

<https://www.nbcnews.com/news/us-news/death-irvo-otieno-virginia-hospital-ruled-homicide-caused-asphyxia-res-rcna78001> – This article has videos

An autopsy finds Irvo Otieno, held down by deputies and hospital workers, asphyxiated

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By
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The casket of Irvo Otieno is carried out of First Baptist Church of South Richmond on March 29 after the celebration of life for Irvo Otieno in North Chesterfield, Va. The 28-year-old Black man died after he was pinned to the floor by seven sheriff's deputies and several others while he was being admitted to a mental hospital.

Eva Russo/Richmond Times-Dispatch via AP

RICHMOND, Va. — Irvo Otieno, a 28-year-old Black man whose death last month at a Virginia mental hospital has sparked outrage and led to second-degree murder charges against 10 defendants, died of "positional and mechanical asphyxia with restraints," a medical examiner's office said Monday.

Arkuie Williams, the administrative deputy in the state Office of the Chief Medical Examiner, confirmed the cause of death findings to The Associated Press after attorneys for Otieno's family first shared them in a statement. The manner of death was homicide, Williams wrote in an email.

Otieno, who struggled with mental illness, died March 6 after he was pinned to the floor while being admitted to Central State Hospital in Dinwiddie County.

Video released earlier this month showed sheriff's deputies and hospital employees restraining a handcuffed and shackled Otieno for about 20 minutes after he was forcibly led into a hospital room. For much of that time, Otieno was prone on the floor, pinned by a group so large it blocked the camera's view of him at times.

Personnel who realized he appeared limp and lifeless eventually began resuscitation efforts, the video showed.

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"The official cause and manner of death is not surprising to us as it corroborates what the world witnessed in the video," family attorneys Ben Crump and Mark Krudys said in a statement. "In a chilling parallel to George Floyd's killing, Irvo was held down and excessively restrained to death, when he should have been provided medical help and compassion. It is tragic that yet another life has been lost to this malicious and deadly restraint technique."

Seven deputies and three hospital workers have been charged with second-degree murder in Otieno's death.

The local prosecutor who brought the charges has previously said in court that Otieno was smothered to death.

No additional information from the autopsy beyond the cause and manner of death can be released by the medical examiner's office, Williams said.

Otieno was laid to rest last week. Civil rights leader the Rev. Al Sharpton and other speakers at his funeral said his death shows the need for mental health and policing reforms.

Otieno's family and their attorneys have said Otieno was experiencing mental distress at the time of his initial encounter with law enforcement, days before he was taken to the state hospital. He was first taken into police custody in Henrico County March 3, when he was transported to a local hospital for mental health treatment under an emergency custody order.

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Police have said that while at the local hospital, he "became physically assaultive toward officers," at which point they arrested him and took him to a local jail, something Otieno's family says should never have happened given that he was in need of treatment. On the afternoon of March 6, he was transferred to the state hospital, which has a unit that provides care for people admitted from jails or by court order.

Some of the attorneys for the defendants charged in his death have said their clients were only trying to restrain Otieno. Otieno's family and their attorneys have said he posed no danger to them and was simply trying to breathe during the encounter at the hospital shown on video.

All defendants have been granted bond and court records show pre-trial hearings in April or May.

AP sought comment on the medical examiner's findings from defense attorneys for each of the defendants. Attorneys Emily Munn, Emilee Hasbrouck and G. Russell Stone, declined to comment.

Attorney Ed Riley, who represents one of the deputies, said he couldn't comment on the merits of the findings without having seen the full autopsy report. He said he worried that public statements from the

attorneys for Otieno's family as well as other public disclosures in the case, including the video, could hinder the defendants' right to a fair trial.

Other attorneys did not respond to phone and email messages seeking comment.

<https://www.npr.org/2023/04/04/1167977954/irvo-otieno-autopsy-asphyxiation-virginia-hospital-deputies-murder-charges#:~:text=RICHMOND%2C%20Va.,medical%20examiner's%20office%20said%20Monday>.