KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1591-CJ	Version Type:	ORIGINAL VERSION
Report Date:	11/29/2023 2:17 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Bailey County Sheriff's Dept.	Agency Address:	405 West 2nd
Agency City:	Muleshoe	Agency State:	TX
Agency Zip:	79347		

Director Information

Director Salutation:	Sheriff	Director First Name:	Richard
Director Middle Name:	B		
Director Last Name:	Wills		
Reporter Name:	Mary Lopez	Reporter Email:	mary.lopez@co.bailey.tx.us

Decedent Information

Identity of Deceased

First Name: Rafael

Middle Name:

Last Name: Pol-Xorxe

Suffix:

Date of Birth: 9/2/1994 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 29

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

Date/Time of Custody or Incident: 11/17/2023 1:48 AM

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

Death Date and Time: 11/21/2023 9:30 PM

Manner / Cause of Death

Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

Medical Examiner/Coroner Evaluation?: No, evaluation not planned

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

Manner of Death: Suicide

Medical Cause of Death:

Medical Cause of Death:

The ranger investigating has not received a report from the hospital, yet. We do not feel that an autopsy was performed, but he is trying to find that out also.

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: Other, specify

Means of Death Other: Used a piece of his shirt to cut off his airway

Location / Custody Information

Where did the event causing the death occur?

Street Address:	405 W 2nd Street	City:	Muleshoe
County:	Bailey	Zip:	79347

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:	11/12/2023 10:10 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:

49.04(d) DRIVING WHILE INTOXICATED BAC >= 0.15 [MA]

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: 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):	Yes	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?:	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:

On 11/17/2023 at approximately 1:48 A.M Jailers on duty, Roberta Camper, Sandra Flores and Brandon Ortega, heard a scream. Looking on camera they saw that it came from Cell 141. Jailers Flores and Ortega responded to the cell. Upon entering they saw Rafael Pol-Xorxe, screaming and crying on his bunk. He slept on a top bunk. Jailers Flores and Ortega, tried to calm him down and asked him what was going on. He would not answer and kept crying. The jailers decided to take him out of the cell and give him a chance to calm down in a holding cell. He was taken out of the cell and put into holding cell 162. The jailers went back to the control room. Shift lead, Jailer Roberta Camper was on the phone with Lt. Ana Gardea about the situation. The jailers were watching him on camera when he took his shirt off and tried to stuff it in his mouth. He then tore a piece of the shirt off and stuffed it down his throat with 2 fingers, cutting off his airway. Jailers Sandra Flores and Brandon Ortega, immediately responded to the cell and Jailer Roberta Camper, called 911 and requested an ambulance at approximately 0151. When the jailers reached the cell, the inmate was on the floor. They tried to keep him to where his air way would stay open. EMS arrived at 0158 and started trying to take the piece of cloth out of his throat. They were able to clear the air way, but the inmate was not breathing very well and they began to bag him. They put him in the ambulance. While in the ambulance they started chest compressions. Jailer Juan Garcia arrived and rode in the ambulance with the inmate while Sgt. Ricardo Ruvalcaba followed in his patrol unit. He was taken to Muleshoe Area Medical Center. From there he was transported by helicopter to University Medical Center in Lubbock.

On 11/17/23 at approximately 1322 hours, Inmate Pol-Xorxe was released from our custody after his charges were dismissed. Rafael Pol-Xorxe remained in the hospital on assisted breathing while tests were run to check for brain activity. His family was contacted. I left my phone number with the nurses station and asked that they call me and notify me if he died. I never received a call from them.

On Monday, November 27, 2023, I was informed by Lt. Murillo, that Pol-Xorxe had passed away. I called

University Medical Center and spoke to Yvette in ICU to confirm this and they did confirm it saying that he had passed away on Tuesday November 21, 2023 at 9:30 PM.