

TEXAS CUSTODIAL DEATH REPORT

Police, jail, and prison deaths
2005-2015



July 2016

ACKNOWLEDGMENTS

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INTRODUCTION

From 2005 to 2015, Texas executed 195 people for capital crimes.¹ Every time the state executes a condemned person media cover the execution extensively. Accounts include details about the person's last meal,² final words,³ and number of minutes between the administration of the lethal injection and death.⁴

Also from 2005 to 2015, a reported 6,913 people died in the custody of law enforcement and other state officials in Texas.⁵ These deaths occurred in local jail cells,⁶ in the backs of police cars,⁷ and on prison sidewalks.⁸ More than 1,900 of the people who died (28%) had not been convicted of, or in many cases, even charged with a crime. Despite recent growing interest in counting and reporting on custodial and police-involved deaths, most of the nearly 7,000 people who died have never had their stories told, and aggregate data regarding the manner and locations of their deaths have not been widely available. Unlike state-sanctioned executions, which occur on a set schedule and venue and are painstakingly documented, these extra-judicial deaths in custody are diffuse. They occur at every point and phase of our criminal justice system, in a manner that remains largely untracked and unexamined.

This is where the Texas Justice Initiative (TJI) seeks to

make an impact. TJI, a project of the Institute for Urban Policy Research and Analysis at the University of Texas at Austin, launched an online interactive database at www.TexasJusticeInitiative.org of custodial deaths reported in Texas from 2005 through 2015. The database's filtering options allow visitors to approach the data with their own questions, such as the extent to which black people are over-represented in deaths in police interactions, or how causes of death vary by type of jail. The website is a starting point and tool for anyone interested in learning more about or contributing to the conversations around some of the most pressing problems of our times: the human toll and disparate impacts of mass incarceration and policing.

TJI's goals are to bring attention to the hundreds of people who die yearly in Texas's criminal justice system; to provide a resource for researchers, policymakers, and community members to interrogate the system which results in so many casualties; and ultimately to reduce the number of deaths. In the next phase of this project, we will gather additional information on these deaths and the lives of the people who died from news reports and other public sources, family members, and loved ones. We welcome feedback, comments, and collaboration.

EXECUTIVE SUMMARY

This report provides an introduction to the data – where it came from, and what it can tell us – and also gives readers a high-level view of what we’ve seen so far and some notable data points. Together with the TJI website, it provides initial observations about who is dying in the Texas criminal justice system and how they are dying. Some observations include:

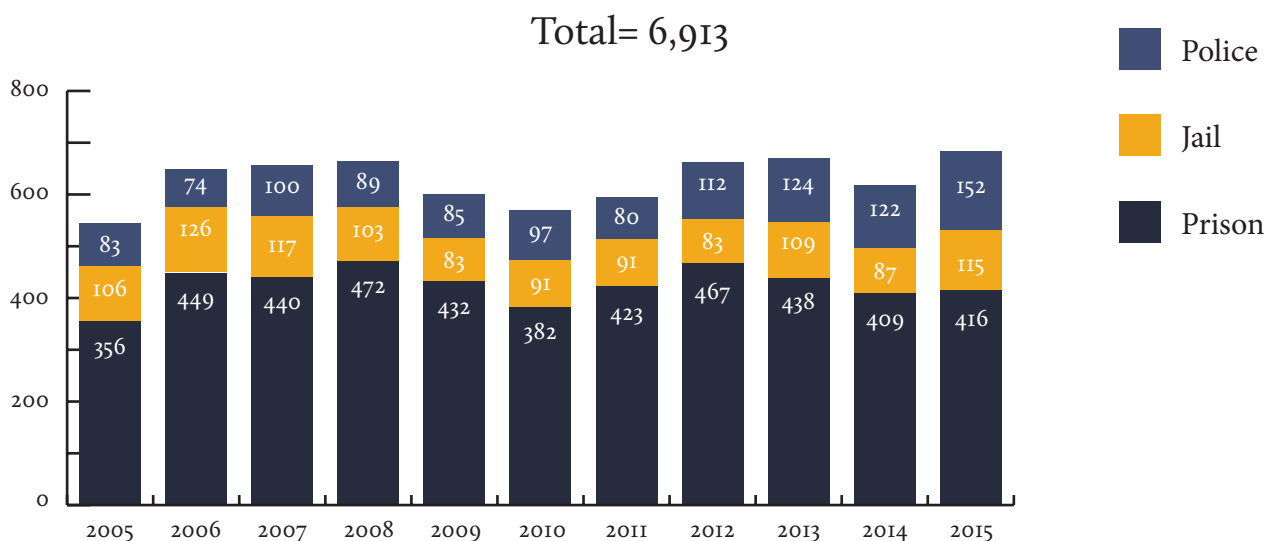
- The racial disparities we see in Texas’s criminal justice system generally translate into racial disparities in custodial mortality. For example, while **black people made up 12% of the state’s population in 2010**, they comprised 36% of the incarcerated population in Texas in 2005-2014, and **accounted for 30% of the deaths in custody in 2005-2015**.⁹
- When excluding natural causes, cause of death varied widely by demographic.
 - › Justifiable homicide was the leading cause of non-natural deaths for black and Latino males. Justifiable homicide accounted for 30% of black male non-natural deaths and 34% of Latino male non-natural deaths, as compared to 24% of white male non-natural deaths.
 - › Suicide was the leading cause of non-natural deaths for both white men and white women. Suicides accounted for 47% of white male non-natural deaths and 49% of white female non-natural deaths, as compared to 31% of non-natural deaths for males and females of other races/ethnicities.
- › Alcohol/drug intoxication was the leading cause of non-natural deaths for black and Latina women. Alcohol/drug intoxication accounted for 37% of black female non-natural deaths and 32% of Latina female non-natural deaths, as compared to 12-17% of non-natural deaths for both males and females of other races/ethnicities.
- Current pre-trial and bail practices keep tens of thousands of people in Texas jails without conviction of a crime.¹⁰ As a result, **76% of the people who died in jail had not been convicted of a crime**, with 16% of those people having not even been charged.
- Pre-arrest deaths reported by law enforcement have been on the rise since 2005, having more than doubled from the fewest reported deaths in 2006 (74) to the most reported deaths in 2015 (152).
- Close to half of the people who died in prisons (48%) had been in custody for less than five years.
- **Forty-one percent of people who died in jails were reported to have appeared intoxicated, exhibited mental health problems, or exhibited medical problems** upon entry into the facility.

The reporting requirement

Under Texas Code of Criminal Procedure Article 49.18, if a person dies in police, jail, or prison custody, or as the result of a peace officer’s use of force, the person in charge of the custodial institution (i.e. the sheriff or the director of the facility) must file a custodial death report within 30 days of the death. The report is four pages long and includes information such as the name of the facility; the name, age, and race/ethnicity of the person who died; and where and how the death occurred. The person completing the form must also attach a summary of how the death occurred.¹¹

The reporting requirement is backed by a criminal penalty for failure to report. Under section 39.05 of the Texas Penal Code, “Failure to Report Death of a Prisoner” is a Class B misdemeanor. However, enforcement of the law depends on local law enforcement pursuing charges against local law enforcement or prison officials. We did not find a single prosecution under this section of the Penal Code.

Figure 1. Number of deaths per year by custody type



THE DATA

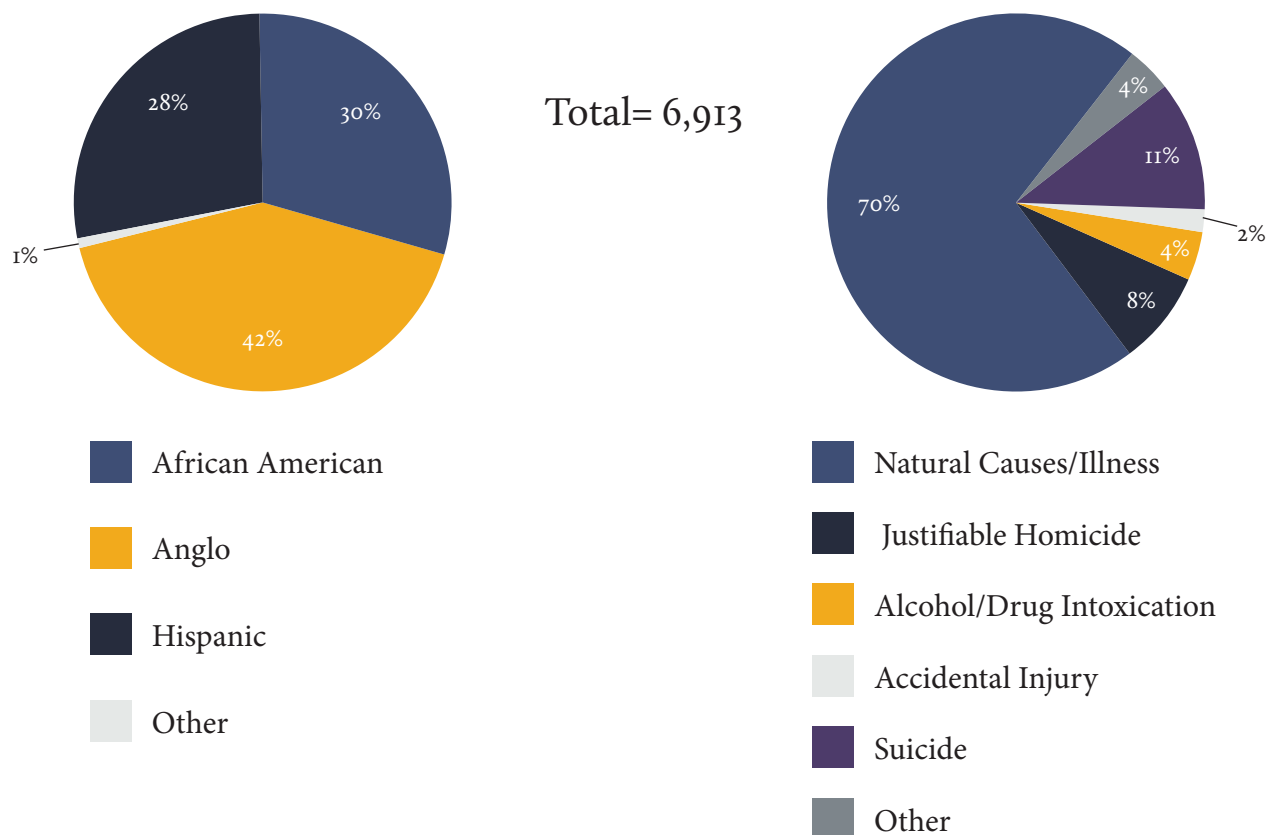
Law enforcement agencies, local jails, and the Texas Department of Criminal Justice (TDCJ) are required to report to the Office of the Attorney General (OAG) every time a person dies in the custody of the agency or institution.¹² This reporting requirement includes events such as deaths by natural causes in prisons, deaths by suicide in jails, and deaths by police officer shooting in facilitating an arrest.

We obtained, by public information request to the OAG, a database that includes information on all deaths reported under this law that occurred between January 2005 and December 2015. After learning that TDCJ did not report deaths that occurred in in-patient settings prior to 2013, we obtained, by public information request, custodial death data from TDCJ that the department submitted under the federal Bureau of Justice Statistics Deaths in Custody reporting program. Unless otherwise indicated, the information in this report is based on the OAG database, as supplemented by the data received from TDCJ. This information is now available to the public at TJI's website, www.TexasJusticeInitiative.org.

"Justifiable homicide"

Justifiable homicide is the problematic term used to describe most deaths by police shooting. Using this term to report these deaths by law enforcement is a problem for three main reasons. 1) Calling a homicide "justifiable" appears conclusory when it is not clear who made the decision that it was justifiable and what kind of investigation took place. 2) The term is both under inclusive and over inclusive with respect to officer-involved shootings; it can include cases in which police were not involved and also leave out police shootings not considered justifiable. 3) It casts the conversation in terms of the legal question of justifiability, which distracts from the question of preventability. Use of this term to describe deaths by officer-involved shooting is not unique to Texas. The FBI's Uniform Crime Reporting Program also reports on "justifiable homicide," which it defines as "the killing of a felon by a peace officer in the line of duty."

Figure 2. Race/ethnicity and causes for all deaths in custody



DATA HIGHLIGHTS

Overview

Decedent Characteristics

- Although black people made up **12% of Texas's population in 2010**,¹³ they comprised 36% of the incarcerated population in 2005-2014¹⁴ (the last year for which data were available), and **30% of custodial deaths in 2005-2015**.
- White people made up 45% of Texas's population in 2010,¹⁵ but comprised 31% of the incarcerated population in 2005-2014,¹⁶ and 42% of custodial deaths in 2005-2015.
- Latinos/as accounted for 38% of Texas's population in 2010,¹⁷ and comprised 32% of the incarcerated population between 2005 and 2014,¹⁸ and 28% of custodial deaths in 2005-2015.

- Twenty-eight percent of reported decedents (1,942 people) died before having been convicted of the alleged crime.
- Sixty-eight percent of deaths (4,684) occurred in prisons, 16% (1,111) occurred in jails, and 16% (1,118) occurred in police interactions or police custody.

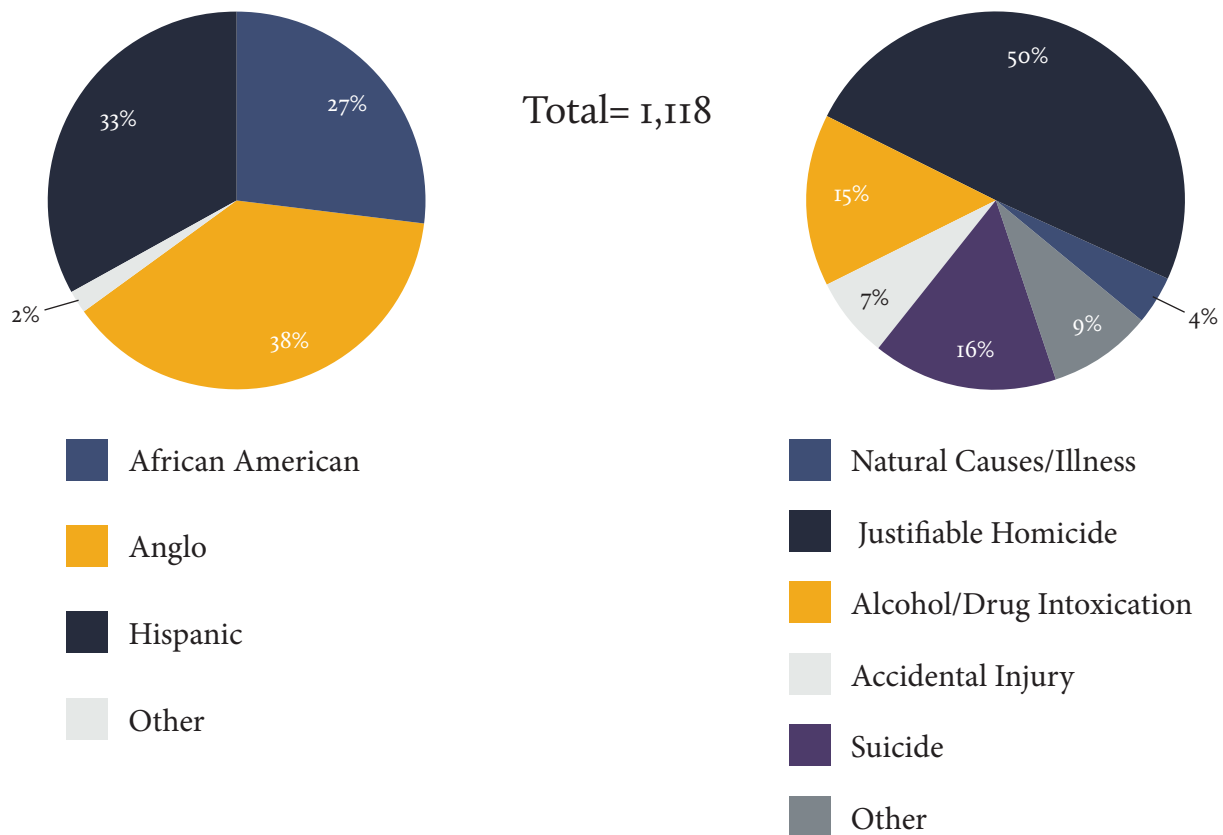
Cause of Death

- The **top three causes of death in custody were natural causes/illness (70%), suicide (11%), and "justifiable homicide" (8%)**.

Other notable findings

- The most custodial deaths to occur in a single year was 683 in 2015, compared to an average of 623 per year over the previous ten years.

Figure 3. Race/ethnicity and causes for deaths in police encounters



Deaths in Police Encounters

Decedent Characteristics

- While Latinos/as represented 27% of deaths in jails or prison custody, they accounted for 33% of deaths in police interactions.
 - The reverse held for white people, who represented 42% of deaths in jail or prison custody and 38% of deaths in police interactions.
- The median age of a white person who died in an encounter with police was 38, for black people was 31, and for Latinos/as was 30s.
- Close to 90% of people who died in encounters with police had not been charged with a crime.**

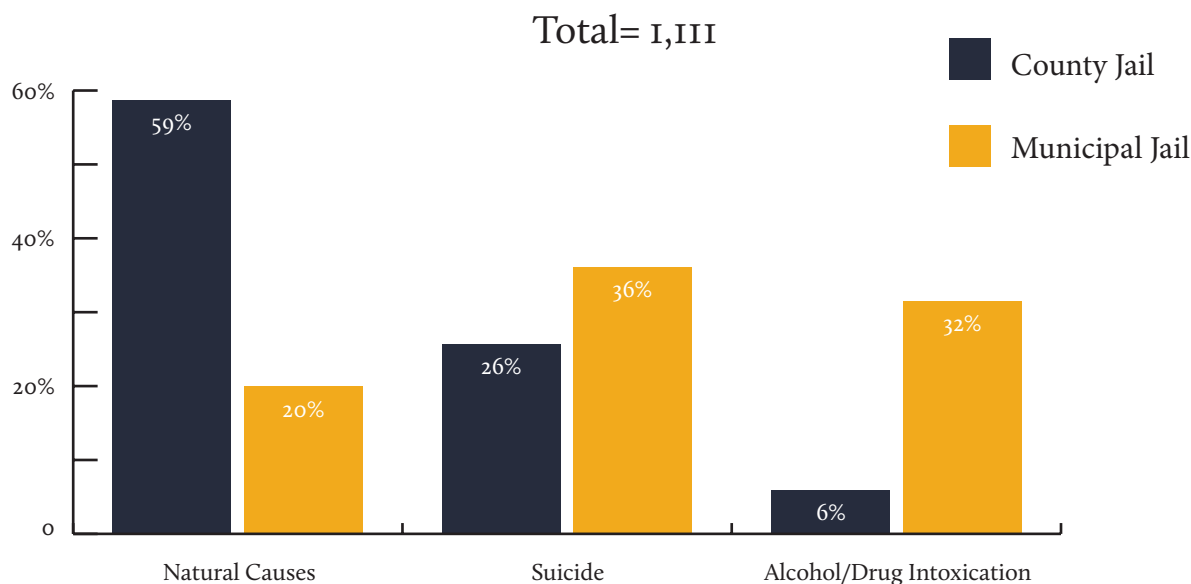
Cause of Death

- “Justifiable homicide” was the most common cause of death in police encounters at 50%, followed by suicide at 16% and alcohol/drug intoxication at 15%.

Other notable findings

- Pre-custody deaths reported by law enforcement agencies **increased by 83% from 2005 to 2015 (from 83 to 152) and more than doubled since 2006**, the year with the fewest reported deaths (74).
 - This increase is largely due to increases in deaths by suicide, justifiable homicide, other homicide, and “other.”
 - Deaths by “other” went from zero reported in 2005 to 29 reported in 2015. These deaths fell into three categories: officer-involved shootings (12), a person becoming unresponsive after being handcuffed (10), and a person becoming unresponsive after being tased (7).

Figure 4. Most common causes for death in jails by percentage



Deaths in Jails

Decedent Characteristics

- White people were most represented in jail deaths (44%) when compared with police deaths (38%) and prison deaths (42%).
- **Seventy-six percent** of the people who died in jails **had not been convicted** of the crime for which they were being held.

Cause of Death

- Cause of death in jails varied by race/ethnicity and gender.
 - › Suicide was the cause of death for 36% of white people who died in jails, while it accounted for 29% of deaths of Latinos/as and 11% of deaths of black people.
 - › Alcohol/drug intoxication was the cause of death for 20% of black women who died in jails, while it accounted for 12% of deaths of white and Latina women, 9% of deaths of Latino men, 8% of deaths of white men, and 7% of deaths of black men.

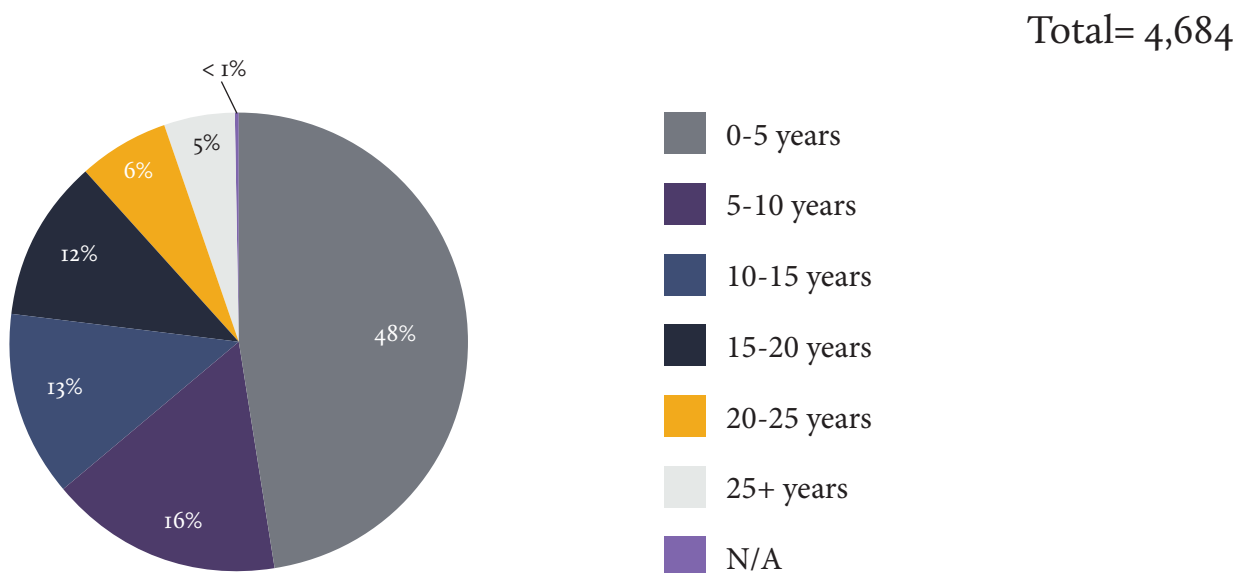
Other notable findings

- **Forty-one percent** of people who died in jails were reported to have **appeared intoxicated, exhibited mental**

health problems, or exhibited medical problems upon entry into the facility.

- The average number of deaths in jails per year from 2005 to 2015 was 101. The highest number of deaths occurred in 2006 and 2015, which saw 126 and 115 deaths respectively.
- Between 2005 and 2015, 130 people died in municipal jails, with 32% of those deaths having been caused by alcohol/drug intoxication and 36% by suicide.
 - › By comparison, between 2005 and 2015, 970 people died in county jails, with 6% of those deaths having been caused by alcohol/drug intoxication and 26% by suicide.
 - › Natural causes accounted for 20% of deaths in municipal jails and 59% of deaths in county jails.
- Forty-one percent of people who died in jails had been in custody for seven or fewer days.

Figure 5. Length of time in custody for prison deaths



Deaths in Prisons

Decedent Characteristics

- While white people made up on average **31% of the prison population from 2005 to 2014** (the last year for which TDCJ data were available),¹⁹ they made up **42% of prison deaths from 2005 to 2015**.
- The median age of a person who died in prison custody between 2005 and 2015 was 54.
 - White people who died in prisons were older than people of other races or ethnicities who died in prison. The median age of white decedents was 57, while the median age for black and Latino/a decedents was 53.
 - While 90% of reported deaths were caused by natural causes, this median age of death is far below the life expectancy of the average Texan, which

was 72 for persons born in 1970 (the earliest year for which the Texas Department of State Health Services calculated life expectancy).²⁰

Cause of Death

- Natural causes accounted for 90% of prison deaths between 2005 and 2015.
- For people ages 35 and under, the leading cause of death was suicide.

Other notable findings

- The average number of deaths in prisons per year from 2005 to 2015 was 426. The highest numbers of deaths occurred in 2008 and 2012, with 472 and 467 deaths, respectively.
- Forty-eight percent of people who died in prisons from 2005 to 2015 had been in custody for less than five years.

CONCLUSION AND NEXT STEPS

These early observations naturally spur additional questions. Why have deaths reported by law enforcement been rising? Is this a state or local problem? How can we tackle jail deaths on a wide scale without leaving behind populations that appear in lower numbers but are impacted in distinct ways by policing and confinement, such as black women, who die at higher rates of alcohol/drug intoxication than other populations? Where are the gaps in medical care in our criminal justice system and how can we improve medical responses and outcomes? How many lives could be saved by diverting people with mental health and/or substance use issues from the criminal justice system into proper treatment settings? We hope that the launch of this website and the publication of this report bring additional study to the questions the data raise.

In this way, the data published in this report and at www.TexasJusticeInitiative.org should be treated as a

beginning and not an end to research around these questions. We also welcome critical examination of the data; reporting of a death by the custodian responsible for a person's well-being should be taken with a healthy dose of skepticism. In this vein, we have begun to identify blind spots in the data collection. For example, transgender people are rendered virtually invisible by the reporting form, which does not instruct on how to identify gender, and does not have an option for transgender or nonbinary gender identities. As we delve more deeply into this data, we must also think critically about how stories around these deaths are told, and who has the privilege of telling them.

For this reason, in the next phase of this project we hope to incorporate different accounts of these deaths and also the lives of the people who died. If you are interested in contributing to this project, please contact us.

For more information, contact:

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www.TexasJusticeInitiative.org



ENDNOTES

1. TEX. DEP'T OF CRIMINAL JUSTICE, EXECUTIONS DECEMBER 7, 1982 THROUGH APRIL 7, 2016, https://www.tdcj.state.tx.us/death_row/dr_executions_by_year.html.
2. See, e.g., Manny Fernandez, *Texas Death Row Kitchen Cooks Its Last 'Last Meal'*, N.Y. TIMES, Sept. 22, 2011, <http://www.nytimes.com/2011/09/23/us/texas-death-row-kitchen-cooks-its-last-last-meal.html>.
3. See, e.g., Jolie McCullough, *Texas Executes Man Courts Recognized as Mentally Ill*, THE TEXAS TRIBUNE, Mar. 22, 2016, <https://www.texastribune.org/2016/03/22/execution-set-man-courts-recognize-mentally-ill/>.
4. See, e.g., Michael Graczyk, *Texas man executed for killing city code enforcement worker*, THE HOUSTON CHRONICLE, Apr. 20, 2016, <http://www.chron.com/news/article/Texas-man-executed-for-killing-city-code-7278849.php>.
5. Unless otherwise noted, the data in this report is derived from information received via public information request from the Texas Office of the Attorney General and the Texas Department of Criminal Justice relating to custodial deaths from 2005 to 2015.
6. According to the custodial death report filed by the River Oaks Police Department, Christine Sexton, a 40-year-old white woman, died Feb. 6, 2013 in a cell in the River Oaks City Jail from suicide by asphyxiation. She had been arrested and booked in the jail on Feb. 2, 2013 for outstanding Class C misdemeanor warrants for not having a valid driver's license and failure to appear.
7. According to the custodial death report filed by the Temple Police Department, Curtis Lee Lewis, a 56-year-old black man, died Jan. 10, 2005 after being found nonresponsive following transport in a police vehicle to the emergency room. Officers had been dispatched to respond to a fight call and found Lewis "lying face up in the street screaming and holding a cooking pot in both hands and banging it on the ground on either side of his head." Officers placed Lewis in handcuffs and then a hobble restraint in the patrol car in order to transport him to the emergency room for a "mental evaluation." After Lewis was transported, placed on a stretcher, and taken into the emergency room, it was "determined that Lewis ha[d] no pulse and [was] not breathing." He was pronounced deceased less than an hour after the initial police encounter.
8. According to the custodial death report filed by the Texas Department of Criminal Justice, Frederick Loeber, a 49-year-old white man, died Aug. 26, 2010 after being struck in the head by another incarcerated person and then hitting his head when he fell to the concrete sidewalk. He underwent emergency surgery, which was ultimately unsuccessful.
9. The custodial death reports on which this report is based include "Anglo," "African-American," and "Hispanic" as choices in the question on "race/ethnic group." This report uses the terms "white," "black," and "Latino/a," except in graphs and tables.
10. In its most recent annual report, the Texas Commission on Jail Standards reported that of the 63,989 inmates being held in Texas county jails on Jan. 1, 2014, 60.55%, or 38,745 people, were being detained pre-trial. TEX. COMM'N ON JAIL STANDARDS, 2014 ANNUAL REPORT 10-11 (2014), <http://www.tcjs.state.tx.us/docs/2014AnnualJailReport.pdf>.
11. See TEXAS ATTORNEY GENERAL, CUSTODIAL DEATH REPORT, https://texasattorneygeneral.gov/files/agency/custodial_death.pdf. A copy of the form can be found *supra* page 11 in the Appendix.
12. TEX. CODE CRIM. PROC. ART. 49.18.
13. UNITED STATES CENSUS BUREAU, TEXAS QUICKFACTS, <https://www.census.gov/quickfacts/table/PST045215/48/accessible#headnote-a>.
14. TEX. DEP'T OF CRIMINAL JUSTICE, STATISTICAL REPORTS, 2005-2014, <http://tdcj.state.tx.us/publications/index.html>
15. UNITED STATES CENSUS BUREAU, TEXAS QUICKFACTS, <https://www.census.gov/quickfacts/table/PST045215/48/accessible#headnote-a>.
16. TEX. DEP'T OF CRIMINAL JUSTICE, STATISTICAL REPORTS, 2005-2014, <http://tdcj.state.tx.us/publications/index.html>.
17. UNITED STATES CENSUS BUREAU, TEXAS QUICKFACTS, <https://www.census.gov/quickfacts/table/PST045215/48/accessible#headnote-a>.
18. TEX. DEP'T OF CRIMINAL JUSTICE, STATISTICAL REPORTS, 2005-2014, <http://tdcj.state.tx.us/publications/index.html>.
19. *Id.*
20. TEX. DEP'T OF STATE HEALTH SERVICES, VITAL STATISTICS REPORT table 24 (Life Expectancy at Birth for Selected Years) (1990).

APPENDIX



CUSTODIAL DEATH REPORT

For reporting requirements and procedures, see Section 39.05 of the Penal Code, Article 49.18 (b)(c) of The Code of Criminal Procedure and Article 501.055(b) of The Government Code.

Section 39.05 Failure to Report Death of Prisoner:

- (a) A person commits an offense if the person is required to conduct an investigation and file a report by Article 49.18, Code of Criminal Procedure, and the person fails to investigate the death, fails to file the report as required, or fails to include in a filed report facts known or discovered in the investigation.
- (b) A person commits an offense if the person is required by Section 501.055, Government Code, to:
 - (1) give notice of the death of an inmate and the person fails to give the notice; or
 - (2) conduct an investigation and file a report and the person:
 - (A) fails to conduct the investigation or file the report, or
 - (B) fails to include in the report facts known to the person or discovered by the person in the investigation.
- (c) An offense under this section is a Class B misdemeanor.

Article 49.18 (a) (b) (c) (d) . Death in Custody

- (a) If a person confined in a penal institution dies, the sheriff or other person in charge of the penal institution shall as soon as practicable inform the justice of the peace of the precinct where the penal institution is located of the death.
- (b) If a person dies while in the custody of a peace officer or as a result of a peace officer's use of force or if a person incarcerated in a jail, correctional facility, or state juvenile facility dies, the director of the law enforcement agency of which the officer is a member or of the facility in which the person was incarcerated shall investigate the death and file a written report of the cause of death with the attorney general no later than the 30th day after the date on which the person in custody or the incarcerated person died. The director shall make a good faith effort to obtain all facts relevant to the death and include those facts in the report. The attorney general shall make the report, with the exception of any portion of the report that the attorney general determines is privileged, available to any interested person.
- (c) Subsection (a) does not apply to a death that occurs in a facility operated by or under contract with the Texas Department of Criminal Justice. Subsection (b) does not apply to a death that occurs in a facility operated by or under contract with the Texas Department of Criminal Justice if the death occurs under circumstances described by Section 501.055(b)(2), Government Code.
- (d) In this article:
 - (1) "Correctional facility" means a confinement facility or halfway house operated by or under contract with any division of the Texas Department of Criminal Justice.
 - (2) "In the custody of a peace officer" means:
 - (A) under arrest by a peace officer; or
 - (B) under the physical control or restraint of a peace officer.
 - (3) "State juvenile facility" means any facility or halfway house:
 - (A) operated by or under contract with the Texas Youth Commission; or
 - (B) described by Section 51.02 (13) or (14), Family Code.

Mail to: Office of the Attorney General
Criminal Law Enforcement Division
P.O. Box 12548
Austin, Texas 78711-2548
(512)463-2170

Date of Report: _____

Section I

1. Agency/Facility Information

Name of Agency/Facility: _____

Address: _____

City, Zip Code: _____

Telephone Number: _____

Signature of Director of Agency/Facility (Required): _____

Name of Person Filling out Form: _____

Email of Person Filling out Form: _____

Revised 5/06 replaces form of 07/03 which is obsolete

<p>2. Identity of Deceased:</p> <p>First Name: _____</p> <p>Middle Name: _____</p> <p>Last Name: _____</p> <p>Suffix: _____</p> <p>Race/Ethnic Group: <input type="checkbox"/> African/American <input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Anglo <input type="checkbox"/> Asian <input type="checkbox"/> Hispanic <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Middle East <input type="checkbox"/> Other - Specify: _____</p> <p>Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female</p> <p>Date of Birth: Month: _____ Day: _____ Year: _____ Age: _____</p> <p>3. Date/Time of Custody (arrest/incarceration):</p> <p>Month: _____ Day: _____ Year: _____ Time: Hour: _____ Min: _____ <input type="checkbox"/> am <input type="checkbox"/> pm</p> <p>4. Date/Time of Death:</p> <p>Month: _____ Day: _____ Year: _____ Time: Hour: _____ Min: _____ <input type="checkbox"/> am <input type="checkbox"/> pm</p> <p>5. Where did the event causing the death occur?</p> <p>Street address: _____ City: _____ County: _____</p> <p>6. Has a medical examiner or coroner conducted an evaluation to determine a cause of death?</p> <p><input type="checkbox"/> Yes, results are available <input type="checkbox"/> Yes, results are pending <input type="checkbox"/> No, evaluation pending <input type="checkbox"/> No, evaluation not planned</p> <p>7. Manner of death:</p> <p><input type="checkbox"/> Accidental injury to self <input type="checkbox"/> Accidental injury caused by others <input type="checkbox"/> Alcohol/Drug intoxication <input type="checkbox"/> Justifiable Homicide <input type="checkbox"/> Other Homicide <input type="checkbox"/> Suicide <input type="checkbox"/> Natural Causes/Illness - Specify: _____ <input type="checkbox"/> Other - Specify: _____</p> <p>8. Medical Cause of Death:</p> <p>_____ _____ _____</p>	<p>9. Was the cause of death the result of a pre-existing medical condition or did the deceased develop the condition after admission?</p> <p><input type="checkbox"/> Pre-existing medical condition <input type="checkbox"/> Developed condition after admission <input type="checkbox"/> Not applicable; cause of death was accidental injury, intoxication, suicide or homicide <input type="checkbox"/> Don't know</p> <p>10. Had the deceased been receiving treatment for the medical condition after admission to your jail's jurisdiction?</p> <p><input type="checkbox"/> Not applicable <input type="checkbox"/> No <input type="checkbox"/> Yes - If yes, describe below (include only treatment and medication related to the medical condition that caused the deceased's death. Exclude emergency care provided at time of death): _____ _____ _____ _____ _____</p> <p>11. What type of custody/facility was the offender in/at prior to the time of death?</p> <p><input type="checkbox"/> Police Custody (pre-booking) <input type="checkbox"/> Penitentiary <input type="checkbox"/> Municipal Jail <input type="checkbox"/> County Jail</p> <p>12. Specific type of custody/facility:</p> <p><input type="checkbox"/> Custody of Peace Officer during/fleeing arrest <input type="checkbox"/> Custody of Peace Officer subsequent to arrest <input type="checkbox"/> TDCJ-ID (Unit) _____ <input type="checkbox"/> Jail - single cell <input type="checkbox"/> Jail - detox cell <input type="checkbox"/> Jail - multiple occupancy cell <input type="checkbox"/> Jail - holding cell <input type="checkbox"/> Jail - day room/recreation area <input type="checkbox"/> Correctional/Rehabilitation Facility <input type="checkbox"/> Hospital/Infirmary <input type="checkbox"/> Halfway House/Restitution Center <input type="checkbox"/> Non-law enforcement detox facility Name: _____ <input type="checkbox"/> TYC - Facility: _____ <input type="checkbox"/> TJPC Detention Center: _____</p>
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Revised 5/06 replaces form of 07/03 which is obsolete

13. **What were the most serious offense(s) with which the deceased was (or would have been) charged with at the time of death (REQUIRED):**
1. _____
2. _____
3. _____
- ☐ Filed
- ☐ Convicted
- ☐ Probation/Parole
- ☐ Not filed at time of death
- Type of Charges:**
- ☐ Violent crime against persons
- ☐ Child abuse
- ☐ Serious crime against property
- ☐ Alcohol/drug offense
- ☐ Other-specify: _____
14. **Did the deceased die from a medical condition or from injuries sustained at the crime/arrest scene?**
- ☐ Medical condition only
- ☐ Injuries only
- ☐ Both medical condition and injuries
- ☐ Don't know
- ☐ Not applicable
15. **If injured at the crime/arrest scene, how were these injuries sustained?**
- ☐ Inflicted by law enforcement officers
- ☐ Inflicted by others at crime/arrest scene
- ☐ Self-inflicted - accidental
- ☐ Self-inflicted - suicide
- ☐ Unknown
- ☐ Not applicable
16. **Was the deceased under restraint in the time leading up to the death or the events causing the death?**
- ☐ No
- ☐ Yes
- If yes, mark which restraint devices were used:
- ☐ Handcuffs
- ☐ Leg shackles
- ☐ Other device - specify: _____
17. **What type of weapon(s) caused the death? (Mark ALL that apply)**
- ☐ Handgun
- ☐ Rifle/Shotgun
- ☐ Nightstick or baton
- ☐ Stun gun or tazer
- ☐ Other - specify: _____
- ☐ Not applicable
18. **At any time during the arrest/incident did the deceased: (Mark ALL that apply)**
- ☐ Appear intoxicated (either alcohol or drugs)?
- ☐ Threaten the officer(s) involved?
- ☐ Resist being handcuffed or arrested?
- ☐ Try to escape/flee from custody?
- ☐ Grab, hit or fight with the officer(s) involved?
- ☐ Use a weapon to threaten or assault the officer(s)?
- Specify: _____
- ☐ Other - specify: _____
- ☐ Not applicable
19. **Where did the deceased die?**
- ☐ At law enforcement facility
- ☐ At the crime/arrest scene
- ☐ At medical facility
- ☐ En route to medical facility
- ☐ En route to booking center/police lockup
- ☐ Elsewhere - Specify: _____
20. **What was the time and date of the deceased's entry into the law enforcement facility where the death occurred?**
- ☐ N/A
- Month: _____ Day: _____ Year: _____
- Time: Hour: _____ Min: _____ ☐ am ☐ pm
21. **At the time of entry into the facility did the deceased: (Mark ALL that apply)**
- ☐ Appear intoxicated (either alcohol or drugs)?
- ☐ Exhibit any mental health problems?
- ☐ Exhibit any medical problems?
- ☐ Not applicable
22. **If death was an accident or homicide, who caused the death?**
- ☐ Deceased
- ☐ Other detainees
- ☐ Law enforcement/correctional staff
- ☐ Other persons - specify: _____
- ☐ Don't know
- ☐ Not applicable; cause of death was suicide, intoxication or illness/natural causes

Revised 5/06 replaces form of 07/03 which is obsolete

23. If death was an accident, homicide or suicide, what was the means of death?

- ☐ Firearm
- ☐ Blunt instrument
- ☐ Knife, cutting instrument
- ☐ Hanging, strangulation
- ☐ Drug overdose
- ☐ Other - specify: _____
- ☐ Don't know
- ☐ Not applicable; cause of death was intoxication or illness/natural causes

24. ATTACH A SUMMARY OF HOW THE DEATH OCCURRED:

Revised 5/06 replaces form of 07/03 which is obsolete

Table 1. Age of decedent by race/ethnicity and gender

	17 & under	18-24	25-34	35-44	45-54	55+	TOTAL
African American	6	113	285	336	615	702	2060
Male	6	107	265	298	563	679	1921
Female	0	6	20	38	52	23	139
Anglo	9	109	294	397	734	1322	2872
Male	6	99	263	352	685	1277	2689
Female	3	10	31	45	49	45	183
Hispanic	17	143	287	326	521	616	1915
Male	15	141	273	308	505	608	1855
Female	2	2	14	18	16	8	60
Other	2	5	13	12	17	16	66
Male	2	5	13	12	17	16	66
Female	0	0	0	0	0	0	0
TOTAL	34	370	879	1071	1887	2656	6913

Table 2. Custody type by race/ethnicity and gender

	Police	Jail	Prison	TOTAL
African American	302	320	1438	2060
Male	290	275	1356	1921
Female	12	45	82	139
Anglo	422	486	1964	2872
Male	397	411	1881	2689
Female	25	75	83	183
Hispanic	371	289	1255	1915
Male	364	264	1227	1855
Female	7	25	28	60
Other	23	16	27	66
Male	23	16	27	66
Female	0	0	0	0
TOTAL	1118	1111	4684	6913

Table 3. Deaths in police encounters by age, race/ethnicity, and gender

	17 & under	18-24	25-34	35-44	45-54	55+	N/A	TOTAL
African American	4	65	127	52	42	12	0	302
Male	4	63	121	51	39	12	0	290
Female	0	2	6	1	3	0	0	12
Anglo	6	57	109	103	87	60	0	422
Male	3	54	104	96	80	60	0	397
Female	3	3	5	7	7	0	0	25
Hispanic	16	81	125	99	32	15	3	371
Male	14	81	123	97	31	15	3	364
Female	2	0	2	2	1	0	0	7
Other	2	2	11	4	4	0	0	23
Male	2	2	11	4	4	0	0	23
Female	0	0	0	0	0	0	0	0
TOTAL	28	205	372	258	165	87	3	1118

Table 4. Deaths in jails by age, race/ethnicity, and gender

	17 & under	18-24	25-34	35-44	45-54	55+	N/A	TOTAL
African American	1	21	64	60	91	82	1	320
Male	1	19	56	47	74	77	1	275
Female	0	2	8	13	17	5	0	45
Anglo	2	32	105	108	142	96	1	486
Male	2	27	86	88	120	87	1	411
Female	0	5	19	20	22	9	0	75
Hispanic	0	34	72	59	74	50	0	289
Male	0	32	63	55	68	46	0	264
Female	0	2	9	4	6	4	0	25
Other	0	3	1	5	3	3	1	16
Male	0	3	1	5	3	3	1	16
Female	0	0	0	0	0	0	0	0
TOTAL	3	90	242	232	310	231	3	1111

Table 5. Deaths in prisons by age, race/ethnicity, and gender

	17 & under	18-24	25-34	35-44	45-54	55+	N/A	TOTAL
African American	1	27	94	224	482	608	2	1438
Male	1	25	88	200	450	590	2	1356
Female	0	2	6	24	32	18	0	82
Anglo	1	20	80	186	505	1166	6	1964
Male	1	18	73	168	485	1130	6	1881
Female	0	2	7	18	20	36	0	83
Hispanic	1	28	90	168	415	551	2	1255
Male	1	28	87	156	406	547	2	1227
Female	0	0	3	12	9	4	0	28
Other	0	0	1	3	10	13	0	27
Male	0	0	1	3	10	13	0	27
Female	0	0	0	0	0	0	0	0
TOTAL	3	75	265	581	1412	2338	10	4684

Table 6. Cause of death by race/ethnicity and gender

	Natural Causes	Suicide	Justifiable Homicide	Alcohol/Drug Intoxication	Accidental	Other	TOTAL
African American	1564	135	143	91	41	86	2060
Male	1455	128	139	80	37	82	1921
Female	109	7	4	11	4	4	139
Anglo	2006	411	198	96	64	97	2872
Male	1900	373	187	86	57	86	2689
Female	106	38	11	10	7	11	183
Hispanic	1268	215	217	85	61	69	1915
Male	1230	207	215	78	57	68	1855
Female	38	8	2	7	4	1	60
Other	32	11	15	3	2	3	66
Male	32	11	15	3	2	3	66
Female	0	0	0	0	0	0	0
TOTAL	4870	772	573	275	168	255	6913

Table 7. Deaths in police encounters by cause of death, race/ethnicity, and gender

	Natural Causes	Suicide	Justifiable Homicide	Alcohol/Drug Intoxication	Accidental	Other	TOTAL
African American	18	33	141	60	20	30	302
Male	17	31	137	58	18	29	290
Female	1	2	4	2	2	1	12
Anglo	21	95	194	49	23	40	422
Male	20	91	183	48	18	37	397
Female	1	4	11	1	5	3	25
Hispanic	7	41	212	53	31	27	371
Male	6	41	211	49	30	27	364
Female	1	0	1	4	1	0	7
Other	0	5	15	2	1	0	23
Male	0	5	15	2	1	0	23
Female	0	0	0	0	0	0	0
TOTAL	46	174	562	164	75	97	1118

Table 8. Deaths in jails by cause of death, race/ethnicity, and gender

	Natural Causes	Suicide	Justifiable Homicide	Alcohol/Drug Intoxication	Accidental	Other	TOTAL
African American	225	35	2	29	10	19	320
Male	193	32	2	20	9	19	275
Female	32	3	0	9	1	0	45
Anglo	225	175	3	41	15	27	486
Male	189	151	3	32	13	23	411
Female	36	24	0	9	2	4	75
Hispanic	142	85	4	28	15	15	289
Male	130	78	3	25	14	14	264
Female	12	7	1	3	1	1	25
Other	9	4	0	1	1	1	16
Male	9	4	0	1	1	1	16
Female	0	0	0	0	0	0	0
TOTAL	601	299	9	99	41	62	1111

Table 9. Deaths in prisons by cause of death, race/ethnicity, and gender

	Natural Causes	Suicide	Justifiable Homicide	Alcohol/Drug Intoxication	Accidental	Other	TOTAL
African American	1321	67	0	2	11	37	1438
Male	1245	65	0	2	10	34	1356
Female	76	2	0	0	1	3	82
Anglo	1760	141	1	6	26	30	1964
Male	1691	131	1	6	26	26	1881
Female	69	10	0	0	0	4	83
Hispanic	1119	89	1	4	15	27	1255
Male	1094	88	1	4	13	27	1227
Female	25	1	0	0	2	0	28
Other	23	2	0	0	0	2	27
Male	23	2	0	0	0	2	27
Female	0	0	0	0	0	0	0
TOTAL	4223	299	2	12	52	96	4684