

# Florida Department of Corrections



## Office of the Inspector General

**CRIMINAL INVESTIGATION  
INVESTIGATIVE ASSIST  
CASE # 17-17394**



FLORIDA DEPARTMENT OF CORRECTIONS  
OFFICE OF THE INSPECTOR GENERAL  
**INVESTIGATIVE ASSIST SUMMARY REPORT**



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**Case Number:** 17-17394

**OIG Inspector:** Inspector Brain K. Stagner

**Outside Agency:** Florida Department of Law Enforcement

**Outside Agency Investigator:** Special Agent Charles Dickson

**Date Assigned or Initiated:** 09/26/2017

**Complaint Against:** Inmate Christopher Pate DC#R40189

**Location of Incident – Institution/Facility/Office:** Northwest Florida Reception Center

**Complainant:** Inmate Brain Otstot (deceased)

**Outside Agency Case #:** PE-37-0092

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

**PREA Number:** N/A

**Classification of Incident:** Homicide

**Confidential Medical Information Included:**  Yes  No

**Whistle-Blower 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 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.

**Investigative Assist Closed**

Refers to a disposition of an investigative assist, where the conduct being investigated by the outside agency did not concern allegations against a Department employee, contractor, inmate, offender, or other person either employed or under the supervision of the Department.



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**V. PREDICATE**

On September 26, 2017, the Department of Corrections, Office of the Inspector General received notification of a deceased inmate at NWFRC Annex. It was alleged Inmate Brian Otstot DC#H43768 was found [REDACTED] inside his cell (J1-202). Also housed inside the cell was Inmate Christopher Pate DC#R40189. Upon initial notification Inspector Brian K. Stagner responded to the institution to provide investigative assistance to the Florida Department of Law Enforcement on September 26, 2017.

**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:

According to FDLE Special Agent (SA) Charles Dickson, on September 26, 2017, The Florida Department of Corrections, Office of the Inspector General (OIG), requested that the Florida Department of Law Enforcement (FDLE) respond to the Northwest Florida Reception Center (NWFRC) Annex in Chipley, Florida in reference to the death of Inmate Brian Otstot DC# H43768. Specifically, Inmate Otstot was found deceased in his cell that was shared with another inmate. SA Dickson, SA Dyana Chase and FDOC Inspector Brian K. Stagner responded to the incident.

The preliminary investigation revealed that Inmate Otstot was housed in the confinement dorm (J dorm) with Inmate Christopher Pate DC#R40189. On September 26, 2017, correctional officers found Inmate Otstot deceased in his cell. Once Inmate Otstot was located, his cellmate, Inmate Pate, stated that he had killed him. Inmate Otstot's body [REDACTED] and there was a white t-shirt around Inmate Otstot's neck. [REDACTED] responded to the cell [REDACTED] and transported Inmate Otstot [REDACTED] where [REDACTED] Inmate Otstot was later pronounced deceased [REDACTED] Inmate Pate was placed in a separate cell during the investigation.

SA Dickson and Chase conducted sworn interviews [REDACTED] that responded [REDACTED] Inmate Otstot. Investigator Andrew Winkler of the Medical Examiner's Office of the Fourteenth District arrived and photographed the body. SA Dickson, SA Chase and Investigator Winkler went to the scene located in J dorm.

Photos and evidence was collected by Investigator Winkler while at the cell.

SA Dickson retrieved the clothes of Inmate Pate. Investigator Winkler took photos of the clothing and Inmate Pate. Investigator Winkler left NWFRC at approximately 2230 hours with Inmate Otstot's body transporting it to the Medical Examiner's Office.

SA Dickson collected fixed wing video, handheld video, and documentation regarding this incident for the case file.

Inmate Pate's clothes, buccal swabs, and the white shirt taken from the scene were taken as evidence.



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According to SA Chase, an autopsy was performed on Inmate Otstot by Dr. Jay Radtke and Assistant Kayla Mitchell. According to Dr. Radtke the cause of death [REDACTED]

On February 14, 2019, Inmate Christopher Pate signed a Plea Waiver and Consent affidavit, pleading no contest to the charge of Second Degree Murder. Inmate Pate's plea was accepted and he was sentenced to Life in prison.

**VII. CHARGES**

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

**VIII. CONCLUSION**

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Charles Dickson the allegation against Inmate Christopher Pate for **Second Degree Murder**, in violation of 782.04 (2) be termed as follows:

- **Closed by Arrest**

Inspector Stagner reviewed the investigation completed by FDLE, and administrative issues were not identified.