

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 15-15245**



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



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Case Number: 15-15245

OIG Inspector: Senior Inspector Louis Cordova

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Travis Lawson

Date Assigned or Initiated: July 16, 2015

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Apalachee Correctional Institution East Unit

Complainant: Captain Jeffrey Brown

Outside Agency Case #: PE-37-0026

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 July 16, 2015, the Department of Corrections Office of the Inspector General received notification Inmate Karl Westgate DC#V44886 had been pronounced deceased at Apalachee Correctional Institution (ACI) East Unit after being found [REDACTED] his confinement cell on July 16, 2015, at approximately 3:43 a.m. Florida Department of Law Enforcement (FDLE) notification was made, and Senior Inspector Louis Cordova responded to ACI East Unit and provided 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:

According to FDLE Special Agent Travis Lawson, on July 16, 2015, the Florida Department of Corrections contacted FDLE requesting FDLE to respond and conduct the investigation regarding Inmate Westgate's death at Apalachee Correctional Institution East Unit.

On November 9, 2015, Special Agent Lawson received a copy of the autopsy report for Inmate Karl Westgate. The report, which indicated Inmate Westgate's autopsy had been conducted on July 17, 2015, and listed the cause of death [REDACTED] the manner of death as suicide. Additionally, the toxicology report [REDACTED]

VII. CHARGES

There were no charges. Dr. Radtke ruled Inmate Westgate's death was a result of suicide [REDACTED]

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of Senior Inspector Louis Cordova the case be termed as follows:

- **Exceptionally Cleared**

Investigator's Note: *Senior Inspector Cordova reviewed the investigation completed by FDLE and noted there were administrative issues which were identified and will be addressed in a subsequent administrative investigation. Specifically, it was alleged Sergeant Charles Harper threatened to place an inmate in Inmate Westgate's cell who would rape and kill him. On July 15, 2015, Inmate Westgate allegedly asked Sergeant Harper if he could see someone from [REDACTED] Sergeant Harper refused to allow Inmate Westgate his [REDACTED] and Inmate Westgate was subsequently found deceased.*