

Florida Department of Corrections



Office of the Inspector General

**CRIMINAL INVESTIGATION
INVESTIGATIVE ASSIST
CASE # 16-20363**



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



Table of Contents

I. AUTHORITY	4
II. METHODOLOGY.....	4
III. ANALYSIS.....	4
IV. DEFINITIONS	5
V. PREDICATE	6
VI. SUMMARY OF INVESTIGATIVE FINDINGS.....	6
VII. CHARGES.....	7
VIII. CONCLUSION.....	7



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Case Number: 16-20363

OIG Inspector: Inspector Roy Long

Outside Agency: Florida Department of Law Enforcement

Outside Agency Investigator: Special Agent Dale Crosby

Date Assigned or Initiated: 11/07/2016

Complaint Against: N/A

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

Complainant: N/A

Outside Agency Case #: OR- 37-0047

Use of Force Number: N/A

PREA Number: N/A

Classification of Incident: DEATH INVESTIGATION

Confidential Medical Information Included: Yes No

Whistle-Blower Investigation: Yes No

Chief Inspector General Case Number: N/A



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INVESTIGATIVE ASSIST SUMMARY REPORT



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.



FLORIDA DEPARTMENT OF CORRECTIONS
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INVESTIGATIVE ASSIST SUMMARY REPORT



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.



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



V. PREDICATE

On November 7, 2016, at approximately 8:00 AM, Lead Senior Inspector Zach Mulharan contacted this inspector and advised me of an inmate death at Lake Correctional Institution (LCI). I was then contacted by Supervisor Dennis McIntosh who advised that the Florida Department of Law Enforcement (FDLE) was contacted and would be responding to assume lead investigative responsibility of this investigation. FDLE initiated an In-Custody Death Investigation (FDLE case # OR-37-0047). On November 7, 2016, Inspector Roy Long was assigned investigative assist # 16-20363 to assist FDLE in their investigation.

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 November 7, 2016, at approximately 8:00 AM, Lead Senior Inspector Zach Mulharan contacted this Inspector and advised me of an inmate death at Lake CI. I was then contacted by Supervisor Dennis McIntosh who advised that FDLE was contacted and would be responding to assume lead investigative responsibility of this investigation.

At approximately 8:20 AM, I arrived on scene and made contact with Lieutenant Michael Silba, Lake CI [REDACTED] OIC, who advised that Inmate Daniel Geiger #J42951, [REDACTED] [REDACTED]. Security [REDACTED] Inmate Geiger [REDACTED]. Upon arrival, [REDACTED] pronounced Inmate Geiger deceased at 7:01 AM.

After consulting with Lieutenant Silba, I visually ensured that Inmate Geiger's cell and body were secured pending the arrival of FDLE.

At approximately 9:08 AM, FDLE Special Agent Dale Crosby arrive on-scene. I escorted Agent Crosby to Inmate Geiger's cell where it was photographed and processed. I then escorted Agent Crosby to the area where Inmate Geiger's body was secured. Agent Crosby was provided with a room to conduct interviews with involved staff members.

At Approximately 11:56 AM, ME Investigator Tonda Clyde arrived on-scene. Investigator Clyde was provided with copies of Inmate Geiger's [REDACTED] Upon consultation with S/A Crosby I then escorted Investigator Clyde to photograph the scene and prepare Inmate Geiger's body for transport. Investigator Clyde and I then inspected the body of the deceased. There were no obvious [REDACTED].

At approximately 1:07 PM, the Medical Examiners transport arrived on-scene. Upon approval from Special Agent Crosby the body was released to the Medical Examiner.

Summarize Event Timeline:

- On November 7, 2016 at 8:00 AM, Inspector Roy Long was informed by Lead Senior Inspector Zach Mulharan of an inmate death at Lake Correctional Institution.



FLORIDA DEPARTMENT OF CORRECTIONS
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- At 8:20 AM, Long arrived at Lake CI and ensured that the scene and witnesses were secure pending the arrival of FDLE.
- At 9:10 AM, Long met with S/A Crosby to discuss the incident.
- At 11:56 AM, Long assisted ME Investigator Clyde while FDLE conducted interviews.
- At 1:07 PM, the deceased was released to the ME.
- At 1:15 PM, FDLE concluded interviews and departed the institution.

On February 10, 2017, S/A Crosby obtained a copy of the Fifth Circuit Medical Examiner's autopsy report. District Medical Examiner Dr. Barbara Wolf reported that the cause of death for Inmate Daniel Geiger [REDACTED] the manner of death was ruled an accident. A toxicology screening [REDACTED] in Inmate Geiger's [REDACTED] In addition to the toxicology screening, [REDACTED] Inmate Geiger's body.

VII. CHARGES

List alleged violations of Florida Law:

No violations noted. Inmate death was accidental not involving staff or inmates.

VIII. CONCLUSION

Based on the information gathered during their investigation, it is the recommendation of FDLE Special Agent Dale Crosby the death of Inmate Daniel Geiger #J4295, be termed as accidental. Inspector Long reviewed the investigation completed by FDLE, and administrative issues were not identified.

1. Investigative Assist Closed