

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-04437**



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



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Case Number: 17-04437

OIG Inspector: Inspector Roy Long

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent David Hubbard

Date Assigned or Initiated: 03/17/2017

Complaint Against: N/A

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

Complainant: N/A

Outside Agency Case #: OR-37-0054

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: 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 March 16, 2017, at approximately 11:15 AM, Warden Sheila Cumbie contacted this Inspector and advised me of an inmate death at Lake CI. I then notified Supervisor Dennis McIntosh who advised that FDLE was contacted and would be responding to assume lead investigative responsibility of this investigation. FDLE initiated a criminal investigation, case #OR-37-0054. On March 17, 2017, Inspector Roy Long was assigned investigative assist #17-04437 to assist FDLE in their investigation.

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 16, 2017, at approximately 11:15 AM, Warden Sheila Cumbie contacted this Inspector and advised me of an inmate death at Lake CI. I then notified Supervisor Dennis McIntosh who advised that FDLE was contacted and would be responding to assume lead investigative responsibility of this investigation.

At approximately 11:45 AM, I arrived on scene and made contact with Captain Troy Hawkins, Lake CI OIC, who advised that Inmate Bonnel Azemar #T41000, housed in the Confinement Wing, was found hanging in his cell by a bed sheet. At approximately 10:09 AM, Security staff entered the cell and removed the bed sheet from Inmate Azemar's neck. [REDACTED] arrived and took over. [REDACTED] Inmate Azemar and was unable to do so. Inmate Azemar was pronounced deceased at 11:02 AM, [REDACTED].

After consulting with Captain Hawkins, I visually ensured that Inmate Azemar's cell and body were secured pending the arrival of FDLE.

At approximately 1:20 PM, FDLE Special Agent David Hubbard arrive on-scene. I escorted Agent Hubbard to Inmate Azemar's cell where it was photographed and processed. Agent Hubbard was provided with a room to conduct interviews with involved staff members.

Medical Examiner Investigator Alicia Tena responded to the scene. Investigator Tena was provided with copies of Inmate Azemar's [REDACTED] S/A Hubbard and I then escorted Investigator Tena to photograph the scene and prepare Inmate Azemar's body for transport. Investigator Tena and I then inspected the body of the deceased. [REDACTED] body of the deceased.

At approximately 4:15 PM, the Medical Examiners transport arrived on-scene. Upon approval from Special Agent Hubbard the body was released to the Medical Examiner.



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Summarize Event Timeline:

- On March 16, 2017, at 11:15 AM, Inspector Roy Long was informed by Warden Sheila Cumbie of an inmate death at Lake Correctional Institution.
- At 11:45 AM, Long arrived at the scene (Confinement Wing / F Dorm) and ensured that the scene and witnesses were secure pending the arrival of FDLE.
- At 1:20 PM, Long met with S/A Hubbard to discuss the incident.
- At 2:00 PM, Long assisted S/A Hubbard conduct staff interviews.
- At 4:15 PM, the deceased was released to the ME.
- At 4:30 PM, FDLE concluded interviews and departed the institution.

In a final Autopsy Report by District 5 Associate Medical Examiner Kyle Shaw, M.D., dated June 9, 2017, the death of Inmate Bonnel Azemar #T41000 was termed as follows:

Cause of Death: [REDACTED]

Manner of Death: Suicide

VII. CHARGES

List alleged violations of Florida Law:

No violations noted. Inmate death was ruled as a suicide not involving staff or inmates.

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent David Hubbard the death of Inmate Bonnel Azemar #T41000, be termed as Suicide.

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

1. Investigative Assist Closed