KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	25-1050-C	Version Type:	AMENDED
Report Date:	12/26/2025 6:11 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	McAllen Police Dept.	Agency Address:	PO Box 220
Agency City:	McAllen	Agency State:	TX
Agency Zip:	78505		

Director Information

Director Salutation:	Chief	Director First Name:	Victor
Director Middle Name:			
Director Last Name:	Rodriguez		
Reporter Name:	Victor Rodriguez	Reporter Email:	vrodriguez@mcallenpd.net

Decedent Information

Identity of Deceased

First Name: Rene

Middle Name:

Last Name: Gutierrez

Suffix:

Date of Birth: 7/28/1978 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 47

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

Date/Time of Custody or Incident: 12/25/2025 3:05 AM

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

Death Date and Time: 12/26/2025 1:33 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:

Complications of cardiopulmonary arrest during restraint and following a struggle with acute cocaine intoxication.

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

Medical Treatment: Unknown

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?: 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: Drug overdose

Location / Custody Information

Where did the event causing the death occur?

Street Address:	2400 Block Kendlewood Ave.	City:	McAllen
County:	Hidalgo	Zip:	78504

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: Police Custody (pre-booking)

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: Elsewhere, specify

Death Location Elsewhere:

Emergency Hospital.

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:

Resisting Arrest.

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: Alcohol / drug 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: 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): Yes

Make suicidal statements?: Yes

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:	Yes, mark which restraint devices were used

Type of restraint

Type of Restraint:	Handcuffs

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

Nature of Call-For-Service (CFS): 9-1-1 [Hang-Up Investigation] Just Occurred.
Date: 12/25/2025.
Time: 3:05 AM.
Location: 2400 Block Kendlewood Ave. McAllen, Texas.

CFS Summary (generally):

Responding Officer(s) were dispatched to the location in reference to a 911 hangup call involving a reported family disturbance. Responding Dispatchers noted that the "household [was] uncooperative and aggressive towards PO (Police Officers). Dispatchers further noted that the caller, "male saying [yelling] give me that stick, those MFS [motherfuckers] are coming ... hurry 9-1-1". Dispatchers also discerned a female "telling him to stop", the caller "terminated [the] line" and called back "saying kill me".

Upon arrival, officers were informed that a male subject at the scene appeared to be under the influence of an unknown narcotic. Responding Officer(s), upon investigation determined that "male is intoxicated" attempted his detention but the male subject resisted detention and resisted placement onto the Responding Officer's Patrol Unit. Due to the subject's erratic behavior and suspected intoxication, officers transported the male subject medical center for emergency care instead of booking him at the Department Jail.

The male suspect was released to medical staff and at this writing remains intubated and in critical condition. Preliminarily, drug abuse and drug overdose are suspected in this matter.

The suspect was pronounced deceased at 1:33 AM this morning.

The male suspect was tentatively identified as Rene Gutierrez, 47 years of age with a last known address at McAllen, Tx.