KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	18-957-C	Version Type:	AMENDED
Report Date:	10/5/2018 9:02 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Houston Police Dept.	Agency Address:	1200 Travis, 16th Floor
Agency City:	Houston	Agency State:	TX
Agency Zip:	77002		

Director Information

Director Salutation:	Chief	Director First Name:	Art
Director Middle Name:			
Director Last Name:	Acevedo		
Reporter Name:	Kimberly Fowler	Reporter Email:	kimberly.fowler@houstonpolice.org

Decedent Information

Identity of Deceased

First Name: Willie

Middle Name: Earl

Last Name: Simmons

Suffix: Mr.

Date of Birth: 11/20/1994

Sex: Male

Race: Black or African American

Age At Time Of Death: 23

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

Date/Time of Custody or Incident: 9/28/2018 12:26 AM

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

Death Date and Time: 9/28/2018 1:22 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 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:

Gunshot wounds of back, left buttocks and lower extremes

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Not Applicable

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?: Law enforcement/correctional personnel

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?: Handgun

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: Firearm

Location / Custody Information

Where did the event causing the death occur?

Street Address:	2525 Winrock Blvd #137	City:	Houston
County:	Harris	Zip:	77057

What location category best describes where the event causing the death occurred?

Location Category: Residence/Home

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:

Custody of Law Enforcement Personnel subsequent to arrest

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:

Entry Date Time N/A: ☑

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?: No

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:

Aggravated Assault (Public Servant)

Offense 2:

Aggravated Assault (Deadly Weapon)

Offense 3:

Aggravated Kidnapping

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: Yes, mark all that apply

Decedent Display or Use Weapon Details: Displayed firearm without discharge; Displayed other weapon, specify:

Specify Weapon Displayed:

Large Kitchen Knife

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:	Attempted to injure law enforcement personnel; 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?:	Unknown
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?:	Yes	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:	Yes	Escape or attempt to escape/flee custody:	Yes
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:

On Friday, September 28, 2018, at approximately 12:26 a.m., officers from the Patrol Region 3 Command, Midwest Division, were dispatched to the Briarwood Apartments, located at 2525 Winrock Boulevard, regarding a possible hostage situation,. Upon officers' arrival, they were met by D'eryca Walls, who advised

her cousin, Kendra Jones, was being held at gunpoint in one of the apartments by her ex-boyfriend, Willie Earl Simmons. Ms. Walls was unaware which apartment Mr. Simmons lived in, but she knew he drove a black Dodge Challenger. Therefore, officers searched the apartment's parking lot and quickly located a vehicle matching the description, which was registered to Willie Simmons.

Although the vehicle's registration returned a different address, officers identified Mr. Simmons' apartment as number 137, based on the vehicle parking location and from screams heard from within the apartment. Consequently, officers tactically positioned themselves at the front and rear of apartment. Once in position, Sergeant J. M. Seymore instructed Officer N. A. Nguyen to knock on the front door. When Officer Nguyen announced himself, they immediately heard Ms. Jones start screaming for help, and then heard gunshots coming from inside the apartment, causing them to take covered positions at the front and rear of Willie Simmons' apartment. Sergeant Seymour then instructed Officer Nguyen to force entry was made though the front door, Mr. Simmons fired multiple gunshots at Officer Nguyen and other officers positioned in the front. The officers again took cover. While attempting to establish verbal communication with Mr. Simmons, Officer Nguyen observed him shoot Ms. Jones.

Mr. Simmons then attempted to flee out of the apartment's back door with his pistol in hand, but he encountered Officer M. A. Harris and Sergeant Seymour, who were positioned in the back, behind cover. Officer Harris yelled verbal commands to Mr. Simmons to drop his pistol, but he did not comply, so Officer Harris, fearing for this safety, discharged his duty weapon approximately 5 times. Mr. Simmons then retreated back inside the one bedroom apartment, after dropping his pistol on the back patio.

Additional officers began arriving on the scene to secure the perimeter. Once multiple officers arrived on scene and in position, Sergeant Seymour commanded entry through the back door in an effort to save the life of Ms. Jones, who was still screaming for help. Sergeant Seymour, Officer J. J. Few, Officer C. Santana and Officer Harris made entry through the back sliding door and immediately observed Mr. Simmons huddled over Ms. Jones in the bedroom. Thus, Sergeant Seymour began giving him verbal commands to show his hands, but he refused to comply with those simply commands.

Instead of complying with verbal orders, Mr. Simmons quickly got up from the floor and moved into the bathroom, out of officers' view. A short time later, Mr. Simmons emerged from the bathroom with a large knife in hand and advanced in an aggressive manner towards Sergeant Seymour, Officer Few, and Officer Santana. Sergeant Seymour and Officer Few used deadly force, discharging their duty weapons at Willie Simmons, while Officer Santana discharged his Conducted Energy Device (CED).

Mrs. Jones was then safety removed from inside the apartment, wherein medical aid was provided to her walking awaiting paramedics. Moreover, first aid was also administered by Officers to Mr. Simmons. Upon paramedics' arrival, they continued medical efforts, Mr. Simmons was pronounced deceased at the scene at 1:22 a.m. while Ms. Jones was transported to Southwest Memorial hospital for multiple, non-life threatening gunshot wounds. There was no injuries to any of the responding patrol officers or any other citizens, as a result of the suspect shooting at them.

Body Worn Cameras (BWC) worn by responding officers captured the entire event, and all footage aligned with all officers' accounts. The preliminary investigation revealed Mr. Jones abducted Ms. Jones at gunpoint, approximately one hour prior, from the area of 5100 Carmen, as she walked with her new boyfriend. Ms. Jones was quickly stabilized at the hospital, after sustaining six gunshot wounds.