KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	18-832-PF	Version Type:	AMENDED
Report Date:	3/28/2019 10:40 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Rice Police Dept.	Agency Address:	PO BOX 97
Agency City:	Rice	Agency State:	TX
Agency Zip:	75155		

Director Information

Director Salutation:	Chief	Director First Name:	Charles
Director Middle Name:	W		
Director Last Name:	Parson		
Reporter Name:	Charles Parson	Reporter Email:	cparson@ricetx.gov

Decedent Information

Identity of Deceased

First Name: Mark

Middle Name: Lindsey

Last Name: Owens

Suffix:

Date of Birth: 7/5/1974 Sex: Male

Race: Anglo or White

Age At Time Of Death: 44

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

Date/Time of Custody or Incident: 8/29/2018 9:34 PM

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

Death Date and Time: 8/29/2018 11:16 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: Accidental

Medical Cause of Death:

Medical Cause of Death:

Toxic effects of methamphetamine.

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment:	Not Applicable

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:	Drug overdose

Location / Custody Information

Where did the event causing the death occur?

Street Address:	239 Northbound I-45	City:	RICE
County:	Navarro	Zip:	75155

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

Location Category: Roadway/highway/street/sidewalk

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

Type of Custody: Private Facility

Specific type of custody/facility:

Specific Type of Custody/Facility:

Hospital/Infirmary

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:

Entry Date Time N/A: ☑

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:

Possession of a Controlled Substance

Offense 2:

Tampering with Evidence

Offense 3:

Defective License Plate Lamp (TC 547.322)

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: Other, specify

Type of Offense, Other:

Traffic Violation (TC 547.322)

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?:	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?:	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:	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:

On August 29, 2018 at 2134 hours Officer Trace #376 was patrolling the City of Rice in a marked Patrol car, with a civilian passenger near the I-45 237 Northbound mile-marker when he observed a green 2002 Chevrolet Tahoe bearing TXLP (GRD9363) with license plate lights that weren't illuminating the license plate so that it was readable at least a distance of 50ft (TTC 547.322). The civilian passenger stated that he couldn't see the license plate either. The emergency lights were activated on the patrol vehicle to initiate a traffic stop near the I-45 238 NB MM, but the vehicle didn't stop. The rear window tint was too dark to see inside of the vehicle, and the Officer couldn't see the driver.

The green Chevrolet continued to travel NB at around 52 MPH passing the 238 exit to the Lucky Lady Convenience Store. While approaching the I-45 239 Northbound Mile-Marker the Chevrolet began to travel onto the solid white line on the improved shoulder. The driver traveled on the solid white line and moved to the improved shoulder before reaching the 240 I-45 Northbound Mile-Marker. The green Chevrolet made a complete stop at about the 239 I-45 Northbound Mile-Marker.

During the 7-step approach the Officer observed the driver Owens, Mark, Lindsey (W/M DOB 07/05/1974 TXDL #12638089), had sweat only on his face which was observable due to him wearing a white tank top. The drivers right hand was soaking wet halfway up his forearm as if he had been reaching into the ice chest behind him. The driver seemed overwhelmed by the questions the Officer was asking by not answering them immediately, and having prolonged answers. The driver was asked why it took him so long to stop and he stated, "I was looking for a safe place to stop" to which the Officer replied, "you past and exit for a gas station and almost drove two miles". The driver was asked if there were any weapons in the vehicle, and he stated "no", but a black hatchet was in the middle row passenger seat in plain view. The Officer picked it up and carried it back to the patrol vehicle.

A Criminal History was requested for previous drug charges on the driver from Navarro County Dispatch and the Officer awaited for Sergeant Huddleston #372 to arrive on scene to assist. Sergeant Huddleston arrived on scene at 2140 hours. The Criminal History return had multiple offenses including Evading Arrest, P.O.C.S, and Assault. The driver was asked to step out of the vehicle and a Terry Frisk was conducted to check for weapons. The Officer asked Mr. Owens for consent to search the vehicle. Mr. Owens provided verbal consent to search his vehicle, and the search started at about 2149 hours.

While Officer Trace was searching the vehicle Sergeant Huddleston became suspicious about Mr. Owens behavior and actions. For Officer safety Mr. Owens was placed in handcuffs. While placing Mr. Owens in handcuffs Sergeant Huddleston asked him to spread his legs apart, and he hesitantly did so. Sergeant Huddleston had to request this multiple times, because he would only move his feet about a half inch apart upon every request. The vehicle search continued. Officer Trace approached Mr. Owens and Sergeant Huddleston stated that the driver's tongue was brown, and he thought he may have consumed an illegal narcotic. Officer Trace approached Mr. Owens and asked him if he swallowed anything. Mr. Owens continued to advise "No". Officer Trace observed Mr. Owens was sweating profusely, shaking provocatively, wouldn't open his eyes, was gritting his teeth, had brown residue on his tongue, and looked like he was trying to keep from throwing up. Officer Trace advised Sergeant Huddleston of Mr. Owens actions, and he called for a medical unit at 2211 hours. Sergeant Huddleston removed the handcuffs from Mr. Owens, and Officer Trace advised Mr. Owens he was just receiving a warning for Defective Tail Lamps (warning #E234482). While waiting for the medical unit to arrive Officer Trace observed a brown glass like substance on the ground where Mr. Owens was asked to spread his legs. The brown glass like substance was field tested using a Nark II KN 15 Field test kit, and it tested positive for methamphetamines. The medical unit 4 arrived on scene at 2221 hours, and Rice Volunteer Fire Department arrived to assist at 2224 hours.

The medics were advised methamphetamines were found and that the Officers believed Mr. Owens had consumed some. The Medics approached Mr. Owens and asked him a couple of questions. Mr. Owens was still shaking and sweating and was only stating no when he spoke. The medics asked Mr. Owens if he wanted to be transported to the hospital and he continuously stated no. Officer Trace repeatedly advised Mr. Owens that he was concerned for his wellbeing, and that he was not planning to arrest him or go to the hospital with him. Mr. Owens continued to state no to the question of him being transported to the hospital. Officer Trace advised Mr. Owens "depending on what he ate he could possible die, and that he wanted him to live through the night", and he continued to say no. The medics attached a machine to check Mr. Owens vitals and began speaking with one another. Mr. Owens continued to state no to going to the hospital, and the medics advised they could only take him to the hospital upon Mr. Owens request. The medics stood and talked for a moment, until Mr. Owens seemed to begin to seize. The medics asked Mr. Owens again if he wanted to go to the hospital, and he didn't say anything back while continuing to seize. The medics loaded him on a gurney and placed him into medical unit 4.
Medical unit 4 cleared the scene at 2247 hours and transported Mr. Owens to Navarro Regional Hospital.

The next rotational wrecker was requested to be en-route. I-45 Towing arrived at 2243 hours and removed the vehicle from the roadway and transported it to their secure lot located at 1900 S Business 45, Corsicana, TX, 75110 for safe keeping at 2255 hours.

All units cleared the traffic stop scene at 2326 hours.

Sergeant Huddleston tried to contact the driver's emergency contacts listed on his driver license, but nobody answered.

Navarro Regional Hospital advised Mr. Owens time of death was at about 2316 hours.

Sergeant Huddleston notified Texas Ranger Adam Sweaney and met him at Navarro Regional Hospital. Ranger Sweaney is also investigating the incident.

Griffin-Roughton Funeral home arrived at the Navarro Regional Hospital and took possession of Mr. Owens body. The body was taken to the Medical Examiner and Autopsy and Toxicology Results are Pending.