KEN PAXTON
ATTORNEY GENERAL of TEXAS

# CUSTODIAL DEATH REPORT

## Agency Information

| | | | |
|---|---|---|---|
| CDR Number: | 21-735-C | Version Type: | AMENDED |
| Report Date: | 1/5/2022 9:58 AM | Status: | Submitted |

### Agency/Facility Information

| | | | |
|---|---|---|---|
| Agency Name: | Travis County Sheriff's Dept. | Agency Address: | 5555 Airport Blvd. |
| Agency City: | Austin | Agency State: | TX |
| Agency Zip: | 78751 | | |

### Director Information

| | | | |
|---|---|---|---|
| Director Salutation: | Sheriff | Director First Name: | Sally |
| Director Middle Name: | | | |
| Director Last Name: | Hernandez | | |
| Reporter Name: | Derick Cairo | Reporter Email: | derick.cairo@traviscountytx.gov |

## Decedent Information

### Identity of Deceased

First Name: Eddie

Middle Name: Christian

Last Name: Vargas

Suffix:

Date of Birth: 4/27/1993 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 28

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

Date/Time of Custody or Incident: 6/9/2021 5:20 PM

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

Death Date and Time: 6/9/2021 6:35 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: Homicide (includes Justifiable Homicide)

## Medical Cause of Death:

Medical Cause of Death:

COMBINED EFFECTS OF METHAMPHET AMINE AND PHYSIOLOGIC STRESS RESULTING FROM THE USE OF RESTRAINT PROCEDURES

## 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?: 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: | 11900-Block of Bluebonnet Lane | City: | San Leana |
| County: | Travis | Zip: | 78652 |

### 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: Police Custody (pre-booking)

### Specific type of custody/facility:

Specific Type of Custody/Facility:

N/A

### 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: 6/9/2021 5:20 PM

### Where did the death occur?

Death Location: Scene of incident

## 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

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: | 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: | No |

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

| | |
|---|---|
| Attempt to Injure Others?: | Unknown |

## 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?: | Yes |
| Exhibit any mental health problems?: | Yes | 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?: | Yes |
| Physically attempt/assault officer(s): | Yes | Gain possession of officer's weapon: | No |
| Verbally threaten other(s) including law: | No | Escape or attempt to escape/flee custody: | Yes |
| Attempt gain possession officer's weapon: | Yes | | |

### 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 06/09/2021, at approximately 17:25 hours, TCSO deputies were dispatched to a disturbance call in the 1900-block of Bluebonnet Ln. A TCSO deputy and Travis County Pct. 3 deputy constable arrived to find Eddie Christian Vargas in the roadway on his hands and knees with no shirt on and his pants and underwear pulled below his waist. Vargas told one of the deputies to shoot him and began striking his forehead against the roadway. In their attempt to prevent Vargas from self-harm/injury, the deputies stood on either side of Vargas and grabbed his arms to assist him to his feet. Vargas forcibly resisted. The deputy constable tackled Vargas to the ground and assisted two TCSO deputies with detaining Vargas in handcuffs. Vargas became unresponsive.

A summary from the Medical Examiner who performed the autopsy reads in part:

"The decedent's hands were restrained with handcuffs behind his back, and he was placed in a prone position by the deputy. Two deputies each placed one knee over his back on either side of the decedent. The deputies did not kneel or sit over the decedent's neck nor was a choke hold or any weapons utilized by the deputies…"

In another portion of the summary the Medical Examiner noted:

“It is my opinion that the cause of death is combined effects of methamphetamine and physiologic stress resulting from the use of restraint procedures. Methamphetamine is a stimulant drug with no known minimal lethal concentration, and its concentrations do not correlate with the degree of impairment or death. Acute

methamphetamine intoxication can lead to sudden death when its stimulating effects lead to seizures or fatal abnormal heart beats (arrhythmias). Restraint procedures applied to an individual can place additional physiologic stress on the body that can also contribute to death. Based on the autopsy findings, toxicology results, and investigative information, the manner of death is homicide."