KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16430C	Report Date:	7/27/2016 12:00 AM
Status:	Submitted		

Agency/Facility Information

Department ID:	28	Department Type:	SHERIFF
Agency Name:	Atascosa County Sheriff's Dept.	Agency Number:	TX0070000
Agency Phone:	8307693434	Agency Address:	1108 Campbell St.
Agency City:	Jourdanton	Agency County:	Atascosa
Agency State:	TX	Agency Zip:	78026

Director Information

Director Salutation:

Sheriff

Director First Name:

David

Director Middle Name:

Director Last Name:

Soward

Reporter Name:	Captain Matthew Miller	Reporter Email:	matt.miller@acso-tx.org

Location / Custody Information

Where did the event causing the death occur?

Street Address: 8680 FM 2790

City: Somerset

County: Bexar

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:

Custody of Peace Officer during/fleeing arrest

Custody Type Facility:

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: At the crime/arrest scene

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Ricky

Middle Name: Brian

Last Name: Trevino

Suffix:

Date of Birth: 3/24/2000

Sex: Male

Ethnicity: Native Hawaiian/Pacific Islander

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

Death Date and Time: 7/26/2016 4:52 AM

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

Date/Time of Custody or Incident:

7/24/2016 4:52 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:

Accidental injury caused by others

Manner of Death Description:

Death Reason:

Injuries only

Medical Cause of Death:

Medical Cause of Death:

Multiple 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?:

Other persons

Death Causer Other:

Driver of vehicle

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

Other Weapon, specify:

Other weapon, specify:

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:

Other

General Information

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

Offense 2:

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Other

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

Appear intoxicated (alcohol or drugs): No

Exhibit any mental health problems?:

Exhibit any medical problems?:

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

Threaten the officer(s) involved: No

Resist being handcuffed or arrested?: No

Try to escape/flee from custody: Yes

Grab, hit or fight with the officer(s): No

Other Behavior:

Specify Other Behavior:

Use weapon threaten/assault officer(s): 0

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 7-24-2016 on or about the 4:52 am hour, Deputy Arnold Mendez #646 with the Atascosa County Sheriff's Department was assisting Deputy John Mendoza #647 with a call at SO Royal Oaks in Somerset, Texas for a shooting. He observed the suspects red Volkswagen involved in the shooting with a defective passenger head light that was off with frontend damage approach them headed towards West FM 476. He immediately got in his marked patrol unit to make contact with the Red Volkswagen for the defective headlight. The Volkswagen took a right on to West FM 476. As soon as he got on West FM 476, he notice the vehicle started to accelerate. He continued to pursue the vehicle. He activated his overhead red white and blue lights. It was obvious the vehicle wasn't going to pull over. The vehicle kept accelerating. According to my GPS, he was doing upwards of 100 miles per hour. He informed dispatch he was in a pursuit and activated his siren. The Volkswagen kept accelerati ng and didn't pull over. The red Volkswagen was pulling away from him but he still had visual on the car. He approached the Bexar county line and proceeded towards FM 2790. The Volkswagen took a right on FM 2790 headed towards Somerset. The Red Volkswagen Beetle then accelerated and started to get away from him. He then noticed the vehicle swerved from side to side on the roadway and then he saw the vehicle hit the side bar ditch and then went air born and then hit an electrical pole. There was a lot of dirt and debris. The car appeared to have barrel rolled. The car came to a halt right side up at the address 8680 FM 2790 in Somerset Texas. He exited his patrol vehicle and had the driver later identified as Matthew David Boggs DOB 11-24-1998 at gun point. He told him to put his hands up. Boggs stated his friend got thrown out. Next to the car was a male lying face down on the ground. He appeared to be bleeding form his face. It appeared he was breathing but was unresponsive. The impact caused the vehicle engine and transmission to come out of the vehicle. Deputy Mendez informed dispatch to have Air Life on standby. He asked Boggs why he didn't stop. Boggs stated he had Marijuana on him and was scared. Somerset Fire Department arrived and assisted on getting Boggs out of the vehicle. DPS Trooper Jesse Perez #6545 arrived on scene. Acadian E.M.S. arrived and Lytle E.M.S. Unit #694 arrived. Somerset Fire Dept. was able to get Boggs out of the vehicle. Lytle E.M.S. had Boggs in the E.M.S. unit. Deputy Mendez asked Boggs where the Marijuana was. He stated in his pocket. E.M.S. Britnie Jenine Pace DOB 3-4-1990 emptied his pockets. She pulled out a white sealed bag from his left pocket. Deputy Mendez asked Boggs for the name of the passenger. He stated a Ricky Trevino. Deputy Mendez asked him if he knew how old he was. He stated Trevino was 16 years old. (He was later identified as Ricky Brian Trevino DOB 3-24-2000.) He asked him if he was at a party at Royal Oaks where he saw may unit. He stated he was smoking marijuana at a friend's house on 4th St.. Sergeant Draughn #632, Deputy Christopher Gomez #705 and Sgt. Investigator Newman #644 made location. Lytle E.M.S. was working on Boggs and Bexar County Acadian was working on Trevino. Bexar County Deputy Jacob Fuentes #1349 arrived and assisted with traffic control. DPS Trooper Perez and Sgt. DPS Trooper Bratton worked the accident and stated they would get with C.I.D. for information. Deputy Mendez took photographs of the vehicle and was notified by Trooper Perez that there appeared to be two bullet holes in the vehicle. The first hole was on the driver rear fender and the other hole was on the passenger side door. Deputy Mendez took photographs of the holes. Boggs was transported to University Hospital in San Antonio TX by Lytle E.M.S.. The Other subject was transported by Acadian E.M.S. to the intersection of West F.M. 476/F. M.2790 for Air Life. He was transported by Air Life to University Hospital in San Antonio Texas. Dispatch had informed Deputy Mendez that Boggs had an active warrant out of Bexar County for