

AFFIDAVIT IN SUPPORT OF WARRANT

DYSHONA YVETTA MCDONALD

Your affiant, George Montenegro, has been a Law Enforcement Officer in the State of Florida for eight (8) years. He is currently employed as a Law Enforcement Senior Inspector with the Florida Department of Corrections (FDC), Office of the Inspector General (OIG), Special Investigation Unit, in Miami, Florida. Your affiant began in law enforcement in 1984 with the New York State Department of Corrections. In 2002, your Affiant retired from New York Corrections, and was hired as an Inspector with the Florida Department of Corrections, OIG. As an Investigator/Inspector for NY Corrections and the Florida OIG, your affiant has conducted numerous complex criminal investigations related to criminal activity of narcotics, theft and public corruption. In 2009 your Affiant received his law enforcement certification from the State of Florida.

In this capacity, your Affiant has investigated the facts and circumstances regarding the fraudulent theft and use of an inmate credit card in the FDC, OIG, Case Number 17-14911. Based upon this investigation, your Affiant has probable cause to believe and does believe that FDC, West Palm Beach Community Release Center (WPBCRC) Sergeant Dyshona McDonald, herein referred to as "defendant", did knowingly and unlawfully commit the crimes of the **Fraudulent Use of a Credit Card**, a third degree felony, in violation of Florida Statute § 817.61, and **Theft by Taking or Retaining Possession of a Credit Card**, a first degree misdemeanor, in violation of Florida Statute § 817.60(1), to wit: the defendant did unlawfully steal Inmate Mario Ricca's DC# W31271 credit/debit card from the WPBCRC Funds Office and fraudulently withdrew monies with the credit/debit card at a store located in Palm Beach County, and thereby unlawfully received U.S. coin or currency.

On June 30, 2017, FDC, WPBCRC Major Jimmy Lankford reported discrepancies in the inmate banking deposits for the period of March 2017 to May 2017.

Inmates assigned to the WPBCRC are on work release and receive pay from their employers. In this case, the inmate obtained a credit/debit card account for the employer to be able to make direct deposit salary payments into the inmate's account.

On August 22, 2017, your Affiant was assigned the case.

As part of the investigation, reports, evidence, information and witness testimony identified Inmate Mario Ricca DC# W31271 as the victim who's credit card was used. Inmate Ricca's employer requires employees to accept direct deposit as part of the conditions of employment. Since inmates cannot possess credit/debit cards, Inmate Ricca obtained a Green Dot Credit/Debit card ending in ***[REDACTED] and turned it over to the defendant. The card was stored in a safe located in the WPBCRC Funds Office, where it was later recovered. During the time of the identified theft, Sergeant McDonald was the only person with access to the room and the safe.

Inmate Ricca, as part of his work release agreement, has to regularly reimburse the Florida Department of Corrections for room and board and any outstanding court fees. The Funds Officer is required to escort the inmate to an ATM to withdraw any outstanding payments to the department. The inmate witnesses the transaction and is then given a receipt for the payment, for their records. The Funds Officer then deposits the payment into a State of Florida account to document the inmate paid his fees.

Judge's initials

Affiant's Initials

A.S.A.'s initials

AFFIDAVIT IN SUPPORT OF WARRANT

DYSHONA YVETTA MCDONALD

INVESTIGATION

Tracing the use of Ricca's Credit Card

Your affiant obtained the credit cards ending in ***[REDACTED] and the original Walmart cash withdrawal receipts from the safe at the WPBCRC on September 13, 2017. Both the credit card and the receipts were seized as evidence in this case.

Walmart Store

The first Walmart receipt dated May 26, 2017, indicated the card ending in **[REDACTED] was used at 1:47pm at the Walmart store located at 9990 Belvedere Road WPB to withdraw \$400, plus a \$2 fee.

The second Walmart receipt indicated that on June 23, 2017, at approximately 2:48pm, the card ending in ***[REDACTED] was used to withdraw \$400, plus a \$2 fee.

Both Walmart receipts are stamped with the Walmart logo and indicate the address as 9990 Belvedere Road West Palm Beach, Florida.

On August 24, 2017, your Affiant obtained the Walmart videos for this store for both dates; May 26 and June 23, 2017. The credit/debit card was used at the Walmart ATM machine located adjacent to the service desk. On both dates, a black female wearing an FDC uniform is seen approaching and using the ATM machine at the times indicated on the receipts.

Inmate Ricca

Inmate Ricca provided a sworn statement attesting that he did not receive funds from the aforementioned transactions, and he never gave anyone permission to use the card ending in ***[REDACTED]. This information was confirmed by the Financial Department in charge of Inmate Bank. As a result, on July 14, 2017, the Florida Department of Corrections reimbursed Inmate Ricca the \$800, for the two unauthorized \$400 withdrawals.

Additional Reports of Missing Cash from WPBCRC

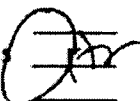
The investigation reveals that in addition to the identified fraudulent uses of a credit card, an FDC audit reported cash losses at the Work Release Center where the defendant was assigned as the Funds Officer and was the sole person at the center with access to the safe and the cash funds.

A final audit by FDC determined that a total of \$14,610.00 in cash funds were misappropriated. These missing funds were from cash tips turned in by the inmates, cash draws that inmates never received, and wages that were paid to the inmates in the form of cash. The method of FDC documentation precludes the determination of the exact dates of the losses of these additional funds.

Judge's initials

Affiant's initials

A.S.A.'s initials



AFFIDAVIT IN SUPPORT OF WARRANT

DYSHONA YVETTA MCDONALD

Information from a subpoena determined the defendant uses a Bank of America (BOA) checking and savings account for FDC direct deposits. These bank records were subpoenaed and results revealed that between January 2017 and July 2017, the defendant made numerous cash deposits totaling \$3,582.

The defendant's deposits were compared to FDC records. Since the exact dates the funds were removed could not be determined, there is no conclusive evidence to show the defendant's deposits were a result of taking inmate's funds, she was entrusted with.

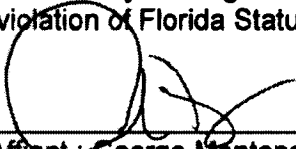
Identity of Defendant Revealed

The defendant is employed by the Florida Department of Corrections as a Sergeant and worked for Major Jimmy Lankford at the WPBCRC as the Funds Officer.

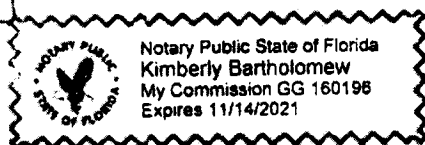
On September 13, 2017, your Affiant showed FDC Major Lankford photographs of the videos obtained from the Walmart store. Major Lankford identified Officer Dyshona McDonald, the defendant, as the subject depicted in the photos on the surveillance videos. Major Lankford provided a sworn statement attesting to the above.

Investigative Summary

Based upon the foregoing, your affiant has probable cause to believe, and does believe the defendant, **Dyshona Yvetta McDonald**, did knowingly and unlawfully commit the crimes of two (2) counts of **Fraudulent Use of a Credit Card**, a third degree felony, in violation of Florida Statute § 817.61, and two (2) counts of **Theft by Taking or Retaining Possession of a Credit Card**, a first degree misdemeanor, in violation of Florida Statute § 817.60(1).


Affiant: George Montenegro, Senior Inspector
Florida Department of Corrections,
Office of the Inspector General

Sworn and subscribed before me this
The 19 day of July, 2018



Circuit/County Court Judge
Fifteenth Judicial Circuit of Florida

Judge's initials

Affiant's initials

A.S.A.'s initials

