

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-17288**



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



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Case Number: 16-17288

OIG Inspector: Inspector Carrie Ryan

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Ed Waters

Date Assigned or Initiated: 09-30-2016

Complaint Against: N/A

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

Complainant: Lieutenant Theodore Taylor

Outside Agency Case #: MI-37-0041

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: 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 September 12, 2016, Inmate Clinton Drake was discovered by Officer Earl Bentley [REDACTED] [REDACTED] from the top bunk during a security check. Inmate Drake [REDACTED] Dade Correctional Institution [REDACTED]. Inmate Drake [REDACTED] on September 16, 2016. Florida Department of Law Enforcement was the lead investigating agency.

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 September 12, 2016, at approximately, [REDACTED], Officer Earl Bentley conducted a security check of Foxtrot Dormitory, wing three, when he saw Inmate Clinton Drake [REDACTED] inside of cell F3112. Inmate Drake [REDACTED]. Officer Bentley notified the housing supervisor, Sergeant John Perez, who responded with additional staff and utilized a ligature cutter to cut the sheet from around Inmate Drake's neck.

Officer Jeremiah Joseph began [REDACTED] on Inmate Drake, whom at the time [REDACTED] [REDACTED] arrived in Foxtrot dormitory [REDACTED] [REDACTED] responded to the dormitory [REDACTED] of Inmate Drake. Inmate Drake expired on September 16, 2016, [REDACTED].

Florida Department of Law Enforcement Special Agent Edward Waters was notified of the death of Inmate Drake on September 16, 2016, and conducted the subsequent investigation. In Investigative Report MI-37-0041, Special Agent (SA) Waters stated that according to DCI staff on September 12, 2016, Inmate Drake was being housed in the confinement wing in cell F3112. In the confinement wing, inmates are secured in their cells twenty-four hours a day.

At approximately [REDACTED] hours, a correctional officer was conducting a security check when he discovered Inmate Drake [REDACTED] from the top bunk, his buttocks slightly off of the floor, and his legs extended in front of him. The officer immediately notified his supervisor on the radio and several officers responded to the cell. The cell door was opened and Inmate Drake was cut down. The officers reported that Inmate Drake [REDACTED] [REDACTED] The officers called for assistance [REDACTED] [REDACTED]).

A short time later, [REDACTED] arrived at the cell. [REDACTED] [REDACTED].

According to the emergency logs, at approximately 0858 hours, [REDACTED] [REDACTED] arrived. [REDACTED] transported Inmate Drake from the cell [REDACTED] [REDACTED] pronounced Inmate Drake [REDACTED] at 1600 hours on September 16, 2016.



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██████████ were provide with a preliminary police death investigation report for the Miami-Dade County Medical Examiner's Office and requested that Inmate Drake's body be transported to the Medical Examiner upon completion of the organ donation process.

On the same date, SA Waters and Miami-Dade Police Department crime scene unit responded to the DCI and collected the ligature Inmate Drake used in the apparent suicide attempt.

On September 19, 2016, the ligature was removed from temporary evidence and transported by SA Michael Stein to the Miami-Dade Medical Examiner's Office for examination by the Medical Examiner. On September 21, 2016, the ligature was returned and entered into the MROC evidence vault at Item #1.

On September 29, 2016, FDLE obtained and reviewed the Medical Examiner's Investigative Finding Report related to the death of Clinton Drake. The report states that Inmate Drake's manner of death was classified as a suicide.

On October 4, 2016, SA Waters submitted a signed EDAF to remove the ligature from evidence for destruction at the next scheduled evidence burn. A copy of the EDAF is retained electronically as INV-11.

Since the manner of Inmate Drake's death has been found to be a suicide, there is no need for further investigation and this case shall be closed.

Miami-Dade County Medical Examiner's Report dated September 29, 2016, signed by Doctor Ana Menendez, indicates that Inmate Clinton Drake's cause of death was suicide, manner of death ██████████

A review of the housing logs for Foxtrot Dormitory on September 12, 2016, indicates that security checks were done in adherence to policy prior to the discovery of Inmate Drake. Inmate Drake was housed alone at the time of this incident.

VII. CHARGES

List alleged violations of Florida Law:

There are no criminal or administrative violations.

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Ed Waters Inmate Clinton Drake's manner of death has been found to be a suicide, there is no need for further investigation.

1. Investigative Assist Closed

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



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