KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	20-527-CJ	Version Type:	AMENDED
Report Date:	11/5/2020 8:55 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Bastrop County Sheriff's Dept.	Agency Address:	200 Jackson Street
Agency City:	Bastrop	Agency State:	TX
Agency Zip:	78602		

Director Information

Director Salutation:	Sheriff	Director First Name:	Maaurice
Director Middle Name:			
Director Last Name:	Cook		
Reporter Name:	Matthew Plocica	Reporter Email:	matthew.plocica@co.bastrop.tx.us

Decedent Information

Identity of Deceased

First Name: DANIEL

Middle Name:

Last Name: ZUNIGA

Suffix: JR

Date of Birth: 7/14/1981 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 38

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

Date/Time of Custody or Incident: 6/10/2020 10:45 AM

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

Death Date and Time: 6/10/2020 1:32 PM

Manner / Cause of Death

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

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

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

Manner of Death: Natural

Medical Cause of Death:

Medical Cause of Death:

Subglottic and posterior glottic stenosis associated with larynopharyngeal reflux disease

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

Medical Treatment:	Unknown

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

Who caused the death?:	Unknown whether decedent sustained a fatal injury

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?:	Could not be determined

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

Means of Death:	Not applicable, cause of death was illness/natural cause

Location / Custody Information

Where did the event causing the death occur?

Street Address:	200 JACKSON ST	City:	BASTROP
County:	Bastrop	Zip:	78602

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

Location Category:	Law Enforcement Facility

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

Type of Custody:	County Jail

Specific type of custody/facility:

Specific Type of Custody/Facility:
Jail - multiple occupancy cell

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:	4/4/2020 1:19 AM

Where did the death occur?

Death Location:	Medical facility

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:

FORGERY FINANCIAL INSTRUMENT

Offense 2:

Offense 3:

Were the Charges:: Filed

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

Type of Offense: Crime Against Property

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):	No	Make suicidal statements?:	No
Exhibit any mental health problems?:	No	Exhibit any medical problems?:	No

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		Gain possession of officer's	

officer(s):	No	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:	No

Summary of Incident

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

Summary:

On 6/10/20, I, Investigator Plocica #1399, was requested to respond to the Bastrop County jail, regarding a deceased person. I was advised the decedent, Daniel Zuniga, who was currently housed in tank MO-10, went into medical distress at approximately 10:30am. Daniel was then transferred to the medical unit at 10:36am, and assessed by medical officers. I was advised Daniel was awake and responsive, but was not answering questions. Daniel was then transferred by Bastrop County transport officers to Seton Ascension Bastrop at approximately 10:58am.

Upon arrival Daniel was immediately triaged and assessed by Seton medical staff. I was advised Daniel became stable and requested to call his wife, Diana Zuniga, by phone. Before making the phone call, Daniel went into medical distress again, where Seton staff attempted intubation, but were unsuccessful, due to swelling in Daniels throat. Seton then attempted a Tracheostomy, however, Daniel became unresponsive and C.P.R was then started. At approximately 1:32pm, Daniel was pronounced deceased by Dr. Amir Vira. Investigators Miller & Sanchez, responded to Seton Ascension hospital.

I then responded to the Bastrop County jail, where I met with corrections staff. I then obtained medical and jail records for Daniel. I then took inventory of Daniel's personal property. The property was then confiscated as evidence, and later released to the family. Upon completion, I then met with staff and requested the jail video of this incident. I then went to where Daniel was currently assigned (MO-10), to process the scene. Upon arrival, CST Tomaszycki obtained photographs of the tank. I then observed numerous bunks and completed a had-drawn diagram of the tank. While walking around the tank, I was unable to find any blood on the floor or any bunks, or evidence or indication of a suspicious death. I was also unable to observe any signs of the tank being cleaned prior to my arrival. Additional photographs were obtained of the bathroom stalls & shower, where no evidence was located. I was unable to find any evidence which indicated a fight or any other suspicious activity which suggests a suspicious death.

CST Tomaszycki and I then processed the transport vehicle in the sallyport of the Bastrop County jail. CST Tomaszycki obtained photographs of both the interior and exterior of the vehicle. Inside the vehicle CST Tomaszycki collected swabs of blood stains which were located in the rear passenger seat & floorboard of the vehicle. The oxygen mask which was used by Daniel was also swabbed and collected as evidence. I note the rear passenger seatbelt was cut by Ascension staff upon arrival to the hospital. All evidence collected was then submitted. A short time later, I was advised by Investigator Miller, that during an examination of Daniel, no injuries were found to suggest foul play or a homicide occurred. Daniel did have a bandage over his neck from the medical staff while attempting life saving measures.

On 6/11/20, I received both the jail video and bodycam video of this incident. While reviewing the video, I observe Daniel and others assigned to the tank, walking around. Daniel walks around, then sits down on his bunk, the uses the restroom. At approximately 10:30, Daniel goes towards the restroom area and takes a shower. Upon coming out, Daniel puts on shorts and sits down at a table in the front of the tank. Daniel appears to be having medical distress as he sits forward and he appears to be coughing. Other inmates assist him, by summoning medical officers to the tank as well as helping him get dressed before medical officers arrive. Upon arrival, medical staff assess Daniel, then transport him to the medical area of the jail.