

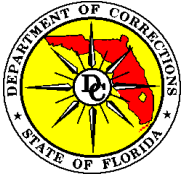
Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 13-14148

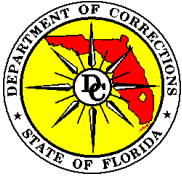


FLORIDA DEPARTMENT OF CORRECTIONS
OFFICE OF THE INSPECTOR GENERAL
CASE SUMMARY REPORT



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Case Number: 13-14148

Inspector: Inspector Wayne Elrod

Date Assigned or Initiated: 12-19-2013

Complaint Against: Inmate Troy Hays DC#W10631

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

Complainant: Captain Frank Gatto

Deceased: Inmate Charles Sydnor 655554

Use of Force Number:

PREA Number:

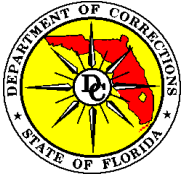
Classification of Incident: Homicide

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Equal Employment Opportunity Investigation: Yes No

Chief Inspector General Case Number:



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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.

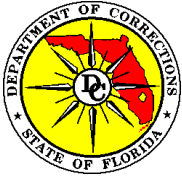
II. METHODOLOGY

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. 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:

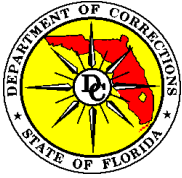
Refers to a disposition of a criminal case for which probable cause exists that an identified subject committed the offense and one for which an arrest or formal prosecution has been initiated.

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 December 18, 2013, the Inspector General's Office was notified by Warden Thomas Reid that Inmate Sydnor, Charles DC#655554 [REDACTED] in his cell, and that his roommate Inmate Hays, Troy DC#W10631 stated to Officer Ringersen that he had killed Inmate Sydnor at Charlotte Correctional Institution. Inmate Sydnor was pronounced dead due to his injuries. Inmate Hays was placed into confinement.

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 6, 2014, in a sworn digitally recorded interview and an Incident Report dated December 18, 2013, Officer Robert Ringersen, indicated the following:

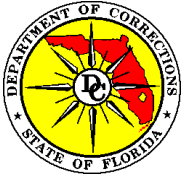
On December 18, 2013, he was on duty at Charlotte Correctional Institution [REDACTED]. When he went outside to conduct a security check of the grounds, he noticed Inmate Hays sitting under a pavilion. When he confronted Inmate Hays to ask why he was sitting out there, Inmate Hays became fidgety. Inmate Hays stated that he needed [REDACTED]. He then placed Inmate Hays into hand restraints and began to escort him [REDACTED]. Inmate Hays then stated, "That's not the half of it, I killed my roommate last night."

He then contacted the shift Officer in Charge, Captain Gatto and notified him of the situation. He then escorted Inmate Hays to Y-Dormitory and secured him into a shower. He and Sergeant Malicki conducted a search of Inmate Hays at which time his (Hays) clothing was removed and placed into evidence.

He had no other involvement in this case.

On February 6, 2014, in a sworn digitally recorded interview and an Incident Report dated December 18, 2013, Officer Lucsene Relavie, indicated the following:

On December 18, 2013, he was on duty at Charlotte Correctional Institution [REDACTED], when he was advised by Inmate Anthony Shaw DC#L82021, that there was an inmate sitting outside on the bench that had just told him (Shaw) that he had killed his roommate. The inmate that was sitting outside was later identified as Troy Hays. He then exited [REDACTED] where he saw Officer



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Ringersen was already outside with Inmate Hays and had already placed Inmate Hays into hand restraints. He advised that he had no other involvement and went back to work in [REDACTED]

In a sworn digitally recorded statement taken on March 17, 2014, Captain Frank Gatto indicated the following:

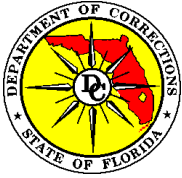
He was on duty on December 18, 2013, as the Officer in Charge (OIC) at Charlotte Correctional Institution. At approximately 9:40am, he was standing outside near the Multi-Purpose building when he received a call, over the radio, from Officer Ringersen. Officer Ringersen advised that he was outside of [REDACTED] with Inmate Troy Hays and that Inmate Hays stated that he killed his roommate.

He asked Officer Ringersen to find out where Inmate Hays was housed. Officer Ringersen replied that Inmate Hays lived in A-Dorm. He knew that A-Dorm is a confinement dorm and that only 4-quad is open population. He then radioed A-Dorm and had 4-quad locked down and for the quad to be searched for a possible crime scene.

When he arrived to 4-quad, he and Officer David Harry began searching the quad and locking the inmates back into their assigned cells. He and Officer Harry arrived at A4-203; the door was shut and locked. The cell was clean and free from signs of a disturbance. Both bunks were neatly made. Inside the cell he saw an inmate, later identified as Inmate Charles Sydnor, lying face down with his head facing the wall, on the bottom bunk. Inmate Sydnor was dressed in his blue pants and white t-shirt with his blue jacket over his back as if to be sleeping.

He and Officer Harry rolled Inmate Sydnor towards them, in order [REDACTED] Inmate Sydnor [REDACTED] were seen around Inmate Sydnor's neck and "Baby Raper" was written on his forehead.

Inmate Sydnor was placed on the ground, at which time Officer Harry [REDACTED] arrived to the cell at which time Inmate Sydnor was placed [REDACTED] advised Officer Harry [REDACTED]. At 9:55am, [REDACTED] pronounced Inmate Sydnor deceased.



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He then had all staff exit the cell at which time the cell was secured. He then returned to his duties as the OIC.

On February 18, 2014, in a sworn digitally recorded interview, Officer David Harry indicated the following:

He was working in Alpha Dormitory on December 18, 2013, on the 5:00am to 5:00pm shift. He was in quad 4 of Alpha Dormitory at approximately 9:30 am, when he was notified by Captain Gatto to lock down the dormitory and have all of the inmates return to their assigned cell and to close their doors. He was also notified by Captain Gatto to look for a crime scene of some sort and that there [REDACTED] or a weapon.

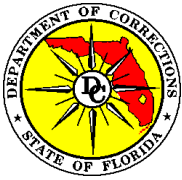
He walked around the dorm and checked all the cells, ensuring that the inmates were in their cells and the doors locked. As he came to cell number A4-203, he noticed Inmate Charles Sydnor lying face down, on the bottom bunk. Inmate Sydnor was on top of his sheets, with a blue jacket covering his (Sydnor) head. It appeared that he was sleeping. He knocked on the window to get Inmate Sydnor's attention. Inmate Sydnor was not responding.

He then requested assistance from Captain Gatto to enter the cell and check on Inmate Sydnor. Once the door was open, he and Captain Gatto entered the cell. He stated that the room was clean and both bunks were in a neat and orderly fashion. Inmate Sydnor was on the bottom bunk, alone.

He rolled Inmate Sydnor on his side to check for weapons, to which none were found. Inmate Sydnor [REDACTED] [REDACTED] to respond to the cell. He indicated that there was [REDACTED] or weapons located in the cell. After identifying that the scene was secure, he moved Inmate Sydnor onto the floor where he started [REDACTED] [REDACTED] Inmate Sydnor's [REDACTED]. At approximately 9:55am, [REDACTED] pronounced Inmate Sydnor deceased.

He observed Inmate Sydnor had writing on his forehead that read, "Die Baby Raper." He indicated that Inmate Sydnor [REDACTED] [REDACTED]

He took over the Entry and Exit Log for the cell from Officer Stonestreet at 10:00am and concluded the log at 4:10pm, when the Medical Examiner's Office removed Inmate Sydnor from Charlotte Correctional Institution.



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On February 6, 2014, in a sworn digitally recorded interview and an Incident Report dated December 18, 2013, [REDACTED] indicated the following:

On December 18, 2013, at approximately 9:40am, she was on duty at Charlotte Correctional Institution in [REDACTED] when she was advised by security staff [REDACTED] was needed in Alpha Dormitory due to a report that an inmate had killed his roommate. She along [REDACTED], responded to cell A4203 [REDACTED]. When she arrived at the cell, she observed Officer David Harry [REDACTED] Inmate Charles Sydnor, who was lying on the floor.

She noticed [REDACTED] of Inmate Sydnor which she removed and placed on a table. The material looked to be toilet paper. She stated that there was more [REDACTED] but was unable to recover it. [REDACTED] pronounced Inmate Sydnor deceased at 9:55am.

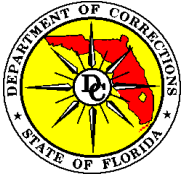
She stated that she noticed that Inmate Sydnor also had writing on his forehead which read, "Baby Raper." She then exited the cell and went back to [REDACTED] and had no other involvement in this case.

On March 5, 2014, in a sworn digitally recorded interview, [REDACTED] indicated the following:

She was working as [REDACTED] at Charlotte Correctional Institution on December 18, 2013. At approximately 9:40am, she was called to Alpha Dormitory, Quad 4, cell 203, to respond [REDACTED]. When she arrived at the cell, she indicated that Inmate Charles Sydnor was lying on the cell floor and an officer was [REDACTED]. She advised the officer [REDACTED].

She [REDACTED] Inmate Sydnor at which time [REDACTED]. She indicated that Inmate Sydnor [REDACTED]. She also indicated that Inmate Sydnor [REDACTED] neck and "Baby Raper" written in ink on his forehead. [REDACTED]. She advised the officer [REDACTED] at that time and pronounced Inmate Sydnor deceased at approximately 9:55 am. She indicated that based on her training and experience that Inmate Sydnor had been deceased for at least an hour, and that there was no need [REDACTED].

She was advised by Captain Gatto at that time to exit the cell and not to disturb anything so that the cell could be secured. She returned at that time [REDACTED].



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On December 18, 2013, evidence was collected from cell #A4203 that housed Inmate Troy Hays and Inmate Charles Sydnor. Clothing belonging to Inmate Troy Hays and Inmate Charles Sydnor was also collected and placed into the evidence room, located at Charlotte Correctional Institution.

On December 20, 2013, the clothing that Inmate Sydnor was wearing was removed during the autopsy and then transported to Charlotte Correctional Institution, where it was placed into the evidence room.

On December 23, 2013, evidence was submitted to the FDLE Regional Operations Center Forensic Lab, located in Fort Myers, FI, for analysis. Once the analysis is completed a separate investigative report will be submitted.

- 6" writing pen
- White boxer shorts
- Blood sample

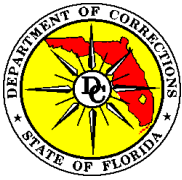
In a lab report received from the FDLE Crime Lab dated, March 27, 2014, it was confirmed that the white boxer shorts that Inmate Sydnor was wearing contained the presence of semen. The semen was matched to Inmate Sydnor. The white boxer shorts were recovered from the FDLE crime Lab and placed back into evidence located at Charlotte Correctional Institution.

In a lab report received from the FDLE Crime Lab dated, June 20, 2014, it was documented that no latent prints of value for comparison were noted or developed from the ink pen that was submitted. The ink pen was recovered from the FDLE Crime Lab and placed back into evidence located at Charlotte Correctional Institution.

Video from the fixed wing cameras was obtained and digitally copied to a disc. The disc was placed into the evidence locker and a copy was placed in the case file. The video covers the night of December 17, 2013, until December 18, 2013, when Inmate Sydnor was discovered in his cell, deceased. The actual event was not captured on the fixed wing video as the incident occurred inside of the cell.

On December 18, 2013, in a sworn digitally recorded interview, post Miranda, Inmate Troy Hays indicated the following:

He stated that when he woke up that morning he saw Inmate Charles Sydnor standing in the cell masturbating. Inmate Sydnor was masturbating to a picture that he had drawn, which resembled a young girl that he had known. Inmate Hays stated that seeing Inmate Sydnor masturbating to the picture made him mad and angry. He got down off his bunk, grabbed Inmate Sydnor around the neck with his hands,



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and began to strangle him. The two of them then went to the ground, where he (Hays) grabbed a piece of sheet, wrapped it around Inmate Sydnor’s neck, and continued to strangle him. He also placed toilet paper into the mouth of Inmate Sydnor. Inmate Hays said he continued to strangle him until Inmate Sydnor was dead.

After Inmate Sydnor was lifeless lying on the floor, Hays indicated he took a small six inch pen that had white paper surrounding it, from his (Hays) locker and wrote, “Baby Raper Die,” on the forehead of Inmate Sydnor. He said that he wrote “Baby Raper Die,” on Inmate Sydnor’s forehead because he felt that he was one. He said he thought that because of the stories that Inmate Sydnor had told him about his wife and daughters. Inmate Hays then put the pen back into his (Hays) locker.

He made Inmate Sydnor’s bed and then picked up Inmate Sydnor’s body and placed him onto the bed. He made the bed so that the officers would not come into the cell because of the bed being unmade. He placed Inmate Sydnor face down on the bottom bunk and placed a jacket over his (Sydnor) head and a blanket over his body. He then cleaned up the cell so as not to draw attention.

Inmate Hays then grabbed the piece of sheet used to strangle Inmate Sydnor and placed it into the laundry cart. He also took the picture that he had drawn and threw it into the garbage. After a few hours, Inmate Hays walked to the [REDACTED] where he encountered Officer Ringersen. He told Officer Ringersen that he had killed his roommate.

On December 18, 2013, in a second sworn digitally recorded interview, post Miranda, Inmate Troy Hays indicated the following:

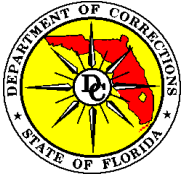
He was shown the ink pen that was recovered from his locker and asked if it was the same one used to write on Inmate Sydnor’s’ head, to which he replied, “Yes, it was the same pen.” He also indicated that he acted alone and had no outside help when he strangled his roommate, Inmate Sydnor.

According to the District 22 Medical Examiner Department Report M.E. #1864 13-A-123 dated December 20, 2013; Inmate Sydnor [REDACTED] He showed [REDACTED]

[REDACTED] The manner of death is classified as a homicide.

On December 18, 2013, Senior Inspector Reuter conducted interviews of the following inmates. The listed inmates all stated they did not witness the incident.

Name	DC#	Assigned Cell
• Graham, Antwon	B11039	A4-101U



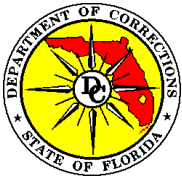
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• Baptiste, Tardieu	B11082	A4-104L
• Still, Corey	M03747	A4-104U
• Bentley, Sheddrick	J07599	A4-106U
• Steiner, Edward	772234	A4-107U
• Gomez, Raul	581635	A4-108L
• Johnson, Reginald	280395	A4-109L
• Martinez, Jose	405834	A4-110L
• Traiylor, Terry	077390	A4-111U
• Gonzalez, Deymus	M15354	A4-114L
• Gilliam, Naquan	X53679	A4-202L
• Davis, Lavonte	W43411	A4-205L
• Hall, Ivan	194346	A4-208L
• Nixon, Jermaine	W40464	A4-209U
• Halsey, Ralph	026434	A4-210L
• White, Brandon	X55206	A4-213L
• Jones, Adolph	R52434	A4-214L

On December 18, 2013, Inspector Anderson interviewed the following inmates housed in A-Dormitory, quad 4, the listed inmates all stated they did not witness the incident and had no knowledge of the incident.

Name	DC#	Assigned Cell
• Rease, Michael	079086	A4207U
• Simmons, Michael	Y38386	A4214U
• Jefferson, Cedric	550798	A4213U
• Klemenc, Kryzstof	K6899 5	A4212L
• Smith, Demarcus	K80625	A4212U
• Pagan, William	473538	A4210U
• Flounory, Terrod	M01805	A4209L
• Culpepper, Dominic	S11166	A4206U
• Cooper, Anthony	065615	A4207L
• Dottin Allington	T33938	A4204U
• Kasper, Edward	678061	A4204L
• Black, Deandre	W32304	A4205U
• Pickens, Tyrone	L39815	A4211U
• Chison, Isah	R73351	A4202U
• Gomez, Jose	124401	A4201U
• Torres, Urbano	091554	A4201L
• Robinson, Antoine	554094	A4101L
• Mond, James	501877	A4102U
• Mancini, Wayne	088361	A4103L
• Hopps, Toni	480313	A4103U
• Jackson, Michael	B08143	A4105U
• Greene, Rodney	399242	A4109U



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• Diggs, Morris	841748	A4107L
• Sutton, James	072489	A4108U
• Gordon, Maurice	M52428	A4110U
• Humbert, Gene	405816	A4111L
• Gilyard Rodney	665809	A4112L
• Guerrero, Fabio	B08706	A4113L
• Jenkins, Myron Jr.	Y43052	A4113U
• Diaz, Leonardo	M31731	A4114U

On August 22, 2014, photographs taken of the crime scene on December 18, 2013, and photographs that were taken on December 20, 2013, at the Medical Examiner’s Office were uploaded into the case report.

Based on the above information, it is determined that Inmate Troy Hays did perpetrate the crime of Murder as described as the unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

VII. CHARGES

1. Violation of § 782.04(2) Florida Statutes, Murder-

§ 782.04(2) The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

VIII. CONCLUSION

Based on the information gathered during this investigation, it is the recommendation of Inspector Wayne Elrod the allegation against Inmate Troy Hays for **Murder, in violation of §782.04(2)**, be termed as follows:

Upon approval, a copy of this report will be submitted to the State Attorney’s Office for the 20th Judicial Circuit for their consideration for criminal prosecution.

Once a decision has been reached, a supplemental report will be submitted with the appropriate disposition.