KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-887-UF	Version Type:	AMENDED
Report Date:	7/22/2021 7:28 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:	Lieutenant	Director First Name:	Melissa
Director Middle Name:			
Director Last Name:	Countryman		
Reporter Name:	Kimberly Fowler	Reporter Email:	kimberly.fowler@houstonpolice.org

Decedent Information

Identity of Deceased

First Name: Jose

Middle Name:

Last Name: Benitez-Vasquez

Suffix:

Date of Birth: 12/22/1988 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 32

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

Date/Time of Custody or Incident: 7/6/2021 6:08 PM

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

Death Date and Time: 7/6/2021 6:48 PM

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:	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:	7525 Park Place Boulevard	City:	Houston
County:	Harris	Zip:	77087

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: Pre-Custodial Use of Force

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:

Assault-Impleding Breath

Offense 2:

Attempting to Take Weapon from Peach Officer

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:	Discharged firearm

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

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

Appear intoxicated (alcohol or drugs):	No	Make suicidal statements?:	No
Exhibit any mental health problems?:	No	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?:	Yes
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	Yes
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	Yes
Attempt gain possession officer's weapon:	Yes		

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 Tuesday, July 6, 2021, at approximately 1806 hours, Houston Police Department Southeast Patrol Division Officers were dispatched to a family disturbance call-for-service at the listed location. Upon arrival, Officers spoke with the Complainant, who stated she was choked by Suspect #1. Officers spoke with the Complainant, who stated she was choked by Suspect#1. Officers attempted to speak with Suspect #1 by placing him in handcuffs, which escalated into a physical altercation.

Suspect #2 intervened by pulling Officers hands away from Suspect #1. Suspect #1 attempted to disarm an Officer, hereafter referred to as Officer#1, by removing his duty weapon from his holster. Officer #1 alerted his partner, hereafter referred to as Officer #2, that Suspect #1 had possession of the duty weapon. Officer #2 was simultaneously in a physical altercation with Suspect #2. Suspect #1 discharged Officer #1 duty weapon one time.

As a result, Officer #2 discharged his duty weapon towards Suspect #1. Suspect #1 was struck and succumbed to his injuries on scene. Suspect #2 was charged with Assault Against on a Peace Officer.

Officer #2 sustained minor injury to his face as a result of the physical altercation with Suspect #2.