KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	19-596-CJ	Version Type:	ORIGINAL VERSION
Report Date:	6/18/2019 12:07 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Jasper County Sheriff's Office	Agency Address:	101 Burch Street
Agency City:	Jasper	Agency State:	TX
Agency Zip:	75951		

Director Information

Director Salutation:	Sheriff	Director First Name:	Mitchel
Director Middle Name:			
Director Last Name:	Newman		
Reporter Name:	Glenn Blank	Reporter Email:	glenn.blank@co.jasper.tx.us

Decedent Information

Identity of Deceased

First Name: CHARLES

Middle Name: THOMAS

Last Name: MERKELZ

Suffix:

Date of Birth: 11/20/1984 Sex: Male

Race: Anglo or White

Age At Time Of Death: 34

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

Date/Time of Custody or Incident: 3/21/2019 2:27 AM

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

Death Date and Time: 3/21/2019 2:26 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 TOXICOLOGY RESULTS

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

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?

Street Address:	101 BURCH STREET	City:	JASPER
County:	Jasper	Zip:	75951

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 - single 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:	2/15/2019 1:16 PM

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:

ASSAULT FAM/HOUSE MEM IMPEDE BREATH/CIRCULAT

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: Violent Crime Against Persons

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: Unknown

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

Attempt to Injure Others?: Yes (select all that apply)

Ways Decedent Attempted To Injure Others: Injured civilian(s) or other inmate(s)

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?:	No
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 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:

1. On 03/21/19 at approximately 2:40 am I, Lt. Inv. R. Cunningham was contacted by Jasper County Dispatch (Burrows) in reference to an in custody death of an inmate (Charles Thomas Merkelz DOB 11/20/84) at the Jasper County Jail. I advised her that I would be enroute.

2. Upon arrival, I met with Patrol Sgt. A. Williams, Deputy C. Downs, Jail Sgt. Barthol and other jail staff in the trustee hallway. They were standing in front of a single cell and stated that the deceased subject was Charles Thomas Merklez.

3. I observed Charles to be dressed in a white t-shirt and orange jail pants. He was lying on a mattress on the floor with a jail issued blanket covering his legs. I also observed his shirt to be partially raised in the front and for there to be "sticky pads" still attached to him from EMS. I also observed lividity to be in the lower extremeties of Charles' body.

4. I began photographing the cell and body. I removed the shower curtain at which time I observed an inmate tray, a cut tube of toothpaste and what appeared to be vomit on the shower floor.

5. I observed 2 InstaKool Ice packs on the desktop in the corner of the room and for them to be opened and empty. I observed the back of the package to read: If accidently swallowed, give several glasses of milk or water and consult a physician or Poison Control Center immediatley. There was also a plastic spoon on the desktop.

6. I observed 3 styrafoam cups and a plastic baggie in the sink as well as a toilet paper roll with a plastic baggie and latex glove in the toliet paper holder. On 2 of the cups the words "God forgive me" were inscribed on the side of them. The other cup had a cross, horse and an arrow pointing up inscribed on the side. The plastic baggies appeared to be from inside the InstaKool packets.

7. Lt. J. McClelland and Texas Ranger J. Haralson arrived at which time they located a notebook with several

writings in it as well as what appears to be a "suicide note". The note reads as follows: Goodbye my darlings, I will always love ya'll. I am tired of waking up with the same pain in my head and ache in my heart. I leave this world giving it three special people. Maddy, Charlie, Ben I love you all so much. I just didn't turn out to be the man or father ya'll deserve. Your mom will take good care of ya'll. Michelle, sorry for all the heart ache I have given you. You are a good women. I hit the lotto when I met you. I sorry I didn't pan out for you. I've lost the will to go on, my mind I can't even trust any more. I am dead inside and deserve hell. God O' God, have mercy on me. Psalm 23. Can't eat, can't drink, can't sleep. I'm done the world hates me so I hate it back. No need to spend any more energy trying to fight back. Just want to lay down and DIE!!!!!!! PLEASE DIE ALREADY...End of note.

8. All the items were collected for evidence (see evidence sheet) and secured in my office and later placed into evidence. JP 1 R. Billingsly pronouced the time of death to be 2:50 am. Stringer and Griffin Funeral Home Services were called and arrived a short time later. Charles' body was released to their custody. An autopsy was ordered by JP 1 Billingsly and a InstaKool packet was sent with the body to the morgue so that they could search for the chemicals during the toxicology exam.

9. Written statements from the Jail Staff (Shelia Rawls, Gail Johnson, Ashlynn Brown, Sgt. Barthol, Jackie Burrow, Gina Streed x 2) as well as an inmate (Antonio Covasos) were obtained (see attached). They read as follows:

Shelia Rawls- On March 20, 2019 approx. 1:25 pm, I jailer Rawls was on the hallway going to the kitchen. Inmate Charles Merkelz ask me Jailer Rawls if he could have a ice pack out of the kitchen for a throbbing toothache so I Jailer Rawls said to inmate Charles Merkelz, why an ice pack? Put in a nurse request and get something for the pain if it is hurting that bad. Inmate C. Merkelz then ask me if the nurse was here. I, Jailer Rawls advised inmate C. Merkelz that the nurse was not here. I Jailer Rawls then went to the kitchen and got the ice pack and gave it to inmate C. Merkelz. End of Report.

Gail Johnson- I Jailer Johnson 03/2019 approx. 5:00 pm on duty working in book-in. 30 minute visual check and hour visual check are made. Everyone appear to be ok approx. 16:45 I Jailer Johnson went to the back part of the jail making visual check also. On 03/21/19 approx. 2:30 am, Jailer Brown advised Sgt. Barthol to step to SC cell. Inmate Merkelz appeared not responding. Sgt. Barthol stated to start CPR until an officer come. End of Report.

Ashlynn Brown- On March 21, 2019 at 2:18 am I Jailer Brown, Ashlynn was perfoming my normal 30 min check when I saw inmate Merkelz, Charles Thomas located on his mat on the floor where he appeated to be sleep. This is where inmate Merkelz usually slept every night with his blanket pulled over him. I Jailer Brown knocked on the door of cell SC where inmate Merkelz was located while calling his name but inmate Merkelz, Charles didn't respond. So I Jailer Brown then called for his cell door labeled SC to be opened. Upon opening the door and calling Merkelz name he still wasn't responding so I Jailer Brown then called over the radio for Sgt. Barthol to report to cell SC. Upon Sgt. Barthol arrival he removed the cover from over inmates Merkelz and immediatly told dispatch to have EMS on there way. CPR was then started and continued until EMS was on scene. End of Report.

Sgt. Carl Barthol- At approx. 2:31 I was called to cell SC because CO Brown could not get inmate Merkelz, Charles to answer her when she called his name, I Sgt. Barthol pulled the cover from over his head and called dispatch to call the Sheriff and proper people. Alex Williams started CPR then made a roster of every one that came in contact with inmate. End of Report.

Jackie Burrow- At approximately 2:26 am Jailer Brown called for SC door to be opened. I then heard her call for Sgt. Barthol. Ms. Streed was working the jail board and stated it appeared that something was wrong. Sgt. Williams then went into the jail to assist. He almost immediately came back to dispatch and told us to start making phone calls. Sgt. Williams assisted me by calling Acadian EMS to respond. I made the following phone calls. At 2:27 am Sheriff Newman was notified. At 2:29 am Chief Blank was notified. Sheriff Newman advised me make calls investigators, I contacted Lt. Cunningham at 2:37 am. Chief Blank ask me to notify Ms. Herrington, she was notified by Ms. Streed at 2:30 am. Other staff that was notified were Lt. Downs @ 2:45 am, Judge Billingsley @ 2:38 am, Stringers Funeral Home @ 3:14 am, Supervisor J. Warrington @ 2:50 am. At 3:21 am Deputy Downs ask me to close the CAD call so that a case# could be generated.

Gina Streed- During my shift on Monday 03/18/19 while making my rounds inmate Merkelz, Charles had a packet on his bean shoot from an empty icepack asking for another. Trustee Lisi and trustee Cauley stated that he was only receiving a glove with ice now due to the icepack being opened. Inmate Merkelz never made any other mention about needing an icepack to myself. There was no mention as to why Merkelz was in need of an icepack. I did take notice that Merkelz had a glove laying on his matt that was shaped as though it might contain ice. End of Report.

Gina Streed- On 03/21/2019 Jailer A. Brown called for door to be opened to cell SC housing Merkelz, Charles at 2:24 am. I heard Jailer Brown call Mr. Merkelz's name a couple of times, then call for Sgt. Barthol. Sgt. Williams was in dispatch at the time and I Jailer Streed informed him something was going on in jail, he stepped back into the jail to cell SC to see what was going on. At 2:26 am Sgt. Williams stepped back into

dispatch to inform us that inmate Merkelz appeared to be deceased and to begin making all necessary calls. I contacted Lt. Herrington at 2:30 am as instructed by the Sheriff. I contacted Deputy Hopson at 2:37 am as instructed by the Sheriff. Dispatcher Burrow made all other calls. I Jailer Streed do recall inmate Merkelz calling in over the intercom on 03/20/19 sometime I believe to be between the hours of 7:00 pm to 10:00 pm stating he was not feeling well and needed an officer to come see him. Sgt. Barthol was in dispatch at the time the inmate had called in, so I informed the Sgt. at that time that the inmate in cell SC had stated he was feeling well and needed to be seen. End of Report.

Inmate Antonio Cavasos- Tuesday morning 03/19/19 Charles asked for an ice pack for his tooth ache, asking Mrs. Jones if I could give him one from the pantry she said I could so I gave it to Charles. Charles had seem to be in good spirits on a daily basis with out short interactions on Wednesday 03/20/19 before my shift in the kitchen was over Charles asked me through the serving door in the cell if he could have another ice pack because the one he had wasn't good anymore and that the guard on duty had not brought him one yet so I grabbed an ice pack and gave it to Charles. Charles was always in good spirits I often told good morning as well as goodnight when we had left overs I or another member in the kitchen would give Charles extra's Charles always was thankful and finished his trays never he was dealing with emotional troubles.

10. Ranger Haralson made contact with the Jefferson County Morgue and spoke with Dr. Brown at which time he advised him of the incident and asked for a date and time of the autopsy. He was told it would be preformed on 03/22/19 at 9:00 am.

11. I was advised by jail staff that Merkelz had a history of attempting suicide and that he had been placed in a facility in Port Arthur, Tx for his mental issues.

12. This case active pending autopsy/toxicology reports.