KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-117-UF	Version Type:	ORIGINAL VERSION
Report Date:	1/31/2022 2:14 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Athens Police Dept.	Agency Address:	202 W. Scott St
Agency City:	Athens	Agency State:	TX
Agency Zip:	75751		

Director Information

Director Salutation:	Chief	Director First Name:	Roy
Director Middle Name:			
Director Last Name:	Williams		
Reporter Name:	Roy Williams	Reporter Email:	rrwilliams@athenstx.gov

Decedent Information

Identity of Deceased

First Name: Richard

Middle Name: A.

Last Name: Marion

Suffix:

Date of Birth: 10/18/1957 Sex: Male

Race: Anglo or White

Age At Time Of Death: 64

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

Date/Time of Custody or Incident: 1/27/2022 6:14 PM

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

Death Date and Time: 1/30/2022 9:28 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 pending

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

Manner of Death: Pending autopsy results

Medical Cause of Death:

Medical Cause of Death:

Head injury

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

Medical Treatment:	Not Applicable

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:	Head injury

Location / Custody Information

Where did the event causing the death occur?

Street Address:	900 E. Corsicana St.	City:	Athens
County:	Henderson	Zip:	75751

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: 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:

Aggravated Assault with a Deadly Weapon

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:	Violent Crime Against Persons

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:	Discharged firearm

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:

On Thursday, 27 January 2022, at approximately 6:10 PM, the Athens Police Department received two (2) calls of a white male walking beside the road and shooting a shotgun in the 700 blk. of E. Corsicana St. Officers responded to the area and located the subject, who was know by responding Officers, as Richard A. Marino 10/18/1957, in the parking lot of Athena Gardens Apartments, 900 E. Corsicana St. Mr. Marino had a shotgun rapped in a red blanket and would not respond to the Officers request for him to drop the weapon. Mr. Marino then dropped the red blanket exposing the shotgun in his right hand and continued to ignore the commands from Officers to drop the weapon. As Officers continued to plea with Mr. Marino to drop the weapon, one Officer approached Mr. Marino on his left side and drew his less than lethal department issued X26 Taser. Mr. Marino continued to ignore the Officers commands, at which time a less than lethal X26 Taser probe cartage was discharged striking Mr. Marino in the abdomen and thigh. The X26 Taser deployment was successful causing Mr. Marino to drop the weapon and he fell backwards to the ground at which time Mr. Marino struck his head on the pavement, causing a secondary injury. Officers were about the secure the shotgun and placed Mr. Marino in handcuffs. Mr. Marino's secondary head injury was tended to by Officers on the scene until Emergency Medical Services Personnel arrived.

Mr. Marino was transported by ambulance to UT Health - Athens Emergency Room and was found to have a skull fracture and bleeding on the brain. Mr. Marino was transferred to UT Health - Tyler due to his injuries. On Sunday, 30 January 2022, at approximately 9:28 PM, Mr. Marino died as result of his injuries. An autopsy was ordered and results are pending.

The investigation into this incident is being conducted by the Texas Ranger Michael Adcock.