

Florida Department of Corrections



Office of the Inspector General

CRIMINAL INVESTIGATION

Case # 17-19605



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



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Case Number: 17-19605

Inspector: Senior Inspector Ilsa Hayes

Date Assigned or Initiated: 10/31/2017

Complaint Against: N/A

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

Complainant: (Deceased) Inmate Horace Freeman

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: 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. 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 a preponderance of the evidence exists to suggest the suspect's alleged behavior or action did not occur.

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 October 30, 2017, the Department of Corrections, Office of the Inspector General received notification Inmate Horace Freeman DC# 07909, had been pronounced deceased at Gulf Correctional Institution – Main Unit after [REDACTED] in A Dormitory. Florida Department of Law Enforcement (FDLE) notification was made and Senior Inspector Ilsa Hayes responded to Gulf Correctional Institution and provided investigative assistance to FDLE Agent Charles Dickson. Upon initial review of the information, the Office of the Inspector General assigned this incident to Senior Inspector Ilsa Hayes on October 31, 2017, for review.

VI. SUMMARY OF INVESTIGATIVE FINDINGS

Based on the exhibits, witnesses’ testimony, and the record as a whole, presented or available to the primary inspector, the following findings of facts were determined:

Senior Inspector Hayes was notified Inmate Freeman had been found [REDACTED] on his bunk.

FDLE was notified and Inspector Hayes facilitated the needs for FDLE Dickson by providing control room logs, fixed wing video, and housing unit logs. Inspector Hayes made arrangements for staff interviews of [REDACTED] and security staff.

[REDACTED] of Inmate Freeman were forwarded to District 14 Medical Examiner’s Office.

Inspector Hayes took photographs of Inmate Freeman. Inmate Freeman [REDACTED] consistent with any notion of foul play.

The investigative report from FDLE Investigator Dickson reflected the death of Inmate Freeman was listed [REDACTED]. The manner of death was listed as an accident.

During the investigation, [REDACTED] because of use of force or foul play were found. All the investigative actions taken and information gathered indicates that Inmate Freeman’s death [REDACTED]

Dr. Radtke concluded the following:

- Cause of death – [REDACTED]
- Manner of death – accident [REDACTED]

On August 10, 2018, Senior Inspector Hayes received the investigative reports (attached) from FDLE Agent Dickson, which contained the information pertaining to the death of Inmate Freeman. (PE-37-0098)

No violation of Florida Administrative Code or Florida Department of Corrections policy was determined during this investigation.



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VII. CHARGES

There were no charges. The Medical Examiner ruled Inmate Freeman's death was a result of an accident due to [REDACTED].

VIII. CONCLUSION

Based on the information gathered during FDLE Investigator Dickson's investigation, it is the recommendation of Inspector Hayes that the death of Inmate Freeman be termed as follows.

- **Exceptionally Cleared**