

Adult Def     PC Arrest  
 Juvenile Def     Application for

# AFFIDAVIT – COMPLAINT

Clerk's Case No. \_\_\_\_\_  
 SA Case No. (s) \_\_\_\_\_

Warrant/Capias  
 PAGE 01 of 2

Agency ORI # **FL047025C**

1. Agency Name: <b>Florida Department of Corrections</b>		2. Agency Report Number: <b>20-01891</b>		3. Charge Type: <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Misdemeanor w/associated felony		3a. Ordinance Type: (if applicable) <input type="checkbox"/> Municipal <input type="checkbox"/> County	
4. Date/Time of Offense: <b>01/23/2020 @ 1530 hours</b>		5. Date/Time of Arrest: <b>Warrant Request</b>		6. Arresting Officer: <b>Warrant Request</b>		7. Investigating Officer: <b>Inspector Greg Fulcher</b>	

8. Defendant's Name: (Last) <b>Howton-Mclaughlin (Howton)</b>		(First) <b>Timothy</b>		(Middle) <b>L</b>		ALIAS <b>N/A</b>		9. OBTS:	
10. Race/Sex: <b>W/M</b>		11. Date of Birth: <b>06/02/1991</b>		12. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input checked="" type="checkbox"/> Florida <input type="checkbox"/> Out of State		13. Weapon Seized: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14. Controlled Substance Seized: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No TYPE & QUANTITY:	
15. Height: <b>5'09"</b>		16. Weight: <b>150 +/-</b>		17. Eye Color: <b>Green</b>		18. Hair Color: <b>Brown</b>		19. Scars, marks, tattoos, unique physical features: (Location, type & description) <b>Stomach: Clock with wings and gears</b>	
20. Driver's License Number/State: <b>H352812912020</b>			21. Social Security Number: [REDACTED]			22. Residential Telephone: <b>Unknown</b>		23. Business Telephone: <b>N/A</b>	
24. Address: (Street, Apartment Number) <b>3420 NE 188<sup>th</sup> St</b>			(City) <b>Okeechobee</b>			(State) <b>FL</b>		(Zip) <b>34972</b>	

25. Defendant's Name: (Last) <b>N/A</b>		(First)		(Middle)		ALIAS		26. OBTS:	
27. Race/Sex:		28. Date of Birth:		28. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State		30. Weapon Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No		31. Controlled Substance Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No TYPE & QUANTITY:	
32. Height:		33. Weight:		34. Eye Color:		35. Hair Color:		36. Scars, marks, tattoos, unique physical features: (Location, type & description)	
37. Driver's License Number/State:			38. Social Security Number:			39. Residential Telephone:		40. Business Telephone:	
41. Address: (Street, Apartment Number)			(City)			(State)		(Zip)	

42. Defendant's Name: (Last)		(First)		(Middle)		ALIAS		43. OBTS:	
44. Race/Sex:		45. Date of Birth:		46. Residence Type: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Florida <input type="checkbox"/> Out of State		47. Weapon Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No		48. Controlled Substance Seized: <input type="checkbox"/> Yes <input type="checkbox"/> No TYPE & QUANTITY:	
49. Height:		50. Weight:		51. Eye Color:		52. Hair Color:		53. Scars, marks, tattoos, unique physical features: (Location, type & description)	
54. Driver's License Number/State:			55. Social Security Number:			56. Residential Telephone:		57. Business Telephone:	
58. Address: (Street, Apartment Number)			(City)			(State)		(Zip)	

59. Charge Description: (# 1) <b>Escape(s)</b>		60. Statute or Ordinance Number: <b>F.S.S. 844.40</b>		<input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord.	
61. Charge Description: (# 1)		62. Statute or Ordinance Number:		<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.	
63. Charge Description: (# 1)		64. Statute or Ordinance Number:		<input type="checkbox"/> F.S. <input type="checkbox"/> Ord.	

65. Victim's Name: (if business, list legal business name) (Last) <b>State of Florida</b>		(First)		(Middle)		66. Race/Sex		67. Date of Birth:		68. Telephone Number:	
69. Contact Person if victim is deceased, a minor child, or business: (Last)		(First)		(Middle)		70. Race/Sex		71. Date of Birth:		72. Telephone Number:	
73. Address: (Street, Apartment Number)			(City)			(State)			(Zip)		
74. Secondary Phone Number:											
75. Victim Notification of Arrest: NOTIFIED BY: _____ DATE: _____ TIME: _____						76. Information Given: <input type="checkbox"/> Arrest Info <input type="checkbox"/> Domestic <input type="checkbox"/> Viol. Info <input type="checkbox"/> Rights Card <input type="checkbox"/> App. Info					

77. Physical Evidence collected in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		78. Witness Statements taken in this case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		79. I certify that all of the above information is true and correct to the best of my knowledge and is page 01 of a 2 page affidavit/complaint.					
Evidence Custodian's Name: <b>Indian River County SO</b>		Person responsible for statements: <b>Inspector Greg Fulcher</b>						<b>Greg Fulcher</b> Type or print Complainant name	

Adult Def       PC Arrest  
 Juvenile Def     Application for

Clerk's Case No.

# AFFIDAVIT – COMPLAINT (PROBABLE CAUSE NARRATIVE)

SA Case No. (a)

Warrant/Capias

Agency ORI # **FL047025C**

80. Agency Name: <b>Florida Department of Corrections</b>	81. Agency Report Number: <b>20-01891</b>	82. Date/Time of Arrest: <b>Warrant Request</b>	83. Investigating Officer: <b>Inspector Greg Fulcher</b>
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84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the heretofore named defendant did commit the violations of law as stated above and the factual basis for this belief is as follows:



**Your Affiant, Inspector Greg Fulcher, is a sworn law enforcement officer of the Office of the Inspector General, Florida Department of Corrections.**

On January 23, 2020, at Okeechobee Correctional Institution, Okeechobee, Florida, Okeechobee County, the above-named defendant, Inmate Timothy Howton-McLaughlin (Howton) born 06-02-1991, did violate Florida State Statute, committing the criminal offense of: Escape; by knowingly and intentionally leaving the grounds of the Institution (Okeechobee Correctional Institution) in a stolen department vehicle (DC7636 a White, Ford, F-150 Institution work truck). (The offense of motor vehicle theft is being investigated by the Okeechobee County Sheriff's Office). Howton was observed on surveillance video approximately 2 hours after being discovered missing from count at the institution. Howton was identified on video, in his inmate issued blue uniform in a community in Indian River County. Howton was not permitted or authorized to be in any other location other than within the Okeechobee Correctional Institution; violation of (1 Count) (F.S.S. 944.40).

Howton was housed as an active incarcerated inmate at Okeechobee CI, within the Florida Department of Corrections prior to his escape. Howton was received by the Florida Department of Corrections on April 25, 2018. Howton has a current release date of September 9, 2021. Howton was serving the sentence for burglary and trafficking in stolen property.

**944.40 Escapes; penalty.**—Any prisoner confined in, or released on furlough from, any prison, jail, private correctional facility, road camp, or other penal institution, whether operated by the state, a county, or a municipality, or operated under a contract with the state, a county, or a municipality, working upon the public roads, or being transported to or from a place of confinement who escapes or attempts to escape from such confinement commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The punishment of imprisonment imposed under this section shall run consecutive to any former sentence imposed upon any prisoner.

In summary, the defendant, Inmate Timothy Howton-McLaughlin (Howton), being actively incarcerated in prison (Okeechobee CI) did escape from the secure facility. Howton, who was, assigned to the grounds of Okeechobee CI to assist with maintenance, stole a Department of Corrections vehicle (DC7636) and drove to Indiana River County where the vehicle was discovered and Howton was captured on surveillance video walking through a neighborhood in his prison uniform on January 23, 2020, (blue pants, white T-shirt, and blue top (carried)), violating 1 count of Florida State Statute 944.40 Escape(s).

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of 2 pages is true and correct to the best of his/her knowledge.	Sworn to and subscribed before me this <u>27</u> day of <u>January</u> , 20 <u>20</u>  Signature of Person Administering Oath <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> Other Identification ID Type <u>7A</u> Seal <u>Sworn Law Enforcement Officer</u>
 Officer/Complainant's Name (Printed) <u>Greg Fulcher</u> ID Number <u>88624</u>	

87. Adult's Relation to Juvenile Defendant: <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other	88. Adult's Name: (Last)	(First)	(Middle)
89. Address: (Street, Apartment Number)      (City)      (State)      (Zip)	90. Residential Phone:	91. Business Phone	
92. Notified By: (Name)	93. Date/Time:	94. Notification Method: <input type="checkbox"/> Person <input type="checkbox"/> Telephone	
95. Law Enforcement Disposition of Juvenile Contact: (Check one and complete release date)	<input type="checkbox"/> Transferred to <input type="checkbox"/> Secure Detention	<input type="checkbox"/> Released to <input type="checkbox"/> HRS Intake Officer, not detained	<input type="checkbox"/> Processed within the agency and released <input type="checkbox"/> to other than HRS
Release Date: _____ Release Time: _____ Released to (Name): _____			