KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	24-599-UF	Version Type:	ORIGINAL VERSION
Report Date:	4/30/2024 2:49 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	El Paso Police Dept.	Agency Address:	911 N. Raynor
Agency City:	El Paso	Agency State:	TX
Agency Zip:	79903		

Director Information

Director Salutation:	Chief	Director First Name:	Peter
Director Middle Name:			
Director Last Name:	Pacillas		
Reporter Name:	REX PARSONS	Reporter Email:	2581@elpasotexas.gov

Decedent Information

Identity of Deceased

First Name: MARTIN

Middle Name: HERRERA

Last Name: GARCES

Suffix:

Date of Birth: 12/3/1996 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 27

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

Date/Time of Custody or Incident: 4/11/2024 6:38 PM

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

Death Date and Time: 4/11/2024 11:26 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: Homicide (includes Justifiable

Homicide)

Medical Cause of Death:

Medical Cause of Death:

Gunshot wounds

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?:	Rifle/shotgun

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:	300 Skyview # E-8	City:	El Paso
County:	El Paso	Zip:	79912

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:

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?:	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:

AGGRAVATED ASSAULT AGAINST PUBLIC SERVANT

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; Medical / Mental Health assistance call

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?:	Yes (select all that apply)
Ways Decedent Attempted To Injure Others:	Injured law enforcement personnel; Attempted to injure law enforcement personnel; Attempted to injure 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?:	Unknown
Exhibit any mental health problems?:	Yes	Exhibit any medical problems?:	Unknown

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

Barricade self or initiate standoff?:	Yes	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:	Unknown	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 04/11/2024 at approximately 1838 hours, Uniformed Officers from El Paso Police Department-Westside Regional Command Center (WSRC) responded to 300 Skyview (The Rosetta Apartments) in reference to shots fired. Upon arrival to scene, a WSRC patrol unit was struck multiple times by gunfire from 27 year old Martin Herrera Garces who was firing a firearm from an upstairs balcony in apartment #E8. The Patrol Officer was able to exit his marked unit and take cover. A SWAT (Special Weapons and Tactics) callout was initiated. Martin Herrera Garces continued to fire at Officers from the apartment balcony. Martin Herrera Garces barricaded himself in the apartment and during the standoff he shot at his mother who arrived at the apartment complex and struck her vehicle with gunfire. Crimes Against Persons Detectives (CAP) obtained an arrest warrant for Martin Herrera Garces and a search warrant for the apartment he was barricaded inside of. SWAT along with CMT continued efforts to arrest Martin Herrera Garces. Martin Herrera Garces continued firing at SWAT Officers and exited the apartment with two firearms. Herrera was subsequently shot by 2 members of the EPPD SWAT team. Martin Herrera Garces was transported to University Medical Center where he succumbed to his injuries.