KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-583-UF	Version Type:	AMENDED
Report Date:	11/22/2023 2:20 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Hidalgo County Sheriff's Dept.	Agency Address:	PO BOX 1228
Agency City:	Edinburg	Agency State:	TX
Agency Zip:	78540		

Director Information

Director Salutation:	Sheriff	Director First Name:	Jose
Director Middle Name:	E		
Director Last Name:	Guerra		
Reporter Name:	Tony Garza	Reporter Email:	tony.garza@hidalgoso.org

Decedent Information

Identity of Deceased

First Name: Erique

Middle Name:

Last Name: Martinez

Suffix:

Date of Birth: 2/15/1970 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 53

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

Date/Time of Custody or Incident: 5/23/2023 11:59 PM

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

Death Date and Time: 5/24/2023 12:30 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:

Hidalgo County Forensic Center preliminary report ruled cause of death a homicide, manner of death "gun shot wound head to neck". Urine screening yielded a positive for cocaine. Toxicology results available.

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:	211 Moonstone	City:	Donna
County:	Hidalgo	Zip:	78537

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:

Attempted Capital Murder

Offense 2:

Aggravated Assault with Deadly Weapon

Offense 3:

Aggravated Assault with Motor Vehicle

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: Used other weapon, specify:; Used vehicle as weapon

Specify Weapon Used:

Chased wife with a knife, and a machete

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 Injure Others:	Attempted to injure law enforcement personnel; Injured civilian(s) or other inmate(s)

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:	Yes	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 Tuesday May 23, 2023 at about 11:41 pm, Hidalgo County Sheriff's deputies responded to a home on Moonstone, in Donna Texas regarding a female reporting that her husband was chasing her with a knife. Upon arrival deputy saw a female come out of a grassy field located next to the reported address. Deputy noticed reporting party was limping and had cuts and scrapes to her knees and elbows. Female was hysterical and stated that her husband wanted to kill her and ran over her with his truck. A witness approached the deputy and reported that the victim had been chased around the property by the husband in a white truck and that the victim ran to the neighbor's house as she tried to escape. The husband rammed his truck into the front of the neighbor's home, pinning the victim between the truck and the front door. The door opened and victim ran through the home and out the back as the husband chased her with a knife, but then returned to his truck and kept looking for her.

Other deputies arrived and began to assess the situation and tend to the victim's injuries when the husband returned in the white truck. Subject began ramming another vehicle on the street that was occupied. Subject then drove off and two deputies went after him but lost visual of the truck. A short while later the subject returned to the location, drove onto the property heading toward the deputies as they were gathering information from the victims. Deputies called out to the driver to stop as he continued toward them and the people at location at a high rate of speed. Deputies then fired at the driver of the pick up who veer off, crashing into the side of the home and the truck finally came to a stop. Deputies approached the driver who had been shot, pulled him out and began applying life saving first aid. Subject was transported to a medical facility by ambulance where he later succumbed to his injuries. Victim and one of the Deputies were also transported to a medical facility and treated for injuries.