**Complainant:** Captain Jonathan Jones

**Outside Agency Case #:** PE-37-0043

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

**PREA Number:** N/A

**Classification of Incident:** Inmate Death Investigation

**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 February 8, 2016, the Department of Corrections Office of the Inspector General received notification Inmate Joseph Gullo DC#N03782 had been pronounced deceased at Apalachee East Unit after being found hanging in cell Y2-109. Florida Department of Law Enforcement (FDLE) notification was made, and Senior Inspector Louis Cordova responded to Apalachee East Unit on February 8, 2016, and provided investigative assistance to FDLE.

**VI. SUMMARY OF INVESTIGATIVE FINDINGS**

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

According to FDLE Special Agent Kristen Cortes, On February 8, 2016, the Florida Department of Corrections contacted FDLE requesting investigative assistance in reference to the death of Inmate Gullo. On February 8, 2016, an autopsy was conducted on Inmate Gullo to determine the cause and manner of death by Dr. Jay Radtke, Medical Examiner in the Fourteenth Judicial Circuit (Medical Examiner's case number 2016-MLA-0044). Dr. Radtke ruled the death of Inmate Gullo as suicide [REDACTED]

**Investigator's Note:** *Senior Inspector Cordova reviewed the investigation completed by FDLE, and administrative issues were identified. The administrative issues identified were assigned to Inspector Brian Stagner for investigation in I.G. Case # 16-14056.*

**VII. CHARGES**

There were no charges. Dr. Radtke ruled Inmate Gullo's death as a suicide [REDACTED]

**VIII. CONCLUSION**

Based on the information gathered during FDLE Agent Kristen Cortes' investigation, it is the recommendation of Senior Inspector Louis Cordova the death of Inmate Gullo be termed as follows:

- **Exceptionally Cleared**