



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 25-571-UF

Version Type: AMENDED

Report Date: 7/28/2025 8:19 AM

Status: Submitted

Agency/Facility Information

Agency Name: Jacinto City Police
Dept.

Agency Address: 10429 Market St.
Rd.

Agency City: Jacinto City

Agency State: TX

Agency Zip: 77029

Director Information

Director Salutation: Chief

Director First Name: Joe

Director Middle Name: M.

Director Last Name: Ayala

Reporter Name: Joe Ayala

Reporter Email: joe.ayala@jacintocity-tx.gov

Decedent Information

Identity of Deceased

First Name: Ashton

Middle Name:

Last Name: LaVan

Suffix:

Date of Birth: 3/6/2008

Sex: Male

Race: Black or African
American

Age At Time Of Death: 17

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

Date/Time of Custody or
Incident: 5/8/2025 4:00 AM

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

Death Date and Time: 5/8/2025 5:03 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 wound of abdomen

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

Medical Treatment: Unknown

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

Who caused the death?: Unknown person(s)
caused the injury

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?: Firearm,
unspecified

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: Other, specify

Means of Death Other: Homicide by
Gunshot

Location / Custody Information

Where did the event causing the death occur?

Street Address: between 13800 blk
of Crosshaven and
13810 Double Pine
Dr.,

City: Houston

County: Harris

Zip: 77015

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

Location Category: Other, specify

Other Location Category:

outside between 13800 blk of Crosshaven and 13810 Double Pine Dr., (backyard)

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:

Hospital/Infirmary

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: 5/8/2025 5:03 AM

Where did the death occur?

Death Location: Elsewhere, specify

Death Location Elsewhere:

outside between 13800 blk of Crosshaven and 13810 Double Pine Dr. (back yard) residential area

General Information

Did any other law enforcement agencies respond to calls for service related to this incident?

Other Agencies Respond?: Yes

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:

Deadly Conduct

Offense 2:

Felony Criminal Mischief

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: Unknown

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: 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?: Unknown

Resist being handcuffed or arrested?: No

Physically attempt/assault officer(s): Unknown

Gain possession of officer's weapon: No

Verbally threaten other(s) including law: Yes

Escape or attempt to escape/flee custody: Unknown

Attempt gain possession officer's weapon: Unknown

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 May 8, 2025, at approximately 4:27 a.m., Sgt. Francisco Benavides, ID 240, an Off duty Officer notified Chief J.M. Ayala by phone to inform me of the situation at hand of a shooting investigation in which he was involved and the Harris County Sheriffs Department on scene investigating.

Later during the investigation, Sgt. Benavides stated that while he and his family were asleep, he heard rapid gunfire coming from the rear of the neighbor's back yard, which gave him concern for the safety of his family. Benavides stated a second burst of gunfire occurred again at which time he heard bullet fragments striking his residence. After checking on his family and believing that a drive by shooting might be occurring, Benavides went downstairs, exited the sliding rear door of his residence and stepped outside. It was at this time that Benavides stated as he was stepping back inside his residence he observed a subject jumping over a fence into his back yard wearing a gray hoodie, ski mask, and black pants. Benavides stated he felt threatened and retrieved his firearm from the kitchen table. Benavides stated he observed the subject walking toward him and fearing for his life, fired three rounds as the subject was approaching. The subject was then observed to retreat to the fence where he came from. Benavides stated he subsequently contacted 911 to report the incident. Benavides concluded that he was unsure if any of the three rounds he fired caused any injury or if the subject was already injured from a drive by shooting that had already occurred. (The subject was not in the custody of Sgt. Francisco Benavides when this event occurred. Benavides a Jacinto City Police Officer was Off duty and at his private residence where he resides, when the events of this incident occurred.)