KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-758-UF	Version Type:	AMENDED
Report Date:	7/28/2023 1:10 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	San Antonio Police Dept.	Agency Address:	315 S. Santa Rosa
Agency City:	San Antonio	Agency State:	TX
Agency Zip:	78207		

Director Information

Director Salutation:	Chief	Director First Name:	William
Director Middle Name:	P.		
Director Last Name:	McManus		
Reporter Name:	Miles Earwood	Reporter Email:	miles.earwood@sanantonio.gov

Decedent Information

Identity of Deceased

First Name: Andre

Middle Name: Joseph

Last Name: Hernandez

Suffix:

Date of Birth: 12/20/2008 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 13

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

Date/Time of Custody or Incident: 6/3/2022 1:22 AM

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

Death Date and Time: 6/3/2022 3:52 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:

Gunshot wound

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?:	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:	5110 War Cloud	City:	San Antonio
County:	Bexar	Zip:	78242

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

Location Category: Roadway/highway/street/sidewalk

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 - Deadly Weapon - Peace Officer

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:	Other, specify

Type of Offense, Other:

Call for service received for "shots fired". Officers investigating a possible Deadly Conduct or Firing in a Municipality 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:	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:

Attempt to Injure Others?:	Yes (select all that apply)
Ways Decedent Attempted To	Attempted to injure law enforcement

Injure Others:	personnel

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

Appear intoxicated (alcohol or drugs):	Unknown	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:

Officers were dispatched after receiving several calls for "shots fired" in the area. As officers were investigating, a red Toyota Corolla was observed driving fast through the residential area. The Corolla was being driven by the decedent. Two officers, each in their own patrol vehicle, attempted to stop the decedent by activating their emergency lights. The officers had approached from different directions, and one patrol Explorer was in front of the decedent while the another patrol Tahoe was behind. The decedent reversed in an obvious attempt to evade. The decedent attempted to turn the vehicle around in the street. The decedent then appeared to intentionally use the Toyota Corolla as a weapon and ram the driver's door of a fully marked patrol Tahoe. The decedent rammed the police vehicle as the officer was attempting to exit the patrol vehicle. Another officer, who was in the other patrol vehicle originally in front of the decedent, observed the decedent begin to ram the patrol Tahoe. Believing the officer was exiting the patrol Tahoe, and was in danger of death or serious bodily injury, the officer fired once towards the decedent. The officer's round went through the

driver door of the Corolla and struck the decedent in the torso. The decedent surrendered and officers immediately rendered medical treatment and requested EMS. The decedent was then transported to a nearby hospital. The decedent was later pronounced deceased after medical intervention was unsuccessful.