

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 18-02922**



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



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Case Number: 18-02922

OIG Inspector: Inspector Latricia Ruiz

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Kevin Sapp

Date Assigned or Initiated: 02-13-2018

Complaint Against: (*Deceased*) Inmate Sello Wynd DC# W01575

Location of Incident – Institution/Facility/Office: Okeechobee Correctional Institution- Work Camp

Complainant: Lieutenant Dennis Burney

Outside Agency Case #: FM-37-0035

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: Inmate Death-Other

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes 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 February 12, 2018, at approximately 4:17 a.m., On-call Senior Inspector Latricia Ruiz was dispatched by On-call Inspector Supervisor Joe Aretino to report to Okeechobee Correctional Institution in reference to an inmate death investigation. On February 12, 2018, at 3:52 a.m., Inmate Sello Wynd DC# W01575, was pronounced deceased [REDACTED]. On February 13, 2018, this allegation was assigned to Inspector Latricia Ruiz as an investigative assist. The Florida Department of Law Enforcement (FDLE) is the primary investigating agency.

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:

Inmate Sello Wynd DC# W01575 is a Black/ Male, DOB 06/15/1973, 234 pound, release date 07/24/2025.

On February 11, 2018, at approximately 5:48 p.m., Sergeant Charmin Prescott was in the officer's station in C-dormitory when Inmate Franklin Castro DC# M59445 approached the officer's station window of wing two and stated, "Sir, there is an inmate down here [REDACTED] Sergeant Prescott immediately notified Lieutenant Dennis Burney via radio and advised him of the situation.

At that time Sergeant Prescott entered wing two and went to bunk C2111L, where Inmate Wynd was lying. Inmate Wynd's [REDACTED].

At approximately 5:50 p.m., Sergeant Jason Juliano, Officer Daniel Butler and Lieutenant Dennis Burney entered the wing. At that point, Inmate Wynd was placed on the floor [REDACTED].

The staff [REDACTED] arrived from the [REDACTED].

At approximately 6:04 p.m., [REDACTED] arrived at the Okeechobee Work Camp [REDACTED] to Inmate Wynd.



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At approximately 6:25 p.m., Inmate Wynd [REDACTED] exited the institution with Inmate Wynd, [REDACTED].

On February 12, 2018, at approximately 3:52 a.m., Inmate Sello Wynd was pronounced deceased [REDACTED]

At approximately 4:00 a.m., Lieutenant Dennis Burney notified EAC Duty Officer Murrhee of Inmate Wynd's death.

At approximately 4:17 a.m., Supervisor Aretino notified Inspector Ruiz to respond to the Okeechobee Correctional Institution for a death investigation.

At approximately 7:05 a.m., Florida Department of Law Enforcement, Special Agent Kelvin Sapp and Ryan Walker arrived at [REDACTED]

At approximately 7:20 a.m., Inspector Ruiz arrived [REDACTED]

At approximately 7:21 a.m., Agent Sapp signed Investigative Demand. Agent Sapp received one (1) log [REDACTED], one (1) log from C dormitory, one (1) control room log.

At approximately 7:22 a.m., Agent Walker notified the Medical Examiner's Office, Dwayne Duty.

At approximately 7:24 a.m., Inspector Ruiz viewed Inmate Sello's body. Photographs were taken of Sello's body.

At approximately 8:30 a.m., Inmate Wynd's family, Walter, Earl and Linda Wynd entered [REDACTED] for visit, escorted by Agents Sapp and Walker.

At approximately 9:13 a.m., Walter, Earl and Linda Wynd departed [REDACTED] escorted by FDLE Special Agents Sapp and Walker.

At approximately 9:30 a.m., Inspector Ruiz departed [REDACTED]

At approximately 9:50 a.m., Inspector Ruiz arrived at Okeechobee Correctional Institution and began reviewing the dormitory video.

At approximately 10:01 a.m., Dwayne Duty with Tri County Mortuary, District 19 arrived to retrieve Inmate Sello's body.

At approximately 10:30 a.m., Agents Sapp and Walker arrived at Okeechobee Correctional Institution. They reviewed dormitory video, documents and reports.

At approximately 11:15 a.m., Inspector Ruiz arrived [REDACTED] Inmate Wynd's [REDACTED]



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At approximately 12:00 p.m., Agent Steven Harris arrived at Okeechobee Correctional Institution.

At approximately 1:00p.m., Agent Harris began staff interviews.

At approximately 1:10 p.m., Inspector Ruiz, Agents Walker and Sapp arrived at Okeechobee Work Camp to photograph the crime scene and conduct witness interviews.

At approximately 4:15 p.m., Agents Walker, Harris and Sapp departed Okeechobee Correctional Institution.

At approximately 4:40 p.m., Inspector Ruiz departed Okeechobee Correctional Institution.

The video evidence was reviewed by Inspector Ruiz and Agent Sapp on February 16, 2018. The video reveals that at 5:11 p.m., on February 11, 2018, Wynds sat on the bunk next to Harris, while Harris rolled what appeared to be a cigarette joint. Harris then lights the cigarette joint, smokes it, then passes it to Wynds. Wynds then takes a smoke from the cigarette joint, then takes a second smoke from the joint. Wynds then passes the joint to Harris and Harris takes a second smoke from the joint. At that time Wynds begins swaying back and forth, then falls back across the bunk. Harris falls against the headboard/wall, then sits up and leans forward. Harris then falls back against the headboard/wall, struggling to stay up. At approximately 5:22 p.m., the video shows Officer Daniel Butler entered the floor and walks to the rear of the dormitory. Butler appears to stop and look in the area of Inmate Wynds. Butler turned back towards Wynds, then walks away.

In Officer Butler's incident report, he reports that he was distracted by an unknown inmate therefore, he did not see Wynds lying on the bunk.

Agent Sapp provided a copy of FDLE's case closing report number FM-37-0035, on the investigation of Wynd's death.

During the course of the investigative assist, no administrative policy(s) or rules violations were observed, noted or discovered.

Wynds' [REDACTED] have been uploaded into IGIS.

Wynds' photos and DVD will be a part of the case file.

On February 6, 2018, District 19 Medical Examiner Office, Chief Medical Examiner Roger E. Mittleman, M.D. conducted an autopsy of Inmate Wynds. Medical Report, case # 18-19-140.

According to the report, Dr. Mittleman identified the manner of death as accident, [REDACTED]
[REDACTED] The [REDACTED] [REDACTED]
[REDACTED]

Dr. Mittleman [REDACTED] [REDACTED]



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On August 22, 2018, Agent Kevin Sapp provided a copy of his closed FDLE report Case FM-37-0035. Agent Sapp's report revealed that during the course of this investigation, which included interviews of the cellmate, corrections officers [REDACTED], the examination of the decedent and his cell, and a review of surveillance video, nothing suspicious was noted. No evidence was found to indicate Inmate Wynds was involved in any type of physical altercation or that he wanted to harm himself. In addition, there no evidence found indicating the decedent ingested harmful substance(s) prior to his death. The investigative findings were consistent with the autopsy findings that the death was due to [REDACTED]. The cause of death [REDACTED] and the manner was accident.

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 Kevin Sapp, no criminal violations were discovered during this investigation, this case, be termed as follows:

1. Exceptionally Cleared

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