

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 15-27718**



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



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Case Number: 15-27718

OIG Inspector: Ryan Nicholas

Outside Agency: Miami-Dade Police Department

Outside Agency Investigator: Detective Adam Gilliland

Date Assigned or Initiated: 02-03-2016

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: South Florida Reception Center

Complainant: N/A

Outside Agency Case #: PD151126443617

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Natural Death/Inmate Walter Zinkewitz

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 November 30, 2015, the Department of Corrections (DOC), Office of the Inspector General (OIG) received notification of the death of Inmate Walter Zinkiewitz DC#481807 (Inmate Zinkiewitz). Inmate Zinkiewitz was pronounced deceased on November 26, 2015, at South Florida Reception Center (SFRC). Miami-Dade Police Department (MDPD) investigates all in-custody deaths within Dade County. Upon initial review of the information, the OIG initiated a criminal investigation assist into the death assigned to Inspector Ryan Nicholas.

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 November 26, 2015, Officer Nikia Watson reported in an incident report the following: On November 26, 2015, at approximately 12:30 pm, while inside foxtrot dormitory [REDACTED] [REDACTED] told her Inmate Walter Zinkiewitz was [REDACTED]. Officer Watson stated she immediately secured scene, initiated an emergency log, and notified Captain Dean Lewis.

Investigator Notes: Security personnel at South Florida Reception Center (SFRC) completed an emergency log. The entries began on November 26, 2015, at approximately 12:30 pm, and ended on November 26, 2015, at approximately 04:35 pm.

Security personnel at SFRC completed an inmate death notification checklist which documented the following: Inmate Zinkiewitz [REDACTED] the responding law enforcement agencies, and the notification of security management.

On November 26, 2015, at approximately 04:35 pm, the Miami-Dade County Medical Examiner Department assumed control of Inmate Zinkiewitz body.

On November 27, 2015, the Miami-Dade County Medical Examiner Department completed an investigation report (2015-03362) and indicated the following:

- The report listed Inmate Zinkiewitz Cause of Death as [REDACTED]
- The report listed Inmate Zinkiewitz Contributory Cause as [REDACTED]
- The report listed Forensic Technician Marco Wells and Photographer Heidi Nichols as the attendees.



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On November 26, 2015, the Miami-Dade Police Department (MDPD) Homicide Detective Adam Gilliland completed a natural death investigation continuation/supplementary report (PD151126443617) which was approved on December 02, 2015. The following was reported:

On November 26, 2015, at approximately 12:43 pm, a MDPD uniformed officer and Miami-Dade [REDACTED] was dispatched to SFRC reference a deceased inmate. Upon the arrival of [REDACTED], Inmate Walter Zinkiewitz was found lying in his bed deceased inside foxtrot dormitory.

Detective Gilliland stated further investigation revealed on January 14, 2014, Inmate Zinkiewitz was sentenced to fifteen (15) years in prison for trafficking heroin. Inmate Zinkiewitz anticipated released was in 2023.

Detective Gilliland stated Inmate Zinkiewitz [REDACTED] while incarcerated. Inmate Zinkiewitz was [REDACTED] inside foxtrot dormitory [REDACTED] of SFRC. On November 26, 2015, Inmate Zinkiewitz was [REDACTED] and [REDACTED] at SFRC. Personnel at SFRC [REDACTED] and reported Inmate Zinkiewitz was deceased. SFRC [REDACTED] did not [REDACTED] since Inmate Zinkiewitz had [REDACTED].

Detective Gilliland stated on November 27, 2015, Associate Miami-Dade County Medical Examiner Doctor Kenneth Hutchins performed an external examination on Inmate Zinkiewitz. The conclusion of the examination determined by Doctor Hutchins was the cause of death was [REDACTED]. The manner was natural.

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 Detective Gilliland that the case be termed as follows:

1. Exceptionally Cleared

Inspector Nicholas reviewed the investigation completed by MDPD, and no administrative issues were identified.