



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number: PA16429CJ

Report Date: 8/30/2016 12:00 AM

Status: Submitted

Agency/Facility Information

Department ID: 317

Department Type: SHERIFF

Agency Name: Goliad County Sheriff's Dept.

Agency Number: TX0880000

Agency Phone: 3616453451

Agency Address: 701 E. End St.

Agency City: Goliad

Agency County: Goliad

Agency State: TX

Agency Zip: 77963

Director Information

Director Salutation:

Sheriff

Director First Name:

Kirby

Director Middle Name:

Director Last Name:

Brumby

Reporter Name: Captain John Pape

Reporter Email: jpape@goliadcountytexas.gov

Location / Custody Information

Where did the event causing the death occur?

Street Address: 701 E. End Street

City: Goliad

County: Goliad

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 - multiple occupancy cell

Custody Type Facility:

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: 4/4/2016 6:15 PM

Where did the death occur?

Death Location: At law enforcement
facility

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Louis

Middle Name: Michael

Last Name: Flores

Suffix:

Date of Birth: 6/8/1965

Sex: Male

Ethnicity: Hispanic

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

Death Date and Time: 8/25/2016 2:45 AM

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

Date/Time of Custody or Incident:

4/4/2016 6:15 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:

Natural Causes/Illness

Manner of Death Description:

Cirrhosis of the liver

Death Reason:

Medical condition only (e.g. heart attack)

Medical Cause of Death:

Medical Cause of Death:

Complications of hepatic cirrhosis

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; cause of death was suicide, intoxication or illness/natural causes

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

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?:

Pre-existing medical condition

If death was an accident, homicide or suicide, what was the means of death?

Means of Death:

Not applicable; cause of death was intoxication or illness/natural causes

General Information

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:

Aggravated Assault w/a Deadly Weapon

Offense 2:

Offense 3:

Were the Charges::

Convicted

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by NA

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or

Exhibit any mental health

drugs): No

problems?:

Exhibit any medical problems?:

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Threaten the officer(s)
involved: No

Resist being handcuffed or
arrested?: No

Try to escape/flee from
custody: No

Grab, hit or fight with the
officer(s): No

Other Behavior:



Specify Other Behavior:

Use weapon threaten/assault
officer(s): 0

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:

Time: approximately 12:00 hours, August 24, 2016. Capt. Gerardo Diaz, Jail Administrator for the Goliad County Jail, conducted a check on inmate Louis Michael Flores, who was housed in Pod F, Bunk 3. Diaz had been notified by jail staff that Inmate Flores was not responding to jail staff. Capt. Diaz went to Pod F and checked on inmate Flores. Diaz entered the Pod, walked up to inmate Flores who was laying in his bunk, called his name and tapped him on the arm. When Flores did not immediately respond, Capt. Diaz contacted Jailer Miranda Kennedy and asked her to summon EMS to check on inmate Flores. This was at approximately 12:06 hours. Two EMS units responded to the jail. The first unit arrived at 12:11 hours; the second unit arrived at 12:14 hours. Dispatch also notified Capt. John Pape, who was in his office at the Sheriff's Office. Pape immediately went to the jail and entered immediately behind the first EMS unit.

In order to document the response, Capt. Pape began video recording the incident as the medics entered the jail pod and video-recorded the medical response. Between the time Capt. Diaz requested EMS and the time the initial EMS unit arrived, inmate Flores woke up and was awake and responsive. As medics examined inmate Flores, he repeatedly told both medics and jail staff the he was fine and was "just tired." He said he was tired because he had been up all night "writing letters." Medical evaluation found inmate Flores's vital signs within normal levels except for his blood sugar, which registered 340. It should be noted that inmate Flores has diabetes. Medical and jail staff repeatedly urged Flores to allow them to transport him to the hospital to be further evaluated. He repeatedly refused, saying he was "fine" and "just tired." Jail staff also offered to transport Flores to the medical clinic, which he also refused. Flores repeatedly refused transport or further medical treatment. Inmate Flores was lucid and coherent and capable of making medical decisions related to his own welfare. He also affixed his signature to a Goliad EMS Refusal of Care and Evaluation form. It should be noted that Pod F is a four-inmate cell but was occupied by only Flores and one other inmate at the time of the incident. The other inmate was Ersindo Perez. Out of a preponderance of caution for his health and well-being, Flores was put on a 15-minute watch, meaning jailers checked him every 15 minutes. This was done and documented on the Jail Inmate Observation Log. Time: approximately 02:45 hours, August 26, 2016 The 15-minute check on the welfare of inmate Louis Michael Flores continued until 2:45am August 26, when Jailer Cindy Diaz found Flores non-responsive with blood coming from his mouth. EMS was summoned at 02:49 hours and arrived at 02:57 hours. EMS examination of inmate Flores showed that he was deceased. It should be noted that Jailer Allen Ferguson had checked on inmate Flores at approximately 02:30 hours, 15 minutes before Jailer Diaz found Flores dead. During Ferguson's check, he found Flores to be responsive and well. Flores did not make any complaint of illness nor make any request for medical assistance. Inmate Perez was found to be asleep on both occasions. Also responding to the call was Deputy Vernon Busby, arriving at 02:59. The following other Goliad County Sheriff's Office staff responding included: • Capt. John Pape – on scene at 03:16 hours • Deputy Alex Reyna – on scene at 03:16 hours • Sheriff Kirby Brumby – on scene at 04:24 hours • Chief Deputy Ellie Carter – on scene at 04:24 hours Capt. Pape photographed the scene, as well as video-recorded the scene. Capt. Pape inspected inmate Flores's body and the scene after photography and videography was concluded. Flores was laying on his back clad only in black shorts. His right arm was extended outward from the bunk. Evidence of medical examination in the form of leads attached to Flores's body was evident. There was an accumulation of semi-dried blood Flores's face around the mouth and nose areas. Blood was also evident on Flores's blanket and bunk frame. This was consistent with his having expelled blood from the mouth and nose area prior to expiring. Flores's body showed no signs of trauma or foul play. Neither rigor mortis nor livor mortis was evident, and the body retained some body heat on the back side. The blood pattern was consistent with Flores having been laying on his right side. There was no blood evident on any other part of Flores's body. The scene showed no evidence of a struggle or foul play. The top bunk displayed Flores's personal items, much as it had during the earlier call. Some of Flores personal items were on the adjacent bunks as well. Judge Steven Kennedy was summoned to conduct an on-scene inquest at 03:25. Judge Kennedy set the time of death at 02:45 (the time Jailer Diaz discovered Flores deceased) and ordered an autopsy. Goliad Funeral Home was summoned to transport the deceased to Central Texas Autopsy in Lockhart, TX. After inmate Flores's body was removed from the cell, the cell was locked down and sealed by Capt. Pape. Capt. Pape called for a Texas Ranger to further investigate since the death involved an inmate. Ranger Terry Snyder responded to the scene and conducted an on-site investigation. For details on Ranger Snyder's investigation, refer to his investigative report. Upon Ranger Snyder's exit from the pod, the cell was again locked and re-sealed by Capt. Pape. At approximately 15:36 hours, Capt. Pape received the initial cause of death report on inmate Flores from Central Texas Autopsy. Dr. Danielo Perez, who performed the autopsy, indicated inmate Flores had "significant upper gastrointestinal hemorrhage from eroded esophageal varices secondary to hepatic cirrhosis." The autopsy findings remain preliminary as of this date (08.30.16) until toxicological results are completed.