



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 18-460-C

Version Type: AMENDED

Report Date: 6/12/2018 11:30
AM

Status: Submitted

Agency/Facility Information

Agency Name: Houston Police
Dept.

Agency Address: 1200 Travis, 16th
Floor

Agency City: Houston

Agency State: TX

Agency Zip: 77002

Director Information

Director Salutation: Chief

Director First Name: Art

Director Middle Name:

Director Last Name: Acevedo

Reporter Name: Kimberly Fowler

Reporter Email: kimberly.fowler@houstonpolice.org

Decedent Information

Identity of Deceased

First Name: Leroy

Middle Name: Letron

Last Name: Franklin

Suffix:

Date of Birth: 7/1/1972

Sex: Male

Race: Black or African
American

Age At Time Of Death: 45

Date/Time of Custody (arrest, incarceration) (mm/dd/yyyy hh:mm AM/PM):

Date/Time of Custody or 3/31/2018 12:45
Incident: AM

Date/Time of Death (mm/dd/yyyy hh:mm AM/PM):

Death Date and Time: 3/31/2018 1:52 AM

Manner / Cause of Death

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

Medical Examiner/Coroner Yes, results are
Evaluation?: available

What was the manner of death? (select only one)

Manner of Death: Accidental

Medical Cause of Death:

Medical Cause of Death:

Acute toxicity of Cocaine and Ethanol

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Not Applicable

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?: Decedent

If a weapon caused the death, what type of weapon caused the death? (Hold CTRL to select all that apply)

Type of weapon that caused death?: Unknown

Was the cause of death the result of a pre-existing medical condition or did the decedent develop the condition after admission?

Pre existing medical condition?: Not Applicable; cause of death was accidental injury, intoxication, suicide or homicide

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

Means of Death: Drug overdose

Location / Custody Information

Where did the event causing the death occur?

Street Address: 14700 Woodson
Park Drive

City: Houston

County: Harris

Zip: 77044

What location category best describes where the event causing the death occurred?

Location Category: Residence/Home

What type of custody/facility was the Decedent in at the time of death:

Type of Custody: Police Custody
(pre-booking)

Specific type of custody/facility:

Specific Type of Custody/Facility:

N/A

What was the time and date of the deceased's entry into the law enforcement facility where the death occurred (mm/dd/yyyy hh:mm AM/PM):

Entry Date Time:

Entry Date Time N/A: ☒

Where did the death occur?

Death Location: Elsewhere, specify

Death Location Elsewhere:

Northeast Memorial Hospital

General Information

Did any other law enforcement agencies respond to calls for service related to this incident?

Other Agencies Respond?: No

What were the most serious offense(s) with which the deceased was (or would have been) charged with at the time of death?

Offense 1:

Public Intoxication

Offense 2:

Offense 3:

Were the Charges:: Not filed at time of death

What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of Offense: Medical / Mental
Health assistance
call

At any time during the incident and/or entry into the law enforcement facility, did the decedent display or use a weapon?

Decedent display/use of weapons: No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Attempt to Injure Others?: No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or drugs): Yes

Make suicidal statements?: No

Exhibit any mental health problems?: Yes

Exhibit any medical problems?: Yes

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Barricade self or initiate standoff?: No

Resist being handcuffed or arrested?: No

Physically attempt/assault officer(s): No

Gain possession of officer's weapon: No

Verbally threaten other(s) including law: No

Escape or attempt to escape/flee custody: No

Attempt gain possession officer's weapon: No

Was the deceased under restraint in the time leading up to the death or the events causing the death?

Under Restraint: Yes, mark which restraint devices were used

Type of restraint

Type of Restraint: Handcuffs

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

On Saturday, March 31, 2018, at approximately 0040 hours, Kingwood Patrol Officers, David L. Pena, employee #140381, and Ashley M. Haarmann, employee #154601, responded to an apartment complex located at 14700 Woodson Park Drive, regarding a Suspicious Person Call. When Officers arrived the Houston Fire Department was on scene and attending to a black male, later identified by the Harris County Institute of Forensic Science as Leroy Franklin DOB 07/01/1972, who was acting erratically and possibly intoxicated. Mr. Franklin was only wearing shorts and no other articles of clothing. He did not have any identification and could not provide his own name. Officer D. Pena placed handcuffs on Mr. Franklin for his own safety. A few minutes later, Officer D. Pena noticed that Mr. Franklin was possibly not breathing when

was placed on a stretcher. Officer D. Pena immediately remove the handcuffs. Mr. Franklin was transported to Northeast Memorial Hospital where he was pronounced deceased at 0152 hours by Dr. J. Martinez, Prior to calling 9-1-1, witnesses observed Mr. Franklin in the courtyard yelling, running around, falling, and rolling on the ground.

Mr. Franklin wife, Bethel Lloyd, stated that Mr. Franklin placed a small plastic baggy with a white substance in his mouth the night before his death.

An Autopsy was performed by the Harris County Institute of Forensic Sciences to determine Mr. Franklin's cause of death. The cause and manner of death is pending that at this time.