

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 15-13439**



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



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Case Number: 15-13439

OIG Inspector: Inspector Chester Potter

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Terrence Tyler

Date Assigned or Initiated: 06-29-2015

Complaint Against: Inmate Cordell Washington
Inmate Marvin Taylor

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

Complainant: Major John Louk

Outside Agency Case #: TL-01-0171

Use of Force Number: None

PREA Number: None

Classification of Incident: Attempted Murder

Confidential Medical Information Included: ___ Yes X No

Whistle-Blower Investigation: ___ Yes X No

Chief Inspector General Case Number: None



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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, 2015, at approximately 6:30 p.m., Inspector McCray received a call from On-Call Supervisor Katouree Jackson regarding an aggravated battery at Taylor Correctional Institution (TCI). Contact was made with Major John Louk at TCI, who advised Inmate Steven Benson, DC# 104033 was being transported to [REDACTED]. Inmate Benson appeared to be the victim of an Aggravated Battery and had [REDACTED]. It was further advised Inmate Benson would immediately be transported to [REDACTED] up on his arrival at [REDACTED].

Florida Department of Law Enforcement (FDLE) responded to this incident and is conducting this investigation. The Office of Inspector General is assisting with this investigation and Inspector Chester Potter was assigned to an Investigative Assist on June 25, 2015.

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 July 1, 2014 I assisted Agent Terrence Tyler with interviewing numerous Inmate witnesses (*list attached*), and provided several pieces of documentation (*attached*) he requested. Agent Tyler, submitted an Investigative Demand for Records form (*attached*), on June 26, 2015, which is attached to this report.

In addition to the listed Inmate Witness lists, the following additional inmates were interviewed as they were identified throughout the day:

Patrick Thompson DC# 468017

Lavar Gillespie DC# S21350

Roger Jackson DC# Y02586

Jerry Sheppard DC# S07448

Jerome Nelson DC# 192391

Ramie Eckford DC# 975387

Willie Robinson DC# 261536

Desmond Green DC# X73765

Jeremy Williams DC# E20162

Jordan Gadson DC# 130214

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Agent Tyler is confident in the development of his case to this point and is planning a meeting with the Assistant State Attorney, with regards to filing charges; however, he is not at a point to prepare Probable Cause Affidavits, because he still needs to interview potential suspects which have been transferred to Florida State Prison.

I contacted Tamara Taylor, [REDACTED] Administrator at TCI, for an update on Inmate Benson's [REDACTED]. According to Ms. Taylor, Inmate Benson is [REDACTED] and the next of kin should be arriving at the hospital on July 2, 2015, to make a decision on whether to continue Inmate Benson's [REDACTED]. Agent Tyler was updated, on his victim's [REDACTED].

On July 06, 2015 at 9:00am, I attended the Autopsy of Inmate Benson, and at this time the preliminary findings are that of Homicide; however, when Doctor Anthony Clark receives his toxicology results he will file a final report of cause of death.

On July 16, 2015, I assisted Agent Tyler with an interview of Inmate Kasey Ackerman DC# C07835, and provided Agent Tyler with CDC information pertaining to his victim and alleged suspect. Agent Tyler was also provided copies of Fixed Wing video from [REDACTED] dorm, TCI.

On July 20, 2015, I assisted Agent Tyler with interviews of Inmates, Jeremy Williams DC# E20162, Jordon Gadson DC# 130214, Michael Anthony DC# H14407, Charles Teal DC# 470533, Roger Jackson DC# Y02586, Jammy Casteel DC# U07458, and a second interview with Inmate Kasey Ackerman DC# C07835. I also provided Agent Tyler with [REDACTED] dorm fixed wing video covering dates 6-22, 23, 24, and 25, 2015.

On July 21, 2015, I assisted Agent Tyler in putting together photo spreads, at the request of the Assistant State Attorney, than presented them to several inmates previously interviewed. Agent Tyler is still trying to obtain 4 days worth of fixed wing videos which we are working on and will be provided when complete.

On August 19, 2015, I received a copy of the Autopsy Report on Inmate Benson, and according to Doctor Anthony Clark, he has documented the cause of death as [REDACTED].

On November 04, 2015 I received an email update on this case from Agent Tyler. Agent Tyler wrote; he presented a probable cause affidavit to Assistant State Attorney James McCain, who in turn is considering a possible Grand Jury in December. Agent Tyler also requested, and was given the names of the Inspectors at Tomoka Correctional Institution, where Inmate Steve Rodriguez DC# 104443 is currently housed, in order to schedule an interview with the inmate.

On December 21, 2015, I received an email update from Agent Tyler advising; the case went to a grand jury on Friday and both Washington and Taylor were indicted. Cordell Washington was indicted on the charge of First Degree Murder While Armed. Marvin Taylor was indicted on the charges of First Degree Murder While Armed and Battery on a Detainee.

On March 02, 2016 I made contact with Agent Tyler, via email and discussed the disposition of his case. Agent Tyler provided 61 individual Investigative reports which contain specific details of his investigation,



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and advised me his case remains open until any appeals have been exhausted; therefore, my case status will be closed by arrest other agency, as no additional investigative assistance is required

VII. CHARGES

List alleged violations of Florida Law:

1. Violation § 782.04(1)(a) 1st Murder

§ 782.04(1)(a) The unlawful killing of a human being: 1. When perpetrated from a premeditated design to effect the death of the person killed or any human being;

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Terrence Tyler the allegation against Inmate Cordell Washington for **1st Degree Murder, in violation of (§ 782.04(1)(a))**, be termed as follows:

1. Closed by Arrest

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Terrence Tyler the allegation against Inmate Marvin Taylor for **1st Degree Murder, in violation of (§ 782.04(1)(a))**, be termed as follows:

1. Closed by Arrest

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