



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 19-82-C

Version Type: AMENDED

Report Date: 6/6/2019 9:38 AM

Status: Submitted

Agency/Facility Information

Agency Name: Harris County
Constable Precinct
1

Agency Address: 1302 Preston,
Room 300

Agency City: Houston

Agency State: TX

Agency Zip: 77002

Director Information

Director Salutation: Constable

Director First Name: Alan

Director Middle Name:

Director Last Name: Rosen

Reporter Name: Kimberly
Malveaux
Wilson

Reporter Email: kimberly.malveauxwilson@cn1.hctx.net

Decedent Information

Identity of Deceased

First Name: Kevin

Middle Name: Ramon

Last Name: Smith

Suffix:

Date of Birth: 6/24/1991

Sex: Male

Race: Black or African
American

Age At Time Of Death: 27

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

Date/Time of Custody or 12/27/2018 12:15
Incident: AM

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

Death Date and Time: 1/2/2019 10:00 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:

Drowning

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?: 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: 100 Girard

City: Houston

County: Harris

Zip: 77002

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

Location Category: Field/woods/lake/waterway/beach

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:

Custody of Law Enforcement Personnel during/fleeing arrest

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: 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:

Burglary of Habitation

Offense 2:

Evading Arrest

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: 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): Unknown

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?:	Yes
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:	Yes
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 December 27, 2018, at approximately 12:15 am, Harris County Precinct One deputies responded to a Burglary of a Habitation call in progress. Upon deputies approaching the driveway of the residence, they observed a Maroon colored Jeep exiting the driveway. Deputies ordered the male suspect to stop and exit the vehicle, but the suspect refused and fled the scene. Deputies pursued the vehicle and observed the suspect stop and exit the vehicle. The suspect began running toward White Oak Bayou and deputies pursued the suspect on foot. Deputies observed the suspect jump into the waters at White Oak Bayou. Due to the high levels and strong currents of the water, the deputies did not feel it was safe to enter the waters to apprehend the suspect. The suspect was observed in the middle of the bayou, bobbing in and out of the water. Deputies requested the suspect to swim to the embankment on several occasions, but the suspect refused. The suspect appeared to struggling and was gasping for air each time his head broke the surface. Deputies observed the suspect go under the water and did not resurface.

On January 2, 2019, Harris County Precinct One deputies aided in the search of the missing suspect who fled from the deputies on December 27, 2018. At approximately 10:00 am, deputies discovered a human body floating in White Oak Bayou. The body was later identified by the Medical Examiner's office as Kevin Smith, DOB 06/24/1991.