

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION**

**Case # 13-12048**



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**CASE SUMMARY REPORT**



**Table of Contents**

<b><u>I. AUTHORITY</u></b>	<b>4</b>
<b><u>II. METHODOLOGY</u></b>	<b>4</b>
<b><u>III. ANALYSIS</u></b>	<b>4</b>
<b><u>IV. DEFINITIONS</u></b>	<b>5</b>
<b><u>V. PREDICATE</u></b>	<b>6</b>
<b><u>VI. SUMMARY OF INVESTIGATIVE FINDINGS</u></b>	<b>6</b>
<b><u>VII. CHARGES</u></b>	<b>6</b>
<b><u>VIII. CONCLUSION</u></b>	<b>7</b>



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
CASE SUMMARY REPORT



**Case Number:** 13-12048

**Inspector:** Inspector Harry Hutson

**Date Assigned or Initiated:** 10-23-2013

**Deceased:** Inmate John Riley DC# 026794

**Location of Incident – Institution/Facility/Office:** Cross City Correctional Institution

**Complainant:** State of Florida

**Use of Force Number:** N/A

**PREA Number:** N/A

**Classification of Incident:** Death Investigation

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

**Equal Employment Opportunity Investigation:**  Yes  No

**Chief Inspector General Case Number:** N/A



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
CASE SUMMARY REPORT



**I. AUTHORITY**

The Florida Department of Corrections, Office of the Inspector General, by designation of the Secretary and § 944.31, Florida Statutes, is authorized to conduct any criminal investigation that occurs on property owned or leased by the department or involves matters over which the department has jurisdiction.

The testimony references included in this report are summations of oral or written statements provided to inspectors. Statements contained herein do not necessarily represent complete or certified transcribed testimony, except as noted. Unless specifically indicated otherwise, all interviews with witnesses, complainants, and subjects were audio or video recorded.

**II. METHODOLOGY**

The investigation reviewed the derivations of the allegation advanced by the complainant. The scope of this investigation does not seek to specifically address tort(s), but violations of criminal statutes. The criterion used to evaluate each contention or allegation was limited to the following standard of analysis:

1. Did the subject's action or behavior violate Florida criminal statutes?

**III. ANALYSIS**

The standard and analysis in this investigation is predicated with the burden of proving any violation of law, established by probable cause. The evidence considered for analysis is confined to the facts and allegations stated or reasonably implied. The actions or behavior of the subject are presumed to be lawful and in compliance with the applicable Florida law, unless probable cause indicates the contrary.



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**CASE SUMMARY REPORT**



**IV. DEFINITIONS**

**Unfounded:**

Refers to a disposition of a criminal case for which probable cause does not exist to suggest the suspect's behavior or action occurred nor is an arrest or formal charge being initiated.

**Closed by Arrest:**

Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

**Exceptionally Cleared:**

Refers to a disposition of a criminal case for which probable cause exists that an identified suspect committed the offense, but one for which an arrest or formal charge is not initiated, or in the case of a death investigation, one for which no evidence exists that the death was the result of a crime or neglect.

**Open-Inactive:**

Refers to a disposition of a criminal case for which a criminal investigation commenced, but where evidence is insufficient to close as unfounded, closed by arrest, or exceptionally cleared.



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
CASE SUMMARY REPORT



V. PREDICATE

At approximately [REDACTED] on October 23, 2013, Cross City Correctional Institution initiated a routine formal count. After two recounts, a master count revealed that Inmate John Riley DC# 026794 was unaccounted for. Inmate Riley's assigned work area in the air conditioning shop, located within the maintenance building, was searched. At 2:15PM Vocational Instructor Albert Ward located Inmate Riley [REDACTED] on the floor of a storage room at the rear of the maintenance building (Building #21115021 and item #21 on the institution map). A [REDACTED] Inmate Riley's [REDACTED] and [REDACTED] was observed. It was also observed that [REDACTED] covering Inmate Riley's [REDACTED]. Inmate Riley was pronounced deceased at the scene by [REDACTED] at 1433 hours. This death investigation was assigned to Inspector K. Hutson on October 23, 2013 as IG# 13-12048.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses' testimony, subject officer's statements, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

On October 23, 2013, at approximately [REDACTED] Cross City Correctional Institution began conducting routine, formal count procedures when it was discovered that an inmate was unaccounted for. Recounts were initiated at 1235 PM and 13:25 PM. At 13:45 PM, an emergency master count was initiated. At approximately 14:15 PM, Vocational Instructor Albert Ward discovered Inmate Riley in the rear air conditioning work shop room. Inmate Riley [REDACTED]

Security [REDACTED] were immediately contacted and responded to the scene. [REDACTED] pronounced Inmate Riley deceased at the scene at 14:33 PM. [REDACTED] to the institution but was cancelled prior to their arrival by Inspector Hutson due to Riley already being pronounced deceased [REDACTED]

Inspector Harry Hutson responded and observed the deceased was [REDACTED]. The plastic bag had been torn open and the body moved a short distance [REDACTED]. The deceased's straw hat was hanging nearby and his [REDACTED] had been removed and placed on a nearby shelf [REDACTED]. There were no signs of [REDACTED] visible on the body, nor were there indications that a struggle had taken place. The



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
CASE SUMMARY REPORT



valve on top of the refrigerant canister was still open approximately 1/3 turn (the canister appeared to be empty but Inspector Hutson turned off the valve out of safety concerns) the gauged valve was also open.

Lieutenant L. Keen provided sworn testimony that, on October 23, 2013, at approximately [REDACTED] hours, he heard count being conducted by security personnel. This was not unusual but a short time later Keen realized that a recount had been requested not once, but twice. A master roster count was then called for and Lieutenant Keen, along with other administrative personnel began assisting security personnel with their duties in an effort to clear count.

A short time later the lieutenant heard Officer William Philman call from E-Dormitory advising that Inmate Riley was not in his cell, and could still be in Maintenance which is his job assignment. Lieutenant Keen then proceeded to Maintenance to assist searching for the inmate. Upon his arrival Keen began moving throughout the maintenance building with Albert Ward; searching for Inmate Riley.

During said search, Ward unlocked the storage room at the back of the building and almost immediately Lieutenant Keen heard him [Ward] say that he had located Inmate Riley and that he appeared deceased.

Keen responded to Ward's location and, when viewing Inmate Riley, noticed that his [REDACTED]  
[REDACTED]  
[REDACTED]. The Lieutenant also observed [REDACTED]  
[REDACTED]. The Lieutenant then called [REDACTED]  
[REDACTED]

[REDACTED] Lieutenant Keen began securing the scene with crime scene tape. Keen also assigned Officer Henderson to keep a log of everyone in, or near, the crime scene. A short time later Inspector Hutson arrived and assumed control over the scene.

Officer William Philman provided testimony that he was in E-Dormitory when he heard that a master roster count had been initiated. That being the case he advised the E-Dormitory officer that he [Philman] would begin conducting count procedures on the first floor.

The first cell Officer Philman checked happened to be 1101 and it was occupied only by Inmate Kemp. Kemp was asked where his cell mate, Riley, was and Kemp advised he didn't know.

Officer Philman was familiar with Inmate Riley and knew that he was assigned to Maintenance. This being the case, the officer advised the search teams that the maintenance building needed to be



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
CASE SUMMARY REPORT



searched for Inmate Riley. A short time later Officer Philman heard that Riley's body had been discovered.

[REDACTED] gave sworn testimony that she responded to the Maintenance building [REDACTED] [REDACTED] received that an inmate was down. When she arrived she saw inmate Riley lying on his back with [REDACTED]

The inmate displayed [REDACTED] [REDACTED] To accomplish this [REDACTED]

[REDACTED] at 1433 hours, pronounced the inmate deceased.

When she arrived at the scene, [REDACTED] to the inmate, nor did she notice any signs of a struggle in the immediate vicinity.

Autopsy results submitted by 8<sup>th</sup> District Medical Examiner, William Hamilton M.D. indicate that, at the time of his demise, the decedent was [REDACTED]

Based on Doctor Hamilton's conclusions and the physical evidence from decedent's person and the scene of the incident, it is the determination of Inspector Hutson that Inmate Riley's death was, in fact, self inflicted and no foul play is suspected.

**VII. CHARGES**

N/A





FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**CASE SUMMARY REPORT**



**VIII. CONCLUSION**

Based on the information gathered during this investigation, it is the recommendation of Inspector Harry Hutson that this case be termed as follows:

1. Exceptionally Cleared