



Oklahoma Statistical Analysis Center

2009 Deaths in Police Custody

Selected Findings

May 2010

The Oklahoma Statistical Analysis Center (SAC) is housed in the Office of Criminal Justice Statistics at the Oklahoma State Bureau of Investigation. The Oklahoma SAC is funded in part by the State Justice Statistics Program, which is administered by the Bureau of Justice Statistics (BJS).

Introduction

Annually, the Oklahoma SAC collects and submits data on deaths that occur *in the process of arrest* to BJS. Data collection started after the implementation of the *Death in Custody Reporting Act of 2000* (P.L. 106-297). Other state agencies collect and report deaths that occur later in the criminal justice process, including those that occur during the booking process or while an individual is incarcerated. According to BJS, qualifying deaths include:

ALL deaths that occur in process of arrest including those:

- killed by any use of force by law enforcement agents;
- in the physical custody, or under the physical restraint of law enforcement officers, even if the person was not formally under arrest at the time;
- at crime/arrest scene or medical facility prior to booking;
- killed in vehicular pursuit accidents during which law enforcement officers took direct action against the driver or vehicle (e.g., shooting at the suspect, forcing the vehicle off the road with an obstruction, spike strip, or the officer's own vehicle);
- while in transit to or from law enforcement facilities;
- while confined in lockups or booking centers (facilities from which arrestees are usually transferred with 72 hours and not held beyond arraignment).

The following deaths are EXCLUDED:

- those confined in local jails (facilities which typically house inmates for periods beyond 72 hours and after arraignment);
- those confined in State prisons, State juvenile correctional facilities, or private correctional facilities;
- those killed in the course of law enforcement activities against whom no charges were intended;
- those who die before coming into contact with any law enforcement officer (e.g., subjects of arrest warrants who died before any arrest process began);
- and those killed in vehicular accidents during which law enforcement officers did NOT take any direct action against the driver or vehicle.

This report provides a brief description of events surrounding each arrest-related death in 2009. Descriptive data and individual case summaries for each death are also provided. Additional findings, including an aggregate analysis of criminal history records, will be included in a future SAC Publication.

Acronyms Used in This Document:

- Bureau of Justice Statistics (BJS)
- Oklahoma State Bureau of Investigation (OSBI)
- Statistical Analysis Center (SAC)
- Oklahoma State Department of Health (OSDH)
- Medical Examiner (ME)

Table 1. Descriptive Data for Arrest-Related Deaths in 2009

Date	Sex	Race/ Ethnicity	Age	City	County	Cause of Death
01/08/09	Male	White	24	Oklahoma City	Oklahoma	Multiple Gunshot Wounds
03/03/09	Male	White	56	Oklahoma City	Oklahoma	Shotgun Wound to Chest
04/22/09	Male	Black	38	Tulsa	Tulsa	Excited Delirium
06/30/09	Male	White	22	Oklahoma City	Oklahoma	Multiple Gunshot Wounds
09/08/09	Male	White	34	Nichols Hills	Oklahoma	Gunshot Wound to Back
09/25/09	Male	White	42	Marlow	Stephens	Multiple Blunt Force Injuries
10/01/09	Male	Black	26	Tulsa	Tulsa	Gunshot Wounds to the Head
10/07/09	Male	A. Indian	29	Tulsa	Tulsa	Gunshot Wound to Chest
10/27/09	Male	A. Indian	37	Tulsa	Tulsa	Multiple Gunshot Wounds

Methodology

Staff collected data from several sources including newspapers, television reports, Internet searches, and medical examiner’s (ME) reports. Staff contacted the Medical Examiners’ Offices by e-mail throughout the year to request their reports. The Oklahoma State Department of Health (OSDH) provided data on deaths missed using traditional sources.

When a qualifying death was identified, staff requested the medical examiner’s report and reviewed media accounts of the event. After data was collected, staff completed a quarterly form and an individual form for each death, and then submitted the forms to BJS. SAC staff also collected data for state-level analysis, which included descriptive data, circumstances surrounding the death, weapons used by police, weapons used by the arrest subject, and behaviors of the arrest subject prior to death.

Findings

Oklahoma had nine reportable deaths in 2009. There were two deaths in each of the first, second, and third quarters. Three deaths occurred in the process of arrest in the fourth quarter. This section provides descriptive and demographic data about each arrest subject and the events surrounding each death.

Descriptive Data for Each Arrest-Related Death

Table 1 summarizes the demographic data on the deceased individuals including sex, race/ethnicity, age,

county where the death occurred, and the official cause of death.

The average age of the decedents was 34; the oldest was 56, and the youngest was 22. All of the individuals were male. Five of the individuals were White, two were Black, and two were American Indian. Four deaths occurred in Oklahoma County, four in Tulsa County, and one in Stephens County. Seven of the deaths occurred in Oklahoma City and Tulsa, Oklahoma’s two largest cities.

Cause of Death

Seven of the arrest subjects died from gunshot wounds, including wounds to the face, back, arms, and chest. One of the subjects died from blunt force trauma to the head after he wrecked his vehicle during a high speed police pursuit. The last arrest-related death occurred after the subject ingested large amounts of drugs, legal and illegal. He later died of excited delirium from the overdose.

Descriptive Data of Events Surrounding the Death

The following two tables provide descriptive data on the location of death and the cause of death. Table 4 provides data on behaviors exhibited by the decedent at the time of death. Table 5 outlines the most serious charges each decedent would have faced.

As indicated in Table 2, 56% of deaths occurred at the crime/arrest scene, while 44% of the deaths occurred at a medical facility. In 2009, none of the men died en route to the hospital or booking center.

Location	Percent of Deaths
Statewide	100%
Crime/Arrest Scene	56
Medical Facility	44
En Route to Medical Facility	0
En Route to Booking Center	0

As shown in table 3, the MEs Office determined the official cause of death for all nine arrest subjects. In 78% of the cases, homicide by law enforcement was listed as the cause of death. None of the deaths were caused by suicide or illness in 2009.

Cause	Percent of Deaths
Total	100%
Homicide by Law Enforcement	78
Drug/Alcohol Intoxication	11
Accidental Injury	11
Suicide	0
Illness/Natural Causes	0

Prior to their death, arrest subjects displayed a range of behaviors, which included appearing intoxicated, threatening officers, resisting arrest, trying to escape or flee, and fighting with officers. Over 50% of the arrest subjects tried to flee or escape from custody. Additionally, 22% appeared intoxicated.

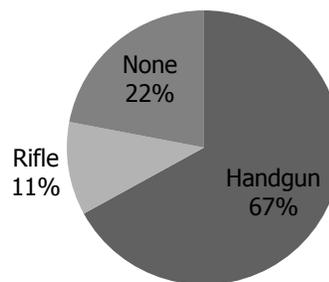
Behaviors	Percent Exhibiting Behavior
Appeared Intoxicated	22%
Threatened Officer(s)	44
Resisted Arrest	33
Tried to Escape/Flee Custody	56
Fought Officer(s)	45
Used Weapon to Threaten/Assault Officer(s)	45

Arrest subjects were facing a variety of charges at the time of their death. Charges included burglary, domestic violence, drug possession, weapon possession, and obstruction of justice. In two of the cases, police initially responded to a mental health call, but both calls quickly escalated. The other incident occurred when police were called to a party after a man began waving a gun around. The suspect refused to drop the gun, so officers were forced to use lethal force.

Charge	Number of Decedents
Burglary	1
Domestic Violence	1
Drug Possession	1
Weapons	1
Obstruction	2
Mental Health Call	2
Other	1

Eighty-eight percent (6 of 9) of arrest-related deaths were caused by a firearm. Officers used a handgun in 67% (5 of 9) of the incidents, and they used a rifle in one of the incidents. The other two deaths were caused by injuries sustained in a car accident and a drug overdose that resulted in excited delirium.

Figure 1. Weapon Used in Death



Conclusion

This report analyzed the descriptive data for arrest-related deaths that occurred in 2009. SAC staff reported nine deaths to BJS. As mentioned, SAC staff will release

an additional report, which will include an aggregate analysis of criminal history records, in the near future.

Case Descriptions

This section of the report describes the events surrounding each death. Staff removed all identifying information.

1. A 24-year-old male was fatally shot when he charged at an officer with a knife in Oklahoma City. A neighbor called police after the male threatened to kill himself. The police officer attempted to disarm the man but was unable to. The man charged at the officer, at which time the officer shot the suspect. The official cause of death was multiple gunshot wounds.

2. A 56-year-old male was fatally shot after he fired at a police officer in Oklahoma City. According to reports, police were responding to a call from neighbors about a man with self-inflicted knife wounds. When officers attempted to make contact with the man, he pulled a gun and shot at them. In response, the officers shot back. The official cause of death was a shotgun wound to the chest.

3. A 38-year-old Tulsa man died from excited delirium after a scuffle with police. Police reported that the suspect caught their attention because he was wandering around the streets shirtless with his pants around his ankles. When police tried to talk to the suspect, he ran into a drainage ditch. Officers eventually caught him, but he continued to resist arrest. Officers were able to take him into custody, but he stopped breathing a short time later. He died at a local hospital.

4. A 22-year-old male was fatally shot after he pointed a gun at a police officer in Oklahoma City. The police were dispatched to the area after a friend called because of a disturbance at a party. He was reportedly shot after he failed to drop his gun when ordered by officers. The official cause of death was multiple shotgun wounds to the back.

5. A 34-year-old male was shot in Nichols Hills as he attempted to flee from the scene of a burglary. Police arrived after a neighbor called 9-1-1 to report the sound of glass breaking at the house next door. When police arrived, they confronted the suspect, at which time he

fled on foot. He turned around and pointed what police thought was a gun, so they shot him. He died at the scene. The official cause of death was a gunshot wound to the back.

6. A 42-year-old male died after a high-speed chase with police in Marlow. Police stopped the suspect, made contact with him, at which time he sped away. Reports indicate that he appeared to intentionally enter oncoming traffic; consequently, he hit another vehicle head-on. The official cause of death was multiple blunt force injuries sustained in the crash.

7. A 26-year-old man died after he reportedly pointed a gun at a Tulsa police officer. At the time of the incident, officers of the Tulsa Gang Unit were patrolling a high-crime target area. They attempted to make contact with three men who were walking in the center of the road. Two of the men stopped, but the third man ran from police. Officers chased the man and eventually caught him. While officers were trying to get the suspect into custody, he pulled a gun from his pants and pointed it at the officers. At that time the officer shot the man, and he was pronounced dead at the local hospital a few hours later. The official cause of death was gunshot wounds to the head.

8. A 29-year-old Broken Arrow man died from gunshot wounds after he approached an officer with a knife during a domestic violence call. Police responded to the home after several neighbors called in about a couple fighting in their front yard. The arrest subject reportedly charged at the officer with a knife. The officer shot at the man one time, killing him. The official cause of death was a gunshot wound to the chest.

9. A 37-year-old male died after he was shot by a Tulsa police officer. The police officer attempted to pull the man over after he witnessed him throwing something out of his car window. The officer tried to stop the suspect, but he sped away. Reports indicate that the man eventually lost control of his car and crashed into a parked truck. The officer ordered him to get out of the car, but the suspect instead put the car in reverse and tried to run the officer over. The officer fired several shots. The suspect was shot several times, and he died at the scene. The official cause of death was multiple gunshot wounds.

The Oklahoma State Bureau of Investigation is recognized by the Bureau of Justice Statistics as the Statistical Analysis Center (SAC). The SAC collects, analyzes, and disseminates justice information; these functions are located within OSBI's Office of Criminal Justice Statistics. The following individuals wrote this report, under the direction of David Page, Information Services Division Director, and Linda DeArman, Administrative Programs Officer.

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