



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 19-1412-UF

Version Type: AMENDED

Report Date: 7/13/2020 10:15
AM

Status: Submitted

Agency/Facility Information

Agency Name: Brownsville Police
Dept.

Agency Address: 600 E. Jackson

Agency City: Brownsville

Agency State: TX

Agency Zip: 78520

Director Information

Director Salutation: Chief

Director First Name: Felix

Director Middle Name:

Director Last Name: Saucedo Jr.

Reporter Name: Fernando Flores

Reporter Email: fernando.flores@brownsvilletx.gov

Decedent Information

Identity of Deceased

First Name: Mario

Middle Name: Alberto

Last Name: Torres

Suffix:

Date of Birth: 11/29/1992

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: 12/15/2019 2:17 AM

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

Death Date and Time: 12/15/2019 2:51 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:

Gunshot wound of the head, was documented as the cause of death on the final autopsy examination report conducted by the Cameron County Forensic Pathology Department.

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: 674 Florence Ln.

City: Brownsville

County: Cameron

Zip: 78520

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:

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: 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:

Aggravated Assault on a Public Servant (x3)

Offense 2:

Discharge of Firearm in Certain Municipalities

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: Other, specify

Type of Offense, Other:

Discharge of Firearm in Certain Municipalities

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: Attempted to injure law enforcement personnel

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

Appear intoxicated (alcohol or drugs): No

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?: 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: No

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:

The summary set out below is based on information known to date and could be subject to change based on further information.

On Sunday December 15, 2019, at around 2:08am, the Brownsville Police Department began receiving multiple 911 calls for service in reference to shots fired in the Galaxia neighborhood area. One of the 911 callers advised that he observed a man in the middle of the street discharging a firearm on the 600 block of Florence Ln. Another 911 caller also provided an address on Florence Ln. and stated a male subject shot 6 to 7 rounds (this same caller called back shortly after his initial phone call and reported the male subject shot an additional 10 to 11 rounds). Other 911 callers (14) reported hearing multiple gunshots in the area, to include two callers who described the shots as coming from a large caliber weapon.

Emergency Communication Operators immediately dispatched the call for service as additional calls for the same emergency came in. The officers initially dispatched were Officer Rolando Trujillo Jr. #7267, Officer Lucio Cortinas #6833, and Officer Jacqueline Ramirez #8498. The officers responding were driving their clearly marked police vehicles and wearing their clearly marked police uniforms. While en-route, dispatch provided additional information to the officers about the call for service they were responding to from the continuous 911 calls that came in.

At around 2:16am, two officers arrived in the area and drove west on Father Mestas Dr. towards Florence Ln. The first officer on scene was Officer Trujillo Jr. directly followed by Officer Cortinas. Both officers pulled over near 1365 Father Mestas Dr. as Officer Trujillo Jr. deployed his rifle. The officers then drove towards the intersection of Father Mestas Dr. & Florence Ln. (Officer Trujillo Jr., followed by Officer Cortinas, with Officer Ramirez slightly behind both officers). As Officer Trujillo Jr. slowly approached the intersection and turned slightly left onto Florence Ln., he observed a male subject walking on Florence Ln. towards his direction holding a midsize black object in his hand. While still sitting on the driver seat with the windows down and attempting to come to a complete stop in order to place the police vehicle in park, Officer Trujillo Jr. yelled at the male subject "show me your hands". Officer Trujillo Jr. then observed a flash in front of the male subject and heard a loud bang. Officer Trujillo Jr. realized he was getting shot at and fired a round at the male subject from the seated position.

Officer Trujillo Jr. quickly exited his police unit and yelled "let me see your hands, let me see your hands now, drop it." The male subject ignored Officer Trujillo Jr.'s verbal commands as gunfire was exchanged. The male subject shot multiple rounds towards the direction of Officer Trujillo Jr., the other responding officers (Officer Cortinas & Officer Ramirez) and multiple homes in the area (one of the rounds struck the driver side rear window of Officer Trujillo's police unit). Officer Trujillo Jr. returned fire and shot multiple rounds at the male subject in order to protect himself, his fellow officers, and citizens in the area. He reasonably believed it was immediately necessary to use deadly force to stop the imminent threat and performed his duties.

As a result, the male subject was struck by gunfire and collapsed. Officer Trujillo Jr., Officer Cortinas and Officer Ramirez then cautiously approached the male subject. Officer Cortinas removed an assault rifle from the male subject's immediate grasp and radioed dispatch for EMS and a supervisor to location. A U.S. Border Patrol Medic arrived on scene shortly thereafter and provided emergency medical assistance to the male subject until Brownsville EMS arrived on scene. He was later transported to Valley Baptist Medical Center by Brownsville EMS where he succumbed to his wounds and died at 2:51am. He was identified as Mario Alberto Torres. The preliminary Cameron County Forensic Pathology report documented the cause of death as "gunshot wound of the head" (confirmed on final autopsy report, see Manner / Cause of Death).