

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-05465**



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



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Case Number: 17-05465

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Mark Brown

Date Assigned or Initiated: April 1, 2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Blackwater River Correctional Facility

Complainant: Captain Sheridan Smith

Outside Agency Case #: PE-37-0070

Use of Force Number: 17-05412

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 or about April 1, 2017, the Department of Corrections, Office of the Inspector General, received information indicating, security staff found Inmate Torrance Jones DC# 973866, what appeared to be under the influence of an unknown substance, stumbling and falling while walk through the dayroom of E-dormitory, at Blackwater River Correctional Facility (BWRCF). Inmate Jones was approached by Security Staff, he refused to follow commands and a spontaneous use of force of chemical agents was administered. Inmate Jones became combative and was placed in a prone position on the floor until security staff were able to apply wrist and ankle restraints. On April 1, 2016, at approximately 9:47 p.m., Inmate Jones was taken [REDACTED] [REDACTED] declared deceased [REDACTED] on April 1, 2017 at 10:50 p.m. Inspector Supervisor Darryl Cherry dispatched Inspector Kate Gustafson to BWRCF and notified the Florida Department of Law Enforcement (FDLE) Watch Desk of the incident. This Investigative Assist was documented in Management Information Notes System (MINS) 767688 and assigned to Inspector Kate Gustafson on April 3, 2017. On February 28, 2018, the case was re-assigned to Senior Inspector Louis Cordova.

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:

Investigator's Note: *The summary findings listed below were obtained from the FDLE investigative reports associated with FDLE Case# PE-37-0070.*

According to FDLE Special Agent Mark Brown, on April 1, 2017, Florida Department of Corrections Inmate Jones was incarcerated at the BWRCF in Milton, Florida. Around 9:40 p.m., Inmate Jones started exhibiting abnormal behavior. Inmate Jones [REDACTED] [REDACTED]. Inmate Jones walked out into the day room and started hitting cell doors and then laid down on the floor and started kicking and flailing. Inmates described Inmate Jones' behavior as being consistent with someone under the influence of Spice. Inmates also indicated they were aware that Inmate Jones had smoked Spice in the past.

Corrections officers entered the dormitory and tried to calm Inmate Jones down. When [REDACTED] [REDACTED] arrived, Inmate Jones started crawling towards them. Inmate Jones was told to stop, but he refused to comply. For their safety, [REDACTED] backed out of the dormitory. Inmate Jones was ordered to submit to restraints but he refused to comply, at which time he was sprayed with pepper spray.

Corrections officers attempted to handcuff Inmate Jones, but he resisted their efforts. Inmate Jones was taken to the floor and held down until the corrections officers restrained him with handcuffs and leg cuffs. [REDACTED] came back into the dormitory and Inmate Jones [REDACTED] [REDACTED] on his back, [REDACTED]. At some point between the dormitory [REDACTED] Inmate Jones [REDACTED] Upon arrival [REDACTED] [REDACTED] on Inmate Jones until [REDACTED] arrived and pronounced Inmate Jones deceased.



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Security cameras in █ dormitory, along with security cameras positioned between █ dormitory and █ captured the events involving Inmate Jones. None of the video showed any corrections officer using force on Inmate Jones other than pepper spray and holding him down to restrain him. Also, several inmates who were interviewed during the investigation advised that the corrections officers did nothing wrong to Inmate Jones. There were no indications that Inmate Jones' death was the result of criminal activity on anyone's part. All of the information gathered during the investigation indicated that Jones was possibly under the influence of an unknown substance, which possibly led to his abnormal behavior.

On April 3, 2017, Dr. Cameron Snider performed an autopsy on Inmate Jones at the Medical Examiner's Office in Pensacola. During the autopsy, a █ was found in Inmate Jones' left sock. BWRCF █ verified that Inmate Jones █ Also during the autopsy, Dr. Snider discovered █ Inmate Jones' █ However, Dr. Snider did not draw any conclusions as that being a contributing factor in Inmate Jones' death.

On April 3, 2017, Dr. Cameron Snider, District 1 Medical Examiner's Office, performed an autopsy on Inmate Jones. On August 11, 2017, Special Agent (SA) Mark Brown was provided with electronic copies of Inmate Jones' autopsy and toxicology reports. Inmate Jones' autopsy report indicated the following:

Cause of death: █

Manner of Death: Accident

Major Findings and Diagnoses:

I. █

█

In Inmate Jones' toxicology report, ADB-FUBINACA was defined as follows: ADB-FUBINACA is one of many synthetic cannabinoid drugs. The drug is typically sprayed on botanical material and smoked, although it can be ingested in liquid or powder form. ADB-FUBINACA binds to the same brain receptor as THC, the active component of marijuana, and appears to produce similar pharmacological effects.

Based on all the information developed during the investigation, it was concluded that Inmate Jones accidentally died █ and not criminal behavior on anyone else's part. Therefore, this case was closed and no further action was taken.

Investigator's Note: *Senior Inspector Cordova's review of the death investigation completed by FDLE did not identify any administrative issues.*

VII. CHARGES

There were no charges. Dr. Cameron Snider ruled Inmate Jones' death as accidental █



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VIII. CONCLUSION

Based on the information gathered during FDLE Special Agent Mark Brown's investigation, it is the recommendation of Senior Inspector Cordova that the death of Inmate Jones be termed as follows:

- **Exceptionally Cleared**