

# Florida Department of Corrections



## Office of the Inspector General

### CRIMINAL INVESTIGATION

Case # 12-2344



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



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**Case Number:** 12-2344

**Inspector:** Dorothy Minta

**Date Assigned or Initiated:** December 5, 2012

**Complaint Against:** N/A

**Complainant:** Officer Robert Dyches

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

**Charges:** N/A

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower Investigation:**  Yes  No

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

I.



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## **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.

## **IV.**



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**DEFINITIONS**

**Closed by Arrest:**

The reported criminal offense for which probable cause exists that an identified subject committed the offense and one for which arrest or formal prosecution is initiated.

**Exceptionally Cleared:**

The reported criminal offense for which probable cause exists that an identified subject committed the offense, but one for which an arrest or formal charge is not initiated. Or in the case of a death investigation when no evidence exist that the death was the result of a crime or neglect.

**Open Inactive:**

The reported criminal offense for which a criminal investigation commenced, but where evidence is insufficient to close as unfounded, closed by arrest, or exceptionally cleared.

**Unfounded:**

The reported criminal offense is not supported by evidence or facts obtained.

V.



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**PREDICATE**

At approximately 5:15AM, on December 5, 2012, Officer's Robert Dyches and Tyler Freeman were serving the morning meal in O-Dormitory at Union Correctional Institution (UCI). When the officer's reached cell O-3122S, which housed Inmate Eddie Thomas (DC#060108), they found him in his bed [REDACTED] Inmate Thomas was pronounced deceased at 5:45AM, by [REDACTED]

The incident was reported to the Inspector General's Office on December 5, 2012, and assigned to Senior Inspector Dorothy Minta for investigation of the Inmate's Death.

**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:

In his incident report dated December 5, 2012, Sergeant Rushawn Johnson reported that at approximately 5:15AM, Officer Robert Dyches reported to him that Inmate Eddie Thomas, housed in cell 3-122, [REDACTED] Sergeant Johnson notified Lieutenant William Clay and then instructed the inmate orderlies to clear wing 3, then retrieved the security shield as a precaution. Sergeant Johnson made several attempts to get a response from Inmate Thomas, to no avail. The cell door was then breached [REDACTED]

In his incident report dated December 5, 2012, Officer Robert Dyches reported at approximately 5:15AM, he and Officer Tyler Freeman were serving the morning meal on Wing 3 in O-Dormitory. When Officer Dyches approached cell 3-122, which housed Inmate Eddie Thomas, he tapped on the door and announced it was chow time. Inmate Thomas did not respond. Officer Dyches tapped on the door and called Inmate Thomas' name several times and still did not receive a response. Officer Dyches immediately notified Sergeant Rushawn Thomas that Inmate Thomas [REDACTED]

Lieutenant William Clay reported in the Shift Supervisor's comment section, after Inmate Thomas failed to respond an emergency cell breach was conducted where Inmate Thomas appeared to be deceased. [REDACTED] pronounced Inmate Thomas deceased at 5:45AM.

A review of the fixed wing video was conducted beginning at 19:59:59 (7:59:59PM), December 4, 2012 until 08:00:00 (8:00AM), December 5, 2012. The review revealed that at 21:05:25 (12-04-12), Inmate Thomas was handcuffed and escorted from his cell for showers. Inmate Thomas returned to his cell at 21:22:34. No one entered Inmate Thomas' cell while he was showering, and no one entered his cell after he returned until 05:26:41 (12-05-12). Security staff was observed serving the morning meal and knocking on Inmate Thomas' cell door. Security staff was also observed making their routine rounds every [REDACTED] minutes throughout the night.

Photographs taken on December 5, 2012, of Inmate Thomas and his cell revealed, Inmate Thomas was lying on his right side, facing the cell wall, with his knees bent. The cell appeared normal. An examination of Inmate Thomas [REDACTED]



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On December 5, 2012, Inmate Thomas [REDACTED] Inmate Thomas'

On March 18, 2013, the final autopsy report on the death of Inmate Eddie Thomas was received from the Office of the Medical Examiner. The report was completed by Dr. William Hamilton, Medical Examiner and indicated the following findings:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]

Dr. Hamilton listed the probable cause of death as [REDACTED]

**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 Senior Inspector Dorothy Minta the investigation be termed as follows:

1. Closed - Exceptionally Cleared