

# TEXAS CUSTODIAL DEATH REPORT

Police, jail, and prison deaths  
2005-2015



**Texas Justice Initiative**

July 2016

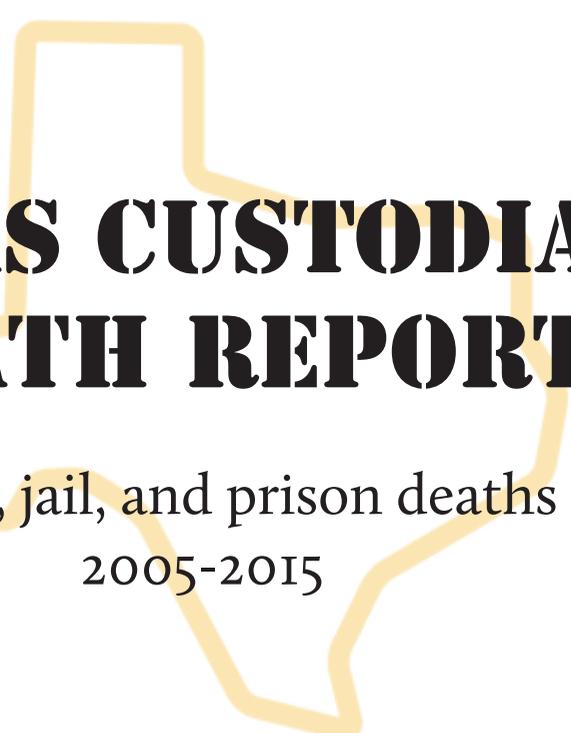
## ACKNOWLEDGMENTS

This report was written and researched by Amanda Woog, JD, postdoctoral legal fellow at the Institute for Urban Policy Research and Analysis (IUPRA) at the University of Texas at Austin and project director of the Texas Justice Initiative. Production assistance was provided by Samantha White-Wilson, multimedia communications specialist at IUPRA, and research assistance was provided by Roderick Taylor, student assistant at IUPRA. Thanks to Scott Henson, Amanda Marzullo, and Robert Pinkard, who provided critical feedback and assistance with the publication of this report and [www.TexasJusticeInitiative.org](http://www.TexasJusticeInitiative.org), and Dr. Shetal Vohra-Gupta, associate director of IUPRA and Dr. Kevin Cokley, director of IUPRA, for their encouragement and support in the conception and launch of this project. We are also grateful to the Rapoport Center for Human Rights and Justice at the University of Texas School of Law and the France-Merrick Foundation for recognizing the value of this project and their contributions to its creation. Finally, many thanks to Professor Michele Deitch, senior lecturer at the Lyndon B. Johnson School of Public Affairs and the University of Texas School of Law; Dr. Kali Gross, professor of African American Studies at Wesleyan University; and Professor Jennifer Laurin, professor of law at the University of Texas School of Law, for their advice, feedback, candor, and support.



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## INTRODUCTION

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

Also from 2005 to 2015, a reported 6,913 people died in the custody of law enforcement and other state officials in Texas.<sup>5</sup> These deaths occurred in local jail cells,<sup>6</sup> in the backs of police cars,<sup>7</sup> and on prison sidewalks.<sup>8</sup> 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](http://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:

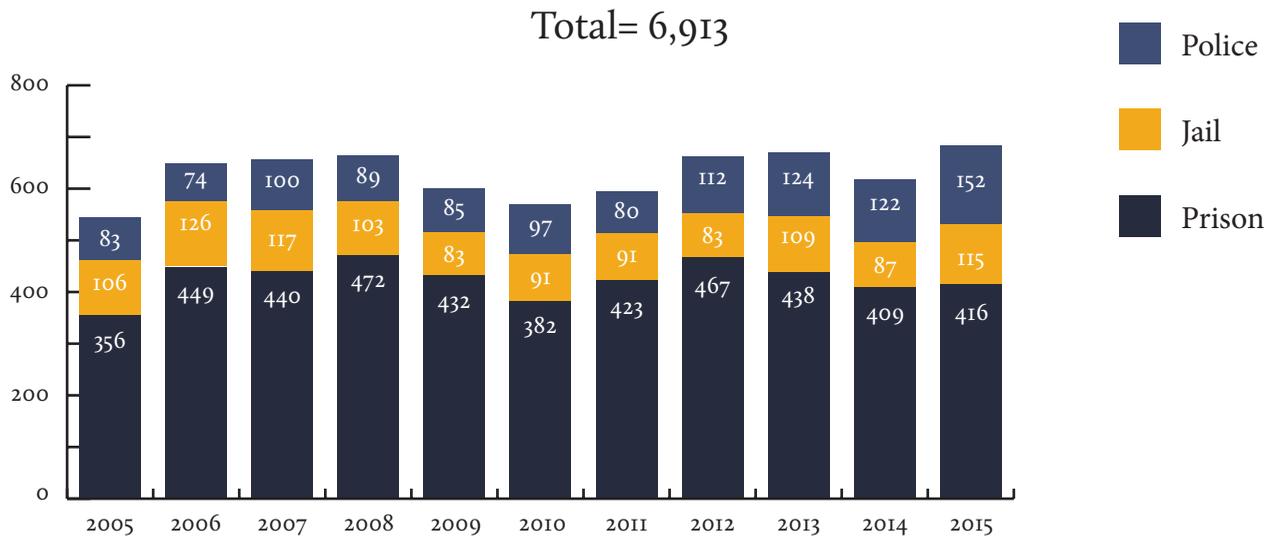
- The racial disparities we see in Texas’s criminal justice system generally translate into racial disparities in custodial mortality. For example, while **black people made up 12% of the state’s population in 2010**, they comprised 36% of the incarcerated population in Texas in 2005-2014, and **accounted for 30% of the deaths in custody in 2005-2015**.<sup>9</sup>
- 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 40% 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.<sup>10</sup> 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-booking 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.<sup>11</sup>

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

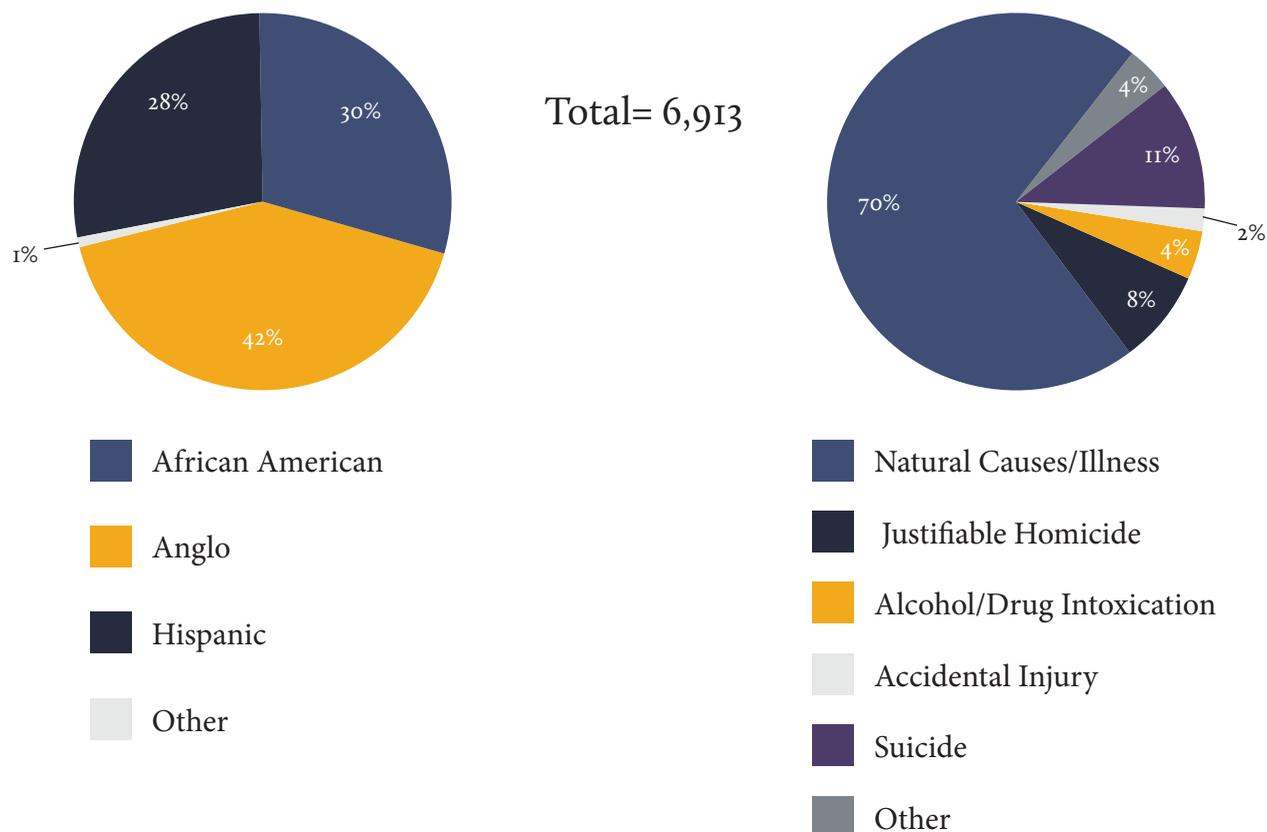
Law enforcement agencies, local jails, and the Texas Department of Criminal Justice (TDCJ) are required to report to the Office of the Attorney General (OAG) every time a person dies in the custody of the agency or institution.<sup>12</sup> This reporting requirement includes events such as deaths by 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](http://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**,<sup>13</sup> they comprised 36% of the incarcerated population in 2005-2014<sup>14</sup> (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,<sup>15</sup> but comprised 31% of the incarcerated population in 2005-2014,<sup>16</sup> and 42% of custodial deaths in 2005-2015.
- Latinos/as accounted for 38% of Texas’s population in 2010,<sup>17</sup> and comprised 32% of the incarcerated population between 2005 and 2014,<sup>18</sup> 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.

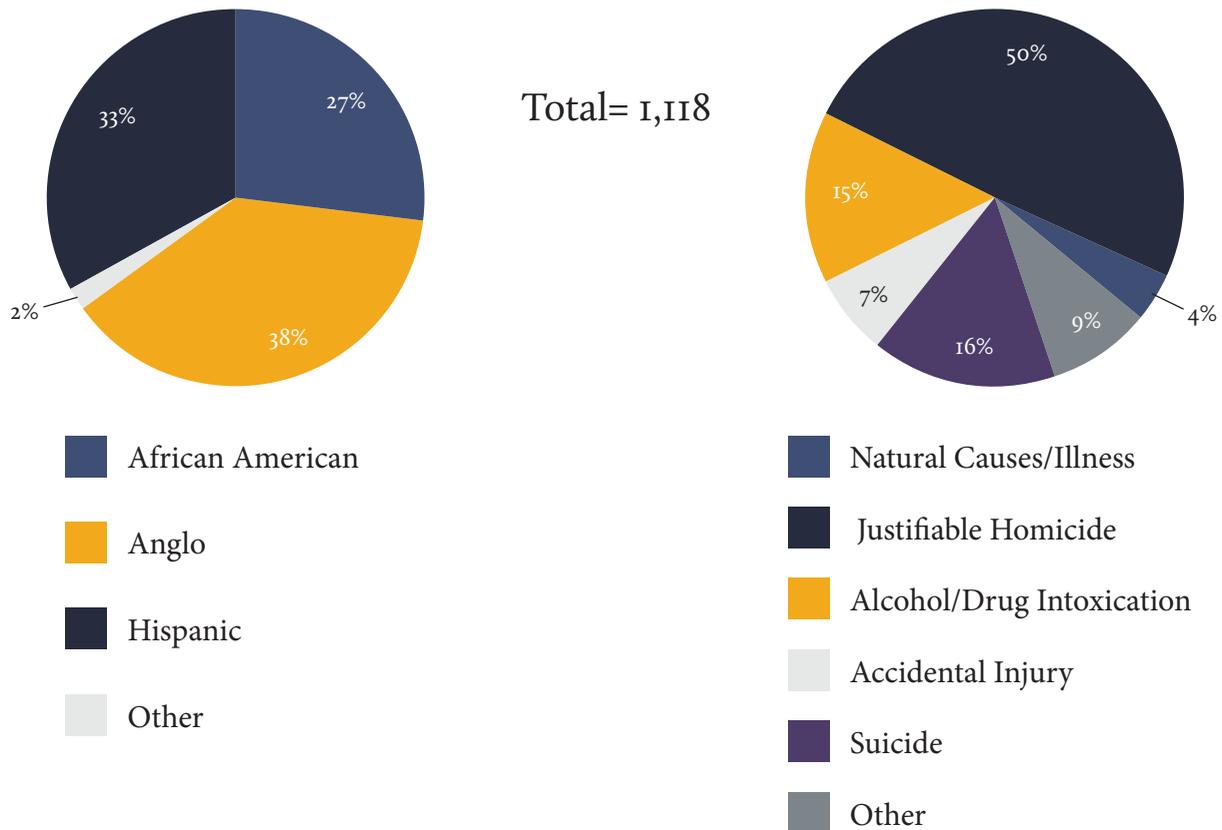
#### Cause of Death

- 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 30.
- **Close to 90% of people who died in encounters with police had not been charged with a crime.**

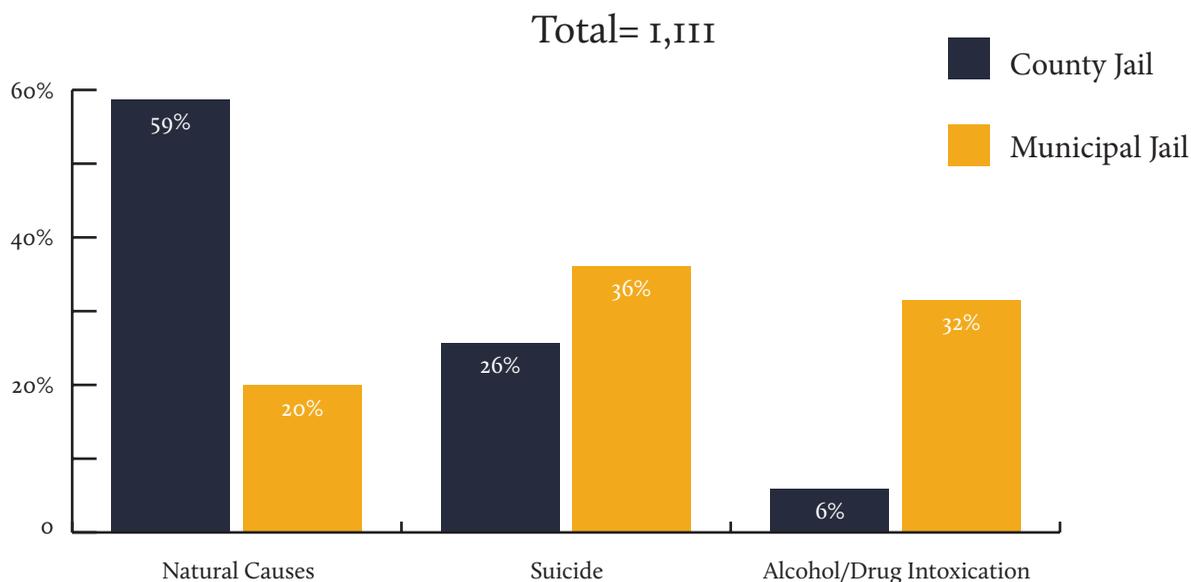
### *Cause of Death*

- “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

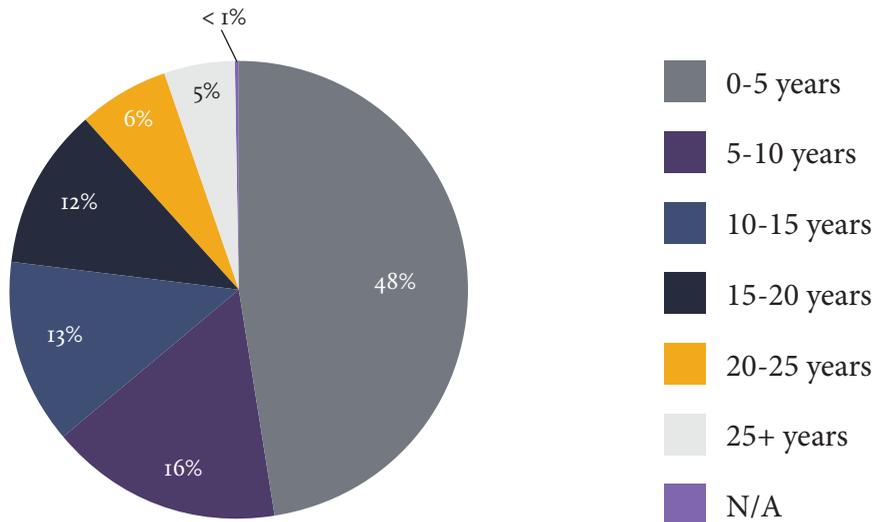
- **Forty-one percent** of people who died in jails were reported to have **appeared intoxicated, exhibited mental**

**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 reportedly 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 reportedly 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

Total= 4,684



## 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),<sup>19</sup> 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).<sup>20</sup>

### *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](http://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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## 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](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 TEX. ATTORNEY GENERAL, CUSTODIAL DEATH REPORT, [https://texasattorneygeneral.gov/files/agency/custodial\\_death.pdf](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

2. **Identity of Deceased:**

First Name: \_\_\_\_\_  
Middle Name: \_\_\_\_\_  
Last Name: \_\_\_\_\_  
Suffix: \_\_\_\_\_

**Race/Ethnic Group:**  African/American  
 American Indian/Alaska Native  Anglo  Asian  
 Hispanic  Native Hawaiian/Pacific Islander  
 Middle East  Other - Specify: \_\_\_\_\_

**Sex:**  Male  Female

**Date of Birth:**

Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_  
Age: \_\_\_\_\_

3. **Date/Time of Custody (arrest/incarceration):**

Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_  
Time: Hour: \_\_\_\_\_ Min: \_\_\_\_\_  am  pm

4. **Date/Time of Death:**

Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_  
Time: Hour: \_\_\_\_\_ Min: \_\_\_\_\_  am  pm

5. **Where did the event causing the death occur?**

Street address: \_\_\_\_\_  
City: \_\_\_\_\_  
County: \_\_\_\_\_

6. **Has a medical examiner or coroner conducted an evaluation to determine a cause of death?**

- Yes, results are available
- Yes, results are pending
- No, evaluation pending
- No, evaluation not planned

7. **Manner of death:**

- Accidental injury to self
- Accidental injury caused by others
- Alcohol/Drug intoxication
- Justifiable Homicide
- Other Homicide
- Suicide
- Natural Causes/Illness - Specify: \_\_\_\_\_
- Other - Specify: \_\_\_\_\_

8. **Medical Cause of Death:**


9. **Was the cause of death the result of a pre-existing medical condition or did the deceased develop the condition after admission?**

- Pre-existing medical condition
- Developed condition after admission
- Not applicable; cause of death was accidental injury, intoxication, suicide or homicide
- Don't know

10. **Had the deceased been receiving treatment for the medical condition after admission to your jail's jurisdiction?**

- Not applicable
- No
- 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):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. **What type of custody/facility was the offender in/at prior to the time of death?**

- Police Custody (pre-booking)
- Penitentiary
- Municipal Jail
- County Jail

12. **Specific type of custody/facility:**

- Custody of Peace Officer during/fleeing arrest
- Custody of Peace Officer subsequent to arrest
- TDCJ-ID (Unit) \_\_\_\_\_
- Jail - single cell
- Jail - detox cell
- Jail - multiple occupancy cell
- Jail - holding cell
- Jail - day room/recreation area
- Correctional/Rehabilitation Facility
- Hospital/Infirmary
- Halfway House/Restitution Center
- Non-law enforcement detox facility
- Name: \_\_\_\_\_
- TYC - Facility: \_\_\_\_\_
- TJPC Detention Center: \_\_\_\_\_

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:**

Large empty rectangular box for attaching 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
<b>African American</b>	6	113	285	336	615	702	2060
Male	6	107	265	298	563	679	1921
Female	0	6	20	38	52	23	139
<b>Anglo</b>	9	109	294	397	734	1322	2872
Male	6	99	263	352	685	1277	2689
Female	3	10	31	45	49	45	183
<b>Hispanic</b>	17	143	287	326	521	616	1915
Male	15	141	273	308	505	608	1855
Female	2	2	14	18	16	8	60
<b>Other</b>	2	5	13	12	17	16	66
Male	2	5	13	12	17	16	66
Female	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>34</b>	<b>370</b>	<b>879</b>	<b>1071</b>	<b>1887</b>	<b>2656</b>	<b>6913</b>

**Table 2. Custody type by race/ethnicity and gender**

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

**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
<b>African American</b>	4	65	127	52	42	12	0	<b>302</b>
<b>Male</b>	4	63	121	51	39	12	0	<b>290</b>
<b>Female</b>	0	2	6	1	3	0	0	<b>12</b>
<b>Anglo</b>	6	57	109	103	87	60	0	<b>422</b>
<b>Male</b>	3	54	104	96	80	60	0	<b>397</b>
<b>Female</b>	3	3	5	7	7	0	0	<b>25</b>
<b>Hispanic</b>	16	81	125	99	32	15	3	<b>371</b>
<b>Male</b>	14	81	123	97	31	15	3	<b>364</b>
<b>Female</b>	2	0	2	2	1	0	0	<b>7</b>
<b>Other</b>	2	2	11	4	4	0	0	<b>23</b>
<b>Male</b>	2	2	11	4	4	0	0	<b>23</b>
<b>Female</b>	0	0	0	0	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>28</b>	<b>205</b>	<b>372</b>	<b>258</b>	<b>165</b>	<b>87</b>	<b>3</b>	<b>1118</b>

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

**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
<b>African American</b>	1	27	94	224	482	608	2	1438
<b>Male</b>	1	25	88	200	450	590	2	1356
<b>Female</b>	0	2	6	24	32	18	0	82
<b>Anglo</b>	1	20	80	186	505	1166	6	1964
<b>Male</b>	1	18	73	168	485	1130	6	1881
<b>Female</b>	0	2	7	18	20	36	0	83
<b>Hispanic</b>	1	28	90	168	415	551	2	1255
<b>Male</b>	1	28	87	156	406	547	2	1227
<b>Female</b>	0	0	3	12	9	4	0	28
<b>Other</b>	0	0	1	3	10	13	0	27
<b>Male</b>	0	0	1	3	10	13	0	27
<b>Female</b>	0	0	0	0	0	0	0	0
<b>TOTAL</b>	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
<b>African American</b>	1564	135	143	91	41	86	2060
<b>Male</b>	1455	128	139	80	37	82	1921
<b>Female</b>	109	7	4	11	4	4	139
<b>Anglo</b>	2006	411	198	96	64	97	2872
<b>Male</b>	1900	373	187	86	57	86	2689
<b>Female</b>	106	38	11	10	7	11	183
<b>Hispanic</b>	1268	215	217	85	61	69	1915
<b>Male</b>	1230	207	215	78	57	68	1855
<b>Female</b>	38	8	2	7	4	1	60
<b>Other</b>	32	11	15	3	2	3	66
<b>Male</b>	32	11	15	3	2	3	66
<b>Female</b>	0	0	0	0	0	0	0
<b>TOTAL</b>	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
<b>African American</b>	18	33	141	60	20	30	<b>302</b>
Male	17	31	137	58	18	29	<b>290</b>
Female	1	2	4	2	2	1	<b>12</b>
<b>Anglo</b>	21	95	194	49	23	40	<b>422</b>
Male	20	91	183	48	18	37	<b>397</b>
Female	1	4	11	1	5	3	<b>25</b>
<b>Hispanic</b>	7	41	212	53	31	27	<b>371</b>
Male	6	41	211	49	30	27	<b>364</b>
Female	1	0	1	4	1	0	<b>7</b>
<b>Other</b>	0	5	15	2	1	0	<b>23</b>
Male	0	5	15	2	1	0	<b>23</b>
Female	0	0	0	0	0	0	<b>0</b>
<b>TOTAL</b>	<b>46</b>	<b>174</b>	<b>562</b>	<b>164</b>	<b>75</b>	<b>97</b>	<b>1118</b>

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

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

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

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