

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE 17-05460**



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



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Case Number: 17-05460

OIG Inspector: Inspector James Padgett

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special William Mickler

Date Assigned or Initiated: 04/03/2017

Complaint Against: Captain Melanie Martin

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

Complainant: Inspector James Padgett

Outside Agency Case #: TL-73-2661

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number:



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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 March 27, 2017 at 2154 hours, Inspector Padgett was dispatched to Jefferson Correctional Institution (JCI) by on-call Inspector Supervisor David Allen regarding [REDACTED] inmate. Sergeant Ryan Paiva discovered Inmate Robert Hill, DC# A51782 on the floor of Side 1 in G-dorm [REDACTED] and immediately requested assistance from [REDACTED] additional security. Additional security arrived along with [REDACTED] [REDACTED] who began [REDACTED] for Inmate Hill. [REDACTED] arrived on-scene and [REDACTED] of Inmate Hill, and then transported him to [REDACTED] where he remains in [REDACTED] as of March 28, 2017 at 0340 hours.

On March 28, 2017, Inmate Hill was pronounced deceased by [REDACTED].

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 March 27, 2017, at approximately 2155 hours, the Florida Department of Law enforcement (FDLE) was contacted by the Florida Department of Corrections (DOC) relating to a [REDACTED] to an inmate, pursuant to the Memorandum of Understanding between FDLE and DOC. The Inmate, Robert Hill was found [REDACTED] near his bunk by correctional officers. Inmate Hill was transported to [REDACTED]. It was reported that Inmate Hill's distress was caused by an [REDACTED] of K2, a synthetic cannabinoid.

FDLE Special Agent (SA) William Mickler was notified of the incident and responded [REDACTED]. Upon his arrival, SA Mickler learned that Inmate Hill had been [REDACTED] since his arrival at [REDACTED]. A CT scan revealed Inmate Hill had an [REDACTED] and he would not survive. Inmate Hill was placed [REDACTED].

Inspector James Padgett responded to JCI and conducted a walk-through of the scene. Inspector Padgett learned Inmate Hill and another inmate, Joseph D. Stamper, was also found [REDACTED] distress at the same time as the discovery of Inmate Hill. Inmate Stamper was provided [REDACTED] [REDACTED] at the JCI and recovered. Inmate Stamper advised he and Inmate Hill smoked K2 in the dorm, and that after one hit of the substance, he had no memory of events following the consumption of the K2.

On March 28, 2017, at approximately 1341 hours, Inspector Padgett notified SA Mickler was notified that Inmate Hill had been removed from [REDACTED]. Inspector Padgett was unaware of who made the decision to remove Inmate Hill from [REDACTED] as there was no identified next of kin. At 1354 hours Inspector Padgett notified SA Mickler that Inmate Hill was pronounced deceased at 1330 hours.

On March 29, 2017, the autopsy of Mr. Hill's body was performed at the Morgue at TMH by Associate Medical Examiner, Dr. Lisa Flannagan. The autopsy was attended by FDLE SA Mike DeVaney. [REDACTED] was observed on the body. A toxicology screen was taken and submitted to the University of Florida in Gainesville, Florida and the NMS Laboratory in Willow Grove, Pennsylvania. An autopsy



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report was received on August 24, 2017, listing the cause of death as being [REDACTED]. The urine sample provided to NMS Lab was [REDACTED]. Inmate Hill died as a result of [REDACTED] and the manner of death was accidental.

VII. CHARGES

List alleged violations of Florida Law:

1. None

VIII. CONCLUSION

This investigative assist is closed as the criminal death investigation is unfounded.

- Inspector Padgett reviewed the investigation completed by FDLE, and no administrative violations were identified.