

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-02132**



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



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Case Number: 17-02132

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Dennis Haley

Date Assigned or Initiated: February 6, 2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Santa Rosa Correctional Institution Annex

Complainant: Officer Jose Ibanez

Outside Agency Case #: PE-37-0064

Use of Force Number: N/A

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 February 6, 2017, the Department of Corrections Office of the Inspector General received notification Inmate Lonnie Welch (DC#P33470) [REDACTED] in his cell at Santa Rosa Correctional Institution Annex. [REDACTED], and Inmate Welch was pronounced deceased on February 6, 2017, at approximately 11:43 a.m. Florida Department of Law Enforcement (FDLE) notification was made, and Inspector Andrew Tokajer responded to Santa Rosa Correctional Institution Annex on February 6, 2017, to provide investigative assistance to FDLE. On February 28, 2018, the case was re-assigned to Senior Inspector 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-37-0064.*

According to FDLE Special Agent Dennis Haley, on February 6, 2017, at approximately 1200 hours, Inmate Welch [REDACTED] in his confinement cell, by correctional officers at the Santa Rosa Correctional Institution Annex in Milton, Florida (Santa Rosa County). Inmate Welch was later pronounced deceased at the Institution [REDACTED]. The Florida Department of Corrections requested that the FDLE investigate the death of Inmate Welch.

On February 6, 2017 Special Agents Dennis Haley and Special Agent Brannan Riley responded to Santa Rosa Correctional Institution Annex where Correctional Officer Jose Ibanez briefed reporting agents concerning the in-custody death. According to Correctional Officer Ibanez, Inmate Welch was discovered in his cell lying face down on the floor [REDACTED]. Inmate Welch's cell was a one-man cell, Q4-108, in Q-dormitory at Santa Rosa Correctional Institution Annex. When Inmate Welch was discovered face down on the floor with his pants partially down, and he had defecated on himself. At approximately 11:00 a.m., Inmate Welch had received his meal and was observed sitting eating his meal. Approximately fifteen (15) minutes later when Correctional Officer Ibanez came by Inmate Welch's cell to collect his lunch tray, Inmate Welch was discovered on the floor. Inmate Welch was [REDACTED] Q-dormitory [REDACTED]. [REDACTED] Inmate Welch deceased.

Special Agent Haley stated he viewed the body and observed what appeared to be a bag of food that was removed from Inmate Welch' [REDACTED]. Special Agent Halley indicated it appeared as though Inmate Welch [REDACTED].

Special Agent Haley indicated he obtained statements [REDACTED] who responded after being notified. [REDACTED] at approximately 11:00 a.m. [REDACTED] o Q-dormitory. [REDACTED] Inmate Welch [REDACTED] Inmate Welch [REDACTED] he was deceased. [REDACTED] [REDACTED] stated she had known Inmate Welch for the past few years, and he was [REDACTED]



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known to eat his own feces and to eat his Styrofoam dinner tray. [REDACTED] it appeared Inmate Welch [REDACTED]
[REDACTED]

On February 24, 2017, Special Agent Riley reviewed the surveillance recordings. The footage contained three (3) separate camera views/angles of the outside of Inmate Welch's single person cell, located on the bottom floor. In the camera view labeled [REDACTED] " Inmate Welch's cell can be seen on the left side of the viewing screen and was the second cell from the bottom of view. No one entered or exited Inmate Welch's cell from approximately 1000 hours until 1212 hours. At approximately 1211 hours, a correctional officer stopped at Inmate Welch's cell while conducting a routine check. The correctional officer could be heard saying, "Welch...Welch..." as he was looking through Inmate Welch's cell door window. A few moments later at approximately 1212 hours, other correctional officers arrived to Inmate Welch's cell to assist. Correctional officers opened his cell door. At approximately 1213 hours correctional officers arrived to Inmate Welch's cell [REDACTED]. At approximately 1214 hours correctional officers placed Inmate Welch [REDACTED] [REDACTED] located in the same building. Inmate Welch could be seen briefly on the camera view, and he did not appear to be moving. Inmate Welch appeared to be clothed with a shirt and pants, his arms folded on his stomach area, and his head leaned towards his right side.

Investigator's Note: *Santa Rosa Correctional Institution Annex is located in the Central Time Zone. The times noted in Special Agent Riley's video review appeared to be documented utilizing Eastern Time. This would explain the one (1) hour difference in the reports and testimony obtained from staff, and the video review noted by Special Agent Riley.*

Special Agent Haley indicated on February 7, 2017, at approximately 11:00 a.m., Special Agent Riley attended the autopsy of Inmate Welch. District One Chief Medical Examiner Dr. Andrea Minyard performed the autopsy at the District One Medical Examiner's Office located in Pensacola, Florida.

During Welch's autopsy, Dr. Minyard discovered two (2) small baggies located inside of Welch's ears with unknown substances and one (1) baggie with what appeared to be chewed food that was said to be removed from his throat [REDACTED]. In addition, Dr. Minyard discovered twenty-one (21) objects (plastic type baggies that contained unknown fluids and or/substances and condiment packets) from his small and large intestine and six (6) objects (plastic type baggies that contained unknown fluids and or/substances and a condiment packet) from his stomach. Dr. Minyard's preliminary findings indicated that it appeared Welch's cause of death [REDACTED]
[REDACTED]

On May 9, 2017, Special Agent Haley received the final autopsy report concerning the death of Inmate Welch at the Santa Rosa Correctional Institution Annex. The autopsy report listed Inmate Welch's death as an accident [REDACTED]."
Inmate Welch's toxicology report [REDACTED]

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



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VII. CHARGES

There were no charges. Dr. Minyard ruled Inmate Welch's death as accidental [REDACTED]
[REDACTED]

VIII. CONCLUSION

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

- **Exceptionally Cleared**