

PROBABLE CAUSE AFFIDAVIT

OBTS #		1. Arrest Affidavit	3. Complaint Affidavit	4	Juvenile	N					
ORI #	FL037035C	Office of Inspector General - DC		Report #	19-18954						
Location of Offense				Date of Offense	Date of Arrest						
Jefferson Correctional Institution, 1050 Old Joe Road, Monticello, Florida 32344				10/27/2019							
Name: Marcus Wess (DC# R83725)					Alias: N/A						
Race	Sex	DOB or Age	Height	Weight	Eye Color	Build					
W - White B - Black	B	12/31/1994	5'10"	155	Brown	Medium					
I - Indian American O - Oriental Asian	M				Black	Medium					
Address (Street, Apt, Number)			(City)	(State)	Phone						
1050 Big Joe Road (Jefferson Correctional Institution)			Monticello	FL	(850)-342-0500						
<input type="checkbox"/> 1. Parent		Name of Parent or Custodian (Last, First, Middle)				Residence Phone					
<input checked="" type="checkbox"/> 2. Legal Custodian		Florida Department of Corrections				() -					
<input type="checkbox"/> 3. Other						Business Phone					
						() -					
Notified By: (Name)		Date	Time	Juvenile Disposition		2. Turned over to DOH/C&F					
				1. Handled / Processed within Dept. and Released		3. Incarcerated (County Jail)					
Released to: (Name)			Relationship	Date	Time						
Activity:	S. Sell	R. Smuggle	K. Dispense / Distribute	M. Manufacture / Produce / Cultivate	Z. Other	Type:	B. Barbiturate	H. Hallucinogen	P. Paraphernalia / Equipment	U. Unknown	
N. N/A	B. Buy	D. Deliver				N. N/A	C. Cocaine	M. Marijuana	S. Synthetic	Z. Other	
P. Posses	T. Traffic	E. Use				A. Amphetamine	E. Heroine	O. Opium / Deriv			
Charge Description:			Counts	State Violation Number:		Violation of Section (ORD)					
Battery of a Correctional Officer			1	784.07(1)(d)							
Activity	Drug Type	Amount / Unit		State Attorney Number	Court Number						
N				850-342-0196	20-36 CFA						
<input type="checkbox"/> PC	<input checked="" type="checkbox"/> Capias	<input type="checkbox"/> AC	<input type="checkbox"/> BW	<input type="checkbox"/> PW	<input type="checkbox"/> Juv. PU	<input type="checkbox"/> Citation	Date Issued	Writt. Att.	<input type="checkbox"/> Domestic Viol Inj <input type="checkbox"/> Order of Arrest		
#								#			

The Undersigned Certifies and swears that he has just and reasonable grounds to believe, and does believe that the above-named Defendant committed the following Violation of the law:
 Battery of a Correctional Officer on 10/27/2019 at approximately 1:30 AM PM (Specially include facts constituting cause for arrest)

Your Affiant is Law Enforcement Inspector Kenneth Clay with the Office of Inspector General - DC.

On October 27, 2019, at Jefferson Correctional Institution (JCI), Inmate Wess violated Florida Statute by committing the criminal offense of: Battery on a Correctional Officer; Officer [redacted] was present [redacted] where Inmate Wess DC# R83725 was sitting in a chair waiting [redacted] Inmate Wess became disorderly and lunged at Officer [redacted] in a forward motion and kicked Officer [redacted] in the groin. This incident resulted in a reactionary physical use of force to bring Inmate Wess into compliance.

In his sworn, digitally recorded interview conducted by Inspector Clay at JCI on October 31, 2019, Officer [redacted]

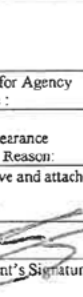
[redacted]

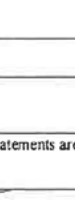
In his sworn, digitally recorded interview conducted by Inspector Clay at JCI on October 31, 2019, Inmate Frank Zaccone DC# Y59226 testified that he was instructed to clean the emergency room and was on the opposite end of the hallway. Inmate Zaccone saw Officer [redacted] Sergeant Holton and Inmate Wess in the hallway and restrained in handcuffs. Inmate Zaccone heard some commotion and when he looked towards the sound, he saw Inmate Wess kicking at Officer [redacted] who was on the floor. Inmate Wess then saw Sergeant Holton grab Inmate Wess and take him to the floor and Sergeant Holton and Officer [redacted] gained physical control of him. Officer [redacted] did appear to be in [redacted] during the incident.

In his sworn, digitally recorded interview conducted by Inspector Clay at JCI on November 19, 2019, Sergeant Cedric Holton testified that he called for a transport to escort Inmate Wess to the confinement dormitory after completing [redacted] When Officer [redacted] arrived, he requested a set of protective gloves to escort Inmate Wess. Sergeant Holton and Officer [redacted] entered an office to look for gloves and when Officer [redacted] was exiting the office, Inmate Wess jumped from a chair in the hallway and "rushed" Officer [redacted] pinning him against the door jamb with his chest against Officer [redacted] chest. Inmate Wess kneed Officer [redacted] in the groin area after pinning him to the wall. Officer [redacted] then grabbed Inmate Wess and Sgt. Holton assisted Officer [redacted] in gaining control of Inmate Wess by taking him to the floor. Sergeant Holton stated Inmate Wess was wearing physical restraints at the time he pushed Officer [redacted] into the wall.



Your affiant respectfully submits, probable cause has been established in that, Inmate Marcus Wess committed the criminal violation of; Battery on a Correctional Officer, in violation of §784.07(1)(1)(d) Florida State Statute, at JCI in Monticello, Florida.

PC. Exists for Charge(s)		Judge's Signature		Date			
<input type="checkbox"/> Miranda Warning	Hold for Agency Name :	Verified By		Date: <u>5/13/20</u>	Bond Charge # <u>\$ 2000</u>	Bond Charge #	Bond Charge #
Adults Only Hold for First Appearance <input type="checkbox"/> Do not Bond Out Reason:			Bond Type 1 ROR 2 Cash		3 Surety 4 Bail / Bond	5. Cert 6. Other	Type
I swear/Affirm the above and attached statements are true and correct		Sworn to And subscribed before me, the undersigned authority on this day of <u>May</u> 20 <u>20</u>		Returnable Court Date		Returnable Court Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
		Name/Title of Person Authorized to Administer Oath <u>Inspector</u>		Release Date		Release Time <input type="checkbox"/> AM <input type="checkbox"/> PM	
Kenneth Clay Name (Printed)		125567 / 3 ID# / Dist		Releasing Officer			Page 1 of 1

Handwritten notes:
 - L.D. By P.D.C.
