KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-85-UF	Version Type:	ORIGINAL VERSION
Report Date:	1/31/2023 11:06 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Bexar County Sheriff's Office	Agency Address:	200 N. Comal
Agency City:	San Antonio	Agency State:	TX
Agency Zip:	78207		

Director Information

Director Salutation:	Sheriff	Director First Name:	Javier
Director Middle Name:			
Director Last Name:	Salazar		
Reporter Name:	John Mahon	Reporter Email:	jmahon@bexar.org

Decedent Information

Identity of Deceased

First Name: Mario

Middle Name: Alberto

Last Name: Aguinaga

Suffix:

Date of Birth: 10/3/1997 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 25

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

Date/Time of Custody or Incident: 1/12/2023 12:48 AM

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

Death Date and Time: 1/12/2023 1:07 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: Accidental

Medical Cause of Death:

Medical Cause of Death:

Blunt Force Injuries

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?: 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?: Vehicle-involved death

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: Vehicle accident

Location / Custody Information

Where did the event causing the death occur?

Street Address:	7508 W. Military Drive	City:	San Antonio
County:	Bexar	Zip:	78227

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: Scene of incident

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:

Evading Arrest Motor Vehicle

Offense 2:

Possession of a Controlled Substance

Offense 3:

Unlawful Carrying Weapon

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:

Speeding

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): 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?:	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:	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:

On 01-12-2023, at about 0048 hours, a Bexar County Sheriff's Office (BCSO) Traffic Safety Unit Deputy initiated a traffic stop on the decedent's vehicle, of which he was the sole occupant. The decedent initially pulled his vehicle over and the deputy made contact with the decedent from the passenger side of the decedent's vehicle--the decedent was pulled over for speeding. The deputy asked the decedent where he was coming from and if he had any narcotics or weapons. The decedent initially provided the deputy with a bag of illegal narcotics and advised the deputy he did not have any weapon(s); the decedent then told the deputy he did have a firearm on his person. At about this point, the deputy told the decedent to remove the keys from the ignition of the vehicle and told the decedent to keep his hands visible--the decedent complied. The deputy went to the driver-side door of the decedent's vehicle, the decedent started the vehicle, put the vehicle in drive, and began to evade arrest in the vehicle at a high rate of speed. The deputy pursued the decedent in his subdued marked patrol vehicle and at some point, the deputy lost sight of the decedent's vehicle on W. Military Drive. The deputy continued north on W. Military Drive and observed a large flash of light in the distance. After the deputy passed the intersection of W. Military Drive and Marbach Road, he immediately observed the decedent's vehicle had crashed into a utility pole and multiple parked vehicles. The deputy advised dispatch of the crash and requested additional deputies. The deputy observed the decedent had been ejected from his vehicle and was deceased (the decedent was subsequently pronounced deceased at 0107 hours).