



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

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 3/15/2021 11:30
Incident: 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 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:

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):

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

Where did the death occur?

Death Location: Law enforcement
facility/booking
center

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:

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 Guterrez 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 and provided an official 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.