KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16260C	Report Date:	6/21/2016 2:40 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 CM	Reporter Email:	stephanie.reyes@houstonpolice.org

Cegielski)

Location / Custody Information

Where did the event causing the death occur?

Street Address: 13210 Memorial

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: Dionisio

Middle Name: Agustine

Last Name: Garza

Suffix:

Date of Birth: 9/22/1990 Sex: Male

Ethnicity: Hispanic

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

Death Date and Time: 5/29/2016 11:10 AM

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

Date/Time of Custody or Incident:

5/29/2016 11:10 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:

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:

Murder

Offense 2:

Aggravated Assault on a Police Officer

Offense 3:

Aggravated Assault

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:	Yes	Resist being handcuffed or arrested?:	No
Try to escape/flee from custody:	No	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 Sunday, May 29, 2016, at approximately 10:15 a.m., Houston Police Officers responded to a shooting in progress call at 13210 Memorial. As officers were approaching the location, traveling east on Memorial Dr.,

they began taking fire. The shooter's exact location could not be determined at that time. Officers were able to back away and set a perimeter as shots continued to ring out. The scene was determined to be an active shooter incident at this time. A citizen who lived nearby was able to see the suspect shooting from the Memorial Tire and Auto shop located at 13210 Memorial. The citizen viewed the suspect from an upstairs bedroom window. The citizen alerted responding officers. Ultimately, SWAT Sniper, Senior Police Officer S. J. Hamala, arrived and positioned himself on the citizen's garage roof. From this position, Officer Hamala had a clear line of sight to the Memorial Tire and Auto shop. Officer Hamala surveyed the location with his scoped sniper rifle. After several minutes, Officer Hamala observed the suspect walking with an assault rifle. The suspect positioned himself next to a parked vehicle. The suspect raised the rifle, taking a shooting stance, over the hood of the parked vehicle as he prepared to shoot. Officer Hamala, fearing for the safety of other officers and citizens in the area, fired four well placed shots at the suspect. The suspect was struck multiple times and the threat was eliminated at 11:10 a.m. A SWAT react team was able to move in and clear the area making it safe for emergency medical personnel to come to the aid of the suspect. The suspect was pronounced dead at the scene. No other suspects were located. The suspect was later identified as Dionisio Agustine Garza. The suspect fired over 200 rounds of 5.56 ammunition and several rounds from a .45 caliber pistol. Mr. Eugene Linscomb was the suspect's first victim. Mr. Linscomb was killed by the suspect as he drove up to the location in his vehicle. The suspect injured four other civilian motorists and two Harris County Precinct 5 Deputy Constables who responded to the scene. The suspect also fired at responding Houston Fire Department personnel and the Houston Police helicopter.