



Florida Department of Corrections
 Office of the Inspector General
 Report of Investigation
 Jeffery T. Beasley, Inspector General



ORIGINAL

Inspector General Case #: 11-1-4039

Facility: Gulf C. I. Annex

Classification of Incident: [REDACTED]

Field Office/Region: Tallahassee / 1 East

Incident Date: 05/31/11

Time: 7:15 AM

Inspector: Edward C. White

Date of Report: 10/12/11

Case Type: A

- Case of Special Interest
- Confidential [REDACTED]
- Prison Rape Elimination Act (PREA) Number (if applicable)
- Department of Corrections presented to State Attorney Declined Accepted
- Use of Force (UOF) Number (if applicable)
- Equal Employment Opportunity Commission (EEOC)
- Addendum
- Wing Video Camera(s) Present in the Area of Incident

SUMMARY OF ALLEGATIONS:

On May 31, 2011, information was received by the Inspector General's Tallahassee Field Office indicating that an aggravated battery (*inmate on inmate*) had occurred at Gulf Correctional Institution Annex on May 29, 2011, and the victim inmate (*James Morrow*) was [REDACTED] after being attacked by his cellmate (*Charles Hooper*). This information further indicated that Inmate Morrow [REDACTED] [REDACTED]. An investigation began immediately and was officially assigned for investigation on June 1, 2011.

SUMMARY OF DISPOSITION/JUSTIFICATION FOR DOWNGRADE/EXONERATION:

This case alleging the commission of a criminal violation of law is **CLOSED BY ARREST**. The subject was arrested pursuant a Warrant for a violation of §782.04 (*Murder*) Florida Statutes, by Gulf County Sheriff's Office on or about August 31, 2011.

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 STATE INVESTIGATION

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	Name	Title / DC #	D.O.B.	Employee ID # or Non-Employee Contact Information
Complainant:	Johnson, Angie D.	Captain	[REDACTED]	10863
Victim:	Morrow, James N.	765124	01/12/63	
Witness(es):	Mayo, Eric T.	Correctional Officer	[REDACTED]	60071
	Register, Eric D.	Sergeant	[REDACTED]	71616
	Weeks, Philip A.	Captain	[REDACTED]	22616
	Lewis, Anthony	S25402	09/03/88	
	Jones, Edward	031373	12/06/49	
	Pearley, Kithrick	X04366	12/16/80	
	Hogg, Leroy	858790	05/18/50	
	Cook, Phillip	728893	04/07/54	
	Lightner, Jerry	184799	11/29/70	
	Hurley, Michael	487811	07/22/53	
	Murph, Earnest	013709	01/21/49	
	Barker, John	Y04769	10/10/80	
	[REDACTED]	[REDACTED]	[REDACTED]	59866
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]	Same Above
	McMurray, Christopher	Correctional Officer	[REDACTED]	64917
	Lovette, David C.	Correctional Officer	[REDACTED]	59687
	Hall, Jarryd C.	Correctional Officer	[REDACTED]	64228
	Peterson, Stacy C.	Correctional Officer	[REDACTED]	51748
	Schwarz, William J.	Sergeant	[REDACTED]	19036
	McComas, Jason D.	Lieutenant	[REDACTED]	13693
	Totten, Shawn P.	Correctional Officer	[REDACTED]	26715
	Holcomb, Susan M.	Correctional Officer	[REDACTED]	59683
	Baker, James D.	Correctional Officer	[REDACTED]	28316
	Gibbons, Reginald C.	Correctional Officer	[REDACTED]	41441
	Mathes, George D.	Sergeant	[REDACTED]	13419
	Paul, Lori J.	Sergeant	[REDACTED]	16301
	Lafond, Alis L.	Classification Officer	[REDACTED]	27348
Subject(s):	Hooper, Charles J.	R42763	02/04/88	



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Arrest: Employee Inmate Other Addendum Pending

Charges: F.S. 782.04 (Murder)

Felony Misdemeanor Date of Arrest: 08/31/11 Date Reported:

Final Court Action(s):

Other Agency Case Number: 232011 CF

FINDINGS:

On May 31, 2011, information was received by the Inspector General's Tallahassee Field Office indicating that an aggravated battery (inmate on inmate) had occurred at Gulf Correctional Institution Annex on May 29, 2011, and the victim inmate (James Morrow) was at [REDACTED]. This information further indicated that Inmate Morrow was [REDACTED].

An investigation began with all inmates in Inmate Morrow's section of Q-dormitory (Wing 1) being interviewed.

Inmate Morrow's cell (Q1-110) and his friend's cell (Q1-115) were closed and sealed. FDLE's Crime Scene Unit was contacted and advised of the situation. Two crime scene analysts were scheduled to be at Gulf Annex on June 1, 2011, to examine the two cells.

In an incident report of May 29, 2011, and an affidavit of August 15, 2011, Officer Eric Mayo indicated the following:

On May 29, 2011, at approximately 9:45 PM, he responded to [REDACTED] in Q1-110. Inmate James Morrow was [REDACTED]. Sergeant Eric Register asked Inmate Morrow if he had gotten into a fight. This was due to the [REDACTED]. Inmate Morrow stated to Sergeant Register, "Sarge, I didn't get in a fight, I was elbowed in the face on the basketball court, and I [REDACTED]."
 (Exhibits A1 & A2)

In an affidavit of August 15, 2011, Sergeant Eric Register indicated that the information contained in Officer Mayo's incident report was true and accurate as written.
 (Exhibit A3)



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In an incident report of May 30, 2011, and an affidavit of August 12, 2011, Captain Philip Weeks indicated the following:

On May 30, 2011, he was the Shift Supervisor. At approximately 4:55 AM, [REDACTED]

[REDACTED]

(Exhibits A4 & A5)

According to departmental records, Inmate James Morrow was housed in Cell #Q1-110 with Inmate Charles Hooper on May 29, 2011, until he went to [REDACTED] (Cell #R2-113) at 10:12 PM. (Exhibit A6)

The Control Room Log for May 29, 2011, reflected that Officer Mayo escorted Inmate Morrow from Q-dormitory to [REDACTED] at 9:43 PM. The Control Room Log for May 30, 2011, reflected that [REDACTED] arrived at Gulf Annex at 5:00 AM and departed at 5:16 AM with Inmate Morrow. (Exhibit A7)

[REDACTED]

(Exhibit A8)

[REDACTED]

(Exhibit A9)



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All inmates (79) housed in Wing 1 of Q-dormitory were interviewed. In affidavits and one sworn recorded statement, sixty-eight of those inmates indicated that they had no knowledge of what happened to Inmate Morrow. **(Exhibits A10 & B1)**

In an affidavit of May 31, 2011, Inmate Anthony Lewis indicated the following:

On the date of the incident, he observed Inmate Morrow standing in his doorway and [REDACTED]. He asked Inmate Morrow what had happened and Inmate Morrow stated that they had been playing as if they were on the football field. Inmate Morrow was referring to them playing rough on the basketball court. On Tuesday May 31, 2011, he heard that Inmate Morrow had been saying that the [REDACTED]. **(Exhibit A11)**

In an affidavit of May 31, 2011, Inmate Edward Jones indicated the following:

He had heard that Inmate Morrow had been injured on the basketball court. **(Exhibit A12)**

In an affidavit of May 31, 2011, Inmate Kithrick Pearley indicated the following:

He heard that Inmate Morrow got hurt on the yard. **(Exhibit A13)**

In an affidavit of May 31, 2011, Inmate Leroy Hogg indicated the following:

He heard that Inmate Morrow had gotten into an altercation with his cellmate, because he was using his cellmate's deodorant. Inmate Morrow had been [REDACTED] about a week earlier. **(Exhibit A14)**

In an affidavit of May 31, 2011, Inmate Phillip Cook indicated the following:

He saw Inmate Morrow headed to the dormitory door covering his eye. He heard that his cellmate had hit him, because he had used his cellmate's deodorant without asking. **(Exhibit A15)**

In an affidavit of May 31, 2011, Inmate Jerry Lightner indicated the following:

He heard that Inmate Morrow had been using his cellmate's deodorant without permission. **(Exhibit A16)**

In an affidavit of May 31, 2011, Inmate Michael Hurley indicated the following:

He heard that Inmate Morrow had gotten into an altercation with his cellmate. **(Exhibit A17)**



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In an affidavit of May 31, 2011, Inmate Ernest Murph indicated the following:

On May 29, 2011, he was in his cell when he heard someone yell that there was a fight on the first floor. He exited his cell and observed several inmates [REDACTED]

[REDACTED] Inmate Hooper was bragging about how he had beat Inmate Morrow's ass for using his deodorant and other items. (Exhibit A18)

In an affidavit of May 31, 2011, Inmate John Barker indicated the following:

On the evening of May 29, 2011, he observed Inmate Morrow walking past his (*Barker's*) cell right after recreation and before count. Inmate Morrow had toilet tissue stuck in his nose. Inmate Morrow looked fine and he did not see [REDACTED]. He did not know anything about what had happened.

(Exhibit A19)

In a sworn recorded statement of May 31, 2011, Inmate George Hammontree indicated the following:

He knew Inmate Morrow and heard that he had gotten into a fight with his cellmate, because Inmate Morrow had been telling on inmates in the dormitory that had been involved in extortion. He did not know Inmate Morrow's cellmate's name, but he was black. He saw Inmate Morrow's cellmate, Inmate Robert Keith and several others cleaning and bleaching Inmate Morrow's cell. Water was running from the cell. He observed Inmate Morrow exit his cell [REDACTED]

[REDACTED] to the best of his recall. He (*Hammontree*) was housed three cells down from Inmate Morrow and as he stood just outside his cell, he heard Inmate Morrow state that he [REDACTED]. Inmate Morrow's cellmate and several others were trying to [REDACTED]

(Exhibit B2)

In a sworn recorded statement of May 31, 2011, Inmate William Miller indicated the following:

Late that Sunday evening after recreation, he went down to Inmate Morrow's cell to see him. Inmate Morrow was [REDACTED]. He asked Inmate Morrow what had happened. Inmate Morrow told him that his cellmate had jumped on him, striking him with fists. He did not recall if Inmate Morrow stated that he was struck one or two times, but it would have had to have been twice, because the [REDACTED]

[REDACTED] He (*Miller*) asked why the incident happened. Inmate Morrow stated that his cellmate had given him permission to use his cosmetics and he (*Morrow*) kept using them. Inmate Morrow stated that he guessed it was just a misunderstanding. [REDACTED]

[REDACTED] Inmate Morrow had toilet tissue in his nose. Also, Inmate Morrow was [REDACTED]. Inmate Morrow's [REDACTED] and he stated that he was going to the officer's station and state that he had [REDACTED] on the recreation field playing basketball.

(Exhibit B3)



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In a sworn recorded statement of May 31, 2011, Inmate Frederick Harris indicated the following:

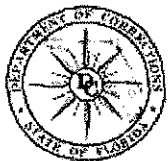
On May 29, 2011, he was in the dayroom playing checkers when other inmates were returning from recreation. His cellmate, Joseph Lott, entered the dormitory and went to their cell (Q1-115). A minute later, he observed Inmate Lott standing at their cell door and was calling to him. He got up and went to his cell. Inmate Morrow was in the cell standing over the toilet and was [REDACTED]. Inmate Morrow had tissue in one of his nostrils. He and Inmate Morrow were from the same area in Florida and they sometimes talked and smoked cigarettes together. He asked him (Morrow) what had happened. Inmate Morrow stated that he had been punched, but would not say by whom. Inmate Morrow then changed his story to getting hurt playing basketball. He (Harris) was not sure that Inmate Morrow had gone to recreation. He saw Inmate Morrow (Morrow's) [REDACTED]. He (Harris) told Morrow to go lie down on his bunk or go to the officer's station. Inmate Morrow was scared to go back to his cell. Inmate Morrow told him (Harris) that his (Morrow's) cellmate had jumped him. Inmate Morrow stated that when his cellmate returned from recreation, and as he (Morrow) was putting on his boots, he felt something or someone hit him. He (Morrow) jumped up, grabbed his cellmate and asked him why he had hit him. Inmate Morrow stated that his cellmate said it was because he (Morrow) had been stealing his deodorant. Inmate Morrow further stated that when his cellmate first became his cellmate, he told Inmate Morrow that he could use his deodorant, but his cellmate stated that he had said that he could only use his lotion. Inmate Morrow stated that he did not want to fight and let go of his cellmate and his cellmate started hitting him again. The last time he saw Inmate Morrow, he (Morrow) was headed toward the shower. [REDACTED]. This was around 5:00 PM. He did not give Inmate Morrow [REDACTED]. Inmate Morrow might have gone into his (Harris') locker and got [REDACTED]. His (Harris') cellmate witnessed his conversation with Inmate Morrow. (Exhibit B4)

In a sworn recorded statement of May 31, 2011, Inmate Joseph Lott indicated the following:

On May 29, 2011, Inmate Morrow went to his (Lott's) cell (Q1-115) and asked for some toilet tissue. This was sometime after the sun had gone down. Inmate Morrow and his (Lott's) cellmate were friends. Inmate Morrow [REDACTED]. He (Lott) called his cellmate (Frederick Harris) to the cell. The two started talking. He (Lott) departed and got some hot water and [REDACTED]. Inmate Morrow stated that he had gotten elbowed or had fallen on the basketball court, he (Lott) could not exactly recall. Evening count started and Inmate Morrow went back to his cell. He never heard Inmate Morrow state that he had been attacked by anyone. After count [REDACTED]. (Exhibit B5)

In a sworn recorded statement of May 31, 2011, Inmate Bryndyn Neel indicated the following:

On the evening of May 29, 2011, between 3:00 PM and 5:30 PM, and before the recreation yard opened, he was walking down the stairs in the dormitory. He was approximately six feet from Inmate Morrow's cell with a clear view. He observed Inmate Morrow's cellmate, whom he did not know by name,



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enter their cell and caught Inmate Morrow trying to steal stuff from his locker. It had been rumored for two weeks that Inmate Morrow was stealing from his cellmate. Inmate Morrow's cellmate slammed him against the wall, cursed him and punched him with his fist really hard once on the jaw and then on his upper face near his eye. Inmate Morrow's cellmate then threw him to the floor and his head struck the concrete floor. Inmate Morrow's cellmate then struck him a couple more times and departed. As he was leaving Inmate Morrow's cellmate stated, "Its best you get out of my cell and find another place to live, because I ain't having no thief in my cell!" Later that night, [REDACTED]

(Exhibit B6)

In a sworn recorded statement of May 31, 2011, Inmate Lerouis Thal indicated the following:

He observed Inmate Morrow's cellmate strike him five to ten times with fists. Inmate Morrow's cellmate threw him to the floor and struck him a couple more times. Later, he saw Inmate Morrow's cellmate trying to clean Inmate Morrow's face with water.

(Exhibit B7)

On May 31, 2011, Inmate Charles Hooper was read his constitutional rights and he waived them. In a sworn recorded statement of May 31, 2011, Inmate Hooper indicated the following:

He had been Inmate Morrow's cellmate for about a week. There had been no problems between them. On May 29, 2011, Inmate Morrow returned to the dormitory at approximately 6:50 PM to 7:00 PM from recreation. Inmate Morrow's [REDACTED] Inmate Morrow told him that he had been elbowed while playing basketball; and that there had been a lot of roughhousing. Inmate Morrow's injuries were suspicious to him and he did not feel that it had happened as Inmate Morrow had said. It appeared to him that Inmate Morrow had gotten his tail whipped and he was going to just wear it. Inmate Morrow took a shower and lay on his bunk with cold wash cloths on his eye. He saw Inmate Morrow [REDACTED] Inmate Morrow stated that he had gotten them from a homeboy/friend. Later that night after master count, [REDACTED]

[REDACTED] He did not know who Inmate Morrow had been playing basketball with. Inmate Morrow was older than him and they never really talked. Inmate Morrow did not really talk with anyone in the dormitory. He and Inmate Morrow had not been involved in any type of altercation.

(Exhibit B8)

Upon completion of the interview with Inmate Hooper, this Inspector [REDACTED]

Inmate Hooper was placed into Administrative Confinement pending investigation. [REDACTED]

(Exhibit A20)

Search logs that had been completed by security staff at the Recreation Field Gate on May 29, 2011, reflected that Inmate Morrow did not go to the recreation field. The staff members listed as conducting the inmate searches at the recreation field gate that date are as follows: Officer Susan Holcomb, Officer Christopher



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McMurray, Officer David Lovette, Officer Jarryd Hall, Officer Shawn Totten, Officer Reginald Gibbons, Sergeant William Schwarz, Sergeant George Mathes, Sergeant Lori Paul. Also, I identified Officers James Baker and Stacy Peterson as being the Recreation Tower Officers on May 29, 2011. **(Exhibit A21)**

On June 1, 2011, the Florida Department of Law Enforcement (FDLE) Crime Scene Analysts Amy George and Carmin Archer sketched, photographed and examined Inmate Morrow's cell (Q1-110) and his friend's cell (Q1-115) [REDACTED]. Also, Special Agent Renee Hatton was contacted in FDLE's Panama City Office and requested that she obtain clothing worn by Inmate Morrow at Bay Medical Center and submit it to the Crime Laboratory. In addition, Buccal swab evidence was obtained from Inmate Charles Hooper by FDLE Analyst George, after Inmate Hooper voluntarily submitted to the procedure and signed consent to search. Inmate Hooper's person was also photographed. No suspected blood was found in Cell Q1-115 and nothing was submitted to the Crime Laboratory relating to the cell. *(Note: Relating photographs of the two cells and Inmate Hooper's person were placed on a CD by FDLE Analysts and maintained as evidence.)*

(Exhibits A22~24 & B9)

In an affidavit of June 2, 2011, [REDACTED] indicated the following:

[REDACTED]

(Exhibit A25)

In an affidavit of June 2, 2011, [REDACTED] indicated the following:

On May 30, 2011, he responded to Gulf Annex and [REDACTED]



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[REDACTED] (Exhibit A26)

In an affidavit of June 2, 2011, [REDACTED] indicated the following:

On May 30, 2011, he responded to Gulf Annex at approximately 5:00 AM. [REDACTED]

[REDACTED] emergency room
(Exhibit A27)

In an affidavit of June 2, 2011, Officer Christopher McMurray indicated the following:

On Sunday May 29, 2011, he was on duty at Gulf Annex and was assigned to assist with the supervision of inmates on the recreation yard from approximately 6:00 PM to 7:00 PM. He observed the basketball courts and there were no physical altercations. No one approached him to report an injury. When the recreation yard closed, he assisted with pat searches of inmates as they exited the recreation yard through the gate. No inmate had any injuries at the completion of the pat searches. (Exhibit A28)

In an affidavit of June 2, 2011, Officer David Lovette indicated the following:

On May 29, 2011, he was assigned a security officer on the recreation yard from 6:00 PM to 7:00 PM. During that time, he was stationed at various locations on the recreation yard. He monitored basketball games and nothing out of the ordinary was noticed. He observed no physical altercation and there were no complaints of injury. Upon completion of recreation, each inmate passed through the gate and was pat searched by him and several other officers. No inmate injuries were observed.

(Exhibit A29)

In an affidavit of June 6, 2011, Officer Jarryd Hall indicated the following:

On May 29, 2011, he was assigned as a Recreation Gate Officer from 5:57 PM to 7:01 PM. He observed inmates enter the recreation yard in good health and with no injuries. Upon closing of the recreation yard, he assisted with inmate searches as they departed. He did not observe any inmate with an injury. (Exhibit A30)



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In an affidavit of June 6, 2011, Officer Stacy Peterson indicated the following:

On May 29, 2011, she was assigned as the Recreation Tower Officer from 5:46 PM to 7:08 PM. During that time there were two basketball games taking place on both courts. She remembered Inmate Morrow from working in Food Service and due to her assisting with evening meals. She did not recall seeing Inmate Morrow on the recreation yard. She did not observe any inmates involved in an altercation, nor any that appeared to be injured. **(Exhibit A31)**

In an affidavit of June 6, 2011, Sergeant William Schwarz indicated the following:

On May 29, 2011, he closed the recreation yard at approximately 7:01 PM. He did not observe any inmate with injuries or involved in a physical altercation. He did not observe anything out of the ordinary. **(Exhibit A32)**

In an incident report of June 7, 2011, Lieutenant Jason McComas indicated the following:

On Tuesday June 7, 2011, he was assigned as the Administrative Lieutenant at Gulf Annex. At approximately 12:42 PM, he was notified by Sergeant Betty Harrison, [REDACTED] that Inmate Morrow was deceased. [REDACTED] pronounced the death. At approximately 3:03 PM, Sergeant Marlon Gambone notified Gulf Annex that Mr. Paul Digsby from the Medical Examiner's Office had taken responsibility for Inmate Morrow's remains. **(Exhibit A33)**

In an affidavit of June 8, 2011, Officer Shawn Totten indicated the following:

On May 29, 2011, he was assigned as a Recreation Security Officer during first and second recreation periods. He monitored inmate activities, especially at the basketball courts. To the best of his knowledge, no inmate was injured or involved in a physical altercation. He assisted with the pat searches of inmates as they entered and exited during both recreation periods. No inmate had a visible injury. Each departing inmate was logged on the search log. **(Exhibit A34)**

In an affidavit of June 8, 2011, Officer Susan Holcomb indicated the following:

On May 29, 2011, she was assigned as a Recreation Security Officer during first and second recreation periods. She did not observe any inmate entering or exiting the recreation yard with an injury. All of the inmates were logged when on the recreation field and pat searched upon entry and departure. Inmate Morrow was not on any of the recreation search logs for that date. **(Exhibit A35)**



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In an affidavit of June 8, 2011, Officer James Baker indicated the following:

On May 29, 2011, he was assigned as a Recreation Tower Officer during first and second recreation periods. His post was located approximately thirty-five feet from the basketball courts. He did not observe any inmate getting injured or involved in a physical altercation. **(Exhibit A36)**

In an affidavit of June 9, 2011, Officer Reginald Gibbons indicated the following:

On or about May 29, 2011, he relieved Officer Holcomb at the Recreation Gate from 12:45 PM to 2:00 PM. During that time, he did not observe anyone being injured or having signs of an injury. He knew Inmate Morrow from supervising him on several occasions over the past several years. Inmate Morrow did not enter the recreation field while he was at the Recreation Gate. **(Exhibit A37)**

In an affidavit of June 9, 2011, Sergeant George Mathes indicated the following:

On May 29, 2011, he assisted with pat searching inmates entering and exiting through the Recreation Gate. At approximately 8:15 AM, the first recreation period began. He did not see Inmate Morrow enter or exit the Recreation Gate from that time to when the recreation field closed at 10:00 AM. He also assisted with pat searching inmates entering and exiting the recreation yard for the second recreation period. The second recreation period started at approximately 12:45 PM and closed at approximately 2:00 PM. Again he did not see Inmate Morrow enter or exit the Recreation Gate. **(Exhibit A38)**

In an affidavit of June 9, 2011, Sergeant Lori Paul indicated the following:

On May 29, 2011, she was assigned to the Recreation Yard. The first recreation period began at 8:15 AM and ended at 10:00 AM. The second recreation period began at 12:45 PM and ended at 2:00 PM. At no time, did she see Inmate Morrow come to the recreation yard while she was there. A pat search was done on each inmate entering and their names were written on a search log. There were two basketball games and a volleyball game being played and inmates were walking the track. She did not witness any accidents or altercations. **(Exhibit A39)**

FDLE Crime Laboratory analysis results reflected that there [REDACTED] Morrow's cell (Q1-110) and [REDACTED] that of Inmate Morrow. There [REDACTED] believed to belong to Inmate Hooper that [REDACTED] of Inmate Morrow and Inmate Hooper. (Note: Inmate Morrow was wearing his shoes when he went to the [REDACTED] on the night of May 29, 2011.) **(Exhibit A40)**

On July 27, 2011, an inmate request was received from Inmate [REDACTED]. Inmate [REDACTED] indicated that he had in depth details of what happened to Inmate Morrow, why Inmate Hooper did what he did and who [REDACTED] (Note: Inmate [REDACTED] was one of the sixty-eight inmates who had indicated having no knowledge of what had happened to Inmate Morrow.) **(Exhibit A41)**



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In a sworn recorded statement Inmate [REDACTED] indicated the following:

He had previously completed an affidavit stating that he had no knowledge of what had happened to Inmate Morrow. That was not correct. He stated such, because he had been assaulted and was afraid of the Bloods gang members in the dormitory. He was afraid that he would be jumped if he said anything. Inmate Hooper was a Blood gang member. A day or two prior to the incident, Inmate Hooper went to his ([REDACTED]) cell and told him that he (*Hooper*) thought that his cellmate (*Morrow*) was using his fresh scent deodorant. Inmate Hooper told him ([REDACTED]) that he (*Hooper*) was going find out by setting-up Inmate Morrow by tying a string to the deodorant or something. On the date of the incident, Inmate Hooper came to his ([REDACTED]) cell and stated that he had caught Inmate Morrow using his deodorant. Inmate Hooper stated that when he (*Hooper*) entered his cell he smelled the scent of his deodorant in the air, called Inmate Morrow inside the cell and struck him three times in the head. He ([REDACTED]) had observed the attack. Inmate Morrow went to his ([REDACTED]) cell and stated that Inmate Hooper had told him (*Morrow*) that he could use the deodorant, because he (*Morrow*) had given Inmate Hooper a t-shirt when he first became his cellmate. He ([REDACTED]) then asked Inmate Hooper why he had jumped on Inmate Morrow, after telling him that he could use anything in his (*Hooper's*) locker? Inmate Hooper stated that he had not told Inmate Morrow such and that he had told Inmate Morrow that he could only use his (*Hooper's*) shampoo. A Spanish inmate (*name unknown*) cleaned [REDACTED]. He ([REDACTED]) recalled that Inmate Morrow's name had been mentioned in the dormitory as being a snitch and had supposedly snitched on one of Inmate Hooper's brothers (*fellow Blood*). (Exhibit B10)

On August 30, 2011, an affidavit complaint was filed on Inmate Hooper. A warrant was also obtained for his arrest on the charge of Murder. The warrant was turned over the Gulf County Sheriff's Department.

(Exhibit A42)

On September 15, 2011, it was discovered that Classification Officer Alix Lafond at Everglades Correctional Institution spoke fluent Creole and it was requested that he translate during a second interview with Inmate Lerouis Thal. Inspector Philip Cataldi at Everglades Correctional Institution conducted a second interview with Inmate Thal. This was done due to Inmate Thal speaking and understanding very little English, and this Inspector's lack of understanding Haitian Creole.

In a sworn recorded and translated statement of September 15, 2011, Inmate Leroius Thal indicated the following:

A young short black guy (*Inmate Morrow's cellmate*) struck Inmate Morrow in the head many times in their assigned cell (*Q1-109 or Q1-110*). Inmate Morrow returned to his cell from the shower. His cellmate came down from the second tier, smelled his deodorant on Inmate Morrow and told Inmate Morrow that he was using his (*cellmate's*) deodorant. Inmate Morrow's cellmate started hitting him in the head with bare fists many times. Inmate Morrow tried to defend himself; however he could not do anything and was beat down to the floor. Inmate Morrow's cellmate continued to strike him in the head while he was on the floor. The incident was totally one-sided. Inmate Morrow's cellmate exited the cell and Inmate Morrow grabbed a wet towel and tried to [REDACTED]. He (*Thal*) was



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located at Cell #Q1-115 when he observed the incident. A white inmate (*name unknown*) also witnessed the incident. He believed that inmate slept in Cell #Q1-106. **(Exhibit B11)**

In an affidavit of September 15, 2011, Classification Officer Alix LaFond indicated the following:

On September 15, 2011, he conducted a translation for Inspector General Case #11-1-4039 involving Inmate Lerouis Thal. The translation is true and accurate. **(Exhibit A43)**

Photographs were taken of Inmate James Morrow [REDACTED] prior to his death. **(Exhibit A44)**

The autopsy report from Medical Examiner Michael Hunter listed the cause of Inmate Morrow's death as [REDACTED] A [REDACTED] and the death was ruled as a homicide. Also, photographs of the autopsy were taken by Doctor Hunter. **(Exhibit A45)**

Upon approval of this report of investigation by the Office of the Inspector General, a copy will be submitted to Timothy Register, Assistant State Attorney in the Fourteenth Judicial Circuit, for review and prosecution.

This case is closed by arrest.



Florida Department of Corrections
Office of the Inspector General
Report of Investigation
Jeffery T. Beasley, Inspector General



Case Number: 11-1-4039

EXHIBIT/ATTACHMENTS SECTION

A. EXHIBIT(s) - attached:

1. Incident report completed by Officer Eric Mayo
2. Affidavit of Officer Eric Mayo
3. Affidavit of Sergeant Eric Register
4. Incident report completed by Captain Phillip Weeks
5. Affidavit of Captain Phillip Weeks
6. [REDACTED]
7. Control room log for May 29 & 30, 2011
8. [REDACTED]
9. [REDACTED]
10. Affidavits of sixty-seven inmates with no knowledge of any altercation involving Inmate James Morrow
11. Affidavit of Inmate Anthony Lewis
12. Affidavit of Inmate Edward Jones
13. Affidavit of Inmate Kithrick Pearsley
14. Affidavit of Inmate Leroy Hogg
15. Affidavit of Inmate Phillip Cook
16. Affidavit of Inmate Jerry Lightner
17. Affidavit of Inmate Michael Hurley
18. Affidavit of Inmate Earnest Murph
19. Affidavit of Inmate John Barker
20. [REDACTED]
21. Recreation Field Gate Search Log
22. Sketches of Cells Q1-110 and Q1-115
23. Consent to search signed by Inmate Charles Hooper
24. FDLE Crime Laboratory submittal completed by Special Agent Renee Hatton
25. [REDACTED]
26. [REDACTED]
27. [REDACTED]
28. Affidavit of Officer Christopher McMurray
29. Affidavit of Officer David Lovette
30. Affidavit of Officer Jarryd Hall
31. Affidavit of Stacy Peterson
32. Affidavit of Sergeant William Schwarz
33. Incident report completed by Lieutenant Jason McComas



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34. Affidavit of Officer Shawn Totten
35. Affidavit of Officer Susan Holcomb
36. Affidavit of Officer James Baker
37. Affidavit of Officer Reginald Gibbons
38. Affidavit of Sergeant George Mathes
39. Affidavit of Sergeant Lori Paul
40. FDLE Crime Laboratory analysis results
41. Inmate request completed by Inmate [REDACTED]
42. Affidavit/Complaint and Warrant issued on Inmate Charles Hooper
43. Affidavit of Classification Officer Alix Lafond
44. Photographs of Inmate James Morrow at bay Medical Center
45. Medical Examiner's Autopsy Report

B. EXHIBIT(s) - not attached:

1. Sworn recorded statement of Inmate Filaberto Chaidez-Herrera
2. Sworn recorded statement of Inmate George Hammontree
3. Sworn recorded statement of Inmate William Miller
4. Sworn recorded statement of Inmate Frederick Harris
5. Sworn recorded statement of Inmate Joseph Lott
6. Sworn recorded statement of Inmate Bryndyn Neel
7. Sworn recorded statement of Inmate Lerouis Thal
8. Recording of Inmate Charles Hooper being read his constitutional rights, his waiver of those rights and his sworn statement
9. CD containing photographs of Cell #Q1-110, Cell #Q1-115 and person of Inmate Charles Hooper
10. Sworn recorded statement of Inmate [REDACTED]
11. Sworn recorded and translated statement of Inmate Lerouis Thal