KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	19-1120-UF	Version Type:	ORIGINAL VERSION
Report Date:	10/28/2019 2:21 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	Director First Name:	Gregory
Director Middle Name:	K		
Director Last Name:	Allen		
Reporter Name:	David Camacho	Reporter Email:	2689@elpasotexas.gov

Decedent Information

Identity of Deceased

First Name: Matthew

Middle Name: Wayne

Last Name: Sutton

Suffix:

Date of Birth: 2/29/1972 Sex: Male

Race: Anglo or White

Age At Time Of Death: 47

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

Date/Time of Custody or Incident: 10/23/2019 10:34 PM

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

Death Date and Time: 10/24/2019 4:05 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)

Homicide (includes

Manner of Death:	Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

gunshot wounds, homicide

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?:	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?:	Handgun

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:	12236 Montana	City:	el paso
County:	El Paso	Zip:	79938

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

Location Category: Parking lot/garage

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:

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?: 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:

Aggravated Assault on a Peace Officer

Offense 2:

Aggravated Assault on a Peace Officer

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: 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: Yes, mark all that apply

Decedent Display or Use Weapon Details: Used vehicle as weapon

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

Yes (select all that

Attempt to Injure Others?:	apply)
Ways Decedent Attempted To Injure Others:	Injured law enforcement personnel

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

Appear intoxicated (alcohol or drugs):	No	Make suicidal statements?:	No
Exhibit any mental health problems?:	No	Exhibit any medical problems?:	No

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):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	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 10/23/19 at approximately 2230 hrs. Auto Theft Task Force Officers Lopez and Gurrola were at the address of occurrence looking for a vehicle with stolen license plates, which they were alerted to by a mobile License Plate Reader. Once the officers located the vehicle, a 1997 Ford Expedition SUV, they approached the vehicle in order to check the VIN, as it appeared to be unoccupied. As they got closer to the vehicle, they observed a lone male subject inside, asleep in the driver’s seat. The officers knocked on the window and woke the driver while also identifying themselves as police officers. The subject was somewhat cooperative,

but would not step out of the vehicle. The officers had the driver's door open as they attempted to interview him. When the officers asked the driver about his vehicle and license plates, he immediately became irate, started the ignition, and then tried to put it into gear. Both officers reacted by reaching inside to try to prevent him from putting the vehicle in reverse, but were unsuccessful. The subject revved the engine and started reversing the SUV while also dragging the officers. The subject continued backing up and ignoring the officers' commands to stop, Officer Lopez drew his service weapon and fired one shot into the subject's upper torso. The subject then put the vehicle into DRIVE and raced through the parking aisle towards the front of the store, throwing the officers from the moving vehicle. At some point, the subject lost consciousness and the vehicle then crashed into the front concrete wall of the store. The officers ran to the vehicle and discovered the subject to be unresponsive. Fire Medical Services were requested to the scene, but did not transport the subject as he was obviously deceased.