KEN PAXTON
ATTORNEY GENERAL of TEXAS

**CUSTODIAL DEATH REPORT**

# Agency Information

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|---|---|---|---|
| CDR Number: | 17-197-CJ | Version Type: | ORIGINAL VERSION |
| Report Date: | 4/17/2017 4:52 PM | Status: | Submitted |

## Agency/Facility Information

| | | | |
|---|---|---|---|
| Agency Name: | Harrison County Sheriff's Dept. | Agency Address: | 200 W. Houston Street |
| Agency City: | Marshall | Agency State: | TX |
| Agency Zip: | 75670 | | |

## Director Information

| | | | |
|---|---|---|---|
| Director Salutation: | Sheriff | Director First Name: | William |
| Director Middle Name: | | | |
| Director Last Name: | McCool | | |
| Reporter Name: | John Hain | Reporter Email: | johnh@co.harrison.tx.us |

# Decedent Information

### Identity of Deceased

First Name: Mary

Middle Name: Ann

Last Name: Flanagan

Suffix:

Date of Birth: 12/11/1969 Sex: Female

Race: Anglo or White

Age At Time Of Death: 47

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

Date/Time of Custody or Incident: 3/17/2017 4:33 PM

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

Death Date and Time: 3/18/2017 1:11 AM

## 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 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 Autopsy Results

## 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?: Could not be determined

## 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?

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|---|---|---|---|
| Street Address: | 110 South Franklin Street | City: | Marshall |
| County: | Harrison | Zip: | 75670 |

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

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| Location Category: | Law Enforcement Facility |

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

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|---|---|
| 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):

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| Entry Date Time: | 3/17/2017 4:33 PM |

### Where did the death occur?

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|---|---|
| Death Location: | Law enforcement facility/booking center |

## General Information

### Did any other law enforcement agencies respond to calls for service related to this incident?

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|---|---|
| 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:

THEFT OF PROPERTY >100 <750

Offense 2:

POSSESSION OF DRUG PARAPHERNALIA

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)

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|---|---|
| Type of Offense: | 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?

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|---|---|
| Decedent display/use of weapons: | No |

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

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|---|---|
| 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?

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|---|---|
| Under Restraint: | No |

## Summary of Incident

### Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

On Friday, March 17, 2017 at approximately 15:52 hours Marshall Police responded to Wal-Mart located at 1701 North East End Blvd in reference to a shoplifter. Upon MPD's arrival they observed a vehicle heading westbound on Sedberry Street. MPD initiated a traffic stop on the vehicle and as they were doing so the passenger, matching the description of the actor began making furtive movements towards the center console of the vehicle. MPD identified the passenger to be Mary Ann Flanagan (W/F DOB:12/11/1969). MPD observed merchandise in the vehicle matching the description of some of the goods stolen from Wal-Mart. MPD had Flanagan return to Wal-Mart. MPD asked Flanagan to retrieve the bag from her vehicle which matched the description of the bag she used. As Flanagan removed the bag she dumped the contents of the bag into the floorboard of the vehicle. MPD had Flanagan pick up the items which were items matching the description of the stolen goods. MPD escorted Flanagan into the Asset Protection Office where the asset protection associate identified Flanagan as the individual they observed stealing the merchandise. MPD then placed Flanagan into custody and placed her in the rear seat of their patrol vehicle. MPD then searched Flanagan's vehicle due to observing stolen merchandise in the vehicle. Upon searching Flanagan's vehicle MPD recovered more merchandise that was believed to be stolen. MPD returned the items to Wal-Mart where the asset associate confirmed that those items were also stolen. Asset Associate stated that the amount of items stolen equaled $165.03. Flanagan was transported to the Harrison County Jail where she was booked and charged with Theft $100.00>$750.00 and Possession of Drug Paraphernalia. Flanagan was accepted into the Harrison County Jail at 17:03 hours and was subsequently searched and booked. Flanagan was then placed into Holding B, where she was seen numerous times using the telephone and sitting on the bench looking out of the window of Holding B. She was observed using the telephone at around 21:24 hours. Some time after, she was observed laying on the bench inside Holding B, covered to her upper chest area with her issued blanket. Inmate Flanagan was observed sleeping. She was continued to be observed sleeping through out the evening. Then at approximately 23:42 hours the Lieutenant, Sergeant and jail staff member had just left Detox B talking with a disruptive inmate.about her behavior. As the Lieutenant walked by Holding B she looked into the window and saw inmate Flanagan, Mary laying on the bench with her head facing the window. The Lieutenant could not tell if she was breathing or not (looking for chest compressions and movement). The Lieutenant then asked the control room operator to open the door to Holding B and she stepped in. As soon as she stepped in, she noticed inmate Flanagan looked blue in the face and did not appear to be breathing. The Lieutenant shook her and called her by name. She did not respond, the Lieutenant called to the Sergeant and the Sergeant came running to the cell. The Lieutenant then told the Sergeant to call 911 and get EMS en

route. This was at 23:43 hours. The Lieutenant observed blood on the bench, which looked like it was coming from her nose. Inmate Flanagan's face, arms and hands were purple to blue in color and lividity had began to set in. No life saving measures were initiated by jail staff as the inmate was already deceased. The Lieutenant had the Sergeant stand by the cell and she ran to the administration office and advised the Captain that we had a deceased person in the Holding cell. The Captain followed the Lieutenant back to the holding cell. Once EMS arrived at 23:57 hours they hooked up their EKG machine to verify that there was no heartbeat. EMS determined that the inmate had passed with no further action on their behalf. EMS left the paper EKG printout with jail staff per there policy and left the jail. At this time Harrison County Investigators notified the on call Justice of the Peace at 00:40 hours, Upon the Justice of the Peace arriving at the jail she pronounced the inmate deceased at 01:11 hours.

Captain John Hain