KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	18-394-C	Version Type:	AMENDED
Report Date:	11/4/2018 2:50 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	San Antonio Police Dept.	Agency Address:	315 S. Santa Rosa
Agency City:	San Antonio	Agency State:	TX
Agency Zip:	78207		

Director Information

Director Salutation:	Chief	Director First Name:	William
Director Middle Name:	P.		
Director Last Name:	McManus		
Reporter Name:	Rachel Barnes	Reporter Email:	rachel.barnes@sanantonio.gov

Decedent Information

Identity of Deceased

First Name: Gaspar

Middle Name: David

Last Name: Guzman

Suffix:

Date of Birth: 1/16/1982 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 36

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

Date/Time of Custody or Incident: 5/12/2018 9:47 PM

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

Death Date and Time: 5/12/2018 11:24 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:

Cocaine use with cardiomegaly exacerbated by a terminal physical struggle with other individuals

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?:	Decedent

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?:	Unknown

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?:	Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death:	Other, specify
Means of Death Other:	cocaine use with cardiomegaly

Location / Custody Information

Where did the event causing the death occur?

Street Address:	154 Rosemont Drive	City:	San Antonio
County:	Bexar	Zip:	78228

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: Police Custody (pre-booking)

Specific type of custody/facility:

Specific Type of Custody/Facility:

Custody of Law Enforcement Personnel during/fleeing 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:

Resisting Arrest

Offense 2:

Criminal Trespass/Private Property

Offense 3:

Public Intoxication

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:	Alcohol / drug offense; Crime Against Property

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:	No

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):	Yes	Make suicidal statements?:	No
Exhibit any mental health problems?:	Yes	Exhibit any medical problems?:	Yes

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:	Yes
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:	Yes, mark which restraint devices were used

Type of restraint

Type of Restraint:	Handcuffs

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

Officers were dispatched to 154 Rosemont Drive for a disturbance. Officers contacted Guzman upon arrival who was intoxicated. A friend offered to drive Guzman home, but Guzman became belligerent and refused to go with the friend. Officers escorted Guzman to the friends vehicle. Guzman refused to get in the vehicle and leave the property. Officers decided to arrest Guzman. Guzman actively resisted the officers and their attempts to place him in handcuffs. Officers took Guzman to the ground. He continued to resist being handcuffed. Officer used multiple drive stuns with an electronic control device (Taser) on Guzman's back.

Guzman was handcuffed and EMS was requested. Guzman refused treatment from EMS by actively resisting their treatment and telling them that he did not want their treatment. EMS left the location. Guzman continued to resist officers by kicking officers with his legs. Officers placed Guzman on his stomach and crossed his legs behind him to stop his kicking. Guzman stopped kicking; therefore, his legs were released. Guzman continued to move his head and talk to the officers. Guzman began to gag. The officers placed Guzman on his side to allow him to vomit without choking. Guzman stopped responding to questions and his heart rate slowed. Officers requested EMS return to treat Guzman. Guzman became unresponsive. EMS arrived and preformed CPR. EMS pronounced Guzman dead at the scene.