



Florida Department of Corrections  
Office of the Inspector General  
Report of Investigation  
Jeffery Beasley, Inspector General



Inspector General Case #: 12-1-2443

Facility: Santa Rosa Correctional Institution/119

Classification of Incident: Homicide (15C)

Field Office/Region: Panama City / Region I - West

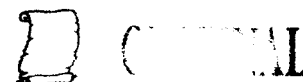
Incident Date: 3/30/2012

Time: 7:09p.m.

Inspector: Robert Calamari

Date of Report: 9/7/2012

Case Type: C



- Case of Special Interest
- Confidential Medical Information
- Prison Rape Elimination Act (PREA) Number X119-12-0029
- Department of Corrections presented to State Attorney  Declined  Accepted
- Use of Force (UOF) Number 2012-119-0220
- Equal Employment Opportunity Commission (EEOC)
- Addendum
- Wing Video Camera(s) Present in the Area of Incident

**SUMMARY OF ALLEGATIONS:**

On March 30, 2012, Officer Dean Givens reported that Inmate Shawn Rogers was in his assigned cell with his cellmate, Inmate Ricky Martin who was discovered to be unresponsive. Inmate Martin's hands were tied behind his back with a strip of cloth around his ankles. Inmate Martin was wearing his blue shorts and boxers, which were pulled down around his knees. [REDACTED] Inmate Martin was [REDACTED]

[REDACTED] Inmate Martin [REDACTED] on April 8, 2012. This was reported to the Office of the Inspector General via the Management Information Notes System (MINS) on April 4, 2012, and assigned to Senior Inspector Eddie White for investigation on April 13, 2012.

On June 14, 2012, this investigation was reassigned to Inspector Robert Calamari due to Senior Inspector White's retirement.

**SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:**

This case alleging the commission of a criminal violation of law is **CLOSED BY INDICTMENT** on September 6, 2012, it was determined by a Grand Jury that Inmate Shawn Rogers, has violated Chapters 782.04 (1)(a)(1) (*Murder-First Degree, Premeditated*) and 787.01(1)(a)(3) (*Kidnapping to Inflict Bodily Harm or Terrorize the Victim and with Intent to Commit a Felony*) of the Florida Statutes, by virtue of sworn testimony of eye witnesses and physical evidence recovered at the scene.

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	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
<b>Complainant:</b>	Smith, Jeffrey M.	Captain	12/9/19[REDACTED]	19762
<b>Victim:</b>	Martin, Ricky D.	DC # Y27458	6/11/19[REDACTED]	
<b>Witness(es):</b>	Smith, Jeffrey M.	Captain	12/9/19[REDACTED]	19762
	Johnson, Freddy L.	Lieutenant	6/9/19[REDACTED]	10896
	Dufrene, Ricky J.	Sergeant	5/23/19[REDACTED]	5943
	Brady, Michael S.	Correctional Officer	1/8/19[REDACTED]	54495
	Givens, Dean A.	Correctional Officer	1/4/19[REDACTED]	66398
	Whitehead, Andrew K.	Correctional Officer	7/26/19[REDACTED]	54506
	Beaudry, John C.	Correctional Officer	5/4/19[REDACTED]	43551
	Denmon, Jacob R.	Correctional Officer	3/9/19[REDACTED]	54877
	Osborne, David L.	Correctional Officer	7/29/19[REDACTED]	55980
	Calamari, Robert J.	Inspector	12/26/1[REDACTED]	59408
	Castle, Rondle G.	Inspector	1/4/19[REDACTED]	3487
	White, Edward C.	Senior Inspector (Retired)	12/15/1[REDACTED]	22871(Tel # [REDACTED])
	Clements, Carmin	Crime Lab Analyst		
	Kay, Jennifer	Crime Lab Analyst		
	Lee, Johnnie	DC # E33457	11/4/89	
	Zych, Joseph	DC # K62114	11/19/1973	
	Lee, LaDaris	DC # B03846	2/4/1987	
	Holmes, Weldon	DC # V12769	4/29/1982	
	Green, Master	DC # U05452	10/11/1979	
	Matfield, Ravalon	DC # P40232	10/23/1974	
	Wright, Calvin	DC # 131683	10/20/1988	
	Preston, Daniel	DC # B04554	6/13/1975	
	Magwood, Bobby	DC # 023111	11/23/1950	
	Dunn, Lorenzo	DC # 090848	9/22/1958	
	Albritton, William	DC # 575181	7/30/1961	
	Kelvington, Kyle	DC # 125253	5/14/1973	
	Freeman, Gene	DC # J42069	10/10/1992	
	Jacobs, Jarvey	DC # L26690	12/10/1980	
	Whipple, Bobby	DC # 426718	3/9/1970	
	Nichols, Tobias	DC # 121377	12/8/1975	
	Williams, Eugene	DC # L18846	4/3/1976	
	Young, Steven	DC # K61299	5/4/1981	
	Flanders, Jeffrey	DC # M43692	2/13/1982	



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	Smith, Neilson	DC# L52821	6/28/1979	
	Atwell, Walter	DC # 770996	7/30/1975	
	Giordani, Richard	DC # M45083	4/5/1980	
	Dezoete, Christopher	DC # Y41972	10/1/1988	
	Eggleston, Myrick	DC # T72974	11/24/1988	
	Glenn, William	DC # 873492	11/19/1956	
	Simpson, Travis	DC # X61232	8/31/1992	
	Alexis, Serge	DC # W22430	5/16/1986	
	Cole, John	DC # 438121	8/2/1973	
	Dolansky, Edward	DC # 306628	4/17/1977	
	Andino, Edwin	DC # X47871	1/11/1966	
	Hankins, George	DC # T34397	5/7/1970	
	Gabriel, Gerard	DC # B00912	11/5/1952	
	Perkins, Dandridge	DC # I03183	10/15/1985	
	Newcomb, Everett	DC # 072016	3/1/1960	
	Silas, Kenneth	DC # 131035	8/22/1976	
	Reyes, Vincent	DC # 755213	5/13/1953 *	
	Rodriquez, Gabriel	DC # J44672	12/15/1987	
	Powell, Ernest	DC # P09831	7/10/1980	
	Winstead, Lamar	DC # T35868	10/19/1969	
	Saavedra, Jessie	DC #M60050	12/27/1985	
	Hoehn, James	DC # 268264	7/29/1965	
	Lyle-Jarman, Bryant	DC # Y22972	7/2/1980	
	Hill, Maklavious	DC # H30595	7/24/1988	
	Alexander, Destyn	DC # W31917	9/19/1989	
	Bell, Anthony	DC# # 455471	9/24/1976	
	Mitchell, Kenneth	DC # B07954	4/25/1989	
	Arinah, Xavier	DC # M62190	4/25/1988	
	Livingood, Bradley	DC # B06523	10/29/1987	
	Donton, Lee	DC # N18386	4/6/1988	
	Cleveland, Timothy	DC # 126392	7/24/1984	
	Dillard, Obadiah	DC # I00275	1/8/1978	
	Suarez, Armando	DC # D05477	9/6/1983	
	Robinson, Jermaine	DC # B06979	5/29/1990	
	Brown, Edgar	DC # H16098	11/28/1983	
	Johnson, Mack	DC # 032722	3/15/1954	
	Lavena, Ramon	DC # B00964	8/23/1973	
	Bell, Kenrontay	DC # B01926	12/27/1983	
	Sesler, Derek	DC # 102703	9/28/1967	
	Young, Travis	DC # 768711	11/22/1975	
	McMillian, Kenneth	DC # 167249	12/2/1985	



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	Pierce, Randy	DC # 118445	2/16/1972	
	McTyre, Jerry	DC # J38259	7/28/1992	
	Redfurn, Dumar	DC # C05185	3/2/1993	
	Goldman, David	DC # 670920	5/26/1967	
	Norman, Darryl	DC # 115259	9/1/1970	
	Robinson, Zacharia	DC # G07248	1/20/1985	
	Lewis, Joseph	DC # 807878	3/28/1962	
	Adams, William	DC # 459946	10/8/1974	
	Coleman, Nathan	DC # J14925	3/21/1983	
	Wilmington, Jeffrey	DC # L49154	4/28/1987	
	Nolan, Timothy	DC# 073910	8/9/1962	
	Utria, Richard	DC # 183499	4/8/1970	
	Scott, Dwayne	DC # R49994	5/4/1990	
	Bellinger, Moses	DC # 104302	6/29/1970	
	Hairston, Eddie	DC # J23968	6/8/1984	
	[REDACTED]	[REDACTED]		[REDACTED]
<b>Subject(s):</b>	Rogers, Shawn	DC # 166626	8/9/1980	

Arrest:  Employee  Inmate  Other

Addendum Pending

Charges:

Felony  Misdemeanor      Date of Arrest:

Date Reported:

Final Court Action(s):

Other Agency Case Number:

**FINDINGS:**

In his Report of Force Used, and his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Officer Dean Givens indicated the following:

On March 30, 2012, he was assigned as a close management housing officer in D-dormitory. At approximately 7:05 PM, he entered wing one of D-dormitory to use the staff bathroom in cell #D1-101. When exiting the bathroom, he heard a lot of commotion coming from the wing and conducted a security check to find the source. He stopped at cell #D1-109 to talk to Inmate Calvin Wright. He counseled with Inmate Wright about the noise and continued his security check. He then approached cell



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#D1-117, which housed Inmate Ricky Martin in the lower bunk and Inmate Shawn Rogers in the upper bunk. Upon arrival, he looked into the cell and observed Inmate Martin lying on the cell floor on his back with his arms behind him and his feet were tied together, pointing toward the cell door. He further observed Inmate Martin wiggling his arms behind his back, as he was covered from his head to his lower abdomen with what appeared to be a prayer rug. [REDACTED]

Inmate Rogers repeatedly indicated to him that Inmate Martin was [REDACTED] stating, "Hey man, [REDACTED] He ordered Inmate Martin to show his hands and to [REDACTED] Inmate Martin did not comply with his order. He repeatedly ordered Inmate Martin to [REDACTED] and to show his hands, or chemical agents would be administered. Inmate Martin did not respond and continued to move his arms around behind his back. At approximately 7:07 p.m., he summoned the dormitory supervisor, Sergeant Ricky Dufrene, to wing one. He then ordered Inmate Rogers to submit to wrist restraints, to which he complied. He then ordered Inmate Rogers to go stand in the corner between the cell toilet and the end of the bunk, away from Inmate Martin. At approximately 7:10 p.m., he broke the seal on his assigned MK-4 and began administering chemical agents to Inmate Martin. While administering chemical agents, Inmate Martin began rolling over toward his belly and that is when he observed that Inmate Martin's hands were bound behind his back with strips of cloth. He immediately ceased the application of chemical agents. Sergeant Dufrene, along with Officers John Beaudry, Jacob Denmon, Michael Brady, Andrew Whitehead and Lieutenant Freddy Johnson entered Wing One. At approximately 7:11 p.m., Lieutenant Johnson ordered the cell door to be breached.

After the door was breached, Officer Whitehead escorted Inmate Rogers from cell #D1-117 to shower stall #D1-128 where he was placed and secured. He along with Officers Beaudry, Denmon, Lieutenant Johnson, and Sergeant Dufrene entered cell #D1-117, where they observed Inmate Martin lying almost face down breathing heavily. They removed the prayer rug from over top of Inmate Martin's body and discovered [REDACTED] which became apparent were [REDACTED] There were [REDACTED] and his hands were tied tightly together behind his back. Inmate Martin's boxers and pants were pulled down to his lower legs. Officer Beaudry used a ligature cutter to remove the cloth restraints from Inmate Martin's hands and legs. Officer Denmon put wrist restraints on Inmate Martin and he applied leg restraints to Inmate Martin. [REDACTED] entered the cell to assess the situation. [REDACTED] made the decision to place Inmate Martin onto the D-dormitory [REDACTED] At approximately 7:16 p.m., Officer Brady brought [REDACTED] into the cell. Officer Beaudry and Officer Denmon assisted Inmate Martin's [REDACTED] while he (*Givens*) [REDACTED] At approximately 7:17 p.m., he assisted in escorting Inmate Martin [REDACTED] (Exhibits A1~A3)



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In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Officer Andrew Whitehead indicated the following:

On March 30, 2012, he was assigned as a close management housing officer in D-dormitory. At approximately [REDACTED], he exited wing three of D-dormitory after completing a security check. He observed Officer Givens administering chemical agents into a cell in wing one and advised Sergeant Dufrene of the application of chemical agents. He and Sergeant Dufrene entered the wing. Upon arrival at cell #D1-117, he observed Inmate Martin lying face down, [REDACTED] and covered with a prayer rug. Sergeant Dufrene then instructed him to retrieve the ligature cutters. After he retrieved the ligature cutters, he reported back to the cell and observed Inmate Rogers, restrained, standing at the cell front as Sergeant Dufrene maintained a custodial hold on him. He then handed the ligature cutters to Sergeant Dufrene and he placed a custodial hold on Inmate Rogers and proceeded to escort him to shower cell #D1-128, where he was placed and secured. He then observed that Inmate Rogers was dressed in a white t-shirt, state issued blue pants, and shower slides, [REDACTED]. He was then instructed to retrieve [REDACTED]. After taking [REDACTED] to the cell, he retrieved the hand held digital video recorder. He entered wing one as staff were escorting Inmate Martin [REDACTED] building. He initiated video recording procedures and continued recording until Inmate Martin was placed [REDACTED].

(Exhibits A4 & A5)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Officer David Osborne indicated the following:

On March 30, 2012, he was assigned as close management housing officer in D-dormitory. At approximately 7:07 p.m., he was present in the D-dormitory officer's station. He observed Officer Givens applying chemical agents through the open handcuffing portal of cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. He then summoned on duty [REDACTED] to D-dormitory. At approximately 7:10 p.m., Lieutenant Johnson arrived on scene and he opened the door to the cell. Inmate Rogers exited the cell and was escorted by Officer Whitehead to shower cell #D1-128, where he was placed and secured. At approximately 7:11 p.m., Officer Whitehead came up to the [REDACTED] broke the seal from the ligature cutter box, and retrieved the ligature cutters. Officer Whitehead then departed the officer's station and returned to the cell. [REDACTED] entered wing one and proceeded to the front of the cell. At approximately 7:15 p.m., Officer Brady retrieved [REDACTED] and proceeded to the cell and Officer Whitehead retrieved the hand held digital video recorder camera. At approximately 7:16 p.m., Captain Smith arrived on scene. At approximately 7:17 p.m., Inmate Martin was escorted, [REDACTED].

(Exhibits A6 & A7)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, and his digitally recorded, sworn statement dated July 30, Officer John Beaudry indicated the following:

On March 30, 2012, he was assigned as a close management housing officer in D-dormitory. At



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approximately [REDACTED], he and Officer Denmon conducted a security check in wing one. Officer Denmon conducted the check on the upper tier and he conducted the check on the bottom tier. While he conducted the check, he approached cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. Upon arrival, Inmate Rogers asked him for the time, he (*Rogers*) was standing in front of the window however, he (*Beaudry*) because of his height, could see inside of the cell. He did not see anything out of the ordinary. He answered the question and observed Inmate Martin lying on his bunk and he appeared to be fine. Inmate Rogers was wearing a pair of boxers and Inmate Martin was covered by a sheet and was not wearing any shirt. Upon completion of this check, neither inmate appeared to be scared or threatened and he observed no discrepancies. He denied that any inmate on the wing contacted him concerning Inmate Rogers planning to kill his cellmate Inmate Martin. He and Officer Denmon departed the wing.

At approximately 7:10 p.m., he and Officer Denmon were summoned by Sergeant Dufrene to wing one. Upon entering the wing, they approached cell #D1-117. Upon arrival, Lieutenant Johnson ordered for the cell door to be breached. As he entered the cell, he observed Inmate Rogers standing at the cell door and Inmate Martin lying face down in the middle of the cell, with white linen material tied around his hands and feet and a prayer rug was draped over his back. He also observed [REDACTED] on the cell walls, as well as a pair of [REDACTED] covering Inmate Martin's head. Once he removed the boxers, he observed another piece of white linen material tied around Inmate Martin's neck. At approximately 7:11 p.m., he received the ligature cutters from Sergeant Dufrene and utilized them to cut the linen material from Inmate Martin's legs, hands and neck. He then observed [REDACTED] [REDACTED] Upon the [REDACTED] being brought into the cell, he assisted in placing [REDACTED] At approximately 7:17p.m., he assisted in carrying Inmate Martin to the [REDACTED] (Exhibits A8, A9 & B35)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Officer Jacob Denmon indicated the following:

On March 30, 2012, he was assigned as a close management housing officer in D-dormitory. At approximately [REDACTED], he and Officer Beaudry conducted a security check in wing one. He conducted the check on the upper tier and Officer Beaudry conducted his check on the bottom tier. Upon completion and observing no discrepancies, they departed the wing. At approximately 7:10 p.m., he and Officer Beaudry were summoned by Sergeant Dufrene to wing one. Upon entering, they approached cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. Upon arrival, Lieutenant Johnson ordered for the cell door to be breached. As he entered the cell, he observed Inmate Rogers standing at the cell door and Inmate Martin was lying face down in the middle of the cell, with his boxers and pants pulled down around his knees. He also observed that Inmate Martin's hands were bound behind his back and his feet were tied together with a white linen material and a prayer rug was draped over his back. He also observed a pair of [REDACTED] boxers covering Inmate Martin's head, [REDACTED] on the cell walls, and [REDACTED] [REDACTED] Once Officer Beaudry removed the boxers, he observed another piece of white linen material tied loosely around Inmate Martin's neck. At approximately 7:11 p.m., Officer Beaudry



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received the ligature cutters from Sergeant Dufrene and utilized them to cut the linen material from Inmate Martin's legs, hands and neck. He then observed [REDACTED]. He applied wrist restraints to Inmate Martin. Upon [REDACTED] being brought into the cell, [REDACTED]. At approximately 7:17 p.m., he assisted in [REDACTED] (Exhibits A10 & A11)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Officer Michael Brady indicated the following:

On March 30, 2012, he was assigned as a close management housing officer in D-dormitory. At approximately 7:07 p.m., he was summoned by Sergeant Dufrene to retrieve the non-electric concave Plexiglas shield and to report to cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. Upon arrival, he observed that Inmate Martin was [REDACTED] on the cell floor as well as being "hog tied" with his arms behind his back and feet tied. At that time, Lieutenant Johnson ordered for the cell door to be breached. Lieutenant Johnson then entered the cell after Inmate Rogers had exited the cell and escorted by Officer Whitehead to a secure shower cell. He was then instructed by Lieutenant Johnson to retrieve [REDACTED] and report back to the cell. As he exited the wing, Officer Whitehead handed him [REDACTED] and he reported back to the cell. Upon arrival in the cell, Officer Beaudry and Officer Denmon [REDACTED]. At approximately 7:17 p.m., [REDACTED]

(Exhibits A12 & A13)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Sergeant Ricky Dufrene indicated the following:

On March 30, 2012, he was assigned as a close management housing sergeant in D-dormitory. At approximately 7:07 p.m., he was informed by Officer Whitehead of a spontaneous use of chemical agents in wing one by Officer Dean Givens. He entered wing one and approached cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. Upon arrival, Officer Givens informed him that Inmate Rogers had advised that Inmate Martin was [REDACTED]. Officer Givens further informed him that he had ordered Inmate Martin several times to cease his [REDACTED]. Due to Inmate Martin's refusal to comply with orders, he had administered chemical agents to Inmate Martin. He then looked into the cell and observed Inmate Martin lying on the cell floor with a prayer rug covering most of his body, a pair of [REDACTED] covering his head, and his feet tied together with a white linen material as Inmate Rogers remained sitting on his bunk. He also observed [REDACTED] on the cell walls, as well as [REDACTED]. He then instructed Officer Osborne to summon on duty [REDACTED] Captain Smith, and Lieutenant Johnson to the dormitory. He instructed Officer Whitehead to get the ligature cutter and for Officer Brady to retrieve the non electric concave Plexiglas shield.

At approximately 7:10 p.m., Lieutenant Johnson entered wing one and he advised him of this incident. Wrist restraints were applied to Inmate Rogers. At approximately 7:11 p.m., the cell door was breached





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and Inmate Rogers was escorted by Officer Whitehead to shower cell #D1-128 and secured. He remained at the cell front as Lieutenant Johnson entered the cell followed by Officer Beaudry and Officer Denmon. After Lieutenant Johnson removed the prayer rug from Inmate Martin, he observed that Inmate Martin's hands were also tied with white linen material. He then handed the ligature cutters to Officer Beaudry so that he could remove the linen material from Inmate Martin's hands and feet. He was then notified that [REDACTED] had entered the dorm. He met her in the sally port and escorted her to the cell. At approximately 7:15 p.m., Officer Brady entered the cell with [REDACTED]. At approximately 7:17 p.m., as Inmate Martin was removed from the cell on [REDACTED], he grabbed the front left corner [REDACTED] and assisted with [REDACTED]. At approximately 8:00 p.m., he returned to D-dormitory to escort Inmate Rogers to the [REDACTED]. Upon placing Inmate Rogers in full restraints, he observed what appeared to be [REDACTED] Inmate Rogers's pants and shoes. (*Copy of Housing Unit Log for D-Dormitory dated March 30, 2012*). (Exhibits A14~A16)

In his incident report, dated March 30, 2012, and his affidavit, dated March 31, 2012, Lieutenant Freddy Johnson indicated the following:

On March 30, 2012, he was assigned as the third shift assistant supervisor. At approximately 7:08 p.m., he was notified, via radio, by Sergeant Dufrene to be en-route to D-dormitory for an inmate [REDACTED]. At approximately 7:10 p.m., he entered D-dormitory and proceeded to cell #D1-117, which housed Inmate Martin in the lower bunk and Inmate Rogers in the upper bunk. When he arrived at the cell front, he was advised that Officer Givens had administered chemical agents at Inmate Martin, due to his supposed [REDACTED]. He observed Inmate Martin lying face down with his head next to the farthest foot locker and his feet facing toward the door. He also observed that Inmate Martin had a prayer rug covering him from approximately the back of his knees to his left shoulder, and he was [REDACTED]. Inmate Martin was lying [REDACTED]. He questioned if Inmate Rogers was restrained. When Sergeant Dufrene answered yes, he instructed for the cell door to be breached. At that time, he observed Inmate Rogers standing next to the cell toilet. Inmate Rogers was ordered to exit the cell and he complied. Inmate Rogers was then escorted to a secure shower cell. He entered the cell and removed the prayer rug from Inmate Martin's body in an attempt to locate his wrist so that wrist restraints could be applied.

As he removed the prayer rug, he observed that Inmate Martin's wrists were tied behind his back with several wrappings of white linen material and his blue pants and boxer shorts were around his knees. He instructed the bindings to be cut so wrist restraints could be applied. Officer Beaudry was handed the ligature cutter by Sergeant Dufrene and Officer Beaudry cut the bindings from Inmate Martin's wrist. Officer Denmon then applied the wrist restraints. Officer Beaudry then asked, "What about his feet?" At that time, he observed that Inmate Martin's ankles were also bound with a white linen material. Officer Beaudry then cut the bindings from Inmate Martin's ankles and Officer Givens applied leg restraints. As this was being done, he observed [REDACTED] (right and left) on the farthest wall and on the left wall in the cell. This was slightly to the left and above the cell desk. Once Inmate Martin was restrained, he instructed Officer Beaudry and Officer Denmon to pull Inmate Martin's



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boxers and pants back up on his body. Once completed, he instructed Officer Beaudry and Officer Denmon to assist Inmate Martin to his feet. He observed that Inmate Martin was [REDACTED]

He instructed Officer Beaudry and Officer Denmon to [REDACTED] and instructed the officer's outside the cell to retrieve [REDACTED]. [REDACTED] then arrived and briefly evaluated Inmate Martin. She instructed the officers [REDACTED] and exited the cell. The wrist restraints were removed and re-applied with Inmate Martin's wrists to the front of his body. [REDACTED] was then brought into the cell and Officer Beaudry and Officer Denmon [REDACTED]. He along with Officers Denmon, Beaudry, Givens, Brady, and Sergeant Dufrene escorted Inmate Martin out of the cell. Upon entering the sally port, Officer Whitehead initiated video recording procedures as Inmate Martin was escorted [REDACTED]

Upon entering the [REDACTED] Inmate Martin was [REDACTED]. [REDACTED] requested that [REDACTED] be activated. Captain Smith was notified and arrived in the [REDACTED] shortly thereafter. Captain Smith instructed him to retrieve evidence bags and collect Inmate Martin's clothing for possible evidence. As he completed this task, [REDACTED] arrived at the institution. Inmate Martin was then placed [REDACTED] and departed from the [REDACTED]. At approximately 8:00 p.m., he returned to the [REDACTED] and secured Inmate Martin's clothing as evidence. At approximately 8:10 p.m., when Inmate Rogers was escorted into the [REDACTED], he collected his clothing and possession's as evidence.

(Exhibits A17 & A18)

In his incident report, dated March 30, 2012, and his affidavit, dated April 10, 2012, Captain Jeffrey Smith indicated the following:

On March 30, 2012, he was assigned as the third shift supervisor. At approximately 7:22 p.m., he was contacted by [REDACTED]. At approximately 7:23 p.m., [REDACTED] was notified by the main unit control room. At approximately 7:24 p.m., he instructed Officers James Brahier, William Dykes and Bryan Estep to report to the main unit control room and prepare for the [REDACTED]. At approximately 7:30 p.m., the [REDACTED] arrived at the institution and entered the main unit vehicle gate. Due to [REDACTED] Inmate Martin's [REDACTED] was allowed to enter the institution with Officer Brooke Sweat escorting, and proceed to the [REDACTED] after it was established that all inmates were secure in their housing units and the center gate was secured. At approximately 7:30 p.m., the Duty Warden, Assistant Warden Michael Morgan, was contacted and advised of this incident. At approximately 7:31 p.m., the Emergency Action Center (EAC) was contacted and Criminal Justice Communication Liaison Claude Brandon was notified of the situation. Officer Sweat remained with [REDACTED] while it was stationary behind the [REDACTED]. At approximately 7:44 p.m., Inmate Martin was [REDACTED]. At approximately 7:50 p.m., the [REDACTED] the institution, after being searched in



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the vehicle sally port area. Officer Dykes was present [redacted] with Inmate Martin. Officer Estep followed in the chase vehicle, Vehicle #27, (DC8868) and Officer Brahier followed in a caged transport van, Vehicle #39, (DC20342). At approximately 8:10 p.m., [redacted] arrived at [redacted] with Inmate Martin. Inmate Martin was [redacted] (Copy of Main Unit Control Room Log dated March 30, 2012). (Exhibits A19~A21)

The institutional [redacted] were obtained that had been completed for Inmate Martin. According to these records, Inmate Martin was in [redacted]. He had [redacted]. [redacted] was activated and Inmate Martin was [redacted] (Copy of Inmate Martin's Chronological [redacted]) (Exhibits A22~A25)

In his incident report, dated April 8, 2012, Captain Jeffrey Smith indicated the following:

On April 8, 2012, at approximately 11:38 a.m., while assigned as second shift supervisor, he was advised by Sergeant Tracy Steene that Inmate Martin had expired at 11:36 a.m. Inmate Martin was pronounced deceased [redacted] (Copy of Inmate Death Notification Checklist dated April 8, 2012, (Copy of [redacted] dated March 30, 2012 through April 8, 2012). (Exhibits A26 ~A28)

On April 12, 2012, [redacted] were received from Ivy Hooks, Access Center Coordinator for [redacted] for Inmate Ricky Martin. These [redacted] provide information on the [redacted] of Inmate Martin for [redacted] from March 30, 2012, until April 3, 2012. (Copy of [redacted] of Inmate Martin dated April 12, 2012). (Exhibit A29)

The fixed video recording for wing one of D-dormitory on March 30, 2012, was reviewed and indicated at 6:11 p.m., two officers passed out mail throughout the wing. At 6:14 p.m., an officer passed out mail to the inmates in cell #D1-117. At 6:15 p.m., the two officers completed passing out mail in the wing. At [redacted], one officer conducted a security check on both tiers. At [redacted], the security check was completed. At [redacted], two officers conducted a security check. One officer paused momentarily at cell #D1-117. At [redacted] the security check was completed. At [redacted], an officer appeared to begin a security check, but stopped at cell #D1-117 and looked through the cell door flap. At 7:10 p.m., the same officer drew his chemical agents' canister and appeared to administer chemical agents through the door flap. At 7:11 p.m., additional officers arrived in front of cell #D1-117. At 7:14 p.m., a lieutenant arrived at the front of cell #D1-117. The cell door was opened and Inmate Rogers was removed from the cell. The lieutenant and two officers entered the cell. At 7:17 p.m., an officer exited the cell with what appeared to be a piece of white cloth and dropped it on the floor near a table in the center of the wing. Another officer arrived with [redacted] followed by [redacted] who entered the cell. At 7:18 p.m., [redacted] exited the cell and the officer entered the cell with [redacted] At 7:19 p.m., [redacted] (Video recorder times are reflected.) (Exhibit B1)



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The handheld video that was taken by Officer Whitehead was reviewed and indicated at 7:17 p.m., the video began with five officers exiting D-dormitory with [REDACTED]. There was very little footage of Inmate Martin during that time; however, [REDACTED]. At 7:21 p.m., the officers arrived at the [REDACTED] with Inmate Martin. The [REDACTED] door was closed with the video camera placed just outside the door with a view through a very narrow window of the door. [REDACTED]. At 7:24 p.m., [REDACTED]. It could not be determined if Inmate Martin [REDACTED]. A 7:28 p.m., Captain Smith arrived at [REDACTED]. He went in and out of [REDACTED] several times. At 7:43 p.m., [REDACTED]. At 7:44 p.m., [REDACTED]. The video concluded at 7:46 p.m., with the lieutenant's closing remarks. *(Video recorder times are reflected.)* (Exhibit B2)

On March 30, 2012, Inspector Supervisor Art Rountree dispatched Inspector Robert Calamari to [REDACTED] where the [REDACTED] was located and Inspector Ron Castle to Santa Rosa Correctional Institution to assist in the investigation.

On March 30, 2012, photographs were taken of Inmate Martin's [REDACTED] by Inspector Calamari. *(Copy of Photographs dated March 30, 2012.)* (Exhibit B3)

On March 30, 2012, Inspector Castle collected all related incident reports that had been completed by staff and videos (fixed and handheld). In addition, he obtained affidavits from them relating to the information in their reports being true and accurate.

On March 30, 2012, at approximately 11:49 p.m., Assistant State Attorneys James Parker and Jason English arrived at the institution and observed the crime scene. They departed the institution at approximately 2:30 a.m.

On March 30, 2012, Florida Department of Law Enforcement (FDLE) Crime Scene Unit, Carmin Clemmons and Jennifer Kay responded to [REDACTED] and photographed and processed Inmate Martin concerning [REDACTED] and the crime scene at the institution. Items of evidentiary value were searched and collected. The crime scene was also examined for biological-type evidence. A total of thirty (30) items were removed at the scene on that date. A [REDACTED] was performed on Inmate Martin [REDACTED] and turned over to FDLE for processing. FDLE Analyst Carmin Clemmons advised that she would be forwarding the reports and a CD containing photographs taken.

All clothing evidence that had been collected by security staff was turned over to the FDLE Crime Scene Unit personnel for processing. In their report, FDLE indicated DNA results foreign to Shawn Rogers (*left hand*) were obtained. Due to the limited nature of these results, the data is insufficient for inclusion purposes. No determination can be made regarding the possible contribution of Inmate Ricky Martin to the DNA profile of Inmate Shawn Rogers. *(Copy of FDLE Laboratory Evidence Reports providing conclusions, opinions, and interpretations of the evidence obtained at the crime scene, victim and subject.)* (Exhibits A30 & B4~B33)



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Seventy-seven (77) inmates housed in D-dormitory at the time of the alleged incident were interviewed during the course of the investigation by Senior Inspector Edward White and Inspector Ron Castle. Twenty-four (24) inmates provided digitally recorded sworn statements and affidavits indicating either they did not see the incident, hear anything or they were sleeping at that time. (Exhibit B35)

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Johnnie Lee indicated the following:

He was housed in a cell next to cell #D1-117. He could not recall the time, but he heard a scream, scuffling sounds, and sounds like someone beating someone's head. He had talked to the white inmate (*Inmate Martin*) through the air vent. The black inmate (*Inmate Rogers*) had been housed in cell #D1-106, but got moved into cell #D1-117 the day of the incident. It got quiet for about three minutes and then the sounds began again. Inmate Rogers yelled out, "Ya'll think I should kill this cracker!" Someone on the wing yelled, "Just get him out of there!" Inmate Rogers yelled, "I'm not with this shit! This cracker has Nazi tattoos all on him!" He heard sounds of Inmate Rogers slapping flesh. Inmate Rogers yelled, "Oh these cheeks, Oh these cheeks." He assumed that Inmate Rogers was slapping Inmate Martin's butt. Inmate Rogers also stated, "This is for Trayvon!" He passed six peanut butter squeezes to Inmate Rogers for a debt owed him by an inmate in cell #D1-119.

Two officers entered the wing. Inmate Rogers told the tall officer wearing a cap that his cellmate was [REDACTED]. He did not know if the officer looked into the cell. The officer replied something to the affect, "I don't care." The two officers stopped, talked for a moment and then departed the wing. In less than five minutes, a red haired officer entered the wing. Inmate Rogers told him that his cellmate had [REDACTED]. The officer opened the food flap, handcuffed the black inmate and told him to get on his bunk. The officer then sprayed the white inmate. (Exhibit B35)

In his digitally recorded, sworn statement, dated March 31, 2012, Inmate Joseph Zych indicated the following:

He was housed in cell #D1-116. He heard screaming like that of a female and it was followed by sounds similar to two individuals fighting. He did not know where the sounds were coming from at that time. The duration of the incident was approximately five minutes with a pause in the middle. One of the inmates yelled out that his cellmate had Nazi symbols/tattoos on him and he was not "down" with that "bullshit." The black inmate (*Inmate Rogers*) said that he had done that to his cellmate, because of the black kid that had been killed in Orlando. The white inmate (*Inmate Martin*) had been placed in cell #D1-117 for several days and had problems with his previous cellmate. Inmates (*brothers*) on the wing, yelled out to the white inmate's cellmate, "Do something with that cracker!" Inmate Rogers was currently housed in cell #D1-117 and had previously been housed in cell #D1-106. He must have been moved into cell #D1-117 during the day shift on March 30, 2012. He really did not realize that he had been moved into that cell until the incident had occurred. Inmate Rogers was at his cell door laughing out loud and making jokes. It sounded as if he was spanking Inmate Martin's "ass."

Inmate Rogers stated, "Shake that ass, Shake that ass." Within ten minutes after the incident, two officers started making their [REDACTED]. One went upstairs and one started on the bottom floor



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where he was located. He was standing at his cell door at that time to see the officer's response when he got to cell #D1-117. Upon the officer arriving at that cell, Inmate Rogers told the officer that his cellmate was [REDACTED]. The officer stopped, looked into the cell and said, "Okay." The officer then kept walking and continued to make his security check. On the next security check, a redheaded officer approached the cell. Inmate Rogers stated that his cellmate was trying to [REDACTED] and he was just trying to help him. The officer got excited and did not know whether to grab his chemical agents or his radio. He grabbed both, popped the flap and began shouting commands for the inmate on the floor to give up what he was using to cut himself with. Other officers came and gave orders to the inmate on the floor. Inmate Rogers was handcuffed and removed from the cell. When Inmate Martin was removed from the cell, other inmates shouted, "Get that cracker out of his cell!" The white inmate was removed from the cell [REDACTED].

(Exhibit B35)

In his affidavit, dated March 31, 2012, Inmate Calvin Wright indicated the following:

He was housed in cell #D1-109, which is directly across from cell #D1-117. Last night after the officer made his rounds, he observed the tall black inmate (*Inmate Rogers*) in cell #D1-117 slamming the white inmate's (*Inmate Martin's*) head on the floor. He heard Inmate Rogers yell, "This is for all the black people; also for Trayvon" (*The kid that was killed in Sanford, Florida*).

(Exhibit A31)

In his digitally recorded, sworn statement, dated March 31, 2012, Inmate Shawn Rogers was read his constitutional rights. He chose to exercise his rights and refused to provide a statement or answer any questions. Inmate Rogers signed consent to provide a DNA specimen for investigation and laboratory analysis. He was then swabbed by FDLE Analyst Clemmons and also photographs were taken of his hands and body. (*Copy of Consent to Provide DNA Specimen dated March 31, 2012*).

(Exhibits A32 & B35)

In his digitally recorded, sworn statement, dated April 10, 2012, Inmate Gene Freeman indicated the following:

He was housed with Inmate Martin in cell #D1-117 for a day and a half before Inmate Rogers was placed in the cell with Inmate Martin. He was already in that cell when Inmate Martin was placed there. Inmate Martin was Muslim. He had a prayer blanket and a Kofi. He and Inmate Martin never had a problem with one another. Inmate Martin had been a gang member (*Folk*). Inmate Martin told him that he had previously made some [REDACTED] just to get moved to another facility. When he was being removed from cell #D1-117, he told Inmate Martin to keep his head up. Inmate Martin replied, "I got you." A tall black inmate (*Inmate Rogers*) housed in a cell across the wing, wearing a gold chain, was staring at Inmate Martin real hard. The night before being moved out of cell #D1-117, he got "slammed" (*Inmate Rogers received a disciplinary report for Lying to Staff on March 28, 2012*). Some unknown black inmates were always yelling things in the wing like, "Pussy ass cracker!" There were a couple of them that yelled to him, "Beat that cracker's ass!" He told them to stop calling to him. He had not heard anything about Inmate Martin being attacked. The inmates had been urging him to beat up Inmate Martin in retaliation for Trayvon Martin's death. He did not know who these inmates were because he would not go to the door, because he would get in trouble if the officer saw him on the door.



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He suspected that Inmate Rogers had attacked Inmate Martin, because of the Tray von Martin incident, or Inmate Rogers might have tried to make Inmate Martin a "punk" (*homosexual partner*).

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 10, 2012, Inmate Jarvey Jacobs indicated the following:

He was never housed with Inmate Rogers, but he knew him from Florida State Prison and Union Correctional Institution. Inmate Rogers was very violent and had threatened to stab him at Florida State Prison. Inmate Rogers had asked him for sex. This was in 2008 or 2009. Later at Union Correctional Institution, Inmate Rogers threatened him again. When Inmate Rogers got to Santa Rosa Correctional Institution, the two of them were housed on the same wing. Inmate Rogers sent him a threatening letter and was then moved to D-dormitory. Inmate Rogers liked to force white inmates to have sex with him. He liked to jump on them and beat them. If a white inmate refused to have sex with him, he would beat them up. When Inmate Rogers was at Florida State Prison, he cut up an inmate in front of the officers and everyone. Inmate Rogers was known by his gang name "NYC." Inmate Rogers was housed with an old black inmate in E3-203 and the old black inmate was still housed in that cell. When Inmate Rogers was moving out of that cell, he tried to take the old black inmate's things. He did not recognize Inmate Rogers at first from the DOC picture shown him, because he (*Rogers*) was bigger now and had a big gold chain around his neck that he stole from someone while en route to Santa Rosa Correctional Institution.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 10, 2012, Inmate Bobby Whipple indicated the following:

He was housed with Inmate Rogers for almost three weeks. He really did not have any problems with him, but he (*Rogers*) was not someone he would have wanted to be housed in a cell with. Inmate Rogers was like an animal and should not have been in a cell with anyone. On one occasion, he went to recreation, and upon returning, Inmate Rogers had his shoes on and an attitude as if he wanted to fight him. It was as if he had some [REDACTED]. Inmate Rogers never touched him in a hostile manner, nor did he ever ask him for sex. Inmate Rogers would talk to him in an offensive manner, but he would avoid responding back with any negativity. It was as if Inmate Rogers would be looking for trouble or a reason to start something. Inmate Rogers told him that he did not like Hispanics, Haitians, or white people. He did not think that the Tray von Martin incident had anything to do with the way Inmate Rogers felt about anything. Inmate Rogers did not give a damn about that dude getting killed or anything else. Inmate Rogers did not show any emotions. Inmate Rogers was looking for an excuse to start something. He had heard what happened in D-dormitory and it was the same thing that Inmate Rogers had told him that he had done before at Everglades Correctional Institution. Inmate Rogers said that he killed an inmate; hog tied him and hid him under a bed. Inmate Rogers also told him that while in the Dade County Jail; he stabbed a couple of Spanish guys.

In addition, he stated that when he was arrested, he killed four people, two of which were undercover officers, and that he should have killed his co-defendant. Inmate Rogers further told him that he had tied



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up a black inmate in a cell another time, had him hanging over a table squeezing lotion on his ass while eating from his tray and talking to another inmate across the hall. According to Inmate Rogers, the inmate across the hall asked him what he was going to do with the inmate and Inmate Rogers said he was going to kill him and started beating him with the tray. He did not know when or where this was going to happen. Inmate Rogers informed him that he did not mess with boys and then he said that he did. Once, when he went to use the toilet, Inmate Rogers told him that he had a fine ass. Upon Inmate Rogers being removed from his cell, Inmate Rogers took a lot of his property, including six or eight AAA batteries. He reported that Inmate Rogers had taken some of his property and he got some of it back. Some inmates had told him that Inmate Rogers had hit the white inmate with batteries inside something. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 10, 2012, Inmate Tobias Nichols indicated the following:

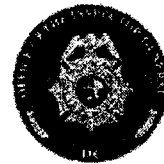
He was housed in cell #D1-106 for a day and a half with Inmate Rogers (*nickname Jigger*). Cell #D1-106 was located across from and a little to the left of cell #D1-117. Inmate Rogers was in disciplinary confinement status and he was not. Therefore, Inmate Rogers had to be moved to a cell with another inmate who was in disciplinary confinement status. Inmate Rogers was moved into cell #D1-117 around 1:30 p.m. – 2:00 p.m. with a little white guy (*Inmate Martin*) that had only been in the dormitory for three or four days. Inmate Martin was a cool young man and was a Muslim. He did not talk much with Inmate Rogers while Inmate Rogers was in his cell. Inmate Rogers was not the kind of person he really wanted to talk with. Inmate Rogers acted as if he was [REDACTED] and he sensed that Inmate Rogers was [REDACTED]. When Inmate Rogers first entered the cell with him, he (*Rogers*) spoke about being homosexual and tried to talk about homosexual things.

He told Inmate Rogers that he was not like that and that ended the conversation. Inmate Rogers never propositioned him for sex. He gave Inmate Rogers his radio to listen to, so he would be occupied with something. He never had any problems with Inmate Rogers. Inmate Rogers only made the normal racial remarks such as cracker this or cracker that, nothing out of the ordinary. Inmate Rogers told him that he had killed someone at Martin Correctional Institution and had caught sixty-five years. As far as he knew, Inmate Rogers did not have a weapon while in the cell with him. After Inmate Rogers moved out of cell #D1-106, he did not have a cellmate. When the incident started in cell #D1-117, Inmate Rogers was at the cell door talking about killing his cellmate. Inmate Rogers yelled, "Does anybody want me to kill this cracker." Inmate Rogers stated that his cellmate had a Nazi tattoo. There were inmates telling Inmate Rogers just to get his cellmate out of the cell and not to kill him. He heard some yelling which disturbed him, so he went and got on his bunk. When the new shift came on duty, a tall white officer made his rounds counting inmates. Inmate Rogers stopped the officer and told him that his cellmate was trying to kill himself. The officer said something, but he could not hear what was said. Everyone on the Wing was quiet at that time. The officer just brushed Inmate Rogers off and kept walking. After the officer departed, the first thing he heard was that Inmate Rogers was raping his cellmate. Other inmates started saying, "Get him out of the cell." It seemed like thirty or forty minutes later, a redheaded officer went to the cell, popped the door flap and sprayed chemical agents into the cell. After Inmate Rogers had been removed from the cell and placed into a shower cell, someone asked





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him if he had raped his cellmate. Inmate Rogers stated something to the affect, "No, I don't like white boys, but I did slap his ass" **(Exhibit B35)**

In his affidavit, dated March 31, 2012, and his digitally recorded, sworn statement, dated April 10, 2012, Inmate LaDarius Lee indicated the following:

He was at his sink which was next to his cell door (D1-209L) when he heard the black inmate (*name unknown*) in cell #D1-117, yelled out about Tray von Martin. He said something to the affect, "This is for the Jit!" The window had been blocked with something previously. When the officer came by, the black inmate told the officer that his cellmate was trying to [REDACTED]. The black inmate was tall and if the officer had asked him to move, the officer could have seen what had happened through the window. Other black inmates were telling the tall black inmate to chill and get his cellmate out of the cell. When the tall black inmate walked away from the cell door window, he could see that the white inmate was tied-up and lying face down on the floor with [REDACTED]. The white inmate's boxer shorts were pulled down and he could see his bare butt. There was [REDACTED]. The black inmate did not have any [REDACTED]. The officer should have seen inside the cell. The officer kept moving, and before he departed the wing, there were inmates telling the officer that he needed to get the white inmate out of the cell. No action was taken. The next officer started making his rounds (*security check*) numerically. The black inmate stopped the officer and started saying stupid things like, "Too late now." The window had been covered, but when he looked again, it was not covered. He saw the confrontation, but did not feel safe talking further about it. **(Exhibits A33 & B35)**

In his affidavit, dated March 31, 2012, and his digitally recorded, sworn statement, dated April 10, 2012, Inmate Ravalon Matfield indicated the following:

At that time, he did not recall everything, but right was right and wrong was wrong. He observed tension in cell #D1-117 prior to the incident. It seemed as if the black inmate (*Inmate Rogers*) was having a problem with what was going on in that cell. He noticed that when the mail was being passed out, Inmate Rogers had the opportunity to get and pass the white inmate (*Inmate Martin*) his mail, but instead he just stepped aside and let Inmate Martin get his own mail. He saw Inmate Rogers put up a cover in the cell door window, but just thought Inmate Rogers was going to use the bathroom. Approximately five minutes later, he heard a yell, a groan, and a scream like that of a woman. This went on for a little while. He then heard some scuffling, but did not know exactly where it was coming from. The cover was up on the door window of cell #D1-117 at that time and he did not see the altercation. Inmate Rogers was placed in that cell that day with Inmate Martin. Inmate Martin was Muslim and respectful. After the cover was removed from the cell door window, he observed Inmate Martin lying on the floor face down with his head toward the rear of the cell. (*Matfield was housed in cell D1-208U*).

He observed Inmate Rogers place a prayer rug over the white inmate. Inmate Rogers tried to get an officer's attention, however the officer kept going. He heard Inmate Rogers yell that he was killing his cellmate because he had swastikas on him. Inmate Rogers stated, "I'm going to kill this cracker." Other



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inmates were telling Inmate Rogers to just get Inmate Martin out of the cell. Inmate Rogers then told an unknown officer that his cellmate was trying to [REDACTED]. The officer stated that his cellmate would be alright. He observed [REDACTED] at that time. The officer kept on moving. When the next officer was making his rounds, the black inmate told him that his cellmate was trying to [REDACTED]. The officer looked into the cell, popped the door food flap and sprayed chemical agents into the cell. Inmate Rogers was moved to the shower cell and he did not hear or see anything else.

(Exhibits A34 & B35)

In his affidavit, dated March 31, 2012, and his digitally recorded, sworn statement, dated April 17, 2012, Inmate Master Green indicated the following:

When the two inmates in cell #D1-117 were fighting, he heard thump like sounds and the white inmate screamed. It sounded like they were hitting the cell floor and the bunks. The black inmate (*Inmate Rogers*) started yelling crazy things something to the affect, "This is for all the black people and Trayvon! They killed the "Jit" in Orlando and there isn't any justice. If you have a white cellmate, put him on the door and take his food. Who wants to see him die? Who wants to see him die? I'll go ahead and kill him; I'll go ahead and finish him off." He was housed in the next cell and heard what sounded like the slapping of flesh. Inmate Rogers stated something to the affect, "Shake that ass, Shake that ass." He told the black inmate not to kill his cellmate and to just put him to the door. A few minutes later, Inmate Rogers stopped the red haired officer and told him his cellmate was trying to [REDACTED].

The officer stated, "Oh my God! Oh my God!" He got off his bunk and went to his cell door. He observed the officer open the food flap and place handcuffs on the black inmate. He heard the officer tell the black inmate to get on his bunk. The officer then stated, "Give it up! Put your hands up! Where is it! Where is the razor?" He then observed the officer administer chemical agents into the cell to prevent the white inmate from [REDACTED].

(Exhibits A35 & B35)

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Eugene Williams indicated the following:

The white inmate (*Inmate Martin*) in cell #D1-117 [REDACTED]. For two days prior to the incident, he was removed from his cell multiple times and taken to the [REDACTED]. He wore a [REDACTED]. The [REDACTED] equipped to handle such and left it up to the security department to handle. The black inmate (*Inmate Rogers*) in the cell with him notified the officers of the inmate's [REDACTED]. All of the inmates on the wing would also kick on their doors to get the officers attention when the white inmate was [REDACTED]. Inmate Martin would be taken out of the cell and then put right back in it. This happened over and over. After Inmate Rogers alerted the officers of the incident, they nonchalantly went down to the cell. Inmate Rogers was placed in a shower cell. The officers asked him what had happened. Inmate Rogers stated that he had not touched Inmate Martin. The nurse came and Inmate Martin was taken out of the wing. [REDACTED] Inmate Martin [REDACTED] earlier that day too.

(Exhibit B35)



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[REDACTED] was contacted. It was requested that she review [REDACTED]. She advised that nothing in the file indicated that Inmate Martin [REDACTED].

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Steven Young indicated the following:

When the officer was making his rounds, the black inmate (*Inmate Rogers*) in cell #D1-117 told the officer that his cellmate was having [REDACTED]. The officer looked inside the cell, continued making his rounds, and walked out of the wing. He stayed away from his cell door to avoid trouble with the officers. He got on his bunk and listened to his radio. That was all he knew of the incident. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Jeffrey Flanders indicated the following:

The black inmate, "Rogers" was known as "Jigger", he was housed in cell #D1-106 a couple of days prior to the incident on March 30, 2012. He knew him from Florida State Prison. Inmate Rogers was moved to cell #D1-117 around 2:00 p.m., the day of the incident and had only been in the cell two or three hours when the incident occurred. He heard three or four screams, some thuds and someone kicking on a cell door. It was coming from the direction of cell #D1-117, but could not tell for sure where the noise came from. An inmate across the wing told him that Inmate Rogers was raping his cellmate. He asked Inmate Rogers, who was standing at his cell door, if he and his cellmate were okay with one another. Inmate Rogers stated, "We're straight." Inmate Rogers then stated that his cellmate was all fucked-up and there was [REDACTED]. Inmate Rogers was at his cell door when the officer came by making his check. Inmate Rogers did not say anything to the officer and he departed the wing. Inmate Rogers then started yelling out to the whole wing, "Does anyone want me to kill this cracker?" Some ignorant inmates said they did. Inmate Rogers stated that his cellmate had a bunch of Nazi tattoos on him. He told Inmate Rogers not to kill his cellmate, just put him to the door, and get him out of the cell. He asked Inmate Rogers if he had raped his cellmate and he told him that he had not. Approximately ten minutes later, the officers came in again. Inmate Rogers told an officer that his cellmate had tried to [REDACTED]. The officer said, "Alright" and kept walking. The officer departed the wing, but came back later. Approximately thirty-five to forty minutes elapsed between the screams and when the officers responded. The officer told Inmate Rogers to get on his bunk. The officer then asked the white inmate what was going on and grabbed his can of chemical agents. Inmate Rogers told the officer that the white inmate had [REDACTED]. When Inmate Rogers was placed into the shower, he asked him why he had done what he had done. Inmate Rogers stated that he did not have anything else to do. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Neilson Smith indicated the following:

On the evening of March 30, 2012, he heard a scream and a bump on a cell door. He did not know where the scream came from, but it came from the direction of cell #D1-117. The bump at the cell door



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was at cell #D1-117. He did not know either of the inmates in that cell; however, he knew the white inmate (*Inmate Martin*) was Muslim. The black inmate (*Inmate Rogers*) yelled out that the white inmate had racist tattoos on him and asked if anyone wanted him to kill the white inmate. Some unknown inmates yelled out, "Kill him, Kill him." The officers came in and Inmate Rogers told one of them that his cellmate was trying to [REDACTED] but the officer just departed the wing. When the officers came back in the wing, one of them asked the other if he wanted to spray an inmate. The other officer stated that it didn't matter to him. The first officer then stated, "Let the next officer deal with the problem." The next officer came in and went directly to cell #D1-117 and observed that Inmate Martin was down.

(Exhibit B6)

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Walter Atwell indicated the following:

On the evening of March 30, 2012, he heard a scream, but he did not know where it came from. The officers entered the wing to do a security check. The black inmate (*Inmate Rogers*) in cell #D1-117 told one of the officers that his cellmate was declaring a [REDACTED]. The officer looked into the cell and told Inmate Rogers that he would be alright. The officer that was making a security check upstairs told the officer down stairs to let the next officer deal with it and departed. Inmate Rogers stated that the white inmate (*Inmate Martin*) had racist tattoos on him. Inmate Rogers also stated that he felt like killing somebody. When the next officer came to cell #D1-117, he opened up the food flap and removed his chemical agents. He stated, "Get up, Get up," he then called for assistance. When Inmate Rogers was placed in the shower cell, other inmates asked him if he raped Inmate Martin and he stated that he had not. Other inmates asked him why he had done what he done to the white inmate and he stated that he had killed his cellmate, because he didn't have anything else to do.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Richard Giordani indicated the following:

Prior to the incident occurring in cell #D1-117 on the evening of March 30, 2012, the black inmate (*Inmate Rogers*) was housed beneath him in cell #D1-106. During that time, Inmate Rogers talked to him through the air vents and he had no morals or regard for life. He openly admitted to being homosexual. When he was being moved out of cell #D1-106, he was supposed to be placed upstairs in a cell with an inmate about his same size. He did not want to be placed into that cell. He ended up being placed into cell #D1-117, where he wanted to be. When the shift changed that evening, he noticed that a cover had been placed over the cell door window of cell #D1-117. When the cover came down, Inmate Rogers yelled, "Ya'll want me to kill this cracker. He has racist tattoos on him." Other inmates tried to calm him and told him not to do it. He heard a short scream come from cell #D1-117. Inmate Rogers also yelled out, "He got a sweet ass; ya'll want me to slap him on his ass again." He heard three or four slaps. When the officer came by, Inmate Rogers told the officer that his cellmate had tried to [REDACTED]. The officer shrugged his shoulders and kept on moving. Approximately five to ten minutes later, another officer came by and Inmate Rogers stopped him. The officer saw what had happened, dropped the food flap and sprayed chemical agents into the cell.

(Exhibit B35)



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In his digitally recorded, sworn statement, dated April 17, 2012, Inmate Christopher Dezoete indicated the following:

He did not physically see anything, but he heard some things that the black inmate (*Inmate Rogers*) in cell #D1-117 stated. He heard a commotion that sounded like inmates fighting. He heard what sounded like the white inmate (*Inmate Martin*) stating, "Come on man stop. Stop and chill." Another black inmate asked Inmate Rogers if he had killed his cellmate. Inmate Rogers stated, "He wouldn't give it up." Inmate Martin would not have sex with him. Inmate Rogers yelled out, "I think I killed the cracker." The officers made their rounds right after the incident occurred, one officer looked in and saw something of concern and called Officer Givens. Apparently, he thought Inmate Martin was [REDACTED] and used chemical agents. (Exhibit B35)

In his digitally recorded, sworn statement, dated April 17, 2012, Inmate William Glenn indicated the following:

A couple of days prior to the incident on March 30, 2012, inmates were listening to the news about the Tray von Martin incident which was very inflammatory. Also, the inmate that was moved out of cell #D1-117 had been "slammed" by officers for writing grievances. Inmate Rogers was known to him as "Bullet." A white inmate (*Inmate Martin*) was being housed with Inmate Rogers, who was a "mulatto" (*A person with a black and white parent*) and Inmate Martin was Muslim. Earlier in the day on March 30, 2012, black inmates on the wing would yell to Inmate Rogers, "Beat that cracker down!" Inmate Rogers got moved and placed into cell #D1-117. The same inmates who had been yelling to Inmate Rogers were now yelling telling him to beat the "cracker down." Those inmates were housed in cells #D1-107 or #D1-108. He was at his sink at that time. That made him mad and he yelled a couple of times, "That ain't right." He laid back down on his bunk and started listening to his radio. He heard a loud scream. At first, he thought it was one of the homosexuals on the wing playing around as they sometimes do. There were three more screams, but they were not as loud. He could hear slamming and banging coming from cell #D1-117. He had just a narrow view into that cell, but [REDACTED]. The same black inmates housed in cell #D1-107 or #D1-108 were telling Inmate Rogers to "whip" and kill that "cracker." Inmate Rogers stated that there was [REDACTED]. The first officer that passed by the cell did not even look into the cell. Approximately thirty minutes later, the next officer came by; saw [REDACTED] and the white inmate. They got [REDACTED] there very quickly. Inmate Rogers was taken to a shower cell and he looked very humble. (Exhibit B35)

In his incident report dated April 18, 2012, Lieutenant Freddy Johnson indicated the following:

On April 18, 2012, he was assigned as third shift assistant supervisor. At approximately 7:45 p.m., he authorized a search of wing two in B-dormitory [REDACTED] for all mattresses and pillows as well as for contraband and excess state property. During a search of Inmate Shawn Rogers cell and property, a sock containing four AA batteries was located inside Inmate Rogers' mattress. These items were sent to the FDLE Crime Laboratory for DNA analysis by Inspector Castle.

(Exhibits A36 & B19)



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In his digitally recorded, sworn statement, dated April 24, 2012, Inmate Edward Dolansky indicated the following:

On March 30, 2012, during the three to eleven shift, he heard a commotion (*grunting and fighting sounds*) coming from cell #D1-117. This went on for a minute to a minute and a half. He could not see into that cell, but he could see the area in front of the cell. The black inmate (*Inmate Rogers*) had been moved into cell #D1-117 from cell #D1-105 or #D1-106. Inmate Rogers yelled out, "I just fucked this cracker! He's got Nazi signs all over him! The only reason I don't kill him is because of YO" He did not know who "YO" was, but he was an inmate on the wing. Inmate Rogers yelled, "I just slapped this cracker on his ass!" He could hear a slapping sound. Inmate Rogers also yelled out, "This is for Trayvon Martin and all my niggers who are getting accused of murder." A couple of unknown inmates then yelled out, "If you got a cracker in your cell, kill him" It was as if they were trying to start a race war. He got on the door and yelled out that the white inmate was of Spanish decent and did not have anything to do with Trayvon Martin getting killed. The white inmate (*Inmate Martin*) did not have any swastikas on him. When the first officer entered the wing, the black inmate told him that his cellmate had a [REDACTED]. That could have saved Inmate Martin's life, but he was not pulled out of the cell. He did not know the officer's name, but he heard and saw the officer. The officer was short and always wore a cap. The officer replied, "Fuck or fight." The officer then walked away. Approximately thirty minutes later, the next officer (*red headed*) came by cell #D1-117. Inmate Rogers asked if he was going to get his cellmate out of the cell. The redheaded officer stated "No" and kept on walking. [REDACTED] the two officers came back to count. The redheaded officer dropped the food flap at cell #D1-117, sprayed chemical agents and called for assistance. Inmates on the wing were asking the officer why he was spraying the [REDACTED] inmate. (Exhibit B35)

In the course of this investigation and interview process Officer Dean Givens was identified by several inmates as "Big Red," Officer Jacob Denmon was identified as "Short," and Officer John Beaudry was identified as "Officer B."

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate Edwin Andino indicated the following:

Two days prior to the incident that occurred on March 30, 2012, there was a big racial outbreak in the wing. This was due to the Trayvon Martin incident. There was an inmate called "Bullet" who yelled out, "Kill these crackers!" The big black inmate (*Inmate Rogers*) was placed into cell #D1-117 with the small white inmate (*Inmate Martin*). He could not recall how long they had been in the cell together. The black inmate in cell #D1-117 stated that the white inmate had racist or gang markings on his back. Someone on the wing yelled for him to get the white inmate out of the cell. Another inmate said to kill the "cracker." Inmate Rogers stated, "I feel like killing me another mother-fucker." Other inmates were trying to get Inmate Martin out of the cell. He did not know the officers, but one was called "Big Red" (*Officer Givens*) and the other was called "Short" (*Officer Denmon*). One inmate told Officer Givens to get Inmate Martin out of the cell. Earlier, he had heard banging, kicking, and screaming coming from cell #D1-117. Inmate Rogers told Officer Givens that his cellmate was trying to [REDACTED]. Officer Givens stated, "good." Officer Givens then asked Officer Denmon who was upstairs, "We have one that



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is going [REDACTED] Do you want to spray him?" Officer Denmon said, "Let the next shift handle it." The officers ignored the situation. He did not recall what time that was. When the officers came back again, he observed Officer Givens open the food flap of the cell and spray chemical agents. He gave the inmate an order to back-up. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate George Hankins indicated the following:

He heard that Inmate Rogers paid another inmate with peanut butter squeezes to watch out for the officers. Inmate Rogers stated that his cellmate had swastika tattoos on him. He heard a short female like scream. Approximately five minutes later, Inmate Rogers got on the door and asked, "Does anyone want me to kill this cracker, He's damn near dead now." He stepped to his cell door and told Inmate Rogers not to do that "dumb-ass" stuff and to leave his cellmate alone. Someone on the wing yelled, "Just put him in bed and get his coffee cakes in the morning!" A tall officer wearing a cap came by cell #D1-117 and Inmate Rogers told him that his cellmate was trying to "[REDACTED]" The officer replied, "Okay" and kept walking. Approximately [REDACTED] when the officers made their next round, another officer who was chunky with rust colored hair, went by cell #D1-117. Inmate Rogers told him that his cellmate was trying to "[REDACTED]" The officer opened the food flap and started spraying chemical agents. He told Inmate Rogers to "cuff-up." The officer then stated, "How did he get tied up!" The officer then called Sergeant Dufrene and Inmate Rogers was placed in a shower cell. Someone asked Inmate Rogers if he had fucked his cellmate. Inmate Rogers stated, "No, I did not rape him, I just put my finger in his ass." Inmate Rogers also stated that he had done this for Tray von Martin. Inmate Rogers was homosexual and was violent. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate Dandridge Perkins indicated the following:

On the evening of March 30, 2012, he was listening to his radio. Someone called him through the air vent and asked him what was going on. He could not see into cell #D1-117, but when he went to his cell door, he saw everyone looking at the cell. Another inmate across the wing told him that "New York" (*Inmate Rogers*) had blocked the cell door window of cell #D1-117. Inmate Rogers had been moved into that cell that day from cell #D1-106. Other inmates were telling Inmate Rogers to get his cellmate out of the cell. He did not know what was going on at that point. There was a lot of chaos in the wing and a lot of yelling. Some inmates were yelling for Inmate Rogers to put his cellmate on or under his bunk and take his coffee cakes (*breakfast meal*). He did not know the officers, however, a tall white officer (*Officer Beaudry*) with a mustache and who eats sunflower seeds, made a round. Inmate Rogers stopped him. He did not hear what was said, but Officer Beaudry just brushed-off Inmate Rogers. On the next round, the officer called "Red" (*Officer Givens*) took action and called for back-up. Inmate Rogers was removed from the cell and [REDACTED]. **(Exhibit B35)**



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In his digitally recorded sworn statement, dated April 24, 2012, Inmate Kenneth Silas indicated the following:

He knew Inmate Martin because they came to Santa Rosa Correctional Institution together. He did not know the other inmate that was housed with him in cell #D1-117. That inmate had been housed in cell #D1-106 previously and was moved into the cell with Inmate Martin that day (*March 30, 2012*). There were two officers making rounds. One was Indian or Spanish and the other one had red hair. He heard who he believed to have been Inmate Martin, ask one of the officers to move him out of the cell. He did not know which officer it was that he asked. The officer told Inmate Martin that the only way he might get moved was to "fuck or fight" and the officers departed. He heard a scream like that of a woman, but he didn't think much of it. There were several homosexuals in the wing that were always playing around and doing that "crazy kind of stuff." He heard some scuffling sounds that lasted five to ten minutes. Other inmates across the wing were looking at cell #D1-117. The black inmate (*Inmate Rogers*) spoke to someone across the wing and stated, "You want me to kill this mother-fucker?" Some inmates said yes and some said no. Inmate Rogers in cell #D1-117 also stated, "This is for the dude that got killed." He was talking about the man that got killed in Tampa or somewhere like that.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate Ernest Powell indicated the following:

He could not see into cell #D1-117, but he heard some things. The black inmate (*Inmate Rogers*) in cell #D1-117 told the officer that his cellmate was [REDACTED] but the officer just walked away. He heard other inmates say that Inmate Rogers had covered the cell door window. Some of the inmates were saying, "Get off of him, don't do it!" He heard some "boom" type noises and some grunts coming from cell #D1-117. Some inmates told him that the black inmate was jumping up and down on his cellmate, there was [REDACTED] and his cellmate was tied-up. About [REDACTED], when the officers made their round, he heard the officer say, "Get off of him!" He then heard keys rattling. Inmate Rogers was placed in a shower cell and he dropped something down the drain; possibly a razorblade. Inmate Rogers was bragging and laughing, and told someone, "What are you looking at? You don't like it? You will get the same thing if you get your chance!"

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate James Hoehn indicated the following:

He did not have a view into cell #D1-117, nor did he stay at his cell door. He heard one of the inmates in the cell tell one of the officers that his cellmate was trying to [REDACTED]. He did not see who the officer was, nor did he hear the officer's response. That was all he knew about the incident.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 24, 2012, Inmate Bryant Lyle-Jarman indicated the following:

The tall black inmate (*Inmate Rogers*) housed in cell #D1-117, was originally housed in cell #D1-106, which was directly below his cell. Their air vents were connected and Inmate Rogers talked about





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homosexual things. It was clear that Inmate Rogers was a “booty bandit” (*A homosexual who enjoys anal sex*). Inmate Rogers was informed that he was going to be moved out of cell #D1-106 due to his disciplinary status. He looked to see what cells were available. Cell #D1-219 and cell #D1-117 only had one inmate in them. The inmate housed in cell #D1-219 was six foot three or four inches tall and weighed about two hundred pounds. Cell #D1-117 had a little white inmate (*Inmate Martin*) in it. He thought to himself and hoped that Inmate Rogers did not get put in the cell with Inmate Martin, because there would surely be a problem. He thought Inmate Martin was Muslim, because he had a Kofi and a prayer rug. He never thought it would turn out like it did. Inmate Rogers got placed into the cell with Inmate Martin during the evening shift. Just prior to the [REDACTED], security count, he heard a scream and thought it was one of the homosexuals on the wing playing games. All of a sudden it got quiet on the wing.

He got on the door and observed Inmate Rogers standing at the cell door window at cell #D1-117. Some inmates were telling him to chill. Inmate Rogers asked, “Do you want to see me kill him?” Some inmates whom did not think Inmate Rogers was serious said, “Yes.” Other inmates that knew Inmate Rogers said “No, get him out of the cell.” Inmate Rogers stated all kinds of “crazy” things. He said that Inmate Martin had racial tattoos/Nazi symbols on him. He asked if anyone wanted to hear him smack his cellmate on the ass. Some inmates said yes. He heard when he smacked Inmate Martin on the ass. Officer Beaudry and a little short officer (*Officer Denmon*) came in to do their rounds. Officer Beaudry counted down stairs and the other officer counted upstairs. Inmate Rogers told Officer Beaudry that his cellmate was [REDACTED] and to get him out of the cell. Officer Beaudry shrugged his shoulders and stated, “You are going to fight or fuck.” Officer Beaudry looked in, but Inmate Rogers was standing in front of the cell door window. He did not think that Officer Beaudry knew the situation was as serious as it was. Officer Beaudry kept walking and departed the wing.

About ten to fifteen minutes later, Officer Givens came into the wing and went to the door of cell #D1-117. Officer Givens asked Inmate Martin to get up and pulled out his chemical agents. He did not know if he used it or not. The sergeant then came to the cell. An inmate housed in cell #D1-103 asked Inmate Rogers if he raped his cellmate. Inmate Rogers stated, “No I didn’t rape him.” Another inmate also asked Inmate Rogers the same thing. Inmate Rogers stated, “It is what it is.” **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Maklavious Hill indicated the following:

The little white inmate (*Inmate Martin*) in cell #D1-117 was called “Solo.” He was very social and friendly and would usually come to his cell door and talk. They talked, mostly by sign language. On March 29, 2012, the big tall black inmate (*Inmate Rogers*) talked on the vent about liking “punks” (*homosexuals*), “liking ass and getting ass.” He was a “booty bandit.” He and his cellmate (*Destyn Alexander*) warned Inmate Martin about Inmate Rogers. This was prior to Inmate Rogers being placed in the cell with him. On the evening of March 30, 2012, Inmate Rogers was placed into the cell with Inmate Martin. A blue shirt was placed over the cell door window. Inmate Rogers was talking “crazy.” He said stuff like, “I’m in a cell with a little fuck boy. Ya’ll want me to kill this fuck boy?” Inmate



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Rogers stated that he was spanking Inmate Martin on the ass. An inmate housed in cell #D1-118 slipped Inmate Rogers some peanut butter squeezes to use as lubrication. When the officers started making their round, the blue shirt covering the window at cell #D1-117 was taken down. He and Inmate Alexander told a Officer Denmon to get Inmate Martin out of the cell. The officer did not say anything and departed the wing with the other officer. Also, Inmate Rogers told the tall white officer (*Officer Beaudry*), who was wearing a cap, to get his cellmate out before he killed him. He and Inmate Alexander kept trying to call Inmate Martin, but he would not answer. Officer Givens came into the wing and went straight to cell #D1-117. Officer Givens stated, "Back up!" He then sprayed chemical agents into the cell. Inmate Rogers was placed into a shower cell. Some inmates were yelling at him. Inmate Rogers stated that he would do the same to anyone in the cell with him. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Destyn Alexander indicated the following:

Inmate Rogers was known to him as "Jigger." When Inmate Rogers first entered the wing, he was placed in cell #D1-106. He talked to some of his friends through the air vent. Inmate Rogers stated that he was homosexual and wanted to get him some "ass." He also stated that he had not had any for a while. He further stated that he was going to get some "ass" from Inmate Martin (*The little white boy in cell #D1-117*) if he could get placed in the cell with him. He had been talking with Inmate Martin (*Solo*). Upon Inmate Rogers being placed in the cell with Inmate Martin, he tried to warn Inmate Martin about Inmate Rogers and told him that Inmate Rogers was living in a foul way. Inmate Rogers was gay and wanted to rape someone. He called to Inmate Martin numerous times, but Inmate Martin did not answer. He called to Inmate Rogers to get Inmate Martin to the door. Inmate Rogers just looked at him and walked away from the door. Inmate Martin would not come to the door. He and his cellmate (*Inmate Hill*) continued to call for Inmate Martin. Inmate Martin finally came to the door. He asked Inmate Martin if he was okay. Inmate Martin said his was okay and that he was reading a book to his cellmate. Approximately an hour later, he and Inmate Hill tried to call Inmate Martin again, but he did not reply. Inmate Rogers had put up a blue shirt over the cell door window at cell #D1-117. He did not think much of it, because inmates covered their windows when they use the bathroom.

He and Inmate Hill kept calling for Inmate Martin, but got no response. He told Inmate Hill that something bad had happened. They constantly called to Inmate Martin, even though they might get in trouble with the officers. They then heard Inmate Martin scream loudly one time. The whole wing got quiet, Inmate Rogers got on the door yelling, "Who wants to see me kill this cracker! Who wants to see me kill this cracker, he's got Nazi and KKK signs tattooed on his back." He told Inmate Rogers if he did not like Inmate Martin, to get him out of the cell. Officer Beaudry and Officer Denmon entered the wing. They saw the blue shirt up at cell #D1-117. Officer Beaudry made his round downstairs. Inmate Rogers stated something to him, but he could not make out what he said. Officer Beaudry looked into cell #D1-117, however he kept on making his round. When Officer Denmon came to his cell, he and Inmate Hill told him that Inmate Rogers was a rapist and was down there trying to rape his friend (*Inmate Martin*). They further told him that something was going on down there. Officer Denmon stated, "What! I don't have anything to do with that." Officer Denmon just kept on walking. After the



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officers departed the wing, Inmate Rogers kept asking, "Who wants to see me kill this guy" Other inmates told Inmate Rogers to just let his cellmate out of the cell and Inmate Rogers actually agreed. The sergeant came through approximately ten minutes later. Inmate Rogers told him that his cellmate was trying to [REDACTED] and that he did not want to be around him. The sergeant went inside the room and then called for the other officers. He heard the sergeant say, "Get up, Get up." Officer Denmon then used his chemical agents when Inmate Martin did not get up. He then heard the sergeant say, "Get [REDACTED]."

(Exhibit B35)

In his digitally recorded, sworn statement, of April 26, 2012, Inmate Anthony Bell indicated the following:

He knew the black inmate (*Inmate Rogers*) in cell #D1-117 as "Slim" and he was homosexual. The white inmate (*Inmate Martin*) in that cell was quiet and did not mess with anyone. He was also Muslim. Inmate Rogers arrived on the wing one day before the incident and was housed in cell #D1-106. On the evening of March 30, 2012, Inmate Rogers was placed on disciplinary status. They (*security staff*) were going to place him upstairs in a cell with another black inmate, but Inmate Rogers refused to be housed with him and was moved into cell #D1-117 with Inmate Martin. Inmate Rogers was at the cell door looking all "crazy." Inmate Rogers stated, "I'm going to do it." He asked him what he was talking about. Inmate Rogers said he was about to beat-up his white cellmate and that his cellmate was racist. He told Inmate Rogers to think about it first and that Inmate Martin did not give anyone any problems. Inmate Rogers stated, "Forget that" He replied, "Okay, I'm going to leave you alone, but you are sounding stupid." Inmate Rogers stepped away from the door. He then saw the Inmate Martin's head strike the cell door window and there was [REDACTED] and Inmate Rogers covered the window. Officers came into the wing and he told the redheaded officer that he needed to check on his buddy down stairs. The officer stated, "He'll be alright" and kept on walking. He also told a little white officer, but he kept on walking. He and other inmates started kicking their cell doors. The redheaded officer came back into the wing and shouted, "Man down, Man down." Inmate Rogers told Officer Givens that his cellmate was trying to [REDACTED]. Officer Givens opened the food flap and sprayed Inmate Martin with chemical agents. An inmate that was housed in cell #D1-112 told him that Inmate Rogers had slammed his cellmate's head onto the floor, made his cellmate suck his dick and then fucked his cellmate. He was also told by this inmate that Inmate Rogers had hog-tied his cellmate. When Inmate Rogers was removed from the cell, he verbally confronted him and almost got a disciplinary report and the officers told him to shut up. When he asked Inmate Rogers what had happened, he stated that his cellmate had tried to [REDACTED]. He told Inmate Rogers that was not right and that he knew what he did. Inmate Rogers stated, "I got me one body and now I got me another."

(*Inmate Bell was housed in cell D1-207U*).

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Kenneth Mitchell indicated the following:

On the evening of March 30, 2012, there was a tall black inmate wearing a gold chain (*Inmate Rogers*) and a young little white inmate (*Inmate Martin*) housed in cell #D1-117. Inmate Martin was Muslim. Inmate Rogers was moved into the cell with Inmate Martin that day. Inmate Rogers was supposed to be



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housed with another inmate upstairs, but he had a problem with that inmate. He heard Inmate Martin scream several times. When the officers came into the wing, Inmate Rogers told the officer that his cellmate was trying to [REDACTED]. The officer stated something to the affect, "Oh, he'll survive." The officer kept on walking. Officer Beaudry and Officer Denmon were doing their security checks. He could see a [REDACTED] on the left wall in cell #D1-117. His cellmate (Inmate *Bell*) told Officer Beaudry that he needed to check on his buddy, he needed help. Officer Beaudry stated that he would be alright. Officer Givens sprayed Inmate Martin with chemical agents. The officer then made a call on his walkie-talkie and other officers came. He could see that Inmate Martin was tied-up. (*Inmate Mitchell was housed in cell D1-207L*). (Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Xavier Arinah indicated the following:

On the evening of March 30, 2012, Inmate Rogers in cell #D1-117 yelled across the wing to another unknown black inmate. He heard the black inmate across the wing state to Inmate Rogers "If you are raping him, why don't you smack that pink ass." He got up from his bunk and went to his cell door. He could see into cell #D1-117 from the bunk area to the sink and toilet area. (*Inmate Arinah was housed in D1-211U*). He observed Inmate Rogers at his cell door looking distraught, aggressive and desperate. He looked like someone who had just done something wrong and wanted to get out of it. He had a look in his eyes that was not normal. He stated, "Fuck it, I might as well kill him." He put his blue shirt up to cover the cell door window. He then returned and snatched the blue shirt down. He started talking with the black inmate across the wing. The black inmate across the wing told him to just tie something around his cellmate's neck and make it look like he had tried to hang himself. Inmate Rogers stated, "It's over with, the only reason he is still alive is because of you, I don't give a fuck about this shit, it's over, it's over." The black inmate across the wing stated, "Just chill, calm down. Wrap his neck with a sheet and make it look like he was trying to kill himself." Inmate Rogers went to his bunk and came back to the toilet with something. He ripped it up and threw it away. He observed Inmate Rogers casually standing at his cell door window until the officers entered the wing. Inmate Rogers then told the officer that his cellmate (*Inmate Martin*) had tried to [REDACTED]. The officer opened the food flap and sprayed Inmate Martin with chemical agents. The officer said something, but he did not know what. Inmate Rogers was removed from cell #D1-117 and placed into a shower cell. Inmate Rogers stated, "This is for Trayvon." Inmate Martin [REDACTED] when he was removed from cell #D1-117.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Bradley Livingood indicated the following:

He did not know the two inmates that were housed in cell #D1-117 on March 30, 2012, but he previously had a conversation with the white inmate (*Inmate Martin*) also known as "Solo." He heard noises like scrapping and banging on the cell walls. When he heard these noises, someone unknown said to get the officers, because the black inmate (*Inmate Rogers*) was trying to kill his cellmate. Inmate Rogers in cell #D1-117 yelled, "I'm going to rape and kill this cracker, this is what happens when black kids get killed on the street, I'm going to show them what it's all about." He was referring to Tray von



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Martin. The officers entered the wing. There was a blue shirt up over the window at cell #D1-117 and the officers did not even address the issue and did their walk through. Someone told the little short officer that Inmate Rogers in cell #D1-117 was killing his cellmate (*Inmate Martin*). The officer replied, "Oh, I'm busy and I ain't got time for it. Catch the next officer." By the time the next officers entered, Inmate LaDarius Lee who was housed in cell #D1-209 stated that he could see [REDACTED] cell #D1-117 and Inmate Rogers was jumping on Inmate Martin with his feet. When the officer, whom he believed to be called Officer Givens walked through doing his count and acted as if it was no big deal. That same officer went to the cell and stated, "If you don't stop, I'm going to gas you." The sergeant and the rest of the officers then entered the wing. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Lee Donton indicated the following:

Inmate Martin had been in cell #D1-117. On March 30, 2012, Inmate Rogers was placed into the cell with him. Inmate Rogers was known for raping and beating-up inmates. Inmate Rogers stated that Inmate Martin was racist and had Nazi tattoos. Inmates on the wing told Inmate Rogers that it had nothing to do with him. Inmate Martin did not say anything. Inmate Rogers took a blue shirt and put it over his cell door window. He did not hear any scuffling or yelling. Inmate Rogers got on the door when he and some other inmates started asking him what had happened. Inmate Rogers said, "Fuck him, I'm going to kill him." An inmate yelled, "If you did this to the white inmate, then spank his white ass cheeks and let us know." Inmate Rogers then spanked Inmate Martin; he could hear the slapping sound. He and another inmate got on their doors and told Inmate Rogers not to kill his cellmate. They begged Inmate Rogers not to kill him and to let him get [REDACTED]. Someone could see that Inmate Martin was down and Inmate Rogers had wrapped a sheet around his neck. Inmate Rogers stated to some inmates, "God bless ya'll, because I was going to kill him." The officers then entered the wing. Inmate Rogers told an officer that his cellmate was [REDACTED] which was a lie. The officer replied, "Okay, let another officer find him" and the officer continued counting. The officer with red hair, whom they called "Big Red" (*Officer Givens*), walked right up to cell #D1-117 about ten minutes later. Not knowing if Inmate Martin was faking, Officer Givens used chemical agents. (*Inmate Donton was housed in D1-212U*). **(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Obadiah Dillard indicated the following:

He was housed in a cell above cell #D1-117. He could not see the cell, but could hear well. He heard a commotion like someone fighting (*banging and running into stuff*). An inmate across the wing told Inmate Rogers to let the "cracker" go; just beat him up and do not kill him. He heard an officer walk into the wing and tell Inmate Rogers, "Don't be doing this shit on my shift, let the next shift deal with this shit and get off the fucking door!" He heard the officer walk on and the rambling started again. Inmate Rogers stated, "I'm going to kill this cracker." An inmate across the wing told Inmate Rogers to let the "cracker" go. They were hitting the door loudly and it caused the officer to come back. The officer stated, "Get off the door. I don't have time for this fucking shit." When the next shift came on duty, he heard an officer state, "Turn around inmate and cuff-up." The officer said something about



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██████████ and called for the extraction team.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Eddie Hairston indicated the following:

He and his cellmate were talking when they heard a commotion in the wing. Inmates were saying, "Kill that cracker, kill that cracker." Approximately fifteen minutes later, he heard someone yell, "Don't kill him, don't hurt him! You are just going to get yourself into worse trouble." Later, he heard an officer enter and state, "What did you do now? Cuff up." That was all he knew.

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Armando Suarez indicated the following:

He had spoken with Inmate Martin several times. On March 29, 2012, Inmate Martin was in cell #D1-117 and had a cellmate. His cellmate was in an incident with some officers and got moved to another dormitory. That left Inmate Martin alone in the cell. On March 30, 2012, Inmate Rogers, who had a life sentence, was placed in disciplinary status and was moved from cell #D1-106 or cell #D1-107 into the cell with Inmate Martin. Previously, while in cell #D1-106 or cell #D1-107, Inmate Rogers would say things about white people and about hearing on the radio that some white people had killed a black kid on the street. Inmate Rogers yelled out, "If you put me in a cell with a white guy, I'm going to kill him!" Before Inmate Rogers jumped on Inmate Martin, Inmate Martin told an officer that he was having problems with his cellmate. The officer replied, "Talk to the next walking officer, I'm too busy now." He could not see cell #D1-117, but he heard other inmates talking and saying that Inmate Rogers had put his shirt over the cell door window. He did not hear any officer tell him to take the shirt down; therefore the officer could not see what was happening on the other side of the door inside the cell. Two or three minutes later, he heard sounds like inmates fighting in the cell. Inmate Rogers stated, "Kill all white guys."

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Jermaine Robinson indicated the following:

Inmate Martin who is housed in cell #D1-117 was quiet and did not cause any problems. On March 30, 2012, a tall black inmate (*Inmate Rogers*) with a life sentence was put in the cell with him. Inmate Rogers told an unknown officer that his cellmate was trying to ██████████. The officer replied, "Oh well, let him ██████████." Inmate Rogers stated, "I'm going to kill this cracker." Inmate Rogers snatched Inmate Martin's blanket from his bunk and then placed it on his (*Inmate Rogers*) bunk. Inmate Martin was already down at that time. The officer made his next round and Inmate Rogers told him again that his cellmate was trying to ██████████. The white officer (*Officer Givens*) replied, "Back-up, Back-up, Get on your bunk!" Officer Givens then sprayed chemical agents into the cell and a ██████████ came after that. (*Inmate Robinson was housed in cell D1-216L*)

(Exhibit B35)



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In his digitally recorded, sworn statement, dated April 26, 2012, Inmate Mack Johnson indicated the following:

On March 30, 2012, he was housed in cell #D1-211, which was directly above cell #D1-117. He did not see anything that occurred in the cell, but he heard basically everything. At first, it sounded as if the inmates in that cell were wrestling. Then he heard noises that sounded like the black inmate (*Inmate Rogers*) was slamming the white inmate's (*Inmate Martin*) head against the floor. His cellmate (*Edgar Brown*) called to Inmate Rogers twice. Inmate Rogers stopped whatever he was doing and told Inmate Brown that his cellmate had swastikas on him. Inmate Rogers then stated, "They just killed a black dude. I'm supposed to kill this cracker." Inmate Rogers then came to the cell door and yelled, "How many of you want to see me kill this cracker." An inmate in cell #D1-103 he knew as "YO" told Inmate Rogers not to kill his cellmate and to put him on the door and get him out of the cell. Two officers then entered into the wing. The little short officer (*Officer Denmon*) counted upstairs. He told him that he needed to go downstairs, because there was someone hurt down there. Officer Denmon replied, "The next officer that comes past will take care of that." Inmate Rogers stated that he was patting the white inmate's ass and he could hear the "smacks." Inmate Rogers made a "crazy" statement something to the affect, "The cracker's pussy is good." He heard Inmate Martin scream out. Inmate Rogers also stated "Shut up cracker, shut up." He believed that Inmate Rogers was having sex with Inmate Martin.

**(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Ramon Lavena indicated the following:

On the evening of March 30, 2012, he was housed in a cell just above cell #D1-117. He was reading a book when he heard sounds like someone fighting down stairs. There was a white inmate housed in cell #D1-117, but he did not know who it was. He (*Lavena*) thought the cellmate in cell #D1-117 had to have been black or Hispanic, because that inmate stated, "I'll kill you cracker, I'll kill you, you had better breathe cracker, Does anyone want to see me kill this cracker?" Someone yelled, "Go ahead and kill the cracker." Approximately five minutes later, he heard what sounded like more fighting or someone stomping the walls or floor. Later, an officer came and opened the food flap of cell #D1-117.

**(Exhibit B35)**

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Kenrontay Bell indicated the following:

Officer Beaudry did his security check downstairs and Officer Denmon did his security check upstairs. He heard Inmate Rogers in cell #D1-117 tell Officer Beaudry that if he did not get the white boy (*Inmate Martin*) out of his cell, he was going to fuck him up. Officer Beaudry snickered and walked off. The inmates in cell #D1-205 (*Maklavious Hill & Destyn Alexander*) told Officer Denmon that he needed to get Inmate Martin out of the cell and that Inmate Rogers was already known for beating up his cellmates. Officer Denmon just looked at them, kept on walking and exited the wing. Inmate Rogers stated, "Do any of ya'll want me to kill this cracker." Inmate Rogers also stated that he had slapped Inmate Martin on the ass and had stuck his finger in Inmate Martin's ass. Inmate Rogers further stated that he had done all of it for Martin Luther King and Trayvon Martin, the kid that had gotten killed in Orlando. Officer Givens then entered the wing to go to the bathroom and conducted a security check.



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When Officer Givens got to cell #D1-117, Inmate Rogers told him that his cellmate had [REDACTED]. Officer Givens sprayed Inmate Martin with chemical agents and the sergeant came to the cell. When Inmate Rogers was in the shower cell, he heard him say something, but could not understand what it was. He and other inmates were mad at Inmate Rogers. (Exhibit B35)

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Derek Sesler indicated the following:

On the evening of March 30, 2012, he heard Inmate Rogers in cell #D1-117 tell an officer that if he did not move his cellmate, he would kill him. The officer replied, "Ya'll get along. Ya'll be alright." He heard bumping and scuffling, but it wasn't anything out of the ordinary. (Exhibit B35)

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Tavares Young indicated the following:

On the evening of March 30, 2012, when the incident occurred in cell #D1-117, he was not housed where he could see anything that happened. The black inmate (*Inmate Rogers*) was known to him as "Jigger" and he was homosexual. Inmate Rogers had written him a letter, telling him that he wanted to marry him. Inmate Rogers told him that he had killed people while in prison and was also a gang member. He told Inmate Rogers that he needed to approach him in a different manner if he wanted to write him another letter. Inmate Rogers told him that he would smash his cellmate, because Inmate Rogers thought he had something going on with his cellmate. He told Inmate Rogers that his cellmate was straight and there wasn't anything going on between them. Inmate Rogers got moved to cell #D1-117 and never wrote back. Inmate Rogers was not in the cell with the white inmate (*Inmate Martin*) an hour when he heard other inmates saying that Inmate Rogers had a curtain up over his cell door window and that he was raping Inmate Martin. He told Inmate Rogers that his mind was all corrupted and he needed to read the Bible. Other inmates were calling to Inmate Martin, but he did not respond. He told Inmate Rogers, "You better get that cracker out." Inmate Rogers told him (*Inmate Young*) that he was going to be blessed for saying that, because he was about to kill him. He heard Inmate Martin yelling and screaming.

Inmate Rogers said that Inmate Martin had Nazi tattoos on him, but that was a lie. Inmate Rogers also stated, "This is for you Trayvon and Martin Luther King." The officers came in after the incident and he yelled, "Rape, Rape" A short officer and Officer Anderson (*tall with a limp*) entered, but did not stop at cell #D1-117. The two officers departed the wing in approximately three minutes. Officer "Red" (*Officer Givens*) came into the wing and Inmate Rogers told him that Inmate Martin was trying to [REDACTED]. When Officer Givens looked into cell #D1-117, he heard from other inmates that Inmate Martin was [REDACTED], had been raped and Inmate Rogers had placed Inmate Martin's prayer rug over him. The [REDACTED] was called and Inmate Martin was taken out of the wing [REDACTED].

(Exhibit B35)

In his digitally recorded, sworn statement, dated April 30, 2012, Inmate Jerry McTyre indicated the following:

On the evening of March 30, 2012, he heard the black inmate (*Inmate Rogers*) in cell #D1-117 kicking





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on his cell door and saying, "Get him out of here, Get him out of here." The officers came around, saw what had happened and gassed them. The [REDACTED] was informed and the white inmate (*Inmate Martin*) was [REDACTED]. Inmate Rogers said, "This is for you Tray von Martin." (*Referring to the black kid that was killed in Orlando*). **(Exhibit B35)**

In his digitally recorded, sworn statement, dated May 2, 2012, Inmate Darryl Norman indicated the following:

On the evening of March 30, 2012, he was housed in a cell where he could not see anything that happened in cell #D1-117, but he heard some things. The tall black inmate (*Inmate Rogers*) known to him as "Jigger" went on disciplinary status and was to be moved into a cell with a black inmate in a cell upstairs. Inmate Rogers did not want to go into that cell and told the officers that he and that inmate had problems with one another. The officers then decided to put Inmate Rogers in cell #D1-117. Inmate Rogers was not in the cell two hours when someone said he had a blue shirt up over the cell door window. They said he would remove it when the officers entered the wing. Several inmates called to Inmate Martin ("*Solo*"), but he would not respond. He could hear repeated "licks" and believed Inmate Rogers was jumping on Inmate Martin. He heard Inmate Martin scream twice. Inmate Rogers stated, "How many of you niggers want me to kill this cracker." A lot of inmates told Inmate Rogers to leave Inmate Martin alone. To the best of his knowledge, Inmate Rogers had already killed two people. Other inmates told him that Inmate Martin was tied up under a Muslim rug. Inmate Martin was never a problem on the wing and you did not even know he was there.

Inmate Martin was Muslim or a Hebrew Israelite. Someone told him that Inmate Martin had been raped and that Inmate Rogers had jumped from the bunks onto Inmate Martin's head. Inmate Rogers mentioned Trayvon Martin and that Inmate Martin had swastikas tattooed on him, but Inmate Rogers was just trying to get support from other inmates. Inmate Rogers just wanted to rape that young white boy. Two white officers entered the wing. The officer on the bottom floor was tall and always eats sunflower seeds (*Officer Beaudry*). He told Inmate Martin, "Ya'll do what you gotta do, fuck or fight." The two officers discussed the matter. One of the officers stated, "I'm not doing anything with it. Let another officer deal with it." The officer thought that Inmate Martin was playing games as other inmates do to get moved. Later, another officer went to the cell. Inmate Rogers told him that his cellmate was trying to [REDACTED] and the officer told Inmate Rogers to cuff-up. The officer sprayed Inmate Martin when he did not move. The lieutenant entered, along with other officers. When they opened the food flap they stated, "Oh shit, Look what we have here." Inmate Rogers was placed in a shower cell. Someone asked Inmate Rogers if he had raped Inmate Martin and he replied, "No, I don't like crackers like that." **(Exhibit B35)**

In his digitally recorded, sworn statement, dated May 2, 2012, Inmate Zacharia Robinson indicated the following:

He had spoken with Inmate Rogers in cell #D1-117, who wanted some batteries for his radio. Inmate Rogers put up a blue shirt to cover the cell door window. He yelled, "How many of you want me to kill this cracker!" He mentioned, they had just killed the "Jit," Trayvon Martin. Some of the inmates said to



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kill him. One inmate stated, "You've already done what you have done." (Exhibit B35)

In his digitally recorded, sworn statement dated May 2, 2012, Inmate William Adams indicated the following:

On the evening of March 30, 2012, he was located in a cell where he could not see anything that happened in cell #D1-117. He heard Inmate Rogers tell Officer Beaudry that his cellmate was [REDACTED]. The officer looked in and continued on making his round. Approximately five to ten minutes later, a redheaded officer (*Officer Givens*) entered the wing. Inmate Rogers was handcuffed and placed in a shower cell. The other inmate was taken out [REDACTED]. (Exhibit B35)

In his digitally recorded, sworn statement, dated May 2, 2012, Inmate Nathan Coleman indicated the following:

On the evening of March 30, 2012, he heard a low scream, but it wasn't anything out of the ordinary. He did not hear any physical altercation coming from cell #D1-117, but he heard the black inmate (*Inmate Rogers*) state that the white inmate (*Inmate Martin*) had swastikas on him. Inmate Rogers yelled, "Which one of you wants me to kill this motherfucker." Everyone told him not to mess with the Inmate Martin and to wait for the officers to get him out of the cell. (Exhibit B35)

In his digitally recorded, sworn statement, dated May 2, 2012, Inmate Jeffrey Wilmington indicated the following:

On the evening of March 30, 2012, he was housed in cell #D1-107, which was pretty much straight across from cell #D1-117. He heard two screams and it appeared that Inmate Rogers was standing over Inmate Martin and was striking him with his fists. Inmate Rogers then climbed to the top bunk and jumped down on Inmate Martin seven to eleven times. He could not see Inmate Martin, but presumed he was lying on the floor. Inmate Rogers went to his cell door and stated, "Attention on the quad! I got this racist cracker that has Nazi tattoos on him. Who in here wants me to kill him, Just give me the word and I'll go ahead and kill him?" Some inmates told him not to kill Inmate Martin and to get the officers to get him out of the cell. Inmate Rogers then stated, "He's about out of it! Just give me the word and I'll finish him off." Inmate Rogers walked back and forth away from the cell door and looked "all crazy." Inmate Rogers stated, "This is for you" and he heard slaps. Inmate Rogers stated, "That's white ass." It sounded like he was slapping Inmate Martin on the "ass." He assumed that Inmate Rogers had raped Inmate Martin. Inmate Rogers stated, "God is going to bless you. I'm not going to kill him. Just tell the officers to come get him." An officer came by and Inmate Rogers told him that his cellmate was trying to [REDACTED]. The officer replied, "Whatever" and kept on walking. Approximately ten to fifteen minutes later, Officer Givens (*redheaded officer*) entered the wing and Inmate Rogers told him that his cellmate was trying to [REDACTED]. Officer Givens stated, "Oh fuck," the officer called for assistance by radio. He opened the food flap, told Inmate Martin to [REDACTED] and then sprayed him with chemical agents. Inmate Rogers was handcuffed and removed from the cell. Inmate Rogers was all clean and must have washed up. There was [REDACTED]. Inmate Martin was hog-tied. His hands were tied together and his feet were tied together. His hands and feet were also tied together and he had a rope around his neck. It was staged to make it look like Inmate



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Martin had tried to commit suicide.

(Exhibit B35)

In his digitally recorded, sworn statement, dated May 2, 2012, Inmate Timothy Nolan indicated the following:

On the evening of March 30, 2012, he was housed in cell #D1-218, which was above and one cell over from cell #D1-117. The two cells shared the same air vent. He only knew Inmate Rogers in that cell. Inmate Rogers had been housed in cell #D1-106. When he was being moved out for disciplinary reasons, he was using sign language to tell an inmate that the officers were about to move him and that he wanted to get moved into cell #D1-117 with the "cracker." After Inmate Rogers was in cell #D1-117, it sounded like someone was fighting. He could hear vibrations on the air vent. He heard through the air vent as Inmate Rogers stated, "Shut-up cracker, I'll kill you." He saw other inmates looking down towards the cell. An inmate that was housed in cell #D1-209, signed to him that Inmate Rogers was beating Inmate Martin. Inmate Rogers stated, "Does anyone want to see me kill this cracker!" An inmate in cell #D1-112, told Inmate Rogers to kill the cracker. When the officer came by, it sounded like Inmate Rogers asked the officer for the time. Some inmates said that the officer replied, "I don't care." Another said the officer replied, "So." One inmate said that the officer replied, "He'll live." The officer couldn't have said all those things. The inmates were just trying to get the officers in trouble.

(Exhibit B35)

In his digitally recorded, sworn statement, dated May 3, 2012, Inmate Kyle Kelvington indicated the following:

On the evening of March 30, 2012, he was housed in cell #D1-209. This cell was located upstairs and almost directly across from cell #D1-117. He did not know either inmate at that time, however, he knew that the tall black inmate was Shawn Rogers and the small white inmate was Ricky Martin. On March 30, 2012, Inmate Martin was already in cell #D1-117 and Inmate Rogers was moved into the cell that day. He could see directly and clearly into that cell when the window was not obstructed. He and his cellmate (*LaDarius Lee*) heard a noise like someone fighting. They went to their cell door and looked through the window of cell #D1-117. That window was covered with what appeared to be brown cardboard at the bottom half and a blue state shirt at the top half. The piece of cardboard fell away from the window and he could see that there was a commotion going on inside the cell. He figured the two were fighting. He stepped away from his window and was pacing around. Inmate Lee stated, "Man, he's kicking him in the head." When he looked back, the blue shirt was gone from the window. He observed Inmate Rogers stomp down on Inmate Martin's head as he was lying on the floor. Inmate Martin did not appear to be conscious. Inmate Rogers was wearing blue tennis shoes. He stepped back from the window, because he did not want to get labeled as a witness, but he knew that he needed to be one though. He returned to the window when he heard Inmate Rogers yelling out into the wing. Inmate Rogers yelled, "Who wants to see me kill this cracker!" Inmate Rogers stated that he had done it, because Inmate Martin had Nazi tattoos on him and for Trayvon Martin. After that, an inmate tried to talk Inmate Rogers out of killing Inmate Martin.

Inmate Rogers looked crazy. Inmate Rogers licked the palm of his hand and started "smacking" (*slapping*) Inmate Martin, who was apparently on the floor. He could not see where Inmate Rogers was



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slapping Inmate Martin, but it was flesh on flesh. He could not see Inmate Martin on the floor at that time, because Inmate Rogers was standing over him and blocked his view. A few minutes later, Inmate Rogers told an officer that his cellmate was trying to [REDACTED]. The officer acted as if Inmate Rogers was joking. Inmate Rogers was standing in the window and blocking the view into the cell. The officer never looked into the cell and walked away. He checked his watch and it was a little after 7:00 p.m., About ten minutes later, another officer came through the wing and went to cell #D1-117. Inmate Rogers was sitting on the top bunk and Inmate Martin was lying on the floor not moving. There was [REDACTED]. He did not hear Inmate Rogers say anything to the officer. The officer said, "Drop the blade!" The officer then opened the food flap and sprayed Inmate Martin with pepper spray. Inmate Martin's upper body was covered with a prayer rug. Inmate Martin was tied up under the prayer rug. **(Exhibit B35)**

In his digitally recorded, sworn statement, dated May 3, 2012, Inmate Moses Bellinger indicated the following:

He came to Santa Rosa Correctional Institution with Inmate Martin who was housed in cell #D1-117 on March 30, 2012. He also knew Inmate Rogers who was housed in that cell. Inmate Martin was a pretty good guy and was about to go home. Inmate Rogers went to the cell door and stated that he was going to kill his cellmate. Inmate Rogers had been housed in cell #D1-106 or 107. He had not been in cell #D1-117 for a day. Inmate Rogers stated that Inmate Martin was racist and had racist tattoos on him. Inmate Rogers paid some inmate across the wing to lookout for him while he did whatever. He heard bumping, thumping, scuffling noises, and a yell. There were a couple of bumps on the door. He thought that Inmate Rogers might have jumped on Inmate Martin. Inmate Rogers talked to an inmate he knew as "YO" in cell #D1-103 for a while. An officer walked through the wing. After that, Inmate Rogers came back to his cell door. Inmate Rogers stated that he was jumping onto Inmate Martin from the top bunk. Inmate Rogers also stated that he had raped Inmate Martin; he made Inmate Martin suck him off and took his watch. The officers came around a second time and Inmate Rogers told him that his cellmate was trying to kill himself and the officer grabbed his chemical agents. **(Exhibit B3)**

On May 30, 2012, two letters by Inmate Rogers were received by the mailroom and photocopied. One letter was addressed to his mother, Angela Rogers and a second addressed to a Pastor Dana Jackson. In both letters he admitted to killing his cellmate. *(Copy of Inspector Mail Log, Copy of two letters addressed to Angela Rogers and Pastor Dana Jackson).* **(Exhibit A37)**

On June 4, 2012, a copy of an Application and Affidavit for Search Warrant was received via e-mail, from Inspector Ron Castle; whereas Assistant State Attorney Bobby Elmore was attempting to recover an original letter Inmate Rogers sent his mother admitting to killing Inmate Martin. This letter was recovered from the mother by law enforcement in New York. *(Copy of Application and Affidavit for Search Warrant June 4, 2012).* **(Exhibit A38)**

On June 5, 2012, the Medical Examiner's Office in Pensacola was contacted. A request was submitted requesting all autopsy records and photographs related to the autopsy completed on Inmate Martin. In the Medical Examiner's report dated May 14, 2012, the manner of death was homicide, caused by [REDACTED]



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[REDACTED] (Copy of Medical Examiner's Autopsy Protocol for Inmate Ricky Martin dated May 14, 2012).  
(Exhibit A39 & B34)

On July 17, 2012, an E-mail (*electronic mail message*) was received from Inspector Ron Castle containing an outgoing letter from Inmate Shawn Rogers. This letter was forwarded to ASA Bobby Elmore for review. In the letter Inmate Rogers discussed the bad situation he was in and hoped his family would forgive him. (Copy of Inmate Rogers' letter addressed to Dana Jackson dated July 26, 2012).  
(Exhibit A40)

In her telephonic digitally recorded sworn statement dated July 19, 2012, [REDACTED] indicated the following:

On March 30, 2012, she was working for [REDACTED] Unit #205. She responded to Santa Rosa Correctional Institution concerning an inmate assault incident. She was in the rear of the [REDACTED]. He had [REDACTED]. Inmate Martin did not make any statements and [REDACTED]. She gave Inmate Martin [REDACTED].  
(Exhibit B35)

On July 27, 2012, a search of Inspector General Office Log System (*IGLOGS*) for Inmate Shawn Rogers revealed since 2002 through 2012 he had twenty-eight incidents where he was the subject in four assault or battery cases. In case #02-2-3542, at Baker Correctional Institution, Inmate Rogers had tied his cellmate's hands and feet together and placed a pillowcase over his head. In case #05-1-0531, at Santa Rosa Correctional Institution, Inmate Rogers was observed standing over an inmate who was lying face down on the floor bleeding. The inmates hands were tied behind his back and his legs and feet were also bound with sheet material. In case # 09-2-4996, at Florida State Prison (*FSP*), Inmate Rogers stabbed another inmate in the head and face area while waiting in the [REDACTED]. In case # 09-2-6039, at Union Correctional Institution, Inmate Rogers was observed kneeling another inmate in the face while that inmate was sitting on a bench. (Copy of *IGLOGS Case Summary* dated July 27, 2012).  
(Exhibit A41)

*The evidence submitted to FDLE for analysis surrounding the investigation into the homicide of Inmate Ricky Martin, was returned to Inspector Robert Calamari and was secured in the evidence vault at Santa Rosa Correctional Institution, in Milton, Florida. One yellow envelope containing DNA Extracts which require to be frozen was secured in a secure refrigerator at Century Correctional Institution inside Inspector Robert Calamari's office.*

*The facts of this case were discussed with the State Attorney's Office in Santa Rosa County, Florida who requested a copy of this investigation to determine the facts of the case before moving forward with prosecution. On August 22, 2012, a draft copy of this report along with "A" exhibits was submitted to the State Attorney's Office of the First Judicial Circuit, Santa Rosa County, Florida.*



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On September 6, 2012, the facts of this case were presented in open court by the Grand Jury in Milton, Florida, Santa Rosa County, against Inmate Shawn Rogers. The Grand Jury returned with an Indictment against Inmate Shawn Rogers for the following:

1. First Degree Premeditated or Felony Murder with a Weapon.
2. Kidnapping to Inflict Bodily Harm or Terrorize Victim and/or with Intent to Commit a Felony.

**(Exhibit A42)**



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*Robert Calamari*

Robert Calamari  
 Law Enforcement Inspector

9/7/12

Date

*Art Rountree*

Art Rountree

Regional Supervisor

Lead Inspector

09/07/2012

Date

*Reviewed for content*

*W/A*

W/A  
 Lead Supervisor

Date

*Ken Sumpter*

Ken Sumpter  
 Deputy Inspector General /  
 Chief of Investigations

Deputy Inspector General  
 Chief of Special Operations

10/7/12

Date

Inspector General

Date



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**EXHIBIT/ATTACHMENTS SECTION**

**A. EXHIBIT(s) - attached:**

1. Report of Force Used report of Officer Dean Givens dated March 30, 2012.
2. Incident report of Officer Dean Givens dated March 30, 2012.
3. Affidavit of Officer Dean Givens dated March 31, 2012.
4. Incident report of Officer Andrew Whitehead dated March 30, 2012.
5. Affidavit of Officer Andrew Whitehead dated March 31, 2012.
6. Incident report of Officer David Osborne dated March 30, 2012.
7. Affidavit of Officer David Osborne dated March 31, 2012.
8. Incident report of Officer John Beaudry dated March 30, 2012.
9. Affidavit of Officer John Beaudry dated March 31, 2012.
10. Incident report of Officer Jacob Denmon dated March 30, 2012.
11. Affidavit of Officer Jacob Denmon dated March 31, 2012.
12. Incident report of Officer Michael Brady dated March 30, 2012.
13. Affidavit of Officer Michael Brady dated March 31, 2012.
14. Incident report of Sergeant Ricky Dufrene dated March 30, 2012.
15. Affidavit of Sergeant Ricky Dufrene dated March 31, 2012.
16. Copy of Housing Unit Log for D- Dormitory dated March 30, 2012.
17. Incident report of Lieutenant Freddy Johnson dated March 30, 2012.
18. Affidavit of Lieutenant Freddie Johnson dated March 31, 2012.
19. Incident report of Captain Jeffrey Smith dated March 30, 2012.
20. Affidavit of Captain Jeffrey Smith dated April 10, 2012.
21. Copy of Main Unit Control Room Log dated March 30, 2012.
22. Copy of Inmate Martin's Chronological Record of [REDACTED] dated March 30, 2012.
23. [REDACTED] Form of Inmate Martin dated March 30, 2012.
24. Emergency Transfer to [REDACTED] form dated March 30, 2012.
25. Copy of [REDACTED] Form of Inmate Shawn Rogers dated March 30, 2012.
26. Incident report of Captain Jeffrey Smith dated April 8, 2012.
27. Copy of Inmate Death Notification Checklist dated April 8, 2012.
28. Copy of [REDACTED] s dated March 30, 2012 through April 8, 2012.
29. Copy of [REDACTED] of Inmate Martin dated April 12, 2012.
30. Copy or FDLE Laboratory Evidence Reports.
31. Affidavit of Inmate Calvin Wright dated March 31, 2012.
32. Copy of Consent to Provide DNA Specimen for Inmate Rogers dated March 31, 2012.
33. Affidavit of Inmate LaDarius Lee dated March 31, 2012.
34. Affidavit of Inmate Ravalon Matfield dated March 31, 2012.
35. Affidavit of Inmate Master Green dated March 31, 2012.
36. Incident report of Lieutenant Freddy Johnson dated April 8, 2012.





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37. Copy of Inspector Mail Log, Copy of two letters addressed to Angela Rogers and Pastor Dana Jackson.
38. Copy of Application and Affidavit for Search Warrant June 4, 2012.
39. Copy of Medical Examiner's Autopsy Protocol for Inmate Ricky Martin dated May 14, 2012.
40. Copy of Inmate Rogers' letter addressed to Dana Jackson dated July 26, 2012.
41. Copy of IGLOGS Case Summary dated July 27, 2012.
42. Copy of Grand Jury Indictment dated September 6, 2012.

**B. EXHIBIT(s) - not attached:**

1. CD containing PELCO fixed wing video of D-dormitory dated March 2012.
2. CD containing Handheld Video coverage dated March 30, 2012.
3. Copy of Photographs of Inmate Ricky Martin dated March 30, 2012.
4. CD containing digital photographs of Inmate Martin and Inmate Rogers, FDLE crime scene and evidence collection dated March 30, 2012.
5. Swabs from Inmate Ricky Martin.
6. Swabs from left hand of Inmate Ricky Martin.
7. Swabs from right hand of Inmate Ricky Martin.
8. [REDACTED] of Inmate Ricky Martin dated March 30, 2012.
9. Clothing recovered at hospital of Inmate Ricky Martin.
10. Swabs from Inmate Shawn Rogers
11. Swabs from left hand of Inmate Shawn Rogers.
12. Swabs from right hand of Inmate Shawn Rogers.
13. Swabs from bottom of left foot of Inmate Shawn Rogers.
14. White cloth pieces [REDACTED]
15. Blue, black, and white rug from cell D1-117.
16. White and blue cloth [REDACTED] from cell D1-117.
17. White cloth with tears [REDACTED] from cell D1-117.
18. White pillow case from cell D1-117.
19. Three Energizer Industrial brand AAA size batteries from cell D1-117.
20. [REDACTED] from cell D1-117.
21. [REDACTED] on wall in cell D1-117.
22. Right shoe of Inmate Rogers.
23. Left shoe of Inmate Rogers.
24. Clothing (right sock) of Inmate Rogers.
25. Clothing (watch) of Inmate Rogers.
26. Clothing (blue pants) of Inmate Rogers.
27. Clothing (outer boxers) of Inmate Rogers.
28. Clothing (inner boxers) of Inmate Rogers.
29. Sheet from evidence collection under of Inmate Rogers.
30. Necklace of Inmate Rogers.



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31. Clothing (left sock) of Inmate Rogers.
32. Blue pants of Inmate Rogers.
33. White boxers of Inmate Rogers.
34. CD containing Medical Examiner's Autopsy Photographs.
35. CD containing digitally recorded sworn statement(s) of the following:
  - Officer John Beaudry dated July 30, 2012.
  - Inmate Johnnie Lee dated April 30, 2012.
  - Inmate Joseph Zych dated March 31, 2012.
  - Inmate Shawn Rogers dated March 31, 2012.
  - Inmate Gene Freeman dated April 10, 2012.
  - Inmate Jarvey Jacobs dated April 10, 2012.
  - Inmate Bobby Whipple dated April 10, 2012.
  - Inmate Tobias Nichols dated April 10, 2012.
  - Inmate LaDarius Lee dated April 10, 2012.
  - Inmate Daniel Preston dated April 10, 2012.
  - Inmate Ravalon Matfield dated April 10, 2012.
  - Inmate Lorenzo Dunn dated April 12, 2012.
  - Inmate Master Green dated April 17, 2012.
  - Inmate Weldon Holmes dated April 17, 2012.
  - Inmate Eugene Williams dated April 17, 2012.
  - Inmate Steven Young dated April 17, 2012.
  - Inmate Jeffrey Flanders dated April 17, 2012.
  - Inmate Neilson Smith dated April 17, 2012.
  - Inmate Walter Atwell dated April 17, 2012.
  - Inmate Richard Giordani dated April 17, 2012.
  - Inmate Christopher Dezoete dated April 17, 2012.
  - Inmate Myrick Eggleston dated April 17, 2012.
  - Inmate William Glenn dated April 17, 2012.
  - Inmate Travis Simpson dated April 17, 2012.
  - Inmate Serge Alexis dated April 24, 2012.
  - Inmate John Cole dated April 24, 2012.
  - Inmate Edward Dolansky dated April 24, 2012.
  - Inmate Edwin Andino dated April 24, 2012.
  - Inmate George Hankins dated April 24, 2012.
  - Inmate Gerard Gabriel dated April 24, 2012.
  - Inmate Dandridge Perkins dated April 24, 2012.
  - Inmate Everett Newcomb dated April 24, 2012.
  - Inmate Kenneth Silas dated April 24, 2012.
  - Inmate Vincent Reyes dated April 24, 2012.
  - Inmate Gabriel Rodriguez dated April 24, 2012.



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- Inmate Ernest Powell dated April 24, 2012.
- Inmate Lamar Winstead dated April 24, 2012.
- Inmate Jessie Saavedra dated April 24, 2012.
- Inmate James Hoehn dated April 24, 2012.
- Inmate Bryant Lyle-Jarman dated April 24, 2012.
- Inmate Maklavious Hill dated April 26, 2012.
- Inmate Destyn Alexander dated April 26, 2012.
- Inmate Anthony Bell dated April 26, 2012.
- Inmate Kenneth Mitchell dated April 26, 2012.
- Inmate Xavier Arinah dated April 26, 2012.
- Inmate Bradley Livingood dated April 26, 2012.
- Inmate Lee Donton dated April 26, 2012.
- Inmate Timothy Cleveland dated April 26, 2012.
- Inmate Obadiah Dillard dated April 26, 2012.
- Inmate Eddie Hairston dated April 26, 2012.
- Inmate Armando Suarez dated April 26, 2012.
- Inmate Jermaine Robinson dated April 26, 2012.
- Inmate Edgar Brown dated April 26, 2012.
- Inmate Mack Johnson dated April 26, 2012.
- Inmate Ramon Lavena dated April 30, 2012.
- Inmate Kenrontay Bell dated April 30, 2012.
- Inmate Derek Sesler dated April 30, 2012.
- Inmate Tavares Young dated April 30, 2012.
- Inmate Kenneth McMillian dated April 30, 2012.
- Inmate Randy Pierce dated April 30, 2012.
- Inmate Jerry McTyre dated April 30, 2012.
- Inmate Dumar Redfurn dated April 30, 2012.
- Inmate David Goldman dated May 2, 2012.
- Inmate Darryl Norman dated May 2, 2012.
- Inmate Zacharia Robinson dated May 2, 2012.
- Inmate Joseph Lewis dated May 2, 2012.
- Inmate William Adams dated May 2, 2012.
- Inmate Jeffrey Wilmington dated May 2, 2012.
- Inmate Timothy Nolan dated May 2, 2012.
- Inmate Richard Utria dated May 2, 2012.
- Inmate Dwayne Scott dated May 2, 2012.
- Inmate Kyle Kelvington dated May 3, 2012.
- Inmate Moses Bellinger dated May 3, 2012.
- Paramedic Natasha Richardson dated July 19, 2012.