

IN THE CIRCUIT COURT OF THE THIRD
JUDICIAL CIRCUIT, IN AND FOR LAFAYETTE
COUNTY, FLORIDA

STATE OF FLORIDA

-vs-

CASE NO:
CLERK NO:

Joseph Winston Salmon
Defendant,

AGENCY CASE NO: 20-08524

RACE: B/M
DOB: [REDACTED]
SSN: ***-**-
FL DL [REDACTED]
Address: [REDACTED]

2020 JUL -6 PM 4: 35

STEVE LAND - CLERK
LAFAYETTE COUNTY, FL

FILED

AFFIDAVIT FOR ARREST

BEFORE ME, David W. Fine, a Judge of the above captioned court, personally appeared before me Senior Inspector Jared Dewey, who being first duly sworn, deposes and says:

On or about May 7, 2020, your Affiant began a criminal investigation into a Malicious Battery at Mayo Correctional Institution - Annex (MCI) in Lafayette County, Florida.

On March 23, 2020, at approximately 7:20AM, Sergeant Joseph Salmon (Sergeant Salmon) was involved in a use of force with Inmate [REDACTED] DC# [REDACTED] (Inmate [REDACTED] in the Food Service Building (FSB) located at MCI. At approximately 11:50AM, [REDACTED] approached Lieutenant Philip Driver (Lieutenant Driver) and informed him of an incident between Sergeant Salmon and Inmate [REDACTED] Lieutenant Driver reviewed the video recording system in the FSB and initiated the use of force documentation procedure, to include a use of force packet and incident reports.

A recorded, sworn interview was conducted with Inmate [REDACTED] and he indicated the following:

[REDACTED]

[REDACTED]

(Investigative note: "Gunning" is prison slang for masturbating while looking at someone.)

Inmate [REDACTED] identified Inmates Jerry Randle DC#X63366 (Inmate Randle), Robert Rodriguez DC#L16448 (Inmate Rodriguez), Jamie Brooks DC#B70347 (Inmate Brooks), and Antoine Deeb DC#M28732 (Inmate Deeb) as witnesses to the incident involving Sergeant Salmon. Inmate [REDACTED] also requested review of the video recording system.

A recorded, sworn interview was conducted with Inmate Rodriguez and he indicated the following: He was sitting at the table with Inmate [REDACTED]. Inmate [REDACTED] was eating when Sergeant Salmon began yelling at Inmate [REDACTED] calling him "bitch" and "cracker." Inmate [REDACTED] got up and Sergeant Salmon snatched Inmate [REDACTED] by the neck and tried to force him to sit down at the table. Sergeant Salmon accused Inmate [REDACTED] of "gunning." Inmate [REDACTED] was not "gunning" a female officer. He has known Inmate [REDACTED] for approximately one year. Inmate [REDACTED]. He described Sergeant Salmon as a black Haitian.

A recorded, sworn interview was conducted with Inmate Deeb and he indicated the following: Inmate [REDACTED] was accused by a male officer of "gunning" a female officer. He described the male officer as Jamaican and black. He was housed with Inmate [REDACTED] at other institutions. Inmate [REDACTED]. To his knowledge, Inmate [REDACTED] does not participate in "gunning" behavior.

A recorded, sworn interview was conducted with Inmate Brooks and he indicated the following: He was sitting at the same table across from Inmate [REDACTED]. Sergeant Salmon told Inmate [REDACTED] to "get his bitch ass over here." Inmate [REDACTED] asked Sergeant Salmon why he had to move, and Sergeant Salmon responded "Shut the fuck up! Get your ass over here!" Inmate [REDACTED] began walking over to another table and Sergeant Salmon reached out and grabbed Inmate [REDACTED]. Sergeant Salmon then grabbed Inmate [REDACTED] by the neck and tried to force Inmate [REDACTED] to sit down. Sergeant Salmon tried numerous times to get the female officer to say that Inmate [REDACTED] was "gunning" her. Inmate [REDACTED] had both hands on the table and was not "gunning" the female officer. Inmate [REDACTED]. There was no way Inmate [REDACTED] was "gunning" the female officer. Inmate [REDACTED] did not strike or resist Sergeant Salmon.

A recorded, sworn interview was conducted with Inmate Randle and he indicated the following: He was sitting one table away from Inmate [REDACTED]. Sergeant Salmon began yelling at Inmate [REDACTED]. Inmate [REDACTED] got up from the table and began walking toward Sergeant Salmon. Sergeant Salmon grabbed Inmate [REDACTED] and tried to yank Inmate [REDACTED] down. He was unsure as to what started the incident, but it could have been because Inmate [REDACTED] looked at the female officer. He knew Inmate [REDACTED] prior to coming to prison. Inmate [REDACTED] is not a "sick person." He has known Inmate [REDACTED] for approximately 13 years. Inmate [REDACTED]. He did not believe Inmate [REDACTED] was "gunning" an officer. He did not see Inmate [REDACTED] be aggressive in any way toward Sergeant Salmon. He did not see Inmate [REDACTED] attempt to strike Sergeant Salmon.

A recorded, sworn interview was conducted with Lieutenant Driver and he indicated the following: [REDACTED] approached him in his office inquiring about a possible use of force. [REDACTED]. [REDACTED] told him she felt Sergeant Salmon used force and requested that [REDACTED].

he (Lieutenant Driver) review the video recording system. He reviewed the video recording system and saw Sergeant Salmon physically make an inmate sit down. He began notifying the appropriate people, and began to attempt to locate the inmate. Based on his training and experience, Sergeant Salmon used physical force on the inmate and Sergeant Salmon should have contacted him immediately. Sergeant Salmon never contacted him (Lieutenant Driver), and only completed documentation after he confronted Sergeant Salmon about the incident.

A recorded, sworn interview was conducted with [REDACTED] and she indicated the following: She was present in the FSB during the incident involving Sergeant Salmon and Inmate [REDACTED]. Sergeant Salmon began shouting at Inmate [REDACTED] telling him to move to another table. Inmate [REDACTED] began walking toward the other table. Sergeant Salmon grabbed Inmate [REDACTED] and forced him to the other table. Inmate [REDACTED] appeared to be confused as to what was going on. Sergeant Salmon called Inmate [REDACTED] a "bitch." She did not see Inmate [REDACTED] doing anything improper prior to the start of the incident. She did not see Inmate [REDACTED] doing anything or acting aggressively toward Sergeant Salmon. Sergeant Salmon continued to push Inmate [REDACTED] down to the table with his (Sergeant Salmon's) hand on his (Inmate [REDACTED] shoulder area. Sergeant Salmon told her Inmate [REDACTED] had his (Inmate [REDACTED] hand on his upper thigh moving it in an up and down motion, but she did not see the inmate doing that. She spoke to Lieutenant Driver because she was unsure if Sergeant Salmon's actions were a use of force. After speaking to Lieutenant Driver, she completed an Incident Report. Her Incident Report is true and correct. She identified Sergeant Salmon, Inmate [REDACTED] and herself in the video recording of the incident. She has no prior issues with Inmate [REDACTED]

A recorded, sworn interview was conducted with Sergeant Griner and he indicated the following: He identified himself as the officer walking past the window and entering the dining hall area. He was standing outside the dining hall (FSB) when he observed inmates looking in one direction, but he could not see a disturbance. In his experience, when a lot of inmates look in one direction "something is going on." Upon entering the dining hall, he saw Inmate [REDACTED] sitting down at a table. Sergeant Salmon had his hand on Inmate [REDACTED] shoulder and neck area. He felt this was strange. He was unsure how Sergeant Salmon got to the table. He asked Sergeant Salmon what was going on, and Sergeant Salmon told him nothing and everything was fine. Inmate [REDACTED] repeatedly asked, "I don't understand why you did that." He asked Sergeant Salmon again what was going on and Sergeant Salmon said everything was good. He could tell by [REDACTED] demeanor that something happened. Sergeant Salmon later told Sergeant Griner that the inmate was "gunning." He wrote an incident report because he felt something was wrong and he was uncomfortable about the situation. He did not know what really happened until he saw the video recording of the incident. If an inmate is caught "gunning," the inmate will receive a disciplinary report and be placed in confinement. He never saw Sergeant Salmon grab or kick Inmate [REDACTED] until he saw the video recording of the incident.

A review of the video recording corroborated the sworn statements of Sergeant Griner, [REDACTED] and Inmates [REDACTED] Rodriguez, Brooks, Randle, and Deeb.

The video recording of the incident depicted the following:

(Investigate note: The video recording system does not record audio.)

- At 7:10:00AM – The video starts; Inmate [REDACTED] is seated at a table with three (3) other inmates with both hands on top of the table. Inmate [REDACTED] appears to be eating as evidenced by the movement of his elbows and him leaning forward over the table. Sergeant Salmon is standing to the rear of Inmate [REDACTED] at about a 4 o'clock position

on the opposite side of the divider rail as Inmate [REDACTED] [REDACTED] is standing to the right of Inmate [REDACTED] at about a 3 o'clock position on the same side of the divider rail as Inmate [REDACTED]

- At 7:19:34AM – Sergeant Salmon moves toward [REDACTED] while pointing in Inmate [REDACTED] direction. Sergeant Salmon appears to be talking to an unknown inmate. Many of the inmates in the FSB stop eating and look toward Sergeant Salmon.
- At 7:19:43AM – Inmate [REDACTED] stands up from the table and appears to talk with Sergeant Salmon.
- At 7:19:48AM – Inmate [REDACTED] picks up his tray and begins to walk away from the table. Sergeant Salmon begins to point his hand at another table and Inmate [REDACTED] begins walking in the direction shown by Sergeant Salmon. Inmate [REDACTED] stops walking and continues to talk with Sergeant Salmon.
- At 7:19:52AM – Sergeant Salmon begins to walk around the divider rail. [REDACTED] remains at the same area as noted at the beginning of the video.
- At 7:19:53AM – Inmate [REDACTED] turns and walks back to the table where he was previously sitting to retrieve a small object from the table that appears to be a cup.
- At 7:19:55AM – Inmate [REDACTED] turns back around and begins to walk where he was previously instructed by Sergeant Salmon.
- At 7:20:00AM – Inmate [REDACTED] stops walking approximately 5 feet from Sergeant Salmon. Inmate [REDACTED] is holding his food tray at waist level.
- At 7:20:01AM – Sergeant Salmon takes a large step towards Inmate [REDACTED] grabbing him around the collar area of his shirt, and causing what appears to be his white undershirt to become exposed on the video.
- At 7:20:03AM – Sergeant Salmon throws paperwork on the table. [REDACTED] takes a few steps toward Sergeant Salmon and Inmate [REDACTED] Inmate [REDACTED] attempts to throw his food tray on the table. Sergeant Salmon continues to pull Inmate [REDACTED] towards the table. Inmate [REDACTED] appears to put his hands up in an attempt to catch himself from falling.
- At 7:20:06AM – Inmate [REDACTED] places both his hands, palms down, on the table. Sergeant Salmon places his left hand on the back of Inmate [REDACTED] neck. Sergeant Salmon appears to speak to Inmate [REDACTED]
- At 7:20:09AM – Sergeant Salmon appears to deliver a knee strike, utilizing his left knee to Inmate [REDACTED] leg.
- At 7:20:24AM – Sergeant Salmon removes his hand from the back of Inmate [REDACTED] neck. Sergeant Salmon points at Inmate [REDACTED] and they appear to speak with one another.
- At 7:23:00AM – Inmate [REDACTED] gets up from the table, and walks away from the area off camera for the remainder of the recording.

Sergeant Salmon completed a Report of Force Used (DC6-230) and a Use of Force Incident Report (DC6-210A) detailing his participation in the incident involving Inmate [REDACTED]. Both forms state the following perjury warning, verbatim, directly above the signature area: **“Under penalties of perjury, I declare that I have read the foregoing Report of Force Used and that the facts stated in it are true.”** and **“I SOLEMNLY SWEAR OR AFFIRM THAT THE ABOVE REPORT IS TRUE AND ACCURATE AS WRITTEN, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, TO THE BEST OF MY KNOWLEDGE.”**, respectively.

Sergeant Salmon's Report of Force Used and Use of Force Incident Report contained statements contrary to the video recording, namely: “At no point did I strike or do any bodily harm to Inmate [REDACTED]. The video recording, at 7:20AM, shows Sergeant Salmon placing his hand on the back

of Inmate [REDACTED] neck and then delivering what appears to be a knee strike to Inmate [REDACTED] leg.

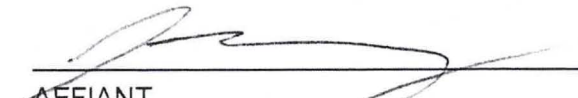
Sergeant Salmon's Use of Force Report also contained contradictory statements in the details of the incident, namely: "...I was not aware that was a use of force and, shown on the camera it was not excessive force used but the minimum force necessary to get the inmate to comply..."

Sergeant Salmon was afforded the opportunity to provide a post-Miranda statement, but declined.

Based on the evidence gathered during this investigation, your Affiant has probable cause to believe that Sergeant Salmon did commit: Official Misconduct; Malicious Battery without Great Bodily Harm; and Submitting Inaccurate Report in Regard to Use of Force.

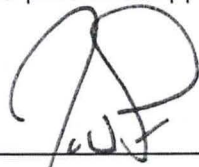
On June 29, 2020, this Affidavit for Arrest and Arrest Warrant was submitted to the State Attorney's Office for review.

WHEREFORE, your Affiant prays that an arrest warrant be issued according to law commanding all and singular the Sheriffs of the State of Florida to forthwith arrest the said Joseph Winston Salmon and bring him before the court to answer the charges of: Official Misconduct, Malicious Battery without Great Bodily Harm, and Submitting Inaccurate Report in Regard to Use of Force.

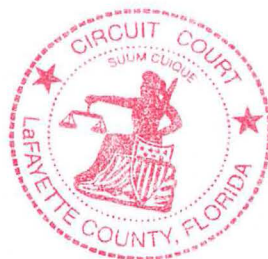



AFFIANT
Senior Inspector Jared Dewey

SWORN TO AND SUBSCRIBED BEFORE ME this 6th day of July 2020, by Senior Inspector Jared Dewey who is personally known to me or who produced appropriate identification.



JUDGE OF THE ABOVE COURT



Lafayette County, State of Florida
I hereby certify the above is
a true and correct copy of the original
This 6th day of July 2020
STEVE LAND
CLERK CIRCUIT COURT
By 

IN THE CIRCUIT COURT OF THE THIRD
JUDICIAL CIRCUIT, IN AND FOR LAFAYETTE
COUNTY, FLORIDA

STATE OF FLORIDA

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Joseph Winston Salmon
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FL DL # [REDACTED]

Address: [REDACTED]

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FILED

STEVE LAND - CLERK
LAFAYETTE COUNTY, FL

ARREST WARRANT

IN THE NAME OF THE STATE OF FLORIDA, TO ALL AND SINGULAR SHERIFFS OF THE
STATE OF FLORIDA:

HAVING RECEIVED AND CONSIDERED THE SWORN AFFIDAVIT OF SENIOR INSPECTOR
JARED DEWEY OF THE FLORIDA DEPARTMENT OF CORRECTIONS OFFICE OF
INSPECTOR GENERAL DATED _____ 2020, SAID AFFIDAVIT ALLEGING:

COUNT 1

Joseph Winston Salmon, a public servant serving in the capacity of a certified Correctional
Officer employed by the State of Florida, on March 23, 2020, in Lafayette County, Florida, then
and there, knowingly and intentionally obtained a benefit for any person or caused unlawful harm
to another, by: (a) Falsifying, or causing another person to falsify, any official record or official
document; contrary to Florida State Statute 838.022(1)(a).

COUNT 2


Joseph Winston Salmon, a public servant serving in the capacity of a certified Correctional
Officer employed by the State of Florida, on March 23, 2020, in Lafayette County, Florida, then
and there, with malicious intent, committed a battery upon an inmate; contrary to Florida State
Statute 944.35(3)(a)(1).

COUNT 3

Joseph Winston Salmon, a public servant serving in the capacity of a certified Correctional
Officer employed by the State of Florida, on March 23, 2020, in Lafayette County, Florida, then
and there, knowingly or willfully submitted inaccurate, incomplete, or untruthful information with
regard to reports; contrary to Florida State Statute 944.35(4)(b).

THESE ARE THEREFORE TO COMMAND YOU TO FORTHWITH ARREST AND BRING THE
ABOVE NAMED DEFENDANT BEFORE ME TO BE DEALT WITH ACCORDING TO LAW.

GIVEN UNDER MY HAND AND SEAL this 6th day of July 2020, at Suwannee County, Florida.

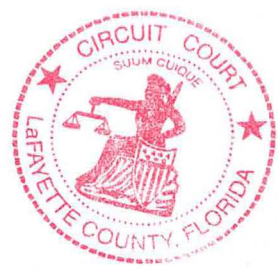


JUDGE OF THE ABOVE COURT

[] BAIL BOND IS FIXED AT:

- \$ 5K Official Misconduct
- \$ 5K Malicious Battery without Great Bodily Harm
- \$ 500 Submitting Inaccurate Report in Regard to Use of Force

[] BAIL BOND IS TO BE SET AT FIRST APPEARANCE



Lafayette County, State of Florida
I hereby certify the above is
a true and correct copy of the original
This 6th day of July 2020
STEVE LAND
CLERK CIRCUIT COURT
By 