



May 28, 2024

The Honorable Ed Gonzalez
Sheriff of Harris County, Texas

The Honorable Ted Heap
Constable of Harris County Precinct 5

The Honorable Kim Ogg
Harris County District Attorney

Via e-mail: Sheriff.Gonzalez@sheriff.hctx.net; ted.heap@cn5.hctx.net;
ogg_kim@dao.hctx.net

Dear Sheriff Gonzalez, Constable Heap, and Ms. Ogg:

I'm writing on behalf of People for the Ethical Treatment of Animals (PETA) and our more than 332,000 members and supporters in Texas to urge you to investigate the death by heatstroke of City of Brookshire Police Department K-9 Luca, a 4-year-old Belgian Malinois. Luca [died](#) on August 5, 2023, in his handler's fenced-in backyard in unincorporated Katy. PETA obtained redacted copies of the original internal incident report (available [here](#)) and the official report of a third-party investigation (available [here](#)) from the city of Brookshire. **We respectfully request a criminal investigation by the appropriate agencies with jurisdiction where Luca spent his final hours.**

For several weeks in July and August 2023 while his assigned handler, Sgt. Maximiano Rodriguez, was in the hospital, Luca was left in the care and custody of civilians. Luca was trained and certified in narcotics detection and tracking, but Sgt. Rodriguez was neither trained nor certified in canine handling. A family member identified as 23-year-old Ashley Rodriguez **left Luca unattended in the backyard** of their residence on August 5 for four to five hours, during which time the ambient temperature hit [a record high of 103](#) and the heat index reached 110. This occurred after the National Weather Service issued a [heat advisory](#) regarding the dangerous weather and while the city of Houston enacted its Public Health Heat Emergency Plan. Although the address is redacted in the official documents, **public address records indicate that the Rodriguez family owns and resides at 24403 Avanti Dr. in Katy**, and this [property](#) matches the sergeant's description of his residence.

Ashley Rodriguez reportedly found Luca unresponsive around 8:15 p.m., called the sergeant at the hospital, and then transported the dog to All Pets Animal Hospital & 24-Hour ER Care at 24221 Kingsland Blvd. in Katy. This clinic is about a 20-minute drive from the home, but veterinary records indicate that the dog arrived at 9:58 p.m. Luca's internal temperature was 106.9, well above the normal range of 100.5 to 102.5 and indicative of [heatstroke](#). Dogs suffering from heatstroke typically experience heavy panting, drooling, vomiting, bloody diarrhea, weakness, confusion, and seizures. Prolonged elevated body temperature leads to shock and failure of every organ in the body. Upon reviewing the medical records, an independent veterinarian opined that **Luca was effectively dead on arrival** at the facility. Clinic staff treated him to the best of their ability overnight, but the damage to his organs was irreversible and he was euthanized to end his suffering the next morning. The independent veterinarian also noted that Luca's weight on intake was 11 lbs. less than on his last visit. He had lost approximately 18% of his bodyweight from April to August while in Sgt. Rodriguez's custody.

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- PETA France
- PETA Australia
- PETA Germany
- PETA Switzerland
- PETA Netherlands
- PETA Foundation (U.K.)

Public records indicate that Luca's remains were communally cremated and disposed of (with the remains of other animals) because the city refused to pay for burial or private cremation to receive his ashes. The cost of private cremation typically depends on the weight of the remains but may have cost only a few hundred dollars, a mere drop in the bucket compared to the \$9,500 the city had paid to acquire Luca in 2021, the cost of initial training and certification for him and his original handler, the cost of ongoing training and maintenance, or the cost of veterinary care over his short lifetime. Just weeks before Luca's death, the Houston Police Department held a [memorial service](#) in honor of its own K-9 Aron, a bomb-sniffing dog who had [died](#) of heatstroke after the specially equipped vehicle in which he had been left unattended shut down unexpectedly. Aron was 4 years old and had been with the department for over a year.

The official third-party investigation concluded that Luca's death was "caused by incidents of negligence." It finds fault with the police department, the handler himself, and the (former) chief of police. The report does not refer to any state or local laws, but events as recounted in both internal and external documents appear to violate both the Texas "cruelty to non-livestock animals" ([Tex. Pen. Code § 42.092](#)) as well as "interference with police service animals" ([Tex. Pen. Code § 38.151](#)) statutes. **Because Luca's suffering and death—which were entirely preventable—occurred in [unincorporated Harris County](#), we're requesting that county officials investigate this incident as a criminal complaint.**

Thank you for your consideration of this important matter and for all that you do to keep your community safe. I can be reached at [REDACTED]. I look forward to hearing from you.

Most respectfully,



Allison Fandl
Manager of Special Projects
Cruelty Investigations Department | PETA

cc: Ken Paxton, Attorney General of Texas (kenneth.paxton@oag.texas.gov)
Steven C. McGraw, Director and Colonel of the Texas Department of Public Safety
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