KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16167C	Report Date:	3/29/2016 12:00 AM
Status:	Submitted		

Agency/Facility Information

Department ID:	48	Department Type:	POLICE
Agency Name:	Beaumont Police Dept.	Agency Number:	TX1230100
Agency Phone:	4098803801	Agency Address:	P. O. Box 3827
Agency City:	Beaumont	Agency County:	Jefferson
Agency State:	TX	Agency Zip:	77704

Director Information

Director Salutation:

Chief

Director First Name:

James

Director Middle Name:

Director Last Name:

Singletary

Reporter Name:	Lieutenant Curtis D. Breaux	Reporter Email:	cbreaux@ci.beaumont.tx.us

Location / Custody Information

Where did the event causing the death occur?

Street Address: 655 S. 23rd

City: Beaumont

County: Jefferson

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 Peace Officer during/fleeing arrest

Custody Type Facility:

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: At the crime/arrest scene

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Herbert

Middle Name: Edgar

Last Name: Ballance

Suffix: IV

Date of Birth: 7/27/1993 Sex: Male

Ethnicity: Anglo

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

Death Date and Time: 3/5/2016 4:49 PM

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

Date/Time of Custody or Incident:

3/5/2016 4:49 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:

Justifiable Homicide

Manner of Death Description:

Death Reason:

Don\'t know

Medical Cause of Death:

Medical Cause of Death:

Perforated gunshot wound of the head

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 staff

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

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

General Information

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:

Aggravated Assault on a Public Servant - Firearm

Offense 2:

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Officer

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or drugs):	Yes	Exhibit any mental health problems?:	
Exhibit any medical problems?:			

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Threaten the officer(s) involved:	No	Resist being handcuffed or arrested?:	No
Try to escape/flee from custody:	No	Grab, hit or fight with the officer(s):	No

Other Behavior:

Specify Other Behavior:

Use weapon threaten/assault officer(s):	1

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:

Officers were dispatched to 655 S. 23rd #15 Beaumont, Jefferson County, Texas 77707, in reference to a disturbance, possibly related to the theft of an automobile.

Upon officers’ arrival, contact was made with the complainant, who advised officers that the suspect, Herbert Edgar Ballance IV was inside the residence. Ballance refused to speak with officers, and would not come out of the mobile home at their request. While assessing the situation, Officers heard distinct gunfire from inside the residence. Officers initiated a perimeter and sought cover for their protection. Shortly after this, a w/m later identified as Ballance IV, appeared in a doorway, and was holding a pistol to his head, in a threatening manner. Officers instructed Ballance to put the weapon down, and Ballance refused. While continuing to hold the weapon to this head, Ballance had walked into the parking lot. He was within view of police officers, as well as a citizen, and a potential threat to anyone in the area, due to the fact that he had fired at least one round of ammunition while inside the mobile home, and continued to disobey officers’ orders to put the weapon down. At one point, Ballance stopped and turned towards where Officers had taken cover, while continuing to hold the pistol to his head. Officer Welch, having no choice, but to protect himself and the other officers and citizens, then fired one shot from his patrol rifle, and neutralized the threat. Ballance IV suffered a gunshot wound to the mouth area, and was declared deceased at the scene by responding medical personnel.