### Florida Department of Corrections



### Office of the Inspector General

CRIMINAL INVESTIGATION
Case # 17-01833





### **CASE SUMMARY REPORT**

#### **Table of Contents**

I.	AUTHORITY	. 4
II.	METHODOLOGY	. 4
	ANALYSIS	
	DEFINITIONS	
	PREDICATE	
	SUMMARY OF INVESTIGATIVE FINDINGS	
	CHARGES	
VIII.	CONCLUSION	. 7





CASE SUMMA	ARY REPORT
Case Number:	: 17-01833
Inspector	Inspector Kenneth Smith
Date Assigned or Initiated:	2-3-2017
Complaint Against:	Inmate Mark Kuzara DC#567035
Location of Incident – Institution/Facility/Office:	Reception and Medical Center
Complainants	Sergeant Victor Heidelberg
Use of Force Number:	: N/A
PREA Number:	N/A
Classification of Incident:	Inmate Death (Suicide)
Confidential Medical Information Included:	x_X YesNo
Whistle-Blower Investigation:	Yes X No
Equal Employment Opportunity Investigation:	YesX_No

**Chief Inspector General Case Number:** N/A





#### CASE 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.

Case Number: 17-01833 Page 4 of 7





#### **CASE SUMMARY REPORT**

#### IV. DEFINITIONS

#### **Unfounded:**

Refers to a disposition of a criminal case for which a preponderance of the evidence exists to suggest the suspect's alleged behavior or action did not occur.

#### **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.

Case Number: 17-01833 Page 5 of 7





### **CASE SUMMARY REPORT**

### V. PREDICATE

	On January 31, 2017, at approximately 7:45 AM, Inmate Mark Kuzara DC#567035 was pronounced deceased of Natural Causes while
	house at the Reception and Medical Center (RMC). Inmate Kuzara's death did not meet the FDLE MOU guidelines therefore they were not contacted. This information was entered into MINS#754385 on February 1, 2017, and assigned as Criminal Case 17-01833 to Inspector Kenneth Smith on February 3, 2017.
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 31, 2017, at approximately 7:45 AM, Inmate Mark Kuzara DC#567035 was pronounced deceased of Natural Causes while
	house at the Reception and Medical Center (RMC). Inmate Kuzara's death did not meet the FDLE MOU guidelines therefore they were not contacted.
	Note: Inmate Kuzara was housed at Lake C.I. in the unit until December 7, 2016. He was transferred to and then to the Reception and Medical Center on January 21, 2017. Inmate Kuzara was on One-On-One status at RMC due to him self-harming by cutting and swallowing objects.
	At 7:45 AM Inmate Kuzara was pronounced deceased. At 8:37 AM Inspector Kenneth Smith was notified of the death. At 9:15 AM Inspector Smith arrived at RMC. A visual inspection of the body of Inmate Kuzara was conducted with or foul play noted. The body of Inmate Kuzara was fully photographed. At 9:40 AM The body of Inmate Kuzara was released for pickup by the medical examiner.
	swallowing objects and he was on many of which sometimes cause
	On January 31, 2017, Gainesville Medical Examiner William Hamilton submitted the final autopsy report for Inmate Kuzara. Doctor Hamilton listed the cause of death as
	The Manner of Death was listed as Suicide due to
	Florida Department of Law Enforcement (FDLE) Supervisor Special Agent Matt Walsh was contacted following the Medical Examiner's listing the cause of death as a suicide and he indicated the following:
	Since the Medical Examiner's Office indicated Inmate Kuzara died from the FDLE would not respond or
	investigate this incident.

Case Number: 17-01833 Page 6 of 7





### **CASE SUMMARY REPORT**

No Administrative violations were noted during this investigation.

### VII. CHARGES List alleged violations of Florida Law:

1. N/A

#### VIII. CONCLUSION

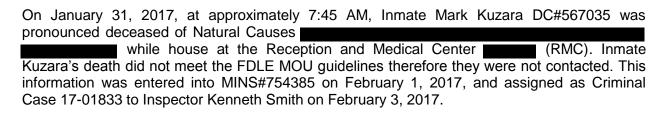
Based on the information gathered during this investigation, it is the recommendation of Inspector Kenneth Smith this case be closed. The Gainesville Medical Examiner listed Inmate Kuzara's death as Natural due to

1. Exceptionally Cleared

Case Number: 17-01833 Page 7 of 7

# FLORIDA DEPARTMENT OF CORRECTIONS OFFICE OF THE INSPECTOR GENERAL INVESTIGATIVE REPORT

#### PREDICATE:



#### NARRATIVE:

In the Case Summary Report, the Conclusion section, the cause of death was listed in error as Natural. The cause of death was listed by the Medical Examiner as Suicide.