



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 21-1233-MJ

Version Type: ORIGINAL
VERSION

Report Date: 9/21/2021 8:40 AM

Status: Submitted

Agency/Facility Information

Agency Name: 50th Judicial
District, District
Attorney

Agency Address: 101 S Washington

Agency City: Seymour

Agency State: TX

Agency Zip: 76380

Director Information

Director Salutation: Honorable

Director First Name: Jennifer

Director Middle Name: A

Director Last Name: Habert

Reporter Name: Samantha
Sturgeon

Reporter Email: spdclerk2@yahoo.com

Decedent Information

Identity of Deceased

First Name: JOSHUA

Middle Name: RAY

Last Name: MCKINNEY

Suffix:

Date of Birth: 11/20/1985

Sex: Male

Race: Black or African
American

Age At Time Of Death: 35

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

Date/Time of Custody or
Incident: 9/2/2021 3:09 AM

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

Death Date and Time: 9/2/2021 4:08 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
Evaluation?: pending

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

Manner of Death: Pending autopsy
results

Medical Cause of Death:

Medical Cause of Death:

pending

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?: 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: 102 W.
CALIFORNIA ST

City: Seymour

County: Baylor

Zip: 76380

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

Location Category: Parking lot/garage

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

Type of Custody: Municipal 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):

Entry Date Time: 9/2/2021 3:09 AM

Where did the death occur?

Death Location: Elsewhere, specify

Death Location Elsewhere:

SEYMOUR HOSPITAL EMERGENCY ROOM LOCATED AT 200 STADIUM DR. SEYMOUR TX, 76830

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:

PAROLE VIOLATION

Offense 2:

Offense 3:

Were the Charges:: A probation/parole violation

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

Type of Offense: Violent Crime
Against Persons;
Alcohol / drug
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?: Yes (select all that apply)

Ways Decedent Attempted To Injure Others: Attempted to injure law enforcement personnel

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?: No

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?: 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: No

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:

1:53 AM JOSHUA MCKINNEY CALLED DISPATCH AND REQUESTED TO SPEAK TO LAW ENFORCEMENT, SPD BRYCE SAWYER AND BCSO JUSTIN JONES MADE CONTACT WITH HIM AT HIS RESIDENCE. MCKINNEY WAS PLACED UNDER ARREST FOR TWO OUTSTANDING WARRANTS. THE ARREST WAS NON-INCIDENTAL AND MCKINNEY WAS ALLOWED TO SMOKE TWO CIGARETTES PRIOR TO TRANSPORT. THE ARRIVAL TIME AT THE PD WAS 2:28 AM. MCKINNEY WAS

MAGISTRATED. BAYLOR COUNTY DOES NOT HAVE A JAIL AND THE JAIL IN KNOX COUNTY WAS TO BE UTILIZED TO HOLD MCKINNEY WHICH IS AROUND A 32 MINUTE DRIVE. AS MCKINNEY WAS BEING PLACED BACK INTO THE PATROL CAR HE BECAME COMBATIVE. TRANSPORT BEGAN AT 3:07 AM. AT 3:09 AM MCKINNEY BEGAN TO KICK THE WINDOWS IN THE PATROL CAR, TRANSPORT WAS CANCELLED AND RETURNED TO THE PD AT 3:10 AM. SAWYER CALLED DISPATCH OVER RADIO TO SEND BACK UP UNITS. SAWYER AND JONES PLACED RESTRAINTS ON HIS FEET WHILE ATTEMPTING TO RESTRAIN MCKINNEY SAWYER "DRY STUN" MCKINNEY WITH HIS TASER. SAWYER WAS KICKED IN THE FACE. SAWYER AND JONES BOTH WERE SPIT UPON BY MCKINNEY. MCKINNEY WAS KEPT IN THE BACK SEAT OF PATROL UNIT WHILE WAITING FOR BACK UP. AT 3:22 AM SPD CHIRF GRIFFIN AND BCSO DEANDA ARRIVED TO ASSIST. AT 3:21 AM EMS ARRIVED TO ASSIST. MCKINNEY WAS REMOVED FROM PATROL CAR AND APPEARED TO BE IN MEDICAL DISTRESS. EMS HOSTAS AND BROWN ATTENDED TO HIM. HE WAS PLACED IN THE AMBULANCE. DURING THE MEDICAL AID AN UPPER AND LOWER DECORATIVE RETAINER WAS REMOVED. AND WHEN REMOVED A BAGGIE WITH SUSPECTED NARCOTICS WAS DISLODGED. CPR WAS ADMINISTERED INCLUDING THE USE OF A SELF COMPRESSING BACK BOARD. EMS ARRIVED AT THE SEYMOUR HOSPITAL AT 3:54AM. THE DOCTOR PRONOUNCED MCKINNEY DECEASED AT 4:08 AM. AUTOPSY RESULTS PENDING.