

**Florida Department of Law Enforcement**

**Case Number FM-37-0002**

**Twentieth Judicial Circuit of Florida**

**Investigative Summary:**

**Charlotte Correctional Institution  
Use of Force**

**Incident Date: April 11, 2014**

**Case Agent:**

**Special Agent Dave Staley**



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**DECEASED INMATE:**

**Matthew Walker**

**Black Male**

**Date of Birth: 8/8/1968**

**CORRECTIONS OFFICERS:**

Lieutenant Tyler Triplet

Officer Edward Sinor

Sergeant Daniel Lynch

Officer Thomas Weidner

Sergeant Rosemary Harrington

Officer Andrew Love

Sergeant Ahsaki Jones

Officer Mestely Saintervil

Sergeant Errol Grant

Officer Joseph Troyan

Sergeant Kent Stott

**INCIDENT LOCATION:**

**Charlotte Correctional Institution  
33123 Oil Well Road  
Punta Gorda, FL 33955**

## **FDLE Response and Overview**

On April 11, 2014, Special Agents and Crime Scene personnel with the Florida Department of Law Enforcement (FDLE) Fort Myers Regional Operations Center (FMROC) responded to the Florida Department of Corrections Charlotte Correctional Institution to investigate the in-custody death of Inmate Matthew Walker. Special Agent (SA) David Staley was assigned as the case agent.

The Charlotte Correctional Institution is a close custody facility located at 33123 Oil Well Road, Punta Gorda, Florida. At the onset of the investigation it was learned that on April 11, 2014, Florida Department of Corrections (FDOC) Officers were conducting cell inspections inside quad four of E dormitory at approximately 12:20 a.m. The cell inspections were to ensure that the inmates' cells were in compliance in accordance with FDOC protocols. During the inspection, Corrections Officer Sergeant (Sgt.) Ahsaki Jones made contact with Walker at his cell, E4210, to address cleanliness issues. According to Sgt. Jones, Walker refused to secure or put away his items, and rebuked Sgt. Jones for commanding him to do so. Sgt. Jones then notified her supervisor and several other corrections officers responded to Walker's cell to handcuff him and place him into confinement. According to the involved officers, Walker refused verbal commands to submit to hand restraints, so they (officers) entered Walker's cell and attempted to handcuff him. Several of the officers claim Walker physically resisted the officers attempt to handcuff Walker and he was subsequently sprayed with a chemical agent to help bring him under control. According to officer interviews, and some inmate interviews, Walker forced his way out of the cell and a struggle between Walker and the officers ensued on the second floor cat walk that ultimately ended in front of the door to cell E4207, where the officers forced Walker to the ground and secured him in handcuffs. Two corrections officers were injured during the event; one suffered a head injury, and the other a laceration on the left forearm. Both officers were transported to Bayfront Health Punta Gorda Hospital.

Additional officers responded to E dormitory and assisted with carrying Walker out of E dormitory. According to the officers, they attempted to carry Walker to the medical unit; however approximately halfway there Walker was allegedly observed to be having a medical emergency. A nurse employed by CCI met them on a sidewalk within the compound yard. Walker was not breathing, so the nurse began cardiopulmonary resuscitation (CPR). A 911 call was placed at 12:41 AM, and Charlotte County Fire/EMS responded to the scene. Charlotte County Fire/EMS arrived at CCI at 12:57 AM and began to assess Walker. At approximately 1:16 AM Charlotte County Fire/EMS contacted a physician at Bayfront Health Punta Gorda regarding Walker. Dr. James McMullen, from Bayfront Health Punta Gorda, ordered a field termination at 1:20 AM and Walker was pronounced deceased. A field termination is the cessation of life-saving medical assistance as ordered by a medical doctor. A subsequent autopsy was performed and the official cause of death was determined to be "[REDACTED]". The manner of death was classified as "homicide".

In the following investigation twelve (12) corrections officers directly involved with the incident and seventy-three (73) inmates were interviewed. Additionally, other FDOC personnel, first responders, and medical workers were interviewed. Several evidentiary items and FDOC records were collected and analyzed.

### ***E Dormitory/Scene Description***

Charlotte County Correctional Institution is a maximum security facility with Close, Medium, Minimum, and Community custody levels; which has several dormitories and a mental health facility for inmates. Inmates housed in E dormitory are classified as either a close, medium, or minimum custody inmate. Inmate Walker was housed in E dormitory on April 11, 2014 and was classified as being a "close custody" inmate. According to Florida Department of Corrections (DOC) Inspector Wayne Elrod, "close custody refers to that class of inmates who must be maintained within an armed perimeter or under direct, armed supervision when outside of a secure perimeter".

The dormitory identified as "E" is divided into four (4) quads with a guard/observation control room located in the center. The central control room is a glass enclosure; which allows the officer full view of all four quads. There are two outer doors that are controlled from the control room. One outer door allows access to quads one (1) and two (2) and the other outer door allows access to the three (3) and four (4) quads. The dormitory quads are numbered from left to right in a clockwise direction one (1) through four (4). The dormitory is two levels and inmates are housed on both the lower level and the upper level. In addition to the cells, each quad has office space, showers, and a janitor closet.

Inside of E dormitory in Quad 4, the cells are designated by a three digit cell number. The cell numbers begin on the left side of the quad and rise in numerical sequence in a clockwise direction around the quad. The first cell number on the lower level in quad 4 is designated as 101 and ends at 114. The first cell number on the upper level in quad 4 is designated as 201. The numbers one and two denote the level of the cell one for the first tier and two for the second tier. The cells on the second tier are positioned directly over the cells on the first tier and the second tier is open to the first floor. There is only a small walkway or catwalk in front of the second tier cells. A metal handrail is positioned around the second tier catwalk to protect individuals from falling from the second tier to the first tier.

The cell numbers may also include the quad number of the dormitory. Therefore the cell number could be referred to as 4210, with 4 denoting quad 4 and 2 reflecting the tier the cell is located. Each cell inside of quad 4 is designed to house two inmates. There are two bunk beds, two foot lockers, one toilet/sink combination, and one table with a chair attached to the wall. The exterior walls are comprised of concrete block. There is a metal grate covering each exterior window inside the cells. Each cell door is metal and has a window.

There are four (4) fixed cameras inside quad 4 of E dormitory. According to Inspector Wayne Elrod, there was no video footage of the use of force incident with Walker, because the cameras in quad 4 were non-functional.

## **Summary of Statements from Involved Officers**

### **Initial Statements**

On April 11, 2014, the below listed officers were identified as being directly involved with the use of force encounter with Walker and were interviewed regarding the events that occurred prior to, during, and after the encounter.

Captain Dave Thomas	Sergeant Kent Stott
Lieutenant Tyler Triplett	Officer Edward Sinor
Sergeant Daniel Lynch	Officer Thomas Weidner
Sergeant Rosemary Harrington	Officer Andrew Love
Sergeant Ahsaki Jones	Officer Mestely Saintervil
Sergeant Errol Grant	Officer Joseph Troyan

Prior to their interviews each officer was informed that the interview was concerning a criminal investigation and that they were not required to provide a statement to law enforcement. All of the officers acknowledged they understood the purpose of the interview and agreed to provide a sworn, voluntary statement. Each statement was digitally recorded.

Based on the initial interviews conducted with twelve (12) officers at the Charlotte Correctional Institution the following information was provided to FDLE Agents; on April 10, 2014, Lieutenant (Lt.) Tyler Triplett ordered all of the sergeants and acting sergeants to report to the captain's office after formal inmate count and "lights out". The purpose of this meeting was to review "pass books" and to address cell compliance/inspections. Inmates are required to have a "pass" when not escorted by a corrections officer. The inmate must have the pass signed when leaving an area and upon arriving at an area. The passes are maintained by the officers in their respective dormitories and are checked nightly by the supervisors. The collection of the inmates' passes is kept in a book and is referred to as a "pass book".

Captain Thomas claimed the inmates were leaving items out in the cell at night and this caused an "issue" for the day shift. According to Captain Thomas, he initiated an inspection program as a "remedial" issue for the sergeants. Captain Thomas explained to FDLE Agents that if they (the sergeants) cannot make the corrections officers do the work of keeping the cells cleaned up, then he (Captain Thomas) and Lt. Triplett would take the sergeants around the cell blocks and make them (the sergeants) do the work. According to Captain Thomas the inspections were relatively new, about a month old and were conducted every few days, sometimes four or five days apart. Captain Thomas told FDLE Agents he wanted to "foster a sort of competition between the dorms" and he (Captain Thomas) told his staff that if the "dorm is good throughout the month, I'll (Captain Thomas) take you to get biscuits and gravy".

According to the officer interviews, Lt. Triplett explained to the group they were going to conduct cell compliance checks as a group. The officers allege these cell inspections were ordered by

Captain Thomas and were designed to maintain cell cleanliness. The officers who attended this meeting were Lieutenant Tyler Triplett, Sergeant Rosemary Harrington, Sergeant Ahsaki Jones, Sergeant Kent Stott, Officer Edward Sinor, and Officer Mestely Saintervil. It should be noted that formal count occurs at 10:00 PM and lights out occurs at 11:00 PM. During formal count all inmates are in their respective cells and their doors are secured until the following morning normally around 5:30 AM.

The cell inspections began in D dormitory at approximately 11:40 PM. There were no reported incidents in D dormitory. After completing D dormitory cell inspections, at approximately 12:10 AM, the group went to quad 4 of E dormitory. Upon entering quad 4 of E Dormitory the overhead lights were turned on and some of the officers went upstairs while other officers remained downstairs. The officers conducted cell inspections and addressed some minor issues and ordered the inmates to correct the issues. The inmates complied. Sgt. Jones observed a cup and a magazine left on the inside table in cell 4210. Sgt. Jones ordered inmate Walker to put his items away. According to Sgt. Jones, Walker verbally protested to the intrusion. Sgt. Jones called downstairs and advised Lt. Triplett that she "was going to lock one up". Lt. Triplett responded to cell 4210 from the first floor. Lt. Triplett ordered Walker to place his items away. Lt. Triplett claimed, Walker verbally protested. Officer Saintervil and Officer Sinor responded to cell 4210 from the first floor. Lt. Triplett, Officer Sinor, and Officer Saintervil entered cell 4210. Lt. Triplett ordered Walker to stand up, face the rear cell wall, and submit to restraints. Walker initially complied. According to Lt. Triplett and Officer Sinor, they attempted to grab Walker's arms to apply handcuffs, Walker then pulled away and began to actively resist. Lt. Triplett said he deployed his chemical agent inside the cell. According to Lt. Triplett and Officer Sinor, both officers were struck by Walker while still inside the cell.

According to officer interviews and some inmate interviews, Walker physically forced his way past Officer Sinor, Officer Saintervil, and Lt. Triplett. Walker collided with Sgt. Lynch, Sgt. Harrington, and Sgt. Stott as Walker charged out of his cell (4210). The officers attempted to gain control of Walker. Walker and the officers fell to the ground in front of cell 4207. Walker was forced, face down on the ground. According to some of the officers, Sgt. Lynch was on the left side of Walker with his back to the railing. Officer Sinor believed he was located on Walker's left side and had hold of Walker's legs and/or lower torso. Lt. Triplett claimed that he could not remember where he was at this time; however, he (Lt. Triplett) believed he was on Walker's right side with his back to the wall. Officer Love said that Sgt. Harrington was on the ground laying to the left of Walker. During this altercation Sgt. Harrington was rendered unconscious due to a head injury and Sgt. Stott received a laceration to his left forearm. Officers gave verbal commands to "stop resisting" and to "submit to restraints". According to Sgt. Lynch he was on the floor pinned between Walker and the catwalk railing when he wrapped his right arm around Walker's neck and used his left hand to deploy his chemical agent in an attempt to gain control of Walker. During the altercation, Lt. Triplett, Sgt. Lynch, and Officer Saintervil claimed they received chemical agent in their eyes, limiting their ability to clearly observe the situation.

After hearing radio calls for assistance, Officer Weidner, Officer Love, Officer Troyan and Sgt. Grant responded to quad 4 E dormitory. According to these officers, when they arrived to E dormitory Walker was face down on the second tier near cell 4207 struggling with officers.

Officer Weidner, Officer Love, Officer Troyan and Sgt. Grant claim Walker's right hand was secured in a handcuff and officers were attempting to secure Walker's left hand. According to Captain Thomas he arrived and also observed officers struggling with Walker. Captain Thomas said he observed Sgt. Stott bleeding and ordered him outside. Captain Thomas said he observed Sgt. Harrington on the ground with Sgt. Jones. According to Captain Thomas he ordered these two officers to go to the medical unit. With the help of these additional officers, Walker was placed in restraints.

Some of the officers claim they attempted to assist Walker to his feet. According to these officers, Walker refused to stand and/or walk on his own. Captain Thomas said he ordered the officers to carry Walker from the dormitory utilizing a "four person carry method".

Officers said they carried Walker outside and placed Walker on the ground face down. Once outside, Sgt. Harrington explained she was placed on a medical gurney and was transported to the medical unit at CCI. According to Lt. Triplett, Sgt. Stott, and Sgt. Jones they accompanied Sgt. Harrington to the medical unit. Captain Thomas told investigators that he ordered the remaining officers to carry Walker to the medical unit. Captain Thomas recalled that when he went outside he observed Lt. Triplett and his face was "red". Captain Thomas did not reveal to investigators that Lt. Triplett had a verbal outburst directed at Walker or that he had to physically restrain Lt. Triplett. The officers had to stop several times to place Walker on the ground to rest and switch out with other officers due to the size and weight of Walker. This is consistent with blood stains located along the pathway from E dormitory to the final rest of Walker. Captain Thomas told investigators that he assessed Walker near the captain's office and said Walker "did not look right". Captain Thomas explained that he used a flashlight to shine in Walker's eyes and Walker's eyes did not respond to the light. Captain Thomas said he then requested medical staff to respond to their location. Nurse Priscilla Wheeler arrived and found an unconscious Walker who was not breathing. Nurse Wheeler and officers began cardiopulmonary resuscitation (CPR) and Charlotte County Fire/EMS was notified at approximately 12:41 AM requesting an ambulance.

During Sgt. Lynch's initial interview he said he heard an officer state, "Fuck this motherfucker!" Sgt. Lynch was not sure who made this statement and was uncertain as to when it was stated. This is consistent with several inmates who also told investigators they heard similar language inside of E dormitory. According to the officers' statements no one struck Walker with their hands, feet, or radios. The officers also stated they did not witness any other officer strike Walker in any manner.

Officer Daryl George was identified as a witness and was also interviewed. Officer George was responsible for operating the E dormitory control room. Officer George stated all of the sergeants and acting sergeants were called to the captain's office by Lt. Triplett at approximately 11:00 PM. Officer George said Officer Sinor was the acting sergeant and

reported to this meeting. Officer George was unaware of the time, however he stated Lt. Triplett, Sgt. Daniel Lynch, Sgt. Rosemary Harrington, Sgt. Kent Stott, Sgt. Ahsaki Seyini Jones, and Officer Sinor entered E dormitory and requested him to turn the lights on in quad 4. Officer George said the officers went cell to cell conducting inspections. Officer George explained he was asked to open several cell doors so the officers could address issues inside the cells. Officer George recalled opening cell door 4210 for Sgt. Jones at approximately 12:20 AM. Officer George said approximately two to three minutes later, he observed Walker "charge out" of the cell and strike Lt. Triplett and Officer Sinor in the face with a closed fist. Officer George stated both Lt. Triplett and Officer Sinor were struck while standing outside of cell 4210. Statements from Lt. Triplett and Officer Sinor contrast Officers George's statement regarding where, Lt. Triplett and Officer Sinor were struck by Walker.

Officer George described Walker as being "combative" as Walker "charged" out of his cell and struggled with the officers. The remaining officers already inside of quad 4 responded up the stairs to assist. Officer George told investigators he was unsure of the officers' names.

According to Officer George, Officer Thomas Weidner, Officer Andrew Love, and several other officers unknown to Officer George responded to E-Dorm. Officer George believed the struggle lasted for approximately five to ten minutes before he observed Sgt. Harrington being "grabbed" by Walker causing her to fall to the ground. Officer George claimed Walker landed on top of Sgt. Harrington when they fell to the ground.

Officer George told investigators Walker was eventually restrained, while kneeling on the second tier catwalk in front of cell 4207. Officer George then observed Mr. Walker stand up and began to walk while being escorted by officers. Officer George believed Walker was still being aggressive. According to Officer George, Walker walked to the stairs with an officer on either side of Walker. Officer George explained to investigators that while Walker was standing at the top of the stairs, his (Walker's) legs were picked up and four officers carried Walker down the stairs. Once Walker was carried to the door, Officer George claimed he observed Walker again stand up on his own and was escorted out of E dormitory on his feet. It should be noted that Officer George's observation of Walker standing and walking after being restrained on the second tier is not consistent with the statements of the involved officers or the statements from the inmates.

### **Follow-up Statements**

All of the involved officers, including Officer George, were asked to participate in a second interview at the FDLE Fort Myers Regional Operations Center. The request was due to the officers' initial statements being inconsistent with the statements provided by inmate witnesses and the evidence of injury Walker sustained. With the exception of Lt. Triplett, all of the officers provided a second, sworn statement. Each statement was digitally recorded.

During Captain Thomas' second interview, by SA Patrick Crough, he explained that he was aware of an incident that occurred outside of E dormitory and after Walker was handcuffed. With this prompting from SA Crough, Captain Thomas added new information regarding a

verbal outburst from Lt. Triplett. Captain Thomas further explained he had to physically restrain Lt. Triplett outside of E dormitory. Captain Thomas added Lt. Triplett was standing outside of E dormitory near the medical staff and the injured officers. According to Captain Thomas, Lt. Triplett charged towards Walker, who was placed on the ground in front of E dormitory. Captain Thomas believed he heard Lt. Triplett shouting, "You mother fucker, you don't 'something' my staff" as he was charging towards Walker.

Captain Thomas physically restrained Lt. Triplett in what he called a "modified arm bar" technique. Captain Thomas told Lt. Triplett, "You need to chill the fuck out, it ain't worth it, it's fucking done, leave it the fuck alone." Captain Thomas recalled Lt. Triplett stating, "They ain't going to fucking hurt my staff." Captain Thomas explained he held Lt. Triplett against an exterior wall and ordered Lt. Triplett to escort the injured officers to medical while Walker was carried away in a different direction.

During follow-up interviews with Officer Love and Officer Sinor, they were specifically asked about the verbal outburst from Lt. Triplett. Officer Love and Officer Sinor both added information supporting an altercation that transpired outside of E dormitory with Lt. Triplett. Officer Love added he heard Lt. Triplett exclaim, "Do you know who I am? I'm going to get you. I'll take care of you." While Officer Sinor recollected hearing Lt. Triplett state, "Mother fucker, I could kill you!" Officer Sinor added that when they placed Walker on the ground outside of E dormitory, he removed his glove from his right hand and checked Walker for a pulse, but could not locate one. Officer Sinor also added that he overheard Officer Saintervil say he had inmate "Walker in a choke hold" while the officers were attempting to restrain and handcuff him. Officer Sinor said Officer Saintervil made this statement while they were waiting to be interviewed by FDLE Agents on the morning of the incident.

Sgt. Lynch added in his follow-up interview that though he did not observe anyone strike Walker, he now claimed he heard what he described as sounds of someone being struck during the altercation inside of Quad 4 E Dormitory near cell 207. Sgt. Lynch indicated the sounds of the blows came from the upper region (torso) of Walker's body; however he claimed not to know who was delivering the strikes. During Sgt. Lynch's first interview, he claimed to have wrapped his right arm around Walker's neck and used his left hand to deploy his chemical agent in an attempt to gain control of Walker.

During a follow-up interview, Sgt. Stott now claimed he remembered hearing what sounded like someone being struck repeatedly as he was holding onto Inmate Walker's legs. Sgt. Stott said he did not see who was applying the strikes or what types of strikes were being utilized, nor did he see who was on the receiving end of the strikes. However, Sgt. Stott assumed it was Walker receiving the strikes. Sgt. Stott further alleged the strikes sounded as though they were being administered with a fair amount of force. Sgt. Stott remembered thinking to himself how relieved he was that he was not on the receiving end of them.

Sgt. Harrington added new information in her second interview that she now remembered Walker being down on all fours and grabbing at her leg while officers were on his back. According to Sgt. Harrington, she attempted to get away by stomping at his hands. Sgt.



Harrington said as she was placed onto a medical gurney outside of E dormitory she heard Walker threatening to kill the officers. She said Walker was yelling, "I'll kill you mother fuckers!" Other officers and inmates stated they heard similar language being verbalized; however many officers and inmates attributed these comments to Lt. Triplett and not to Walker. All of the officers, except for Officer George, stated Walker appeared to be limp and non-vocal while outside of E dormitory.

During a follow-up interview, Sgt. Jones added that after the altercation with Walker the officers congregated in the "VP" Room of the CCI and waited there to be interviewed by FDLE Agents. While in the "VP" room Sgt. Jones claimed Officer Saintervil told her (Sgt. Jones) and Sgt. Grant that he (Officer Saintervil) had Walker in a choke hold around his neck while the officers were trying to restrain him. Officer Saintervil denied making the statement during his follow up interview and Sgt. Grant denied hearing Officer Saintervil make the statement.

During a second interview, Officer George modified his previous statement and now claimed he observed one of the officers utilize approximately two or three hammer strikes on Walker as the officers were attempting to restrain him. According to Officer George he said he was unable to identify what officer utilized the pain compliance techniques due to the number of officers involved in the incident and the location of where it was occurring (on the second tier near cell 4207). Officer George said his ability to observe what occurred between the officers and Walker was limited from his position in the dorm control room.

After all of the follow-up interviews were completed the new information that was obtained was Lt. Triplett had a verbal outburst directed at Walker while outside of E dormitory and had to be physically restrained by Captain Thomas. At least two of the officers recalled hearing what sounded like strikes, and one officer recalled seeing an unknown officer strike Walker. What remained consistent was that no officer reported striking Walker.

#### ***Summary of Medical Treatment/Injuries***

Nurse Wheeler was working at CCI on April 11, 2014 in the mental health unit. Nurse Wheeler was requested to respond to E dormitory to medically assess Walker and render first aid. Nurse Wheeler grabbed two trauma bags and departed the Mental Health Unit (C Dormitory). According to Nurse Wheeler she encountered an officer running towards her who grabbed the two trauma bags from her and she continued towards E dormitory. Nurse Wheeler observed an unconscious inmate positioned face down on the sidewalk near the captain's office. Nurse Wheeler determined that the inmate (Walker) was not breathing and did not have a heartbeat. Nurse Wheeler requested the officers to remove the hand restraints and roll Walker over onto his back; which they did. Nurse Wheeler, assisted by Officer Weidner, began cardiopulmonary resuscitation (CPR). Nurse Wheeler and Officer Weidner stated they heard and felt ribs breaking as they performed CPR on Walker. Nurse Wheeler was later assisted by Nurse Daniel Stahl. Nurse Stahl arrived and placed an AED on Walker. The AED advised personnel performing CPR to continue with CPR; which they complied. Nurse Wheeler and Nurse Stahl turned over the medical care of Walker to Charlotte County Fire/EMS upon their arrival at

approximately 12:57 AM. According to Nurse Wheeler, the only physical trauma she observed was some blood under Walker's nose.

Sgt. Harrington and Sgt. Stott both received injuries during the altercation with Walker. Both officers were transported to Bayfront Health Punta Gorda (formerly Charlotte Regional Medical Center) for treatment. According to hospital documents, Sgt. Harrington was treated for [REDACTED] and was released the same day. Sgt. Stott was treated for a "[REDACTED]" and was also released the same day.

### **Summary of Inmates' Statements**

Based on interviews conducted with seventy-three (73) inmates at the Charlotte Correctional Institution the following information was provided to FDLE Agents: on April 11, 2014, several corrections officers entered quad 4 of E dormitory after "final count" and after "lights out" (11:00 PM). The overhead lights were all turned on and several officers walked through the quad conducting cell inspections. Sgt. Jones addressed Walker in cell 4210 and ordered him to put his personal items away. Some of the inmates asserted Walker became upset about being harassed after lights out. Inmates claimed Sgt. Jones called out to "LT" and said "We got one for confinement, pop 210". The "LT" (Lt. Triplett) responded up the stairs and cell 4210 was opened. According to some of the inmates, Lt. Triplett confronted Walker and ordered him to place his items away. Inmates allege Walker verbally protested the intrusion and that Lt. Triplett ordered Walker to turn around to submit to restraints (handcuffing). Walker's cellmate, Tony Mestre, told FDLE agents that Walker was verbally protesting; however he was being "respectful" and "complying with orders to submit". Mestre was asked to leave the cell and go downstairs; he complied.

According to Mestre and other inmates, Walker stood from his bunk and faced the rear of the cell as ordered. Other officers arrived (Sgt. Grant, Sgt. Lynch, Sgt. Stott, Sgt. Harrington, Officer Sinor, Officer Weidner, Officer Love, Officer Saintervil, Officer Troyan, and Captain Thomas) to cell 4210 to assist. Walker was heard by some inmates verbally protesting the intrusion. Some inmates claim they heard officers shouting orders to Walker to "submit" and to "stop resisting". According to several inmate interviews, a chemical agent was deployed inside of cell 4210 and a physical altercation ensued. Several inmates reported seeing Walker being struck by officers and some reported seeing Walker striking the officers. According to some of the inmates, Walker forced his way through several officers and out of cell 4210. Walker fell to the ground near cell 4207 with officers on top of him. Inmates told investigators Walker fell face down on top of a white female officer (Sgt. Harrington) who was knocked out as a result of this fall. This is consistent with the officers' statements. Inmates reported seeing officers deliver multiple strikes to Walker. Some inmates reported seeing officers utilizing hands, feet, fists, and/or radios as impact weapons. During the altercation in front of cell 4207 at least two radios fell to the ground and slid partially underneath a cell door and an officer delivered another burst of chemical agent. Some of the inmates said Walker went limp as a result of the multiple strikes.

The officers carried Walker downstairs and out of the dormitory. Some inmates heard a verbal confrontation between some of the officers while outside. Some inmates said they heard Lt. Triplett yell "I will kill you" or some variation of this statement. Inmates reported hearing another officer saying calm down or some variation of this statement. Other inmates reported being able to see outside of the dormitory and believed Walker was unresponsive while officers struck Walker. Walker was then carried from the area in front of E dormitory towards the center of the prison compound.

Some inmates were able to identify officers by name or nickname; however other inmates were unable to provide any positive identities on the officers involved. The inmates interviewed were housed in, or near the incident location. The following is a comprehensive synopsis based on the totality of the seventy-three (73) inmate statements:

- 19 inmates stated they heard Lt. Triplett yell "I will kill you"
- 18 inmates reported seeing Walker non-responsive on tier 2
- 12 inmates state they saw Lt. Triplett striking Walker with a radio
- 10 inmates stated they saw Lt. Triplett kick/stomp Walker
- 9 inmates described Walker as actively resisting officers
- 6 inmates stated they saw Lt. Triplett striking Walker
- 5 inmates stated they saw Sgt. Lynch kick/stomp Walker
- 6 inmates reported they saw Walker non-responsive in salty port
- 3 inmates stated they saw Sgt. Lynch striking Walker
- 2 inmates stated they saw Lynch striking Walker with a Radio
- 2 inmates stated they saw Officer Sinor kick/stomp Walker
- 2 inmates reported they saw Walker non-responsive outside
- 2 inmates stated they saw Officer Weidner striking Walker
- 1 inmate stated he saw an officer he called "Security 9" (short, bald white male wearing a brown shirt) striking Walker with a radio
- 1 inmate stated he saw Weidner striking Walker with a radio
- 1 inmate stated he saw Officer Sinor striking Walker
- 1 inmate stated he saw Sgt. Grant striking Walker
- 1 inmate stated he saw Sgt. Grant stomp/kick Walker
- 1 Inmate stated he saw Officer Weidner kick/stomp Walker
- 1 inmate stated he saw Walker strike Lt. Triplett
- 1 inmate stated he saw Walker strike officers
- 1 inmate stated he saw Sgt. Lynch put Walker in a headlock

Not all of the inmates housed in, or around the incident location provided a statement and some of the inmates claimed they saw and/or heard nothing pertaining to the use of force and the cell inspections.

### **Crime Scene**

On April 11, 2014, at 4:56 AM, FDLE Crime Lab Analyst Steve Balunan and FDLE Crime Lab Analyst Kate Reidy arrived at CCI. Crime Lab Analysts Balunan and Reidy captured crime scene measurements, created sketches, took photographs, and collected evidence at the two initial crime scenes consisting of the final rest of Walker and quad 4 of E Dormitory.

On April 11, 2014, SA Larry Long, SA Tracy Rousseau, and Crime Lab Analyst Balunan responded to District 22 Medical Examiner's Office to document the autopsy. Crime Lab Analyst Balunan took photographs and collected evidence from Walker, while at the District 22 Medical Examiner's Office.

Crime Lab Analyst Reidy remained at CCI and took photographs of the involved officers and assisted with the collection of the officers clothing, radios, and chemical spray canisters. The evidence list section documents all of the evidentiary items taken.

### **Laboratory Analysis**

#### **Analysis Report 1:**

On September 4, 2014, Special Agent (SA) Dave Staley received a laboratory report that was published by the Florida Department of Law Enforcement on September 2, 2014. The report was written by FDLE Crime Laboratory Analyst Daniel Baker from the Biology Section.

FDLE Crime Laboratory Analyst Daniel Baker indicated a presence of blood on Lt. Tyler Triplett's shirt, Sgt. Lynch's boots, and swab J (FDLE item number 35 a blood stain located on the floor inside quad 4 of E dormitory in front of cell 207).

Complete DNA profiles were obtained from Edward Sinor, Andrew Love, Mestely Saintervil, Daniel Lynch, and Matthew Walker.

FDLE Crime Laboratory Analyst Daniel Baker found the presence of a DNA mixture on Matthew Walker's fingernails from his right hand. The "major contributor" of DNA matched the DNA profile of Officer Edward Sinor. Laboratory Analyst Baker excluded Andrew Love, Mestely Saintervil, Thomas Weidner, and Daniel Lynch were excluded as the "foreign minor donor to the mixed DNA profile."

Laboratory Analyst Baker located the presence of a DNA mixture of at least two individuals on FDLE item number 41 (radio, sec 30 which was assigned to Sgt. Daniel Lynch). According to Laboratory Analyst Baker the major DNA contributor could be determined. The "major DNA

profile" matched Matthew Walker's DNA profile. "Due to the limited nature of the DNA results for the additional contributor(s) to the mixture, this data was not interpretable."

The DNA profile obtained from swab J (FDLE item number 35, a blood stain located on the floor inside quad 4 of E dormitory in front of cell 207) matched the DNA profile from Matthew Walker.

Laboratory Analyst Baker located the presence of a DNA mixture from at least two individuals on FDLE item 39 (radio, sec 35 which was assigned to Officer Thomas Weidner). A partial DNA profile determined the DNA was from a male contributor. "Due to the limited nature of the DNA results for the additional contributors to the mixture, this data was not interpretable." Laboratory Analyst Baker excluded Andrew Love, Mestely Saintervil, Thomas Weidner, Daniel Lynch, and Matthew Walker as the "major contributor to the mixed DNA profile."

A DNA profile was obtained from Lt. Triplett's right toe of his boot which indicated the "presence of a mixture of at least three individuals." The DNA profile for the major contributor was determined to be from a male. "Due to the complexity of the DNA results for the additional contributors to the mixture, this data is not interpretable." Laboratory Analyst Baker excluded Andrew Love, Mestely Saintervil, Thomas Weidner, Daniel Lynch, and Matthew Walker as the "major contributor to the mixed DNA profile."

According to Laboratory Analyst Baker, a complete DNA profile was obtained from Lt. Triplett's shirt and the DNA profile was consistent with the male contributor DNA profile from Lt. Triplett's right toe of his boot.

No other significant information was documented on this report regarding to the evidence submitted or the analysis.

### **Analysis Report 2:**

On September 10, 2014, Special Agent (SA) Dave Staley received a laboratory report that was published by the Florida Department of Law Enforcement on September 5, 2014. The report was written by FDLE Crime Laboratory Analyst Daniel Baker from the Biology Section.

Laboratory Analyst Baker completed a DNA profile from Sgt. Kent Stott (FDLE item number 47) and was able to exclude Sgt. Stott as a DNA contributor from the following evidence:

- Excluded as "the foreign minor contributor to the mixed DNA profile obtained" from Matthew Walker's right hand fingernails.
- Excluded "as the major contributor to the mixed DNA profile obtained from" radio (sec 35 which was assigned to Officer Weidner).
- Excluded as the source of the DNA profile obtained from Lt. Triplett's shirt.
- Excluded as the major contributor to the mixed DNA obtained from Lt. Triplett's right toe of his boot.

On May 22, 2014 Senior Inspector Janene McLaughlin with the Florida Department of Corrections (DOC) explained to Special Agent (SA) Dave Staley that once the hold on cell 4210 in "E" dorm was released, DOC Officer Stacy Chapman conducted an inventory of the property left inside. According to a report authored by Officer Chapman, inmate Anthony Mestre's property (which was inside his footlocker) was inventoried and a "long homemade weapon sharpened to a point" was discovered hidden inside the binding of a library book.

On May 23, 2014, SA Jerrick Pittman met with DOC Inspector Wayne Elrod. Inspector Elrod transferred the evidence over to SA Pittman. SA Pittman placed the evidence into a temporary storage locker for safe keeping and was subsequently analyzed.

Laboratory Analyst Baker found the presence of blood on FDLE item number 48 (a book that contained a piece of metal). A complete DNA profile was obtained from page 130 of the book. The DNA profile was determined to be consistent with originating from a male. Analyst Baker excluded Officer Love, Sgt. Saintervil, Officer Weidner, Sgt. Lynch, Sgt. Stott, and Matthew Walker as the "major contributor to the mixed DNA profile".

A DNA profile obtained from page 204 from the book indicated the presence of a mixture of at least two individuals. A partial DNA profile determined the DNA was from a male. "Due to the limited nature of the DNA results for the additional contributor(s) to the mixture, this data is not interpretable." Laboratory Analyst Baker excluded Officer Love, Sgt. Saintervil, Officer Weidner, Sgt. Lynch, Sgt. Stott, and Matthew Walker as the "major contributor to the mixed DNA profile".

The book and the piece of metal found inside were transferred to the Latent Print Section of FDLE for further analysis.

No other significant information was documented on this report regarding to the evidence submitted or the analysis.

### **Autopsy Report**

On May 22, 2014, SA Staley received a copy of the autopsy report for Matthew Walker. The autopsy report was authored by Dr. Riazul Imami, District 22 Medical Examiner and dated on May 21, 2014. Dr. Imami reported the official cause of death to be ' [REDACTED]

" Dr. Imami classified the manner of death as "homicide". Dr. Imami reported inmate Walker had "ibuprofen and caffeine" in his system at the time of his death. Inmate Walker did not have any alcohol in his system at the time of his death.

Dr. Imami stated inmate Walker had "multiple skin scrapes and contusions" on his scalp and forehead. The left side of Walker's neck had "skin scrapes and pattern injuries". Dr. Imami examined inmate Walker's "larynx" and noted a fracture of the "cricoid cartilage". The left side of Walker's chest revealed the "fracture of ribs #3 through #6", according to Dr. Imami. Additionally, Walker's right eye was pushed into his eye socket, and he sustained a laceration

near his right eye. According to Dr. Imami, just below Walker's left ear on his neck was a "somewhat semicircular '(U-shaped)' pattern injury with abraded areas along with some contused zones".

Dr. Imami stated the pattern injuries were not caused by fists or from either a chemical canister or a flashlight. Dr. Imami believed the pattern injuries could have been caused by at least two separate strikes with a radio or from boots.

### **Background Review of Involved Officers**

A review of the below listed involved officers' disciplinary files were conducted. These officers were identified as being directly involved with the use of force with Walker.

Lieutenant Tyler Triplett	Officer Edward Troyan
Sergeant Errol Grant	Officer Edward Sinor
Sergeant Daniel Lynch	Officer Thomas Weidner
Sergeant Rosemary Harrington	Officer Andrew Love
Sergeant Ahsaki Jones	Officer Mestely Saintervil
Sergeant Kent Stott	Officer Joseph Troyan

The review focused on the officers' use of force investigations and allegations of previous excessive force/physical abuse complaints. It should be noted that "use of force" may not be indicative of improper or excessive force on the officers' part. According to Inspector Elrod, use of force reports are generated every time an officer lays hands on an inmate outside of normal or routine transporting of inmates. An example of a use of force could be an officer physically moving an inmate's hand away from the food port to allow the officer to close it.

Complaints of excessive force are investigated to determine the legitimacy of the allegation. Excessive use of force and/or complaints of physical abuse may be generated from any staff member, an inmate, or as a result of a review of an organized use of force incident. All use of force and excessive force complaints are reviewed to determine the legitimacy of the officers' actions. According to DOC Inspector Janene McLaughlin, complaints are easily generated by inmates and may not be indicative of improper or excessive force. According to DOC Inspector McLaughlin in order to sustain a complaint the complaint must be corroborated by another staff member or captured on surveillance cameras.

A review of the involved officers' disciplinary file revealed that none of the officers had any excessive force/physical abuse allegations sustained.

### **Background Review of Inmate Matthew Walker**

Matthew Walker was a 6'02" black male, who was born on August 8, 1968. At the time of his death he weighed approximately 242 pounds. Walker had an extensive criminal history which

documented several arrests beginning on August 21, 1986 and ended with his last arrest on March 1, 2001.

Walker's charges included, Cocaine Possession (2), Cocaine-Sale or Purchase (2), Disorderly Conduct (4), Loitering (2), Weapon Offense (2), Failure to Appear (11), Burglary (8), Resisting Law Enforcement Officer (2), Possession of Drug Paraphernalia, Robbery (3), Obstructing Police-Other (5), Grand Theft Motor Vehicle (3), Supervision Violation (2), Assault-Other, Conditional Release Violation, Larceny/Grand Theft, Damage Property-Other, and Making a False Report, Trespassing (3).

Prior to Walker's last incarceration on May 3, 2002, he was incarcerated three (3) prior times: November 9, 1987 to March 2, 1988; March 16, 1989 to November 22, 1994; and February 9, 1995 to February 4, 2001.

While incarcerated Walker was the subject of 46 discipline reports and was placed in confinement 33 times as a result. Walker's disciplinary history included: Disobey Regulation, Failure to Comply, Disrespect to Officer, Destruction of State Property, Disorderly Conduct, Refusing to Work, Possession of Negotiable, Inciting Riots, Possession of Stolen Property, and Fighting. According to DOC Inspector Elrod, Walker had no prior violent incidents with prison staff. Walker had no disciplinary incidents since 2008.

Walker was sentenced to life in prison on July 2, 2002 for burglary and robbery. On July 30, 2013 Walker's sentence was changed from life to 20 years for the burglary charge and 15 years for the robbery charge. The 15 year sentence was concurrent with the 20 year sentence. Walker was scheduled to be released on March 30, 2019.

### **Summary Analysis**

After a comprehensive investigation into the use of force incident and careful review of the testimony of the involved corrections officers and inmate witnesses, physical evidence, and the Medical Examiner's findings, the actions of some or all of the involved corrections officers as reported by the corrections officers were not fully consistent with the physical evidence and overall testimony. Inconsistencies in the event versions were noted and versions of the events were changed over the course of multiple interviews. All of the involved officers denied striking Walker. The physical evidence and overall testimony indicate that Walker was struck by officer(s) numerous times during the use of force incident.



**Notarizations**

I swear the foregoing is true and correct

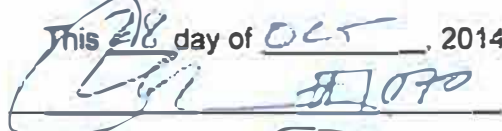


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Special Agent Dave Staley  
Florida Department of Law Enforcement  
4700-1 Terminal Dr.  
Fort Myers, FL 33907

SWORN to and SUBSCRIBED

This 28 day of OCT, 2014



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(Notary Public of L.E.O.)

§117.10 F.S