

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-11329**



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



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Case Number: 17-11329

OIG Inspector: Inspector Matthew Ryan

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent James Gau

Date Assigned or Initiated: 06-27-2017

Complaint Against: N/A

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

Subject: Inmate John McMaster-Wade

Outside Agency Case #: TM-37-0021

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 June 27, 2017, at approximately 7:23 am, the Office of the Inspector General (OIG) on-call Supervisory Inspector, David Clark, advised of an inmate suicide at Zephyrhills Correctional Institution (ZCI). ZCI Major Jeff Robinson reported Inmate John McMaster-Wade, DC #037850, was discovered in D Dorm, cell 1111, [REDACTED] at approximately 6:50 am. Staff and [REDACTED] responded and attempted [REDACTED] with no success.

The Florida Department of Law Enforcement (FDLE) was notified, and initiated an investigation, case #TM-37-0021. Inspector Matthew Ryan was assigned the investigative assist, case #17-11329.

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 June 27, 2017, at approximately 7:23 am, the OIG on-call Supervisory Inspector, David Clark, advised of an inmate suicide at ZCI. Major Jeff Robinson reported Inmate John McMaster-Wade, DC #037850, was discovered in D Dorm, cell 1111, [REDACTED] at approximately 6:50 am. Staff and [REDACTED] responded and attempted [REDACTED] with no success.

On June 27, 2017, at approximately 8:23 am, FDLE Special Agent Jim Gau advised FDLE would be conducting the investigation. Major Robinson was instructed the crime scene needed to be maintained and potential witnesses identified and separated. At approximately 8:40 am, FDLE Agent Gau, and seven other FDLE Agents, arrived at ZCI and were briefed. Shortly thereafter, the agents were escorted to the scene. Once on site, the deceased, Inmate McMaster-Wade, was observed laying on the floor, just inside the outer door of the first floor of D Dorm, Wing 1. Major Robinson informed the inmate was placed in that location by [REDACTED] when they attempted [REDACTED] him after he was found by ZCI Captain Frank Franco at approximately 6:50 am. Captain Franco found Inmate McMaster-Wade [REDACTED] in cell 1111 lower, on the bottom bunk, with a bed sheet wrapped around his neck and tied off to the upper bunk. Staff, [REDACTED] and Pasco County [REDACTED] responded and attempted [REDACTED] with no success.

Agent Gau contacted the Pasco County Sheriff's Office (PCSO) and requested crime scene evidence technicians to process the scene. Agent Gau tasked the other FDLE agents to conduct interviews and assist PCSO with processing evidence. Once Agent Gau advised the interviews they required were completed, PCSO finished processing the crime scene, and the medical examiner removed the deceased, the scene was released back to security.

On June 28, 2017, Agent Gau informed he attended the autopsy of Inmate McMaster-Wade and reported there were no signs of any suspicious or unusual attributes suggesting any alternate conclusions to Inmate McMaster-Wade's death then suicide [REDACTED]. He is awaiting the Medical Examiner's final report.



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Agent Gau submitted an investigative demand for records and was provided copies of the incident reports regarding the event and Inmate McMaster-Wade's [REDACTED]

On July 7, 2017, a search of Inmate McMaster-Wade's recent phone calls was conducted for June 11, 2017 to June 27, 2017. In that timeframe, he placed two calls to his sister, Irene Thomas. On one of the calls he complained about his [REDACTED] he was getting. Other than that, there was no significant conversation.

On July 11, 2017, the Pasco County Medical Examiner's Report was provided. The medical examiner's finding, per that report, were; [REDACTED] cause of death [REDACTED] manner of death suicide."

On October 31, 2017, Agent Gau informed the investigation with FDLE had been completed, the report submitted and case closed. He provided a copy of the FDLE report. #TM-37-0021.

On November 1, 2017, a complete review of the FDLE investigative report was conducted. All information contained in the report was consistent with all Department Incident Reports, etc. There were no administrative issues identified. The investigative assist will be submitted for closure.

VII. CHARGES

N/A

VIII. CONCLUSION

Based on the information gathered during the investigation, it is the recommendation of Inspector Matthew Ryan the investigation of Inmate John McMaster-Wade's suicide, be termed as follows:

Investigative Assist Closed

To wit: FDLE Agent James Gau conducted a complete and thorough investigation into the in-custody death of Inmate McMaster-Wade and, per his report, concluded Inmate McMaster-Wade "committed suicide [REDACTED] No evidence was discovered to suggest any other person had anything to do with the planning and or execution of his intentions to harm himself. No further investigative action will be conducted. This case is closed."