



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-Impleading 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.