KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	20-56-MJ	Version Type:	AMENDED
Report Date:	7/30/2020 1:48 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	McAllen Police Dept.	Agency Address:	PO BOX 220
Agency City:	McAllen	Agency State:	TX
Agency Zip:	78505		

Director Information

Director Salutation:	Chief	Director First Name:	Victor
Director Middle Name:			
Director Last Name:	Rodriguez		
Reporter Name:	Victor Rodriguez	Reporter Email:	vrodriguez@mcallenpd.net

Decedent Information

Identity of Deceased

First Name: Johnathan

Middle Name: Gustavo

Last Name: Lucio

Suffix:

Date of Birth: 5/13/1998 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 21

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

Date/Time of Custody or Incident: 1/24/2020 12:56 AM

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

Death Date and Time: 1/24/2020 1:21 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 are available

What was the manner of death? (select only one)

Manner of Death: Accidental

Medical Cause of Death:

Medical Cause of Death:

Methamphetamine toxicity.

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

Medical Treatment: Unknown

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

Who caused the death?: Decedent

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: Drug overdose

Location / Custody Information

Where did the event causing the death occur?

Street Address: 1102 Trenton Rd. City: Edinburg

County: Hidalgo Zip: 78539

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

Location Category: Other, specify

Other Location Category:

Medical Facility

What type of custody/facility was the Decedent in at the time of death:

Type of Custody: Municipal Jail

Specific type of custody/facility:

Specific Type of Custody/Facility:

Jail - holding cell

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: 1/24/2020 1:33 AM

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?: 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:

Public Intoxication

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: Alcohol / drug offense

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: No

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?: 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?: No

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:	No

Summary of Incident

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

Summary:

The following from Call For Service (CFS) information:

Nature of CFS: Suspicious [Person].
Date: 01/24/2020.
Time: 12:56 AM
Location: 17th Street / Chicago Ave.

McAllen Officers responded the above described CFS. The Reporting Person (RP) reported that a male subject “approached him in an aggressive manner demanding money”. The subject was described as wearing a “light in color sweater that …had blood throughout”. Responding Officers located a subject matching the description at the 300 Block of 17th Street. The subject was identified as Johnathan Gustavo Lucio, 21 years of age. The RP identified the subject as the person “who was demanding money”. Responding Officers determined that the subject was “under the influence of narcotics” and at risk of causing injury to himself. The subject was placed under arrest and charged with Public Intoxication. The subject was booked into the McAllen Police Department Jail at 1:33 AM.

At 8:15 AM, the subject, Johnathan Gustavo Lucio, 21 years of age, requested medical attention and complained of “drug side effects” and stated “he took too many drugs prior”. MEDCARE was summoned and transported the subject to South Texas Health Facility at 3700 Nolana McAllen, Texas. Responding Officer accompanied the subject to this emergency health care facility.

At 11:04 AM and while at South Texas Health Facility at 3700 Nolana McAllen, Texas, the Responding Officer issued a citation for the instant charge (Public Intoxication) and released the subject from custody. The subject remained in the care of the South Texas Health Facility at 3700 Nolana McAllen, Texas.

At 1:21 PM, Nurse Dillan at Edinburg Regional Hospital called our department and requested an Officer to report that this subject had expired at their facility. The facility was informed that the subject was not in our custody and that he had been released at the South Texas Health Facility at 3700 Nolana McAllen, Texas.

We have learned that he was subsequently transferred from South Texas Health Facility at 3700 Nolana McAllen, Texas to Edinburg Regional Medical Center and expired there.

Death investigation was deferred to Edinburg Police Department.

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