KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	18-317-UF	Version Type:	AMENDED
Report Date:	10/24/2018 3:26 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Waco Police Dept.	Agency Address:	3115 Pine
Agency City:	Waco	Agency State:	TX
Agency Zip:	76708		

Director Information

Director Salutation:	Chief	Director First Name:	Ryan
Director Middle Name:			
Director Last Name:	Holt		
Reporter Name:	V.R. Price, Jr.	Reporter Email:	jprice@wacotx.gov

Decedent Information

Identity of Deceased

First Name: Kenneth

Middle Name: Warren

Last Name: Resendez

Suffix:

Date of Birth: 12/3/1983 Sex: Male

Race: Anglo or White

Age At Time Of Death: 34

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

Date/Time of Custody or Incident: 4/13/2018 8:46 AM

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

Death Date and Time: 4/13/2018 8:46 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 the chest and gunshot wound of abdomen. Medical Examiner Conclusion: Death resulted of gunshot wounds of the trunk. Toxicology negative for drugs and/or alcohol.

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

Medical Treatment:	No

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:	3825 Speight Avenue	City:	Waco
County:	McLennan	Zip:	76711

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?: 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:

Attempted Capital Murder of Peace Officer

Offense 2:

Aggravated Assault w/Deadly Weapon-knife

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: Displayed other weapon, specify:

Specify Weapon Displayed:

Lock Blade Knife

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; Attempted to injure 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):	Yes	Make suicidal statements?:	Yes
Exhibit any mental health problems?:	Yes	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:	No
Verbally threaten other(s) including law:	Yes	Escape or attempt to escape/flee custody:	No
Attempt gain possession officer's weapon:	No		

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 04/13/2018, at approximately 08:38, officers were dispatched to 3825 Speight Avenue, Waco, Texas, regarding a Domestic Disturbance between a father and his son. At 08:39 the call was upgraded that the son had pulled a knife on his father and threatened him and his mother. At 08:41, dispatchers upgraded the call indicating that other family members in the home had requested that the police "hurry up." At 08:42, the call

was again upgraded that the son (Kenneth Resendez) was attacking his father, and the father had fired a shot in the house attempting to get his son to back off. At 08:45, officers arrived on scene and contacted several family members who were outside the residence. They told the officers that the suspect was a Kenneth Resendez, (their brother) and that he had threatening their father with a knife. They also said their father had fired at shot in the direction of Kenneth, hoping it would cause him to leave the house, but it did not. They told the officers that Kenneth had their father trapped in a bedroom and that he was going to kill him.

Both uniformed Officers entered the residence which is quite small and very cluttered. They began calling out Kenneth's name and suddenly encountered him as they attempted to enter a bedroom. One of the officers yelled out to Kenneth to get his attention. When Kenneth Resendez turned to face the officer, Kenneth was holding a black, lock blade knife. The distance between the officer and Kenneth Resendez was approximately 4 to 6 feet. The officer yelled for Kenneth to "drop the knife", at least twice. Kenneth Resendez looked at the officer and told him, "Fuck You" and then raised the knife above his head and lunged toward the officer. The officer fired his weapon one time, causing Mr. Resendez to stop his forward motion for a few seconds, then he suddenly lunged forward again. The officer fired a second time, which caused Mr. Resendez to fall backwards and then eventually fall to the floor. At 08:46, officers notified the Dispatch Center that shots had been fired. The officer then directed his attention to the father who was still holding his handgun, and ordered him to throw it down. The father complied with the officer's commands, and told the officer that he was defending himself because his son was trying to kill him.

The officers immediately called for paramedics and medical transport of Kenneth Resendez. They also began administering emergency medial aid until the paramedics arrived on scene at 08:52. Mr. Resendez was pronounced deceased by the paramedics shortly after their arrival.

The scene investigation and conversations with family members revealed that Kenneth Resendez, revealed that he had made the statement, "the police are here, they will shoot me." It was also discovered that he had written down on a notepad, "It's Friday the 13th, a good day for a killing." He had also made this statement to his father, while threatening him with the knife.