



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 21-735-C

Version Type: AMENDED

Report Date: 1/5/2022 9:58 AM

Status: Submitted

Agency/Facility Information

Agency Name: Travis County
Sheriff's Dept.

Agency Address: 5555 Airport Blvd.

Agency City: Austin

Agency State: TX

Agency Zip: 78751

Director Information

Director Salutation: Sheriff

Director First Name: Sally

Director Middle Name:

Director Last Name: Hernandez

Reporter Name: Derick Cairo

Reporter Email: derick.cairo@traviscountytexas.gov

Decedent Information

Identity of Deceased

First Name: Eddie

Middle Name: Christian

Last Name: Vargas

Suffix:

Date of Birth: 4/27/1993

Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 28

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

Date/Time of Custody or
Incident: 6/9/2021 5:20 PM

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

Death Date and Time: 6/9/2021 6:35 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: Homicide (includes
Justifiable
Homicide)

Medical Cause of Death:

Medical Cause of Death:

COMBINED EFFECTS OF METHAMPHET AMINE AND PHYSIOLOGIC STRESS
RESULTING FROM THE USE OF RESTRAINT PROCEDURES

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

Medical Treatment: No

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: Drug overdose

Location / Custody Information

Where did the event causing the death occur?

Street Address: 11900-Block of
Bluebonnet Lane

City: San Leana

County: Travis

Zip: 78652

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

Location Category: Roadway/highway/street/sidewalk

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: 6/9/2021 5:20 PM

Where did the death occur?

Death Location: Scene of incident

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:

Assault

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: Violent Crime
Against Persons

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?: Yes

Exhibit any mental health problems?: Yes

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 standoff?:	No	Resist being handcuffed or arrested?:	Yes
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	Yes
Attempt gain possession officer's weapon:	Yes		

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 06/09/2021, at approximately 17:25 hours, TCSO deputies were dispatched to a disturbance call in the 1900-block of Bluebonnet Ln. A TCSO deputy and Travis County Pct. 3 deputy constable arrived to find Eddie Christian Vargas in the roadway on his hands and knees with no shirt on and his pants and underwear pulled below his waist. Vargas told one of the deputies to shoot him and began striking his forehead against the roadway. In their attempt to prevent Vargas from self-harm/injury, the deputies stood on either side of Vargas and grabbed his arms to assist him to his feet. Vargas forcibly resisted. The deputy constable tackled Vargas to the ground and assisted two TCSO deputies with detaining Vargas in handcuffs. Vargas became unresponsive.

A summary from the Medical Examiner who performed the autopsy reads in part:

"The decedent's hands were restrained with handcuffs behind his back, and he was placed in a prone position by the deputy. Two deputies each placed one knee over his back on either side of the decedent. The deputies did not kneel or sit over the decedent's neck nor was a choke hold or any weapons utilized by the deputies..."

In another portion of the summary the Medical Examiner noted:

"It is my opinion that the cause of death is combined effects of methamphetamine and physiologic stress resulting from the use of restraint procedures. Methamphetamine is a stimulant drug with no known minimal lethal concentration, and its concentrations do not correlate with the degree of impairment or death. Acute

methamphetamine intoxication can lead to sudden death when its stimulating effects lead to seizures or fatal abnormal heart beats (arrhythmias). Restraint procedures applied to an individual can place additional physiologic stress on the body that can also contribute to death. Based on the autopsy findings, toxicology results, and investigative information, the manner of death is homicide.”