

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-04162**



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



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Case Number: 16-04162

OIG Inspector: Inspector Jonathan Warren

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent David Hubbard

Date Assigned or Initiated: February 18, 2016

Complaint Against: Inmate Sheddric Bentley

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

Complainant: N/A

Outside Agency Case #: OR-37-0038

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Homicide

Confidential Medical Information Included: ___ Yes X No

Whistle-Blower Investigation: ___ Yes X 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 17, 2016, Inspector Jonathan Warren (37424) was notified that Inmate Hans Christian Anderson (925481) had been found [REDACTED] in Cell B3-118 at Tomoka Correctional Institution. During a preliminary investigation, it was determined that Inmate Anderson may have been strangled to death by Inmate Sheddric Bentley (J07599). The Florida Department of Law Enforcement was notified and initiated FDLE Case OR-37-0038. Special Agent David Hubbard was assigned as the lead investigator. Upon initial review of this information, the Office of the Inspector General assigned Investigative Assist 16-04162 to Inspector Jonathan Warren (37424) on February 23, 2016.

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 February 17, 2016 at approximately 12:36pm, Inmate Sheddric Bentley (J07599) reported to the officer station of B-Dormitory at Tomoka Correctional Institution. Inmate Bentley approached Correctional Officer Luis Santaliz (50814) and stated, "You need to place me in cuffs." Correctional Officer Sergeant Keith Buckner (44154) noted that Inmate Bentley was shaking and appeared upset. Sergeant Buckner reported that he asked Inmate Bentley about his request, and Inmate Bentley responded, "I did it. He made me do it. I couldn't help it. He made me do it."

Sergeant Buckner and Officer Santaliz went to Inmate Bentley's assigned cell, B3-118, and found a blanket hanging in the doorway. Upon removing the blanket, they observed Inmate Hans Anderson (925481) lying face down on the floor with a sock around his neck [REDACTED] near his face. The officers removed the sock from Inmate Anderson and determined that he had [REDACTED]. The officers contacted [REDACTED] by radio and [REDACTED]. The officers were relieved by [REDACTED]. [REDACTED] arrived and [REDACTED] until Inmate Anderson was pronounced deceased at 1:11pm.

Special Agent (SA) David Hubbard of the Florida Department of Law Enforcement responded to conduct an investigation of the death of Inmate Anderson. Inmate Anderson had what appeared to be a [REDACTED].

On February 17, 2016, Inmate Bentley was interviewed and stated that he "snapped" after Inmate Anderson grabbed his "...cock..." Inmate Bentley eventually stated that he no longer wished to speak about the incident. A second interview attempt was made on February 18, 2016; Inmate Bentley requested an attorney and was not asked any questions about the incident.

Associate Medical Examiner Marcela Chisté of the Office of the Medical Examiner in Volusia County determined that the cause of Inmate Anderson's death was [REDACTED]. Dr. Chisté reported that the death was a homicide caused during an assault by other person(s).



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On May 20, 2016, SA Hubbard submitted a charging affidavit charging Inmate Bentley with the second degree murder of Inmate Anderson. SA Hubbard advised that he would not require any further assistance from the Office of the Inspector General on August 1, 2016.

The information provided by SA Hubbard was reviewed. There are no apparent violations of procedure or Florida Administrative Code.

VII. CHARGES

List alleged violations of Florida Law:

1. Violation of § 782.04(2), Florida Statutes, Second Degree Murder:

§ 782.04(2), Florida Statute, The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent David Hubbard the allegation against Inmate Sheddrick Bentley for **Second Degree Murder, in violation of Florida Statute § 782.04(2)**, be termed as follows:

1. Assist Closed

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