KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-549-UF	Version Type:	AMENDED
Report Date:	8/4/2021 4:21 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	El Paso Police Dept.	Agency Address:	911 N. Raynor
Agency City:	El Paso	Agency State:	TX
Agency Zip:	79903		

Director Information

Director Salutation:	Chief Deputy	Director First Name:	David
Director Middle Name:			
Director Last Name:	Camacho		
Reporter Name:	John Armendariz	Reporter Email:	2287@elpasotexas.gov

Decedent Information

Identity of Deceased

First Name: Daniel

Middle Name:

Last Name: Diaz

Suffix:

Date of Birth: 2/7/1981 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 40

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

Date/Time of Custody or Incident: 4/26/2021 5:41 PM

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

Death Date and Time: 4/26/2021 6:27 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 pending

What was the manner of death? (select only one)

Manner of Death: Pending autopsy results

Medical Cause of Death:

Medical Cause of Death:

Pending Toxicology - No fatal Injuries noted on Decedent

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?: Not applicable

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?: Not Applicable

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: Unknown

Location / Custody Information

Where did the event causing the death occur?

Street Address: 9945 Belfast City: EL Paso

County: El Paso Zip: 79925

What location category best describes where the event causing the death occurred?

Location Category: Business

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: 4/26/2021 5:41 PM

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?: 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:

Criminal Trespass

Offense 2:

Resisting Arrest

Offense 3:

Were the Charges:: Filed

What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of 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?: Unknown

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?:	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):	Unknown	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Unknown	Escape or attempt to escape/flee custody:	Yes

Attempt gain possession officer's weapon:	Unknown

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:

On 04/26/2021, at about 1740 hours Pebble Hills Patrol responded to a drunk disturbance at 3623 Buckner. The reporter works across the street from the restaurant. The reporter and other employees were unloading the equipment from the vans into the refrigeration shop. The reporter and the other employees noticed a male wearing a red shirt tugging on the locked doors at the restaurant that was closed for the day. The reporter called 911 and related the information to the call taker.

Officer Maldonado working as a solo unit arrived and observed the male wearing a red shirt at the door of the business. Officer Maldonado made contact with the male and the male subject did not comply with Officer Maldonado’s commands. Back up Officers were called, as back up Officers arrived the male was successful in breaching the restaurant doors with force. The male subject ran into the business. The Officers gave chase and once inside the business the male was tased by Officer Maldonado. The male continued to resist Officers and was taken into custody. As the male subject was escorted out of the business he became unresponsive. The Officers carried the male subject to the front of the business and called for FMS. The Officers rendered aid to the male subject, FMS arrived and took over CPR. The male subject expired while on the way to Del Sol. CAP and Texas Rangers were called to further investigate.

CAP Investigators met with the reporter and witnesses, statements were obtained. One of the witnesses had recorded a portion of the incident on his cell. That video was secured as part of his statement. The business owners arrived and met with the investigators and video from the business was also secured. CSU photographed the involved Officers and secured evidence.

At the hospital a two finger fast ID device was used to attempt to identify the male subject. The check revealed the male subject to be: Daniel Diaz 02/07/1981. Patrol Officers had dealt with Diaz earlier the same day at 8500 Viscount, West Star Bank. There Diaz refused to wear a mask and refused to leave the bank. Patrol Officers checked Diaz and sent him on his way.

Autopsy is pending toxicology results. No fatal injuries were discovered during Autopsy. Case continues. Officers statements pending