

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-05505**



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



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Case Number: 17-05505

OIG Inspector: Inspector Richard Ryder

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent James Breen

Date Assigned or Initiated: 04-04-2017

Complaint Against: N/A

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

Complainant: Captain Lazaro Figueroa

Outside Agency Case #: MI-37-0051

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death (Accidental)

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 or about April 1, 2017, the Florida Department of Corrections, Office of the Inspector General received information from Everglades Correctional Institution (ECI), that on April 1, 2017, at approximately 8:06 pm, an emergency call was initiated reporting that Inmate Oreste Dorrielan, DC# X25279 [REDACTED] in G-Dorm. The A-team arrived on scene and observed that Inmate Dorrielan [REDACTED], security officers [REDACTED] [REDACTED]. At approximately 8:24 pm, [REDACTED] arrived and pronounced Inmate Dorrielan deceased. Upon review of this information an investigative assist to the Florida Department of Law Enforcement (FDLE) was opened assigned to Inspector Richard Ryder.

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 April 1, 2017, Inspector Nelson Rios responded to ECI reference this inmate death incident. Both Miami-Dade Police and FDLE responded to this incident and FDLE assumed jurisdiction of the case.

In his April 2, 2017 Incident Report Captain Lazaro Figueroa indicated the following: On April 1, 2017 at approximately 8:06 am, an emergency call was initiated because Inmate Dorrielan was found [REDACTED] in G-Dorm. The A-Team [REDACTED]. [REDACTED] also responded and pronounced Inmate Dorrielan deceased at 8:26 pm.

In his April 1, 2017 Incident Report Officer Quincy Leon indicated the following: On April 1, 2017, at approximately 8:06 pm, while assigned as the G-Dorm officer, Inmate Dorrielan was found [REDACTED] on the floor of cell G-3209. Emergency Traffic was initiated [REDACTED] was notified.

In his April 1, 2017 Incident Report Sergeant Franz Necuze indicated the following: On April 1, 2017 at approximately 8:08 pm, he responded to G-Dorm reference [REDACTED] inmate. [REDACTED]

In his April 1, 2017 Incident Report Sergeant Willy Lamelas indicated the following: On April 1, 2017, at approximately 8:08 pm, he responded to G-Dorm reference an emergency. Inmate Dorrielan was found on the floor, [REDACTED] [REDACTED]

In his April 1, 2017 Incident Report Sergeant Naaji Cobb indicated the following: On April 1, 2017, at approximately 8:08 pm, he responded to an emergency in G-Dorm and found Inmate Dorrielan [REDACTED] and on the floor. Inmate Dorrielan did not appear [REDACTED]



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FDLE Special Agent Breen completed his investigation and determined the case to be closed as accidental. During the investigation, Agent Breen determined that deceased Inmate Dorrielan's fingerprints came back as belonging to John Joseph. John Joseph is an alias of deceased Inmate Dorrielan.

The Investigations Report and Autopsy Reports submitted by the Miami-Dade County Medical Examiner Department indicate the following, in part:

- Cause of Death: [REDACTED]
- Manner: Accident

There are no administrative violations to address.

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 James Breen that this case be termed as follows:

Exceptionally cleared