KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	20-555-UF	Version Type:	AMENDED
Report Date:	4/21/2021 11:15 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Weslaco Police Dept.	Agency Address:	901 N. Airport Dr.
Agency City:	Weslaco	Agency State:	TX
Agency Zip:	78596		

Director Information

Director Salutation:	Chief	Director First Name:	Joel
Director Middle Name:			
Director Last Name:	Rivera		
Reporter Name:	Jennifer Vilches	Reporter Email:	jennifer.vilches@weslacotx.gov

Decedent Information

Identity of Deceased

First Name: Eliud

Middle Name:

Last Name: Perez

Suffix:

Date of Birth: 12/8/1973 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 46

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

Date/Time of Custody or Incident: 5/28/2020 3:10 AM

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

Death Date and Time: 5/29/2020 9:30 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:

Complications of cardiopulmonary arrest during restraint and following a struggle in an individual with acute cocaine intoxication.

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment:	Yes

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?:	Not applicable

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?:	Not Applicable

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?:	Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death:	Other, specify
Means of Death Other:	The decedent was in a cocaine-induced excited state and struggled with police. Following the struggle, while the decedent was restrained by the wrists prone, he was noted to be unresponsive and

found by EMS to be in cardiopulmonary arrest.

Location / Custody Information

Where did the event causing the death occur?

Street Address:	517 South Westgate Dr.	City:	Weslaco
County:	Hidalgo	Zip:	78596

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

Location Category: Residence/Home

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: Medical facility

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:

N/A Suspected Excited Delirium

Offense 2:

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: Medical / Mental Health assistance call; Other, specify

Type of Offense, Other:

Suspected Excited Delirium/ Individual Being Loud In Apartment

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 other weapon, specify:; Used other weapon, specify:

Specify Weapon Displayed:

Metal Pipe

Specify Weapon Used:

Metal Pipe

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

Attempt to Injure Others?:	No

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

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

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:	No	Escape or attempt to escape/flee custody:	No
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:	Yes, mark which restraint devices were used

Type of restraint

Type of Restraint: Handcuffs

Summary of Incident

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

Summary:

On May 28, 2020, at about 3:10 am Officers responded to 517 S. Westgate Apartment 15, Weslaco, Texas, County of Hidalgo regarding a neighbor reporting a male subject yelling inside his apartment. Officers arrived at the location and could hear a male subject later identified as Eliud PEREZ 12/08/73 inside the apartment yelling incoherently. The Officers believed PEREZ was carrying an object because of what they heard inside. They could also hear PEREZ causing damage inside. Officers knocked at the front door and identified themselves, but PEREZ would not answer the door. The officers at the location were also aware of a past response to that location where PEREZ had suffered from excited delirium, had displayed a knife, and officers had gotten into a struggle with him. The officers did not know if anyone else was inside the residence and believed that PEREZ again was suffering from excited delirium. The officers contacted a supervisor (Sergeant) who then arrived at the scene. The Sergeant after being informed of the situation and attempting to get PEREZ to open the door to no avail then determined that entry was to be made. The Sergeant contacted his Lieutenant and got permission to make forceful entry. A total of three officers and a Sergeant then kicked the front door open and encountered PEREZ. PEREZ was naked from the waist down, was carrying a metal pipe, and had cuts to his body. The offices also observed heavy damage to the apartment (glass all over the floor). The officers ordered PEREZ to drop the pipe and he complied. PEREZ then got on the floor and got under a couch. The officers removed the couch from on top of him to restrain him, and then carried him outside. PEREZ was handcuffed outside and EMS was requested. Outside, Officers attempted to talk to PEREZ, but he continued to talk incoherently. PEREZ after a few minutes then went unconscious but the Officers observed that he was still breathing. A few minutes later the Officers then notice that PEREZ was no longer breathing. The officers removed the handcuffs as EMS arrived at the scene. EMS took over and began to treat him due to him going under cardiac arrest. PEREZ was transported to Knapp Medical (Weslaco, Texas) where he was placed in the ICU on life support. The Texas Rangers were notified of the incident. The next day May 29, 2020, at 9:30 am PEREZ was taken off life support and pronounced dead. The initial cause of death reported by the physician was the loss of blood with no autopsy being requested. The Texas Rangers were able to request an autopsy that was conducted on June 1, 2020. The medical examiner did not determine a cause of death, pending the investigation, and more information. An internal investigation is also being conducted by the Weslaco Police Department.