

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 19-00271**



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



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Case Number: 19-00271

OIG Inspector: Inspector Brad Howard

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Terrance Tyler

Date Assigned or Initiated: 01-7-2019

Complaint Against: Inmate Joshua Rogers, DC# H07986

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

Complainant: Sergeant Jeffery Haskins

Outside Agency Case #: TL-37-0104

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death / Suicide

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 January 1, 2019, at Hamilton Correctional Institution (HCI), Inmate Joshua Rogers, DC# H04986 (Rogers) was discovered inside his cell [REDACTED] [REDACTED] was initiated. [REDACTED] staff arrived at [REDACTED] Rogers was pronounced deceased.

This information was reported to the Office of Inspector General via the Emergency Action Center (EAC) and Inspector Christopher McGauley (McGauley) responded to HCI to assist FLDE Special Agent Terrance Tyler (SA Tyler) with his investigation (TL-37-0104). This case was assigned to Inspector Brad Howard as an Investigative Assist on January 7, 2019.

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 January 1, 2018, Inspector Supervisor Yolanda Brown (Brown) notified Inspector Chris McGauley (McGauley) of a death at HCI Annex. Brown advised the death appeared to be a suicide based on preliminary information received. Brown indicated Florida Department of Law Enforcement (FDLE) advised they would be responding. McGauley made contact with Captain Darius Fisher (Fisher) by phone to obtain information on the incident. Fisher advised Inmate Rolando Ramirez DC #M56080 (Ramirez) was in confinement and was escorted from cell G2-104 to the shower area by Officer Kevin Holbrook (Holbrook). Sergeant Jeffrey Haskins (Haskins) indicated that Rogers (Ramirez's cellmate) verbally declined to exit the cell for a shower. Haskins observed Rogers walking around in his cell and verbally communicated with him at that time. A short time later, Haskins returned Ramirez back to his cell and observed a sheet over the window to the cell door. Haskins opened the food portal flap on the cell door and removed the sheet. Upon removing the sheet from the cell door, Haskins observed Rogers' feet and legs beside the toilet in the cell. Haskins initiated ICS (Incident Command System) and entered the cell to ensure the safety [REDACTED] of Rogers. Upon entering the cell, Haskins observed Rogers had attached a sheet to the top bunk with a knot and tied it around his neck area. Rogers was found in a sitting position [REDACTED] Haskins removed the sheet from Rogers' neck [REDACTED] by security staff and [REDACTED]. Rogers was pronounced deceased by [REDACTED]

Upon arrival at HCI Annex, McGauley and FDLE Special Agent Terrance Tyler (SA Tyler) made contact with Fisher. McGauley, SA Tyler, and Fisher proceeded [REDACTED]. McGauley and SA Tyler viewed and photographed Rogers' body. Correctional Officer Terrell Anderson (CO Anderson) was maintaining security and a crime scene log.

McGauley, SA Tyler, and Fisher proceeded to G-Dorm. Upon arrival at G-Dorm McGauley, SA Tyler and Fisher proceeded to the cell where Rogers was discovered (G2-104). During a search of Rogers' bunk, SA Tyler located a sheet attached to the top bunk that was used by Rogers. SA Tyler and McGauley found a [REDACTED] to Rogers and appeared have his handwriting on it. The writing on the package read "I wanted to die". The sheet was seized as evidence and packaged



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by SA Tyler [REDACTED] was photographed. Correctional Officer David Neely (*CO Neely*) was maintaining security and a crime scene log.

Fisher secured copies of the fixed wing video for McGauley and SA Tyler. Fisher reviewed the fixed-wing video from [REDACTED] Dorm and it showed Rogers was not observed to have been involved with any additional security staff or inmates prior to his death. There is no video available inside the cell.

McGauley contacted Archer Funeral Home and advised Joe Chauncey (*Chauncey*) of the above incident. SA Tyler contacted the Medical Examiner's Office.

Rogers' body was transported to the Jacksonville Medical Examiner's Office by Archer Funeral Home employee Raleigh Sistrunk (*Sistrunk*).

On April 8, 2019, SA Tyler received the full autopsy report from the Jacksonville Medical Examiner's Office. On January 2, 2019, Dr. Peter Gillespie performed the autopsy on Rogers and determined the cause of death to be [REDACTED] the manner of death to be Suicide.

No other administrative issues were discovered related to this incident.

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 FDLE Special Agent Terrance Tyler this investigation into the death of Inmate Joshua Rogers, DC# H04986, be deemed a Suicide.

1. Investigative Assist Closed

Inspector Howard reviewed the investigation completed by FDLE, and administrative issues were not identified.