

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 16-12411**



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



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**Case Number:** 16-12411

**OIG Inspector:** Inspector Joseph Varnum

**Outside Agency:** Florida Department of Law Enforcement (*FDLE*)

**Outside Agency Investigator:** Special Agent Alonzo Green

**Date Assigned or Initiated:** 06-28-2016

**Complaint Against:** Unknown

**Location of Incident – Institution/Facility/Office:** Franklin Correctional Institution

**Complainant:** Captain Dustin Godfrey

**Outside Agency Case #:** TL-73-2598

**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 June 25, 2016, the Office of Inspector General (*OIG*) received information that Inmate James Smith, DC# T90826 had passed away [REDACTED] at Franklin Correctional Institution (*FCI*). Upon receiving the information, the *OIG* notified the Florida Department of Law Enforcement (*FDLE*) as required in the Memorandum of Understanding. Special Agents Alonzo Green and John McDonald responded.

The *OIG* assigned Inspector Joseph Varnum to assist on June 25, 2016.

**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 Saturday June 25, 2016, *FCI* Inmate Smith was [REDACTED] during recreation. At approximately 2:43 PM, Inmate Smith was walking on the track when he collapsed. Inmate Smith was found [REDACTED] by officers who [REDACTED] over their radios to summon [REDACTED]. Officers [REDACTED] staff [REDACTED] [REDACTED] were summoned and responded. [REDACTED] arrived and [REDACTED]; however, Inmate Smith was pronounced deceased at 3:14 PM, and the temperature was 92 degrees and sunny at the time of the incident.

At approximately 4:30 PM, *FDLE* Violent Crime Supervisor Michael Kennedy contacted Special Agents Green and McDonald to respond to *FCI*. SA Green was assigned as the case agent to lead the investigation of Inmate Smith's death. At approximately 6:30PM, SA Green and McDonald arrived at *FCI* and met with Inspector Varnum. Inspector Varnum advised Inmate Smith's body was being guarded and was [REDACTED] and the potential crime scene had been properly cordoned off in Quad 2.

SA McDonald contacted the Medical Examiner's Office (*ME*) and advised the on-call doctor what had transpired. The autopsy was scheduled to commence at 9:00 AM on Monday June 27, 2016, at the morgue in Tallahassee, Florida. On June 25, 2016, SA Green conducted a recorded interview of Officer James Murnan. This investigative report was completed to document the information obtained during the interview and should not be considered a verbatim transcript of the interview.

At approximately 2:43PM, Officer Murnan was working H-dorm as internal security for Quad 2. Officer Murnan was walking back across the Quad when he heard multiple inmates yelling his name and saying that an inmate "went down." Officer Murnan immediately responded to the inmate (*Smith*) and described the inmate [REDACTED] Inmate Smith' [REDACTED] [REDACTED], and Officer Murnan relayed his condition over the radio.

After a few moments [REDACTED] arrived with [REDACTED] and some inmates assisted in picking Inmate Smith up and [REDACTED] Onc [REDACTED], Inmate Smith was [REDACTED]



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room as Officer Murnan remained on Quad 2 supervising the rest of the inmates. Officer Murnan did not observe any violence in the recreation yard the entire day and went on to say, he has never had any discipline issues with Inmate Smith, nor has he ever heard of any problems with him. Officer Murnan did have the other inmates tell him that Inmate Smith was exercising at the time he "fell out." Officer Murnan added, he recently observed a family member pass away [REDACTED]

On June 25, 2016 SA Green conducted a recorded interview of Officer Justin Mathes. This investigative report was completed to document the information obtained during the interview and should not be considered a verbatim transcript of the interview.

At approximately 2:43PM, Officer Mathes was working inside D-Dorm and heard [REDACTED] call-out on the radio and responded to South Gate in order to escort [REDACTED] inside FCI. Once inside, Officer Mathes led the [REDACTED] personnel, [REDACTED] and [REDACTED]. Officer Mathes assisted i [REDACTED] Inmate Smith while [REDACTED] and [REDACTED] were getting their [REDACTED] out. Officer Mathes observed [REDACTED] and [REDACTED] continue [REDACTED] to Inmate Smith until there was no signs of life, and then pronounced him dead. Officer Mathes had never had a discipline issue with Inmate Smith and did not know of any inmate that wanted to harm him. Officer Mathes heard other random inmates talking after the incident and saying, Inmate Smith just fell out while he was exercising.

On June 25, 2016, SA Green conducted a recorded interview of Sergeant David Ingram. This investigative report was completed to document the information obtained during the interview and should not be considered a verbatim transcript of the interview.

At the time Inmate Smith's incident occurred, Sergeant Ingram was working in G-Dorm when he heard a [REDACTED] call on his radio. Sergeant Ingram called an officer that was on the recreation yard to take his duties in G-Dorm because he is on the A-1 Response Team. By the time Sergeant Ingram had relief, Inmate Smith had already been taken [REDACTED]. Sergeant Ingram arrived at the [REDACTED] and relieved an officer that was [REDACTED] arrived and took over.

Sergeant Ingram did not recognize Inmate Smith, but he had no discipline issues with him, or any information regarding other inmates wanting to harm him. Sergeant Ingram heard that Inmate Smith "fell out" while exercising and was [REDACTED] when help arrived.

On June 25, 2016 SA McDonald interviewed Sergeant Jerrod Hunter.

Sergeant Hunter was in Quad 2 talking with Officer Murnan when inmates told them that an inmate had fallen on the exercise yard. Using his radio, Sergeant Hunter called [REDACTED] s he responded to where Inmate Smith was [REDACTED]. Due to the extreme heat, Sergeant Hunter calculated, Inmate Smith was having a heat related emergency and poured water on the inside of his elbows in an attempt to cool his body temperature.

Inmate Smith was lying flat on his back when Sergeant Hunter got to him, [REDACTED] Sergeant Hunter and other officers [REDACTED] Inmate Smith had



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[REDACTED] Other inmates assisted lifting Inmate Smith [REDACTED]  
 [REDACTED] Sergeant Hunter along with the other officers and [REDACTED].

Sgt. Hunter advised, other inmates that were near Inmate Smith when he fell were saying he was exercising by walking on the track and doing pull-ups. Sergeant Hunter did not observe any injuries or blood on Inmate Smith's head or body. None of the other inmates indicated that there had been a fight or any physical altercation on the recreation yard. Sergeant Hunter did not recognize Inmate Smith as ever having discipline issues or prone to behavior that would cause another inmate to want harm him.

On June 25, 2016 SA McDonald interviewed Lieutenant Dustin Godfrey.

Lieutenant Godfrey was dealing with an incident in A-Dorm when he heard [REDACTED] over the radio; however, due to his location, he responded directly to [REDACTED]. Lieutenant Godfrey assisted other officer's and [REDACTED] Inmate Smith until [REDACTED] arrived. Lieutenant Godfrey noted; [REDACTED] pronounced Inmate Smith deceased at approximately 3:14PM. Lieutenant Godfrey did not observe any injuries to Inmate Smith's head or body.

On June 25, 2016 SA McDonald interviewed [REDACTED]

[REDACTED] was in the FCI [REDACTED] when she was notified by other staff members of [REDACTED] in Quad 2. [REDACTED] and [REDACTED] and responded. [REDACTED] stayed behind in [REDACTED] in order to retrieve the [REDACTED] any pertinent files.

When [REDACTED] first saw Inmate Smith, it was [REDACTED] and officers and inmates were attempting to [REDACTED] to him. When [REDACTED] and [REDACTED] arrived with the [REDACTED] the inmates [REDACTED]. Once [REDACTED], [REDACTED] noticed Inmate Smith [REDACTED]. Inmate Smith did not appear to have any injuries to his head or body and was immediately [REDACTED]. Once in [REDACTED] observed Inmate Smith was [REDACTED] and [REDACTED] [REDACTED] was notified of the situation. [REDACTED] and officers present and continued until [REDACTED] arrived with [REDACTED].

On June 25, 2016 SA Green conducted a recorded interview [REDACTED]. This investigative report was completed to document the information obtained during the interview and should not be considered a verbatim transcript of the interview.

In summary, the following was discussed: at the time of Inmate Smith's incident, [REDACTED] was notified and staye [REDACTED] in order to retrieve [REDACTED] took a [REDACTED] to Quad 2 [REDACTED] observed Inmate Smith [REDACTED] to Inmate Smith, [REDACTED] which she could not find any [REDACTED].



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obvious signs. The only [REDACTED]  
[REDACTED]

After [REDACTED] completed the above actions, [REDACTED] arrived and took over continuing [REDACTED] Inmate Smith. [REDACTED] did suggest multiple times that [REDACTED] transport Inmate Smith [REDACTED]; however, [REDACTED], [REDACTED] pronounced Inmate Smith deceased. [REDACTED] notified FCI [REDACTED] of the situation as per policy.

On June 25, 2016 SA Green conducted a recorded interview of [REDACTED] [REDACTED] his investigative report was completed to document the information obtained during the interview and should not be considered a verbatim transcript of the interview.

In summary, the following was discussed: at the time of Inmate Smith's incident, [REDACTED] was in the FCI [REDACTED]. When [REDACTED] was notified [REDACTED] in Quad 2, she retrieved her [REDACTED]. [REDACTED] headed out to Quad 2 to assist. When they arrived, [REDACTED] observed at least two other inmates physically pick Inmate Smith up and place him [REDACTED]. [REDACTED] immediately began [REDACTED] Inmate Smith [REDACTED].

[REDACTED] did not hear any of the inmates saying that there was a fight or someone had physically injured Inmate Smith, but did hear the inmates saying he was exercising when he passed out. [REDACTED] Inmate Smith had [REDACTED]. Once Inmate Smith was [REDACTED], [REDACTED] continued to assist Inmate Smith until Franklin [REDACTED] took over. [REDACTED] documented that [REDACTED] pronounced the time of death at 3:14 PM.

SA Green and McDonald were escorted to the Quad 2 recreation yard by Inspector Varnum to observe the area where Inmate Smith [REDACTED]. This investigative report was drafted to document SA Green's observations.

Near the northern most fence of Quad 2, there was crime scene tape and traffic cones identifying where Inmate Smith fell to the ground. SA Green and McDonald searched the area for blood, weapons, and any evidence related to this incident, which none were found. The sand and grass was disturbed with shoe prints [REDACTED] on the sand and SA McDonald took photos of the area.

SA Green, McDonald and Inspector Varnum went to [REDACTED] Inmate Smith was laying on his back [REDACTED]. An officer had been assigned to guard Inmate Smith's body and to prevent entry into [REDACTED]. Inmate Smith's shirt had been removed and his pant legs had been pulled up almost to his knees, and his socks and shoes were still on. [REDACTED] Inmate Smith's body, as well as, [REDACTED]. Inmate Smith's [REDACTED] which none were found. [REDACTED]



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On June 25, 2016, SA Green and McDonald conducted an interview of Inmate Sandor Guillen. The interview was conducted in the Quad 2 recreation yard under a pavilion near where Inmate Smith was found [REDACTED]

Inmate Guillen advised he was currently assigned to dorm C-102 and was out in the recreation yard exercising along with the rest of the inmates when Inmate Smith fell to the ground. Inmate Guillen did not see Inmate Smith fall to the ground, but he went to where he was to see if he could assist. It did not appear that a fight, or any physical altercation had occurred based on the reactions of the other inmates. By the time Inmate Guillen got to where Inmate Smith was, two officers were tending to him. Inmate Guillen noticed [REDACTED] Inmate Smith's head was facing east and his legs were facing west towards the tower near closer to the Northern most security fence.

Once [REDACTED] arrived, Inmate Guillen supported Inmate Smith's head while two other inmates physically picked him up [REDACTED]. Inmate Smith [REDACTED] the entire time. Inmate Guillen knew Inmate Smith from interactions he had with him in the education department where Inmate Smith tutors other inmates. Inmate Guillen was not aware of any threats against Inmate Smith and never knew or heard about him being involved in any activity where another inmate would want to harm him. Inmate Smith was also not known to use or sell drugs.

On June 25, 2016, SA Green and McDonald conducted an interview of Inmate Russell Gerow, DC# Y30995. The interview was conducted in the Quad 2 recreation yard under a pavilion near where Inmate Smith was found [REDACTED]

Inmate Gerow was doing pull-ups in close proximity to where Inmate Smith "fell out." Inmate Gerow walked over to where Inmate Smith was on the ground to see if he could assist and described him as [REDACTED] Inmate Smith' [REDACTED] Inmate Gerow assumed Inmate Smith was [REDACTED] due to the fact other inmates were not acting like a fight or stabbing had occurred.

Due to the extreme heat, Inmate Gerow thought Inmate Smith was having a heat related issue so he went and got a cup of water and poured it on him hoping to help cool him off. Inmate Gerow also assisted in placing Inmate Smith on his side hoping t [REDACTED] arrived. Inmate Gerow did not know Inmate Smith to be involved in any prison activity that would cause another inmate to harm him, or knew of him to use illegal drugs.

On June 25, 2016, SA Green and McDonald conducted an interview of Inmate Jesse Haught, DC# J48466. The interview was conducted in the Quad 2 recreation yard under a pavilion near where Inmate Smith was found [REDACTED]

Inmate Haught was doing pull-ups in close proximity to where Inmate Smith "fell out." Inmate Haught noticed other inmates motioning for the officers and looked over and saw Inmate Smith laying on the ground. Inmate Haught went over to where Inmate Smith was and tried to assist by "shading" him from the sun as the extreme heat [REDACTED] Inmate Smith's [REDACTED] Inmate Haught then went and got a cup of water and poured it on Inmate Smith's arms and legs in an attempt to cool him off.



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Inmate Haught stated there was no indication Inmate Smith was in a physical altercation before he fell and he did not see any wounds or injuries on his head or body. Once [REDACTED] arrived [REDACTED] Inmate Haught assisted by picking Inmate Smith's feet/ legs up [REDACTED]. Inmate Haught did not actually know Inmate Smith personally, or recognize him as one of the inmates that causes problems, or that other inmates have a problem with.

On June 25, 2016, SA Green and McDonald conducted an interview of Inmate William Quinn, DC# X18999. The interview was conducted in the Quad 2 recreation yard under a pavilion near where Inmate Smith wa [REDACTED]

Inmate Quinn was doing pull-ups in close proximity to where Inmate Smith "fell out." Inmate Quinn thought Inmate Smith was exercising in some capacity such as walking on the track when he collapsed. Inmate Quinn did not see any physical altercation prior to Inmate Smith collapsing and was one of the first to arrive to Inmate Smith. Inmate Quinn tried talking to Inmate Smith, but he was "locked up" [REDACTED] Inmate Quinn thought Inmate Smith was [REDACTED] and did not notice any injuries, or see any blood on his head or body.

The officers arrived to assist Inmate Smith and handed Inmate Quinn a cup to get water in. Inmate Quinn got the water and poured it on the crook of Inmate Smith's arm in an attempt to cool him off. Inmate Quinn noticed Inmate Smith's [REDACTED] Inmate Quinn has never known any other inmate to have a problem with Inmate Smith, or him using illegal drugs.

On June 25, 2016, SA McDonald had contacted the ME's Office in Tallahassee to make arrangements to have Inmate Smith's body transported to Tallahassee in order to have an autopsy performed. The autopsy was scheduled for Monday June 27, 2016.

Bevis Funeral Home located in Crawfordville, Florida, agreed to transport the body from FCI to the ME's Office. At approximately 10:00 PM, Bevis Funeral Home employees; Shawn Coshatt and Alan Hewict arrived at FCI to take possession of Inmate Smith's body. [REDACTED] and his body was placed in a body bag and sealed. Evidence tape was used to assure the body bag would not be opened until autopsy. At approximately 10:15PM, Mr. Coshatt and Hewict departed FCI.

On Monday June 27, 2016, Dr. Lisa Flannagan contacted SA Green by telephone advising she had completed the autopsy of Inmate Smith. The initial results of the autopsy revealed Inmate Smith died of [REDACTED] Dr. Flannagan stated additional lab testing will be conducted and be in contact with SA Green when those results arrive, and when her final report is completed.

On August 26, 2016, SA Green received, via US mail, the final report from the State of Florida District 2 Medical Examiner's Office. [REDACTED]

[REDACTED] The Cause of Death: [REDACTED] There was no evidence of trauma and toxicology studies were negative.

[REDACTED] . Dr. Flannagan's entire report will be attached.



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Officers and [REDACTED] as well as, [REDACTED] were summoned and responded to FCI. [REDACTED] arrived and [REDACTED]; however, Inmate Smith was pronounced deceased at 3:14 PM. It should be noted, the temperature was 92 degrees and sunny at the time of the incident.

Numerous interviews were conducted with those involved [REDACTED] Inmate Smith. Documentation by FCI staff and [REDACTED] were obtained. A physical observation of the area where Inmate Smith collapsed and photographs of that area were taken. An observation of Inmate Smith's body and clothing was conducted on scene. Inmate Smith's body was transported to the District 2 Medical Examiner's Office in Tallahassee for autopsy. The investigation into Inmate Smith's death revealed no suspicious circumstances. This case was thoroughly investigated and no evidence exists to believe Inmate Smith's death was a result of a criminal act. Dr. Lisa Flannagan ruled the cause of death [REDACTED]

**VII. CHARGES**

**List alleged violations of Florida Law:**

This was assigned as a Death Investigation and there were no allegations of violation of Florida State Statue, Rule, Policy, or Directive.

**VIII. CONCLUSION**

Based on the FDLE investigative findings, Inmate Smith died from [REDACTED]

[REDACTED]  
There was no evidence of trauma [REDACTED]; therefore, this investigative assist is closed.

1. Assist Closed

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