

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 17-00984**



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



Table of Contents

I. AUTHORITY	4
II. METHODOLOGY.....	4
III. ANALYSIS.....	4
IV. DEFINITIONS	5
V. PREDICATE	6
VI. SUMMARY OF INVESTIGATIVE FINDINGS.....	6
VII. CHARGES.....	7
VIII. CONCLUSION.....	7



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Case Number: 17-00984

OIG Inspector: Ryan Nicholas

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Edward Ramirez

Date Assigned or Initiated: 01-19-2017

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: South Florida Reception Center

Complainant: N/A

Outside Agency Case #: MI-37-0046

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Death of Inmate Michael Finn

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number: N/A



FLORIDA DEPARTMENT OF CORRECTIONS
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INVESTIGATIVE ASSIST SUMMARY REPORT



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.



FLORIDA DEPARTMENT OF CORRECTIONS
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INVESTIGATIVE ASSIST SUMMARY REPORT



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.



FLORIDA DEPARTMENT OF CORRECTIONS
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INVESTIGATIVE ASSIST SUMMARY REPORT



V. PREDICATE

On or about January 13, 2017, the Florida Department of Corrections (FDC) Office of the Inspector General received notification of the death of Inmate Michael Finn DC#H40418. Inmate Finn was pronounced deceased on January 13, 2017, at South Florida Reception Center (SFRC). The Florida Department of Law Enforcement conducted the death investigation. Upon initial review of the information, OIG initiated a criminal investigative assist into the death and assigned it to Inspector Ryan Nicholas.

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 January 13, 2017, Sergeant Harrison Green reported in an Incident Report the following: On January 13, 2017, at approximately 10:25 pm, he was assigned to hotel dormitory. During the master roster count, he saw Inmate Michael Finn inside cell H3209 [REDACTED] with a noose around his neck slumped over. He immediately requested assistance from the alpha response team. He entered cell [REDACTED] on Inmate Finn. He was relieved [REDACTED] and remained on scene until [REDACTED] arrived.

On January 13, 2017, Captain George Rijos reported in an Incident Report the following: On January 13, 2017, at approximately 10:25 pm, he was assigned as the officer in charge at SFRC, and an emergency call was made for hotel dormitory. The response team reported to hotel dormitory due to an inmate [REDACTED]

Captain Rijos stated he responded to cell H3209. He then assisted Sergeants Harrison Green and John Scarborough [REDACTED] on Inmate Finn [REDACTED] [REDACTED] responded and assumed control of the scene. At 10:55 pm, [REDACTED] pronounced Inmate Finn deceased. FDLE special agents and an OIG inspector responded. At 3:25 am, the Miami-Dade Medical Examiner's Officer exited SFRC with Inmate Finn's body.

On January 17, 2017, Warden Jose Colon indicated on Captain Rijos's Incident Report the following: FDC procedures and policies appeared to be followed by security personnel. Security checks were performed in timely manner in hotel dormitory.

Investigator's note: Security personnel at SFRC completed an inmate death notification checklist which documented the following: Inmate Finn's [REDACTED] the responding law enforcement agencies, and the notification of security management.

Security personnel at SFRC completed an emergency log. The entries began on January 13, 2017, at approximately 10:25 pm, and ended on January 14, 2017, at approximately 3:15 am.



FLORIDA DEPARTMENT OF CORRECTIONS
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INVESTIGATIVE ASSIST SUMMARY REPORT



On January 14, 2018, the Miami-Dade County Medical Examiner's Department assumed control of Inmate Finn's body. The autopsy report indicated the following:

- The cause of the death [REDACTED]
- The attendees as Forensic Technician Marco Wells and Photographer Heidi Nichols.

On January 14, 2017, FDLE Special Agent Edward Ramirez completed investigative report MI-37-0046 and concluded the following:

On January 13, 2017, at approximately 11:38 pm, FDLE was notified by FDC of the in-custody death of Inmate Finn. FDC requested FDLE conduct an investigation to determine the case and manner of death of Inmate Finn.

Special Agent Ramirez stated on February 3, 2017, he concluded the investigation concerning the death of Inmate Finn. Doctor Benjamin Mathis conducted an autopsy and ruled that Inmate Finn's death was a result of suicide [REDACTED]. All interviews and physical evidence support the findings of the Medical Examiner's Office, and the case is closed.

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 Edward Ramirez the death of Inmate Michael Finn be termed as follows:

1. Exceptionally Cleared

Inspector Nicholas reviewed the investigation completed by MDPD, and no administrative violations were identified.