

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-21461**



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



Table of Contents

<u>I. AUTHORITY</u>	4
<u>II. METHODOLOGY</u>	4
<u>III. ANALYSIS</u>	4
<u>IV. DEFINITIONS</u>	5
<u>V. PREDICATE</u>	6
<u>VI. SUMMARY OF INVESTIGATIVE FINDINGS</u>	6
<u>VII. CHARGES</u>	6
<u>VIII. CONCLUSION</u>	7



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



Case Number: 16-21461

OIG Inspector: Inspector Lisa Roberts

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Sara MacKnight

Date Assigned or Initiated: 12-02-2016

Complaint Against: N/A

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

Complainant: Correctional Officer Captain Christopher Patterson

Outside Agency Case #: TM-37-0016

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Unattended Death

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number: N/A



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



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.



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



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.



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



V. PREDICATE

On November 29, 2016, at approximately 7:51am, Inspector Lisa Roberts was contacted by the on Call Inspector Supervisor, Katouree Jackson and advised of the unattended death of Inmate Mickey McGuire DC# 037301 at Zephyrhills Correctional Institution (ZCI). Inmate McGuire was housed in E1 Dormitory, cell E1103 and Inmate William Rowe DC# 122549 was his roommate. [REDACTED] pronounced Inmate McGuire deceased at 6:40am. Florida Department of Law Enforcement (FDLE) was notified of the incident. Special Agent (SA) Sara MacKnight was assigned as the case agent, FDLE Case #TM-37-0016. This was reported via MINS on November 29, 2016 and assigned as an Investigative Assist on December 2, 2016 to Inspector Roberts.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

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

I responded to ZCI and made contact with Captain Christopher Patterson and he briefed me on the incident. He informed me that the scene was secure and a log was started and Inmate Mickey McGuire DC# 037301 was laying in the hallway of E1 Dormitory, wing 1. I contacted the FDLE help desk and updated them that I was present at the Institution. Special Agent Supervisor (SAS), Brett Thompson contacted me and inquired if this was a natural death. I explained that I did not know, Inmate McGuire was housed in open population, not housed in a medical dormitory or infirmary, and also had a roommate. He wanted to know if there were any signs of trauma and I informed him that I had not gone to the scene yet. He asked me if he had to respond and I replied, "It is your decision. All I can tell you is that it is an unattended death." SAS Thompson indicated that FDLE would be responding to this incident.

I contacted Supervisor Daryl McCasland and informed him that FDLE was responding to the incident. At approximately 8:58am, on call Inspector David Nefores arrived at ZCI and we went down to E1 Dormitory. I verified that the scene was secured and there was a log being completed. Special Agent (SA) Sara MacKnight arrived at the scene and indicated that she would be the case agent. Upon arrival of FDLE SA MacKnight, Inspector Nefores departed the Institution. SAS Thompson and SA Scott Gibson arrived at the scene at approximately 10:00am. Officer Javarias Hubbard handed me a CD containing the fixed wing video from 11/28/16 at 10:00pm through 11/29/16 at 8:00am. Warden Tamera Poynter had ordered security to obtain the fixed wing video and have it available for me.

I contacted the Medical Examiners Office (ME) and reported Inmate McGuire's death. ME Investigator Dustin Dailey contacted me and I briefed him of the incident. He advised that he was out on another call but would be responding.

SAS Thompson, SA's Gibson and MacKnight entered the scene, took photographs of Inmate McGuire and searched his cell. SA MacKnight indicated that she did not find anything unusual and found no medication in his locker. They completed with the scene and I escorted them to the confinement officer's station for them to conduct the interviews. I gave them a list of personnel that were present during the incident and they began their interviews.



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



ME Investigator Dailey arrived and entered the scene area. He began taking photographs and conducting a search. Once he completed his investigation of the area, he took Inmate McGuire and departed the Institution enroute to the Medical Examiner's Office.

Once SA's Gibson and MacKnight completed their interviews, SAS Thompson indicated that he would not require the [REDACTED] and they were completed with the scene. I then released the area back to security. SAS Thompson, SA's Gibson and MacKnight, and I departed the area enroute to my office in the Administrative Building. SA MacKnight completed an investigative demand and I gave her the CD containing the fixed wing video and face sheets of Inmates McGuire and Rowe. I informed her once I receive the completed incident reports, control room log and dormitory log that I would email them to her. SAS Thompson, SA's Gibson and MacKnight then departed the Institution.

On December 8, 2016, I emailed all incident reports, E Dormitory and Control Room's log, and other paperwork to SA MacKnight.

A copy of Inmate Mickey McGuire's [REDACTED] for the dates of June 8, 2016 to November 29, 2016, were obtained and reviewed. The [REDACTED] revealed that Inmate McGuire was [REDACTED]

On November 30, 2016, at approximately 11:56am, Doctor Noel Palma conducted an autopsy on Inmate McGuire and indicated that Inmate McGuire died from [REDACTED]

The manner of death is classified as natural.

On January 18, 2017, I received the completed FDLE report, Case TM-37-0016, from SA MacKnight. I reviewed the report and SA MacKnight closed the case based on the information provided by the Medical Examiner's Office that the cause of death was natural causes and no evidence that Inmate McGuire was a victim of a criminal action. There were no administrative concerns found.

VII. CHARGES

List alleged violations of Florida Law:

1. No Administrative concerns were brought up or observed during this investigation.

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of SA MacKnight that the case be closed based on the information provided by the Medical Examiner's Office that the cause of death was natural causes and no evidence that Inmate McGuire was a victim of a criminal action and that this case be termed as follows:

1. Investigative Assist Closed



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



Inspector Roberts reviewed the investigation completed by FDLE and no administrative issues were identified.