

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 15-21762**



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



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Case Number: 15-21762

OIG Inspector: Inspector Kate Gustafson

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Terry Dawkins

Date Assigned or Initiated: 09-11-2016

Complaint Against: Inmate Tommy Sanders DC# J02341 (*Deceased*)

Location of Incident – Institution/Facility/Office: Santa Rosa Correctional Institution Annex

Complainant: Major David Dunlap

Outside Agency Case #: PE-37-0028

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: 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 or about September 11, 2015, the Department of Corrections, Office of the Inspector General, received information indicating, security staff found Inmate Tommy Sanders, DC# J02341, to be [REDACTED] inside secured cell Q3-106 in the Q-dorm (TCU) at the Santa Rosa Correctional Institution-Annex (SARCI-A) at approximately 7:32 a.m. and was subsequently declared deceased by [REDACTED] at 8:05 a.m. Supervisor Calamari dispatched Inspector Maurice Radford to SARCI-A and notified the Florida Department of Law Enforcement (FDLE) Watch Desk of the incident. This Investigative Assist was documented in Management Information Notes System (MINS) 647317 and assigned to Inspector Maurice Radford on September 16, 2015. *On July 06, 2016, this Investigative Assist was reassigned to Inspector Gustafson.*

VI. SUMMARY OF INVESTIGATIVE FINDINGS

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

On September 11, 2015, Inspector Maurice Radford received an email correspondence from [REDACTED], Carol Paramore. Ms. Paramore provided a copy of the [REDACTED] of Inmate Sanders.

On September 11, 2015, Inspector Maurice Radford attended the post-mortem autopsy on Inmate Sanders by Doctor Andrea Minyard with FDLE Special Agent Terry Dawkins Jr. Inspector Maurice Radford photographed various items removed from Inmate Sanders' stomach.

On September 16, 2015, Inspector Maurice Radford forwarded an email to Special Agent Terry Dawkins with a copy of the Master Menu for August of 2015, as requested.

On December 18, 2015, Special Agent Dawkins affirmed the FDLE investigation into the death of Inmate Sanders was still open pending the receipt of the Medical Examiner's final autopsy report.

On December 29, 2015, Special Agent Terry Dawkins provided Inspector Maurice Radford a copy of the autopsy and toxicology reports for Inmate Sanders.

On July 6, 2016, the Investigative Assist case was reassigned from Inspector Maurice Radford to Inspector Kate Gustafson for completion.

On July 11, 2016, Inspector Kate Gustafson received an email from Inspector Supervisor Maurice Radford, notifying Inspector Kate Gustafson the evidence recovered by FDLE in regards to FDLE case #PE-37-0028 were available for collection or destruction. Inspector Kate Gustafson was further notified via email, Inspector Supervisor Maurice Radford had notified FDLE Special Agent Terry Dawkins Jr., the evidence recovered by FDLE was not needed for the Office of the Inspector General's Investigative Assist Case and the items of evidence may be retained and destroyed by FDLE.



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On August 29, 2016, Inspector Kate Gustafson conducted a review of the autopsy and toxicology reports. The review determined Doctor Andrea Minyard listed Inmate Sanders' cause of death as [REDACTED] and the manner of death as an accident.

On August 29, 2016, Inspector Kate Gustafson conducted a review of the photographs taken by Inspector Maurice Radford. The photographs depicted various aspects of the items removed from Inmate Sanders' stomach at the time of the autopsy.

On August 29, 2016, Special Agent Terry Dawkins emailed Inspector Kate Gustafson a copy of the final report of FDLE case # PE-37-0028 and the autopsy report. The FDLE investigation determined there were no indications that Inmate Sanders' death was the result of foul play and the case was closed on December 28, 2015.

NOTE: This investigation found no violations of Florida Administrative Code or Department of Corrections Procedures.

VII. CHARGES

- N/A

VIII. CONCLUSION

Based on the information gathered during this investigative assist, it is the recommendation of Inspector Kate Gustafson, the death of Inmate Tommy Sanders, based on the determination by the Medical Examiner's Office and the Florida Department of Law Enforcement, this case is termed as follows:

- **Investigative Assist Closed**