

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 14-2612



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



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CASE SUMMARY REPORT



Case Number: 14-2612

Inspector: Inspector Riley Carter

Date Assigned or Initiated: 03-03-2014

Complaint Against: N/A

Location of Incident – Institution/Facility/Office: Okeechobee Correctional Institution

Complainant: Captain Bernie Elvin

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: [REDACTED] Inmate Death

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Equal Employment Opportunity Investigation: Yes No

Chief Inspector General Case Number: N/A



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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.e 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.



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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:

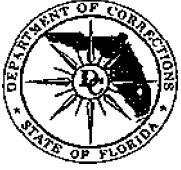
Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

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.



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V. PREDICATE

On or about February 28, 2014, Captain Bernard Elvin reports he received a phone call from [REDACTED] [REDACTED] advising that Inmate Theo Hall had been pronounced dead. Inmate Hall had previously been transported to [REDACTED] on February 7, 2014. The official cause of death was determined to be [REDACTED]. Upon initial review of the information, the Office of the Inspector General initiated an investigation into the allegations on 03/03/2014.

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 February 28, 2014, at approximately 12:36am, Captain Bernie Elvin indicated that he received a phone call from his assigned control room staff and was advised that [REDACTED] had called and advised that Inmate Theo Hall had died. He was advised that Inmate Hall had passed away due to [REDACTED].

Inmate Jarvis Jacobs, who was Inmate Hall's cell mate indicated the following:

He was roommates with Inmate Theo Hall prior to Inmate Hall going to [REDACTED]. Inmate Hall had told him that he had accidentally spilled some hot soup on his feet at some point (unknown day or time). Jacobs asked Inmate Hall to go to [REDACTED] and Inmate Hall refused to go. After a few weeks had passed, he [REDACTED] and decided to report it to Security, so Inmate Hall would be forced to go to [REDACTED]. He felt that Inmate Hall was to blame for his [REDACTED] because he [REDACTED].

There were no Reports that document [REDACTED] due to Inmate Hall [REDACTED] to security or [REDACTED]. Inmate Hall's cell mate did not actually witness Inmate Hall spill the hot soup on his lower legs, however Jacobs ultimately was the person that reported [REDACTED]. Once security staff was notified by Inmate Jacobs, Inmate Hall was escorted to [REDACTED] on February 7, 2014. Inmate Hall remained at [REDACTED] until he passed away on February 28, 2014.

In the Autopsy Report completed by the Medical Examiner's Office of the 19th District, Inmate Theo Hall's death was ruled accidental and [REDACTED].



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VII. CHARGES

List alleged violations of Florida Law:

1. N/A

VIII. CONCLUSION

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

1. Exceptionally cleared.