



**KATHERINE FERNANDEZ RUNDLE
STATE ATTORNEY**



**ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY**

FOR IMMEDIATE RELEASE

3 STATE CORRECTIONAL OFFICERS CHARGED IN RECORDS FALSIFICATION CASE

Miami (February 28, 2019)

As a result of a joint investigation by the Miami-Dade State Attorney's Office and the Office of Lester Fernandez, Inspector General, Florida Department of Corrections (FDC), three Correctional Officers working at the Dade Correctional Institution (DADE CI) located in South Miami-Dade County, have been arrested. Taken into custody were:

- DOC Captain Eric Peavey, Jr.
- DOC Sergeant Lizandro Rodriguez
- DOC Correctional Officer Ellen Day

All are being charged with one (1) count of Official Misconduct, a 3rd Degree Felony and one (1) count of Falsifying an Official Record Relating to a Person in State Care, a 3rd Degree Felony.

These charges arise from a December 7, 2017, incident where it is being alleged that Sergeant Rodriguez falsified a disciplinary report (DR) worksheet issued to FDC inmate Lazaro Galvan, then-housed at Dade CI. The DR is an official business document of the FDC, and as such, is a public record. The final version of the DR charged Galvan with possession of an improvised weapon commonly referred to as a shank.

The statement of facts in the DR allege that on December 7, 2017, at approximately 6:30 p.m., Officer Toddra Blake conducted inventory of Galvan's property as he was being transferred to another part of the institution. During that inventory, Officer Blake allegedly discovered the shank in Galvan's secured locker. A photograph of the shank was attached to the DR. The DR appears to bear the signatures of Officer Blake and Captain Eric Peavey. Several versions of the DR in question were sent via email amongst the charged officers, along with the final version containing a photograph purporting to show the recovered shank. Based on the policies and procedures of the FDC, the above-described email process is considered very unusual. Generally, an officer handwrites or types a DR, and then the DR is signed and submitted to the captain for his or her review.

FOR FURTHER
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CORRECTIONAL OFFICERS CHARGED

Inmate Lazaro Galvan told investigators that he was in E Dormitory on December 7, 2017, when corrections officers approached him and directed him to pack his property. Galvan then packed his own property and walked to the officer's station, where he left his property and was ultimately taken to confinement. He denied having a shank in his property. Officer Blake told investigators that she did not conduct an inventory of Galvan's property, nor did she find a shank in his property. Officer Blake also told investigators that she did not author the DR that was submitted in her name. The investigation determined, by additional correctional officer interviews and review of surveillance footage, that Galvan's version of the December 7, 2017 events was authentic.

By falsely charging inmate Galvan with possession of a weapon, the charged Correctional Officers knew, or had reason to know, that Galvan was subjected to segregation from the general population of Dade CI, a loss of visitation, and a loss of privileges available to other inmates. This DR report could also be a foundation to have inmate Galvan transferred out of Dade CI to another correctional institution.

State Attorney Katherine Fernandez Rundle will be available this afternoon to add some additional comments to this information **ONLY between 1:45 and 2:45 PM.**

Please confirm appearance at 305-547-0535.

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