



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 20-279-C

Version Type: ORIGINAL
VERSION

Report Date: 3/25/2020 4:40 PM

Status: Submitted

Agency/Facility Information

Agency Name: San Antonio Police
Dept.

Agency Address: 315 S. Santa Rosa

Agency City: San Antonio

Agency State: TX

Agency Zip: 78207

Director Information

Director Salutation: Chief

Director First Name: William

Director Middle Name: P.

Director Last Name: McManus

Reporter Name: Leroy Carrion

Reporter Email: leroy.carrion@sanantonio.gov

Decedent Information

Identity of Deceased

First Name: Richard

Middle Name:

Last Name: Rodriguez

Suffix:

Date of Birth: 10/23/1974

Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 45

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

Date/Time of Custody or
Incident: 2/29/2020 6:27 AM

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

Death Date and Time: 2/29/2020 6:42 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:

Multiple gunshot wounds

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?: 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: 331 Concio

City: San Antonio

County: Bexar

Zip: 78227

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 w/ deadly weapon

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: Yes, mark all that apply

Decedent Display or Use Weapon Details: Displayed firearm without discharge

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

Attempt to Injure Others?: No

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?: No

Exhibit any mental health problems?: Yes

Exhibit any medical problems?: No

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?:	No
Physically attempt/assault officer(s):	No	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Yes	Escape or attempt to escape/flee custody:	No
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:

San Antonio Police Officers were dispatched to a residence for a disturbance with a gun at 331 Concio. Officer E. Bello #0239 was dispatched to handle the call and Officer J. Garcia #0182 was assigned as cover officer. While in route to the Code-2 call (lights and siren) the officers were provided several updates on the condition of the call. The officers were advised the person armed with the gun was blocking the front door way of the residence refusing to allow the caller and family members to leave. The officers were also advised the male was breaking things inside the home holding a handgun with children inside the home. The officers were advised the male causing the disturbance was wearing blue jeans and had no shirt on.

Officer Bello and Officer Garcia arrived at the same time and stopped their patrol vehicles between the residence and neighbors' home. Officer Bello exited his vehicle and observed a group of people standing outside the front of the residence. Officer Bello reported walking towards the group and began to interview an adult female later identified as Breana Hernandez. According to Breana Hernandez her mom's boyfriend showed up to the home around 3AM and has been acting strange while in possession of a handgun. She reported calling several family members to come and help but no one answered the calls, so she called police on Richard Rodriguez (mom's boyfriend).

Officer Bello and Officer Garcia began speaking with Breana Hernandez and observed Richard Rodriguez inside the residence with no shirt wearing blue jeans. Breana Hernandez advised officers Richard Rodriguez was armed with a handgun and officers entered the residence to check on the safety of the children inside. Officer Bello entered the residence first and a small child walked passed him and out of the residence. Officer Bello continued into the residence and approached the living room stopping at the corner of the hallway leading into the living room. Officer Bello observed a child hiding under the kitchen table as the family dogs

barked at him and Officer Garcia.

Officer Bello scanned the area and began to pie the corner to his left. Officer Bello observed Richard Rodriguez holding a handgun in his left hand. Officer Bello made eye contact with the male and drew his duty weapon fearing for his safety, the safety of his cover officer, and the safety of the family nearby. Officer Bello gave Richard Rodriguez verbal commands to drop the weapon, but he did not comply. According to Officer Bello, Richard Rodriguez started to raise the weapon and he fired fearing for his safety. According to Officer Garcia, Richard Rodriguez started to raise the weapon and he fired fearing for his safety. Richard Rodriguez was struck several times and fell to the ground. Officer Garcia approached Richard Rodriguez and moved the weapon out of his hand to a safe distance. The Officers secured Richard Rodriguez and requested EMS to the scene notifying dispatcher they were involved in an officer involved shooting.

Witnesses were taken to the homicide office for statements and provide details on the actions of the suspect, Richard Rodriguez. Witness statements were consistent with the statements provided by Officer Bello and Officer Garcia. Officer Bello and Officer Garcia were wearing their duty issued body camera recording system which captured the shooting.