



PRESS RELEASE

Pursuant to CA Gov't. Code Sect. 6254(f)
San Jose Police Department
Press Information Office
201 W. Mission Street, San Jose, CA 95110
Phone (408) 277-5339 / Fax (408) 286-0923

TYPE OF CRIME: In-Custody Death
LOCATION: 1750 Stokes Avenue

CASE NUMBER: 05-322-1075
DATE: 11-18-05 **TIME:** 8:12PM

VICTIM: Christine Silva
ADDRESS: Fresno Resident

AGE: Adult Female (40 years)

SUSPECT: Jose Angel Rios
ADDRESS: Fresno Resident

AGE: Adult Male (38 years)

DETAILS:

On Friday, November 18, 2005, at 8:12 PM, San Jose Police Officers responded to 1750 Stokes Avenue to reports of two males and a female arguing in the carport area of an apartment complex. It was reported that the female was yelling for help and that one of the men had been hitting the woman.

Information obtained from witnesses indicates that the suspect and the female victim had been arguing in a vehicle in the carport. An off-duty San Jose Police Officer heard the disturbance from a nearby apartment and went to the aid of the victim. When the off-duty officer got to the carport, he could see that the suspect was trying to wrest a young toddler away from the woman as she tried to shield the child from the suspect. The off-duty officer identified himself, displayed his badge and ordered the suspect to back away from the victim. When the suspect refused to comply with the off-duty officer's orders, the off-duty officer used his pepper spray on the suspect, which had little or no effect. At this point the two men started to struggle. The suspect is described as being 6'1" and weighing 330 pounds. A civilian witness came to the aid of the off-duty officer, and the three men continued to struggle in the carport. By this time, numerous 9-1-1 calls were now being received at Police Communications and several police units were dispatched to the call.

BY: Sgt. Nick Muyo #2086
DATE: 11-19-05 TIME: 9:00AM

AUTHORIZED BY: Lt. Mike Sterner
DATE: 11-19-05 TIME: 9:00AM

PRESS OFFICER BRIEFED BY UNIT COMMANDER (CIRCLE) **YES NO**

One of the first uniformed officers arriving at the scene called for additional units. The suspect continued to fight, and as each additional uniformed San Jose Police Officer arrived at the carport, they joined the efforts of the off-duty officer in trying to subdue the suspect. Eventually, four officers continued to fight with the suspect, but were still unable to subdue him. Officers then deployed a Taser but the suspect continued to fight. The suspect was Tased again and struck with a baton and finally fell to the ground. He continued to fight from the ground, kicking at and punching at the officers. After approximately 3-4 minutes, the suspect, who continued to struggle with officers, was handcuffed and medical personnel were allowed into the scene. The suspect continued to kick and struggle as Fire and Paramedic personnel tried to assess his medical condition. They were treating him when he went unconscious. He was transported by ambulance to a local hospital where he later died.

The San Jose Police Department's Homicide Unit is investigating this case. The Santa Clara County Coroner's Office will conduct a separate investigation to determine the cause of death. Investigators from the San Jose Police Department's Internal Affairs Unit and the Santa Clara County District Attorney's Office are monitoring the case.

Anyone with information on this case is urged to call Detective Sgt. James Randol or Detective Anthony Mata of the San Jose Police Department Homicide Unit at (408) 277-5283. Persons wishing to remain anonymous may call Crime Stoppers at (408) 947-STOP.

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