KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-1803-UF	Version Type:	AMENDED
Report Date:	10/25/2021 3:27 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Edinburg Police Dept.	Agency Address:	1702 S. Closner
Agency City:	Edinburg	Agency State:	TX
Agency Zip:	78539		

Director Information

Director Salutation:	Chief	Director First Name:	Cesar
Director Middle Name:			
Director Last Name:	Torres		
Reporter Name:	Peter de la Garza	Reporter Email:	pdgarza@cityofedinburg.com

Decedent Information

Identity of Deceased

First Name: Jesse

Middle Name: Daniel

Last Name: Davila

Suffix:

Date of Birth: 9/13/1991 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 29

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

Date/Time of Custody or Incident: 1/11/2021 5:49 AM

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

Death Date and Time: 1/11/2021 6:51 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 wounds to the trunk.

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?: 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:	1709 Orlando Street Apt. B	City:	Edinburg
County:	Hidalgo	Zip:	78541

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 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: 1/11/2021 6:51 AM

Where did the death occur?

Death Location: Medical facility

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:

family violence

Offense 2:

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: 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): 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?:	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 January 11, 2021 at 5:49 a.m. Edinburg Officer Alex Cruz responded to 1709 Orlando Street Apt B in Edinburg, Hidalgo County, Texas in reference to a domestic disturbance in progress. On arrival Officer Cruz could hear female screams coning from within the apartment. Officer Cruz entered the apartment through the unlocked front door and made his way toward a bedroom where he observed the screaming female laying on her back on a mattress on the floor and the suspect on top of her holding her down with both hands. Officer Cruz yelled out repeated commands for the male to release the female and show his hands. The suspect stood up and came towards the officer. Officer Cruz pushed the suspect back away from him and down to the floor giving a few seconds for the female to get up and gather her children to safety. The suspect got up and went toward the officer in an aggressive manner all while ignoring the officer's commands to stop. The suspect continued lunging toward the officer closing the gap between them placing the officer in fear for his safety. The officer defended the attack by discharging his firearm toward the suspect and stopping the threat. The suspect sustained multiple gunshot wounds and was later pronounced dead at a local hospital