

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-01146**



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



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Case Number: 18-01146

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Geoffrey Anderson

Date Assigned or Initiated: January 17, 2018

Complaint Against: N/A

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

Complainant: Sergeant Ronald Gary

Outside Agency Case #: PE-37-0112

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate 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 January 17, 2018, the Department of Corrections Office of the Inspector General received notification Inmate Marc Mazzo (DC#E15934) had been found [REDACTED] in his confinement cell at Gulf Correctional Institution. [REDACTED], and Inmate Mazzo was pronounced deceased on January 17, 2018, at approximately 12:15 p.m. Florida Department of Law Enforcement (FDLE) notification was made, and Senior Inspector Louis Cordova responded to Gulf Correctional Institution on January 17, 2018, to provide investigative assistance to FDLE.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses' testimony, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

Investigator's Note: *The summary findings listed below were obtained from the FDLE investigative reports associated with FDLE Case# PE-37-0112.*

According to Special Agent (SA) Geoffrey Anderson of the Florida Department of Law Enforcement (FDLE), on January 17, 2018, the FDLE Panama City Field Office responded to Gulf Correctional Institution (GCI), located at 699 Ike Steele Rd., Wewahitchka, FL, in reference to the death of Inmate Mazzo.

Inmate Mazzo [REDACTED] in his confinement cell by Florida Department of Corrections (FDOC) staff. [REDACTED] and Inmate Mazzo was pronounced deceased.

Upon arrival at approximately 1:43 p.m., SA Anderson was met by FDOC Inspector Louis Cordova and was briefed on the incident. Inspector Cordova informed SA Anderson that Inmate Mazzo had been discovered in his cell (Y2-108), in the disciplinary confinement unit, [REDACTED] the upper bunk at approximately 12:15 p.m. It was further learned that Inmate Mazzo had used [REDACTED] [REDACTED]. Inmate Mazzo was the only person in his cell at the time, and FDOC Staff had personal contact with Inmate Mazzo approximately forty (40) minutes prior to him being discovered. Once discovered, [REDACTED] were notified and responded to the scene [REDACTED], and they pronounced Inmate Mazzo deceased at approximately 1:15 p.m.

SA Anderson met with the Medical Examiner's Investigator, Andrew Winker, who took photographs of Inmate Mazzo and his cell. During this time, SA Anderson [REDACTED] Inmate Mazzo. SA Anderson then conducted a search of Inmate Mazzo's cell. No items of contraband were located. There was also no written suicide correspondence located. SA Anderson noted there was a bible opened up to the book of Matthew that was positioned on the bed. Investigator Winkler then took possession of the body of Inmate Mazzo and transported him to the District 14 Medical Examiner's Office for an autopsy.

SA Anderson then met with FDOC staff and conducted interviews. The content of those interviews were consistent with the facts initially obtained that Inmate Mazzo [REDACTED] in his cell.



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On April 4, 2018, SA Anderson received a copy of the autopsy report from the District 14 Medical Examiner's Office. Medical Examiner Dr. Jay Radtke listed Inmate Mazzo's cause of death as [REDACTED] and listed the manner of death as suicide. [REDACTED]

Investigator's Note: *At the conclusion of the FDLE investigation, Senior Inspector Cordova reviewed the fixed wing video from [REDACTED] dormitory and noted approximately forty-two (42) minutes had elapsed since staff last made contact with Inmate Mazzo at approximately 10:58 a.m., and when Sergeant Ronald Gary discovered Inmate Mazzo [REDACTED] in his cell at 11:40 a.m. A chain of custody was initiated for a copy of the original CD/DVD disc containing the fixed wing video files, and it was secured in evidence.*

Based on the [REDACTED] dormitory video evidence, Senior Inspector Cordova concluded that Y-dormitory Housing Sergeant Ronald Gary and Y-dormitory Housing Officer Clifton Whaley were in violation of the following:

- Florida Administrative Code (F.A.C.) 33-602.222, Disciplinary Confinement, which states in part, "the following staff members shall be required to officially inspect and tour the disciplinary confinement unit. These visits shall be conducted a minimum of every 30 minutes by a correctional officer, but on an irregular schedule."
- Post Order# 10 (Housing Sergeant/Officer Confinement) which states in part, "the confinement sergeant and officer will conduct frequent security checks/cell front inspections, at least every 30 minutes but on an irregular schedule/varied route."

The administrative issues identified in this investigation will be addressed by Inspector Tracy Burge in I.G. Case# 18-09131

VII. CHARGES

There were no criminal charges. Dr. Radtke ruled Inmate Mazzo's death as suicide [REDACTED].

VIII. CONCLUSION

Based on the information gathered during FDLE Special Agent Anderson's investigation, it is the recommendation of Senior Inspector Louis Cordova that the death of Inmate Mazzo be termed as follows:

- **Exceptionally Cleared**