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PRESS RELEASE

For Immediate Release

Date: October 7, 2009
Re: Prescott – Jail Death

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Modesto, California – Stanislaus County District Attorney Birgit Fladager announced today that that her office has completed its review of the April 13, 2009 in-custody death of Craig Prescott following a struggle with custodial deputies and determined that no “criminal agency” was involved. This determination was based on a review of the reports, medical records, witness statements, autopsy report, death certificate and this office’s own independent investigation.

In this matter, the pathologist found that the cause of death was “hypertensive heart disease;” and the coroner determined that the death was accidental, based on the finding in the pathologist’s report that a contributing cause was “moderate cardiovascular strain from heightened physical activity.” Even assuming that the deputies’ use of physical strength to restrain Prescott, the use of the Taser, or even the use of the restraints themselves caused Prescott to engage in heightened physical activity, the deputies were acting in a lawful manner and in a lawful way.

A letter detailing the specific facts, findings and analysis has been sent to the Sheriff’s Department. Traditionally, pursuant to California law, such letters are confidential, but may be released if the agency wishes to do so. In this case, the agency has consented to the release of the letter (in lieu of a very lengthy press release), so it will be an attachment to this press release. The officers’ names are redacted pursuant to the Peace Officers Bill of Rights; an inmate’s name is also redacted. The wife of Craig Prescott has made public statements concerning this event, so her name has not been redacted.

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