KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-1462-UF	Version Type:	AMENDED
Report Date:	11/23/2022 9:24 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Austin Police Dept.	Agency Address:	PO BOX 689001
Agency City:	Austin	Agency State:	TX
Agency Zip:	78768		

Director Information

Director Salutation:	Chief	Director First Name:	Joseph
Director Middle Name:			
Director Last Name:	Chacon		
Reporter Name:	Shane Streepy	Reporter Email:	shane.streepy@austintexas.gov

Decedent Information

Identity of Deceased

First Name: Antonio

Middle Name: Joe

Last Name: Gonzales

Suffix:

Date of Birth: 7/7/1993 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: 9/23/2022 11:51 AM

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

Death Date and Time: 9/23/2022 11:59 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

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 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?: 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

Location / Custody Information

Where did the event causing the death occur?

Street Address:	1800 Brassie St	City:	Austin
County:	Travis	Zip:	78741

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

Location Category: Roadway/highway/street/sidewalk

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:

N/A

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:
Terroristic Threat - Family Violence	
	Offense 2:
Felon in Possession of Firearm	
	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; Medical / Mental Health assistance call

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 firearm without discharge

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	Attempted to injure civilian(s) or other

Injure Others:	inmate(s)

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?:	Yes
Exhibit any mental health problems?:	Yes	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?:	Yes	Resist being handcuffed or arrested?:	Yes
Physically attempt/assault officer(s):	No	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:	No

Summary of Incident

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

Summary:

On Friday, September 23, 2022, at approximately 9:19 a.m., APD received a 9-1-1 call of a disturbance between a man and a woman regarding child custody in the 6100 block of Fairway Street.

Patrol officers were dispatched to the location of the call. The woman caller provided information that a man had a gun in his pocket and displayed it. It was also indicated that children were involved. The man was later identified as Mr. Antonio Gonzales.

Patrol officers arrived on scene in marked APD vehicles at 9:35 a.m. Upon the officer’s arrival, Mr. Gonzales did not have the children in his custody. Mr. Gonzales exited a vehicle and began walking around in the middle of the 1700 block of Brassie Street, near the previous call location. He was armed with a handgun. He pointed the gun at his head placing it against his temple and then placed it in his waistband. Officers made

verbal contact with Mr. Gonzales and attempted to de-escalate the situation by engaging with him and providing him with commands to lay on the ground. Officers on scene repeatedly told Mr. Gonzales they did not want him to get hurt and wanted to help. Mr. Gonzales did not comply with any of the several commands. During verbal contact with officers, Mr. Gonzales said he was going to kill himself several times. A crisis intervention officer arrived on scene at 9:43 a.m.

At 9:47 a.m., SWAT was called to the scene. While waiting for SWAT's arrival, officers on scene continued to ask Mr. Gonzales to drop the gun. At 9:51 a.m., Mr. Gonzales said he would shoot himself if officers refused to shoot him. At 9:53 a.m., the first officer trained as a hostage negotiator arrived on scene and began communicating with Mr. Gonzales.

At 9:59 a.m., the first SWAT officer arrived on scene. This became an "open-air SWAT call," which describes a situation where a subject is not inside a vehicle or a structure, and they are in an outside environment threatening themselves and or others. Officers were concerned for the safety of Mr. Gonzales and other people in the neighborhood, so officers attempted to evacuate all of the homes in the immediate area. There were some residents inside the homes who decided not to evacuate, and instead chose to shelter in place.

For approximately two hours, APD crisis intervention officers and hostage negotiators attempted to de-escalate the situation by speaking to Mr. Gonzales through both a loudspeaker and a mobile phone. The gun Mr. Gonzales had placed in his waistband remained visible to the officers, and was easily accessible to Mr. Gonzales.

At 11:51 a.m., SWAT officers approached Mr. Gonzales with taser and less-lethal means to attempt to take him into custody; these means were ineffective. Mr. Gonzales then reached for his gun and attempted to pull it from his waistband. A SWAT officer fired his Department issued firearm towards Mr. Gonzales striking him. Mr. Gonzales then fell to the ground.

After officers confirmed that Mr. Gonzales was no longer a threat, they approached him to provide life-saving measures. At 11:59 a.m., Mr. Gonzales succumbed to his injuries and was pronounced deceased on scene.

The woman who originally called 9-1-1 and the children were unharmed. Civilians and the officers on scene did not sustain physical injuries.