KEN PAXTON
ATTORNEY GENERAL of TEXAS

# CUSTODIAL DEATH REPORT

## Agency Information

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|---|---|---|---|
| CDR Number: | 21-491-CJ | Version Type: | AMENDED |
| Report Date: | 4/29/2021 10:23 AM | Status: | Submitted |

### Agency/Facility Information

| | | | |
|---|---|---|---|
| Agency Name: | Brazoria County Sheriff's Office | Agency Address: | 3602 County Road 45 |
| Agency City: | Angleton | Agency State: | TX |
| Agency Zip: | 77515 | | |

### Director Information

| | | | |
|---|---|---|---|
| Director Salutation: | Sheriff | Director First Name: | Charles |
| Director Middle Name: | S | | |
| Director Last Name: | Wagner | | |
| Reporter Name: | Francine Vargas | Reporter Email: | francined@brazoria-county.com |

## Decedent Information

### Identity of Deceased

First Name: Xavier

Middle Name:

Last Name: Perez

Suffix:

Date of Birth: 3/30/1995 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 25

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

Date/Time of Custody or Incident: 3/15/2021 11:30 PM

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

Death Date and Time: 3/16/2021 9:04 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: Accidental

## Medical Cause of Death:

Medical Cause of Death:

Acute Fentanyl Toxicity

## 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?: Not applicable

## 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?: Not Applicable

## 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: Unknown

# Location / Custody Information

### Where did the event causing the death occur?

| | | | |
|---|---|---|---|
| Street Address: | 3602 County Rd 45 | City: | Angleton |
| County: | Brazoria | Zip: | 77515 |

### 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 - holding 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):

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|---|---|
| Entry Date Time: | 3/16/2021 4:07 AM |

### Where did the death occur?

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|---|---|
| Death Location: | Law enforcement facility/booking center |

## General Information

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

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|---|---|
| Other Agencies Respond?: | Yes |

## 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:

Manufacture Delivery Controlled Substance Penalty Group 1 >=4G<200G

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: Alcohol / drug offense

## 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): | Unknown | Make suicidal statements?: | Unknown |
| Exhibit any mental health problems?: | Unknown | Exhibit any medical problems?: | Unknown |

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

Barricade self or initiate

Resist being handcuffed or

| | | | |
|---|---|---|---|
| standoff?: | No | 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: | No |

## Summary of Incident

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

Summary:

I was contacted by Captain Collins to respond to the jail for an in custody death investigation. Upon arrival I learned that Texas Rangers were already enroute and would be conducting the investigation and I would only be assisting. I learned that on 03/15/21, the deceased, Xavier Perez 03/30/1995, had been stopped by Texas DPS and was arrested for Manufacture, Delivery, or Possession with the intent to deliver -Controlled Substance PG 1. I learned that he was booked into jail at approximately 0330 on 03/16/2021 and used the phone at approximately 0401. I learned that he was being held in A-18 and that he saw the judge at approximately 0730 where his bond had been set at $65,000. I learned that Deputy Guiterrez from the day shift and reported to Sgt. Russell that he did not get up for chow at approximately 4:30 p.m. I learned that at approximately 1955 hrs staff was making rounds and had attempted to get Perez to respond and was found to be unresponsive. I learned that jail staff entered A-18 and CPR was started and medical staff was called as well as EMS. Judge Davis made scene an provided an offical time of death to be 9:04 p.m. The body was transported by Price Transport Services to the Galveston County Medical Examiners Office.
On 3/18/21 an autopsy was done at the Galveston County Medical Examiner's Office and the cause of death is pending as well as pending results of toxicology.

On 04/27/2021 I received the Medical Examiner's Report and have amended the manner and cause of death.