



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 21-995-CJ

Version Type: ORIGINAL
VERSION

Report Date: 8/14/2021 1:33 PM

Status: Submitted

Agency/Facility Information

Agency Name: Van Zandt County
Sheriff's Dept.

Agency Address: 1220 W. Hwy 64

Agency City: Canton

Agency State: TX

Agency Zip: 75103

Director Information

Director Salutation: Sheriff

Director First Name: STEVE

Director Middle Name:

Director Last Name: HENDRIX

Reporter Name: Joe Maddox

Reporter Email: jmaddox@vanzandtcountry.org

Decedent Information

Identity of Deceased

First Name: Joshua

Middle Name: Daniel

Last Name: Key

Suffix:

Date of Birth: 4/20/1973

Sex: Male

Race: Anglo or White

Age At Time Of Death: 48

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

Date/Time of Custody or
Incident: 7/20/2021 8:55 AM

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

Death Date and Time: 7/20/2021 9:29 AM

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:

On Wednesday, July 21, 2021 at approximately 1540 hours, I, Sergeant Joe Maddox, spoke with Dr. Sean Ricciardo, Medical Examiner with the Dallas County Medical Examiner's Office in Dallas by phone. Dr. Ricciardo stated that the official cause of death was pending, but the initial preliminary cause of death was not from homicidal violence or abuse. He further stated that the manner of death appeared to be of natural causes, further describing the cause as an Aortic Valve Condition/Aortic Valve Stenosis. Dr. Ricciardo advised that Key possibly had an internal severe staff infection, which infected into his blood stream. Dr. Ricciardo stated that samples were collected and sent off to the lab for further analysis to verify his belief, but those findings are pending. The official cause of death will be determined based on the findings of the samples provided to verify his professional beliefs and findings. The results of the autopsy show that the decedent died from aortic stenosis/heart disease.

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

Medical Treatment: Yes

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?: Pre-existing medical condition

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: 1220 W. Dallas
Street

City: Canton

County: Van_Zandt

Zip: 75103

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 - single 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: 7/9/2021 12:00 PM

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?: 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:

Arson/Bond Forfeiture

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?: Unknown

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?: Unknown

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?:	Unknown	Resist being handcuffed or arrested?:	Unknown
Physically attempt/assault officer(s):	Unknown	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Unknown	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 Tuesday, July 20, 2021 at approximately 0855 hours, I, Sergeant J. Maddox # 1654, arrived at the Van Zandt County Sheriff's Office located at 1220 W. Dallas Street, Canton, Van Zandt County, Texas 75103 from field work. As soon as I parked, I observed Lt. Williams walking at a fast pace from the sally port area toward the front office of the station. I then observed Deputy McLeaish holding up the sally port entrance door to the back of the jail. I asked Deputy McLeaish what was going on, at which time she replied, "CPR on a prisoner!" I immediately disarmed and entered the jail into book-in, then on in to the main hall in front of the control room at cell # 2, which I later learned housed inmate Joshua Daniel Key m/w/04/20/1973. I observed Chief Deputy Shelton taking pictures and Sgt. Yager, Detention Officer Garcia and Nurse Lisa Martinez all taking turns performing CPR on Inmate Key. I observed Lt. Harrelson and Detention Officer Zubl on scene, as well as Clerk Shania Dinkins. Chief Deputy Shelton verbalized to me to retrieve a camera and begin documenting the scene as soon as possible because the batteries in his camera had expired. I returned to my vehicle outside of the jail and obtained my county issued digital camera and re-entered the jail and began documenting the scene with pictures, taken while life saving measures were still active. My intent was to document the scene as pure as possible before any potential evidence was moved or destroyed by the life saving measures in place.

I observed the inmate in question to be a middle aged white male, who appeared to be skinny. The male was wearing only a torn orange jumpsuit that appeared to have been ripped to shreds. The jumpsuit was open in the front. The male inmate had balding brown hair and a full beard, which appeared to have stomach bile or matter within the beard. A further visual inspection of the cell showed that the cell was dirty and appeared to have graffiti scratched into the walls, as well as paper stuffed in the toilet. Based on my prior training and experience, it appeared to be the cell of a mentally unstable person, or at a minimum one that causes constant problems. It did not know the inmate on site.

Paramedics with Christus Trinity Mother Francis were called at approximately 0853 hours by Dispatch Supervisor Jennifer Ewing. EMS arrived in Medic # 14 at approximately 0858 hours in the jail sally port. At approximately 0900 hours, EMS crew from Medic # 14 took over life saving measures and CPR in the cell #2. At approximately 0903 hours, Key was loaded onto a cot provided by Medic # 14, at which time they departed the jail and loaded him into Medic # 14. At approximately 0912 hours, Medic # 14, departed the sally port and transported Key to the Christus Trinity Mother Francis Hospital Emergency Room located at 18780 IH 20, Canton, Texas 75103. Detention Officer Zubl rode to the hospital with Key. Sheriff Hendrix and Chief Deputy Shelton followed the ambulance to the hospital. Key was never exhibited any signs of life during the transport and was never revived during the transport. Upon arrival at the hospital, Key was taken into Trauma Room # 1, where hospital staff took many life saving measures to revive Key. Key was pronounced deceased by Dr. Jaren L. Dickey, MD at approximately 0929 hours. The ambulance was attended by Paramedic Wesley Davis and EMT Devone Foster, who were both assigned to Medic # 14 for the entire shift.

JP2 Judge Plastic from the Van Zandt County Justice of the Peace for precinct # 2 was notified at approximately 0930 hours of the death. She had been at the Van Zandt County Jail preparing for morning arraignments and responded immediately to the Hospital. Judge Plaster arrived at the hospital at approximately 0935 hours.

Meanwhile, Lt. Wood and I secured the scene of cell # 2 and taped it off for future and further investigation by the Texas Rangers. More photographs were taken and the room was sealed off by crime scene tape. Everything within the cell was left as it was and preserved for the investigation. Deputy McLeaish assisted in the preservation and photographs.

At approximately 0945 hours, I was notified by Chief Deputy Shelton and advised that the hospital staff had pronounced Joshua Key deceased at 0929 hours. He then instructed me to respond to the hospital to obtain post mortem photographs of Key's body for evidentiary purposes. I immediately responded to the hospital. I arrived at approximately 0951 hours and immediately began documenting the scene and body with photographs.

At approximately 1015 hours, I arrived back at the Sheriff's Department Headquarters and was notified by Lt. Wood that there was a mandatory meeting in the conference room with Chief Deputy Shelton, Lt. Harrelson, Sgt. Yager, Lt. Wood and myself to discuss facts of the case and any notes obtained by the members to aid in the investigation.

At approximately 1018 hours, the aforementioned staff met in the conference room. Medical records for Key, security check logs from the jail staff and any other pertinent records. The surveillance video from the hall in which the cell that contained Key was located, along with cell surveillance for cell # 2 were reviewed. I requested the last twenty-four (24) hours of surveillance video from the hall and cell # 2 to add to the case file for the investigation.

As we, the aforementioned staff, reviewed video of the events from the morning of the incident, I observed the following chain of events at their respective approximate times as follows. A time line of pertinent facts have been listed below as follows:

At approximately 0758 hours – Detention Officer Nick Garcia opened the door and spoke to Inmate Joshua Keys, who was alert and responsive at that time.

At approximately 0759 hours - Inmate Joshua Key was observed on surveillance camera lying on his jail mat on the floor in front of the cell door, at which time movement could be seen from his feet. The feet were the only thing visible due to a digital screen placed over the general area where he was located that protects the view of the shower and toilet area of the cell to maintain privacy standards within the cell.

At approximately 0807 hours – Detention Officer Jacob Zubl performed a security cell check on Inmate Key. On the check, he is observed opening the hatch window for cell observation and his Guard 1 wand was scanned over the receiver of the cell verifying the check.

At approximately 0816 hours - Detention Officer Jacob Zubl performed a security cell check on Inmate Key. On the check, he is observed opening the hatch window for cell observation and his Guard 1 wand was scanned over the receiver of the cell verifying the check.

At approximately 0823 hours - Detention Officer Jacob Zubl performed a security cell check on Inmate Key. On the check, he is observed opening the hatch window for cell observation and his Guard 1 wand was scanned over the receiver of the cell verifying the check.

At approximately 0830 hours - Detention Officer Jacob Zubl performed a security cell check on Inmate Key. On the check, he is observed opening the hatch window for cell observation and his Guard 1 wand was scanned over the receiver of the cell verifying the check.

At approximately 0846 hours – Detention Officer Jacob Zubl and Van Zandt County Detention Nurse Lisa

Martinez went to inmate Joshua Key's cell to dispense medication. Nurse Martinez attempted to make contact with Inmate Key via the feed port on the cell door. After several attempts to gain a response from him, no response was gained. Detention Officer Jacob Zubl left the site and went to summons help from other jail staff. After a few seconds, Nurse Martinez runs to Book-In and contacted Detention Supervisor Davis Yager and Detention Officer Nick Garcia.

At approximately 0848 hours – Detention Supervisor Sergeant David Yager and Detention Officer Nick Garcia went to cell # 2 of Key, followed by Detention Officer Jacob Zubl. They opened the door to the cell and discovered Key lying face down and unresponsive. They rolled him over to check for signs of life, at which time they located a dark substance on the mat and blankets that appeared to be blood and aspiration contents. No signs of life were exhibited, at which time Detention Officers Nick Garcia and Jacob Zubl immediately began CPR, while Detention Supervisor David Yager ran to summons help from the Van Zandt County Jail Administrator Lieutenant Harrelson and Van Zandt County Sheriff's Office Chief Deputy Shelton.

At approximately 0850 hours - Chief Deputy Shelton and Lt. Harrelson were contacted by Sgt. Yager.

At approximately 0851 hours – Chief Deputy Shelton and Lt. Harrelson arrived at the cell scene, along with Sgt. Yager. They assisted with CPR while Chief Deputy Shelton began taking photographs of the scene to maintain the integrity of the scene through documented photographs as they were before anything could be tampered with during the life saving measures.

At approximately 0853 hours – Van Zandt County Dispatch Supervisor Jennifer Ewing notified EMS of the situation and summoned an ambulance.

At approximately 0854 hours – Chief Deputy Shelton notified the Van Zandt County Sheriff, Steve Hendrix of the situation, along with Criminal Investigation Lieutenant Jerry Wood.

At approximately 0857 hours – Criminal Investigation Sergeant Joe Maddox arrived on the scene and immediately began assisting Chief Deputy Shelton with evidence photographs.

At approximately 0858 hours – Lieutenant Jerry Wood arrived at the jail, along with EMS unit # M14.

At approximately 0900 hours – Medic 14 took over medical treatment of Inmate Joshua Key. He was removed from the cell and placed on a medical cot/gurney, where CPR continued by medical personnel and jail staff.

At approximately 0903 hours – M14 personnel moved Inmate Key from the jail to the ambulance in the sally port in preparation for transport to the hospital. At that time, Sgt. Maddox and Lt. Wood photographed the cell in which inmate Joshua Key was housed and the entire hallway leading to the cell.

At approximately 0906 hours - Chief Deputy Shelton notified Van Zandt County District Attorney Tonda Curry of the incident.

At approximately 0912 hours – M14 with Christus Trinity Mother Francis left the sally port en-route to hospital with Detention Officer Zubl on board. The ambulance was followed by Sheriff Steve Hendrix and Chief Deputy Shelton to the hospital. At that point, Lt. Wood, Sgt. Maddox and Evidence Technician Erin McLeaish completed photographing the scene. The scene was then secured with security tape and the jail was advised that the cell was off limits.

At approximately 0920 hours – Lt. Harrelson made the initial custody death notification to the Division of Texas Jail Standards.

At approximately 0929 hours – Christus Trinity Mother Francis Emergency Room in Canton ER Doctor Jaren Dickey, MD, pronounced Inmate Joshua Key deceased and listed his official time of death as 0929 hours on July 20, 2021.

At approximately 0935 hours – JP3 Judge Plaster arrived at the hospital to begin her inquest packet for Key. She notified the Dallas County Medical Examiner's Office and began a case for a forensic autopsy to be conducted at the Southwest Institute of Forensic Science within the Dallas County Medical Examiner's Office in Dallas. Judge Plaster also contacted Eubank Funeral Home out of Canton to transport the body of Key to the Dallas County Medical Examiner's Office.

At approximately 0935 hours – Sheriff Hendrix contacted Texas Ranger Michael Adcock and reported the in custody death of Inmate Joshua Key.

At approximately 0945 hours – Lt. Wood arrived at Christus Trinity Mother Francis Emergency Room in Canton and met with Sheriff Hendrix and Chief Deputy Shelton in trauma room # 1. Lt. Wood observed the deceased body of inmate Joshua Key lying on a hospital bed and Judge Plaster was completing inquest paperwork.

At approximately 0953 hours – Sheriff Hendrix made contact with Inmate Joshua Key's family by phone and provided death notification to his mother, Charlene Key, at 972-345-1756. Sheriff Hendrix requested that she be en-route to the hospital to speak with Judge Plaster concerning the death of her son, Inmate Joshua Key. Mrs. Key advised that be en-route as soon as possible. Sheriff Hendrix and Chief Deputy Shelton left the hospital at that time and returned to the Sheriff's Office to continue the investigation.

The investigation into the death of Inmate Joshua Daniel Key m/w/04/20/1973 will begin to determine cause and or manner of death. The investigation will be ongoing and conducted by Sergeant J. Maddox # 1654.

Case Narrative/Follow-Up SRV# 21-6788

I began the investigation looking into the medical records that were provided by Nurse Lisa Martinez. The medical records from the release paperwork from the Terrell State Hospital dated 11/13/2020 showed that Inmate Key was admitted into the facility on 09/21/2020. The form further showed that he was released to the custody of the Van Zandt County Sheriff's Office Jail on 11/13/2020. The paperwork was a referral/consultation form that appeared to have been written by Consultant, Dr. Udaya Gavini, MD on 11/10/2020 that showed the findings as follows:

Findings/Diagnostic Impression:

He reports feeling fine today. Denied having any chest pain, trouble breathing, dizziness, or palpitations. He had systolic murmur on admission and was seen by cardiology, had an echocardiogram which was interpreted as severe calcific aortic stenosis with moderate aortic regurgitation. He had normal pulmonary artery pressure. He is concerned about not getting enough fluids as order about ensuring adequate hydration has expired and he would like me to place the order again.

Patient is deemed competent and is awaiting transfer back to prison to stand trial. His stay is not going to be any longer than two or three weeks at the most per his psychiatrist and this was relayed to his cardiologist. Planning surgery is a multi-step process requiring further work up including cardiac cath, TEE and it might take longer than a few weeks to initiate and schedule for surgery. As his stay is not long enough to proceed with that, he is recommended to pursue further care at the next facility. This explained to the patient on his visit today. He voiced understanding. Asked him to pursue surgery at the next facility he is going to be at, and also to seek urgent help if at all he develops any symptoms such as chest pain, trouble breathing, dizziness, shortness of breath, or any neurologic deficits.

Vital signs in the clinic today are temperature 98.2, blood pressure 92/61, heart rate 58, saturation 99 percent room air.

On examination his lungs are clear to auscultation. Heart : loud systolic murmur heard in all areas. Extremities, no edema.

Labs; unchanged from last visit.

Current medications are Augmentin, Klonopin, Depakote, latuda.

Assessment and Plan:

Severe aortic stenosis on echocardiogram. Asymptomatic at present time. He reports being told to have heart murmur as a kid.

Awaiting discharge back to prison as he is deemed competent and do not have enough time to get scheduled for surgery. Explained the same to the patient and asked to seek care at the next facility. He voiced understanding and agreed to do so.

Recommendations:

Udaya Gavini, MD

UG: kc

D: 11/10/2020

T: 11/10/2020

Those medical records, along with approximately two-hundred other forms were added to the case file for further investigation into his medical records and history.

On June 30, 2021 at approximately 1622 hours, Joshua Key visited the UT Health Center located at Athens and was seen by Dr. Olusegun Wilde, MD. The box stating the following was checked by the doctor: I have examined the prisoner and find him/her acceptable for admissions into the jail (suggest treatment for the prisoner as described below.

Under the Physician's Instructions/Remarks section, the doctor's hand written dictation was not legible.

Said medical form was titled "Inmate Medical Clearance Report".

Sergeant Pollard began obtaining written affidavits from all of the Jail Personnel that were present at the time of the incident. Sgt. Maddox obtained written affidavits from other Jail Personnel, as well.

The individual case file was built beginning with a folder for the original offense report. The following case folders were created by obtaining prospective paperwork for each field of the investigation as follows:

Offense Report
Officer Supplements
Sheriff's Office Call Sheet
EMS Call Sheet
Christus Emergency Room Death Report
Inmate Joshua Key DL and Criminal History Packet
Personnel Written Affidavits
All Jail Incident Reports for Joshua Key during his incarceration
Guard 1 Cell Check History Log Reports (Cell Checks)
November 2020 Arrest Report
March 2021 Arrest Report
July 2021 Arrest Report
Formal Internal Affairs Request from Lt. Harrelson (Routine)
Chart 1 Medical Records
Chart 2 Medical Records
Shift Pass-On Reports for Cell # 2 (Key's Cell)
Phone Records for Joshua Key beginning 03/25/2021 thru 06/30/2021 and 07/09/2021 thru current
Nurse Lisa Martinez Internal Report of In-Custody Death for her company records
Inmate Key Book-Out/Discharge From Jail Packet

It should be noted that at the time of this report, there appeared to be no signs of prisoner abuse by any staff members of the Van Zandt County Sheriff's Jail Staff. Many of the jailers were saddened by his death and each described ways they attempted to befriend him in some manner.

All of the aforementioned records were filed in their own case folders for distribution to the County Attorney, Van Zandt County District Attorney's Office, Texas Rangers, Texas Commission on Jail Standards and the Dallas County Medical Examiner's Office.

On Tuesday, July 20, 2021 at approximately 1517 hours, I received a phone call from Natalie with the Dallas County Medical Examiner's Office. She requested that the Van Zandt County Sheriff's Office provide her with any and all medical records of Joshua Key, along with any other reports or records that they could.

On Wednesday, July 21, 2021 at approximately 1540 hours, I spoke with Dr. Sean Ricciardo, Medical Examiner with the Dallas County Medical Examiner's Office in Dallas by phone. Dr. Ricciardo stated that the official cause of death was pending, but the initial preliminary cause of death was not from homicidal violence or abuse. He further stated that the manner of death appeared to be of natural causes, further describing the cause as an Aortic Valve Condition/Aortic Valve Stenosis. Dr. Ricciardo advised that Key possibly had an internal severe staff infection, which infected into his blood stream. Dr. Ricciardo stated that samples were collected and sent off to the lab for further analysis to verify his belief, but those findings are pending. The official cause of death will be determined based on the findings of the samples provided to verify his professional beliefs and findings.

Ranger Adcock was contacted and asked if the cell needed to remain locked down for evidence purposes, at which time he advised that as long as there was evidence photograph's or video of the cell, it could be released and cleaned to be made ready for future inmates.

Detective Snell and I went to the hall and obtained a video of the entire hall and cell for evidence purposes. It should be noted that the cell was still sealed and in the same condition it was when I was sealed off by Lt. Wood and I the day before.

Based on the aforementioned facts and condition of the body of Joshua Key, along with the preliminary findings by Dr. Ricciardo of the Dallas County Medical Examiner's Office, it appears that the cause of death was medical related and no criminal offense occurred. The case will be further investigated and referred to the Van Zandt County District Attorney's Office for a case review. A separate investigation will be conducted by the Texas Rangers, led by Ranger Michael Adcock.

A CD containing 289 evidence photographs of the scene, along with 1 dvd of the crime scene taken by Investigator's was created and placed with the case file as evidentiary.

The internal investigation was completed by Lt. Wood on Wednesday, July 21, 2021 with no findings of policy violations by Detention Officer Jacob Zubl.

