KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16153C	Report Date:	4/13/2016 3:50 PM
Status:	Submitted		

Agency/Facility Information

Department ID:	399	Department Type:	POLICE
Agency Name:	Houston Police Dept.	Agency Number:	TXHPD0000
Agency Phone:	7133081600	Agency Address:	1200 Travis
Agency City:	Houston	Agency County:	Harris
Agency State:	TX	Agency Zip:	77002

Director Information

Director Salutation:

Acting Chief

Director First Name:

Martha

Director Middle Name:

I.

Director Last Name:

Montalvo

Reporter Name:	Off SA Reyes (Info provided by Lt. KJ Deese)	Reporter Email:	stephanie.reyes@houstonpolice.org

Location / Custody Information

Where did the event causing the death occur?

Street Address: 11314 North Fwy

City: Houston

County: Harris

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 Peace Officer during/fleeing arrest

Custody Type Facility:

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: At the crime/arrest scene

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Christopher

Middle Name: Demond

Last Name: Nelms

Suffix:

Date of Birth: 10/24/1985 Sex: Male

Ethnicity: African-American

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

Death Date and Time: 3/17/2016 6:55 PM

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

Date/Time of Custody or Incident:

3/17/2016 6:45 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:

Justifiable Homicide

Manner of Death Description:

Death Reason:

Injuries only

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 staff

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

Rifle/Shotgun

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

General Information

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 Robbery

Offense 2:

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Officer

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

Appear intoxicated (alcohol or drugs):	No	Exhibit any mental health problems?:	
Exhibit any medical problems?:			

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

Threaten the officer(s) involved:	No	Resist being handcuffed or arrested?:	No
Try to escape/flee from custody:	Yes	Grab, hit or fight with the officer(s):	No

Other Behavior:

Specify Other Behavior:

Use weapon threaten/assault officer(s):	1

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 Thursday March 17, 2016, at about 10:00 am, Officers K. R. Huey, J. M. Williams, B. A. LeBlanc, J. D. Calhoun, and R. A. Caldera were assigned to the North Division Tactical Unit. The unit was investigating aggravated robberies in the area. On this date the unit was surveilling a vehicle that was identified as belonging to the robbery crew. A gray van, that was determined to be stolen, was being used by the suspects to case several businesses in the North and Northeast areas of the city earlier in the day. Around 6:30 pm

the suspects pulled into a large retail area in the 11300 block of the North Freeway. The suspects drove around the area and cased several businesses as possible robbery targets. All along the suspects were being surveilled by the Tactical Unit. Due to the density of the businesses surveillance became difficult. The Tactical Units lost sight of the suspects as the van turned north bound on the North Freeway service road. The Tactical Units started to head toward possible targets when Officer Williams saw the suspects’ van in front of a strip center that contained the Affordable Furniture store. When the units neared the van they could see it was unoccupied and the suspects were in the Affordable Furniture store committing a robbery. The strip center is oriented north to south and the stores face toward the freeway. Officer Huey was parked at the south end. Three other Tactical Units entered the parking lot and faced their cars toward the stores keeping back about 60 feet from the stores. Officer Huey, armed with an AR-15 rifle, exited his vehicle, and started to walk north along the front of the businesses using the parked cars as cover. Suddenly the two suspects started to exit the front door of the Affordable Furniture store. Officer Huey saw the suspects had their head and faces concealed and one of the suspects was holding a gun. Officer Huey yelled “Police” then engaged the suspects with rifle fire. The suspects Jones, Young, Bennett, Nelms and White-Leonard started to run north along the front of the businesses out of Officer Huey’s view. After hearing several gunshots Officer Huey saw Jones run back south toward his position with a raised gun in his hand. Officer Huey engaged Jones with a single rifle shot. Jones tossed the gun and fell to the ground. At the time a box truck was backed up the front doors of the Affordable furniture to deliver mattresses. Young entered the back of the box truck and hid. The position of this truck blocked the view between Officer Huey and the other three Tactical Units that were situated to north. A silver pistol was recovered from the box truck where Young was hiding. Officer Calhoun, also armed with an AR-15 Rifle, heard gunshots then saw three suspects, Bennett, Nelms, and White-Leonard running north along the front of the stores. The suspects had their face and head covered. Bennett took cover on the side of a parked car. Officer Calhoun engaged that suspect with rifle fire. When Bennett fell to the ground he made rapid overt movements to reach under a parked car. Believing that Bennett was reaching for a weapon, Officer Calhoun fired again. Bennett died at the scene. No weapon was recovered from Bennett. Officer Caldera was riding with Officer Calhoun. Officer Caldera, also armed with an AR-15 rifle, engaged Nelms who were armed with a black pistol. Officer Williams and his partner, ATF agent John McDonald, were positioned just north of Officers Calhoun and Caldera. Officer Williams, armed with an AR-15 rifle, heard gunfire and saw Nelms running toward him armed with a pistol. Officer Williams engaged Nelms with rifle fire. Nelms collapsed and died at the scene. ATF agent McDonald did not discharge a firearm. Officers LeBlanc and Mihalco were positioned farthest to the north. Officer Leblanc was armed with an AR-15 rifle. White-Leonard ran toward him and Officer Mihalco, Officer LeBlanc could see a shiny object that White-Leonard was grasping with both hands. Officer LeBlanc engaged White-Leonard with rifle fire causing him to fall to the ground, but retain the shiny object in his hands. Officer LeBlanc ordered White-Leonard to drop the gun, but he maintained possession of the shiny object. Officer LeBlanc fired his rifle again causing White-Leonard to throw the shiny object. White-Leonard was taken into custody and the object was determined to be a cell phone. A criminal history check of the suspects reflects: Bennett, Scott Lance is a documented gang member of the Tree Top Piru Bloods and his arrests include aggravated assault, assault family member, burglary of vehicle, theft, theft of vehicle, possession of controlled substance evading arrest, escape, unlawful carrying a weapon, felon in possession of a weapon, criminal trespass, and harassment of public servant. Nelms, Christopher Demond is a documented gang member belonging to the 59 Bounty Hunters and his arrests include aggravated robbery, burglary, theft from person, manufacture/deliver possesses controlled substance, possession of marijuana, evading arrest, evading arrest in vehicle, and criminal trespass. Young, Lontay Lavelle is a documented gang member belonging to the Bloods and his arrests include aggravated robbery, burglary of a habitation, burglary of a business, criminal mischief, possession of controlled substance, evading arrest, fail to ID, escape driving while license invalid, and criminal trespass. White-Lenard, Ross Anthony has arrests for possession of marijuana, driving with license invalid and a class C misdemeanor Jones, Barry Lloyd has arrests for theft, theft from person, forgery, criminal mischief, evading arrest, unlawful carrying weapon, and interference with emergency request for assistance.