



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 23-1749-UF

Version Type: AMENDED

Report Date: 8/13/2024 3:13 PM

Status: Submitted

Agency/Facility Information

Agency Name: Coleman County
Sheriff's Dept.

Agency Address: 965 N. US Hwy 283

Agency City: Coleman

Agency State: TX

Agency Zip: 76834

Director Information

Director Salutation: Sheriff

Director First Name: Les

Director Middle Name: W

Director Last Name: Cogdill

Reporter Name: Weston Hunter

Reporter Email: whunter@co.coleman.tx.us

Decedent Information

Identity of Deceased

First Name: Jose

Middle Name: Martin

Last Name: Hernandez

Suffix: Jr

Date of Birth: 12/11/1980

Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 43

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

Date/Time of Custody or Incident: 12/25/2023 12:02 PM

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

Death Date and Time: 12/26/2023 7:31 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:

Case: IFS-23-24976-CC
Hernandez, Jr., Jose Martin

FINDINGS:

1. Gunshot wound to the head:
 - a. Entrance: right side of forehead.
 - b. Recovery: markedly deformed, gray metal bullet recovered from right lobe.
 - c. Injuries: Perforation/penetration of skull and brain.
 - d. Trajectory: front to back and slightly downward, with no significant lateral deviation.
 - e. Range of Fire: no soot or stippling on skin.
2. History that decedent was shot by police after he exited a motor vehicle with a firearm in his hand.

CONCLUSIONS:

Based on the case history and autopsy findings, the medical examiner stated that Jose Martin Hernandez, Jr., a 43 -year -old male, died as a result of a gunshot wound of the head.

MANNER OF DEATH:

Homicide

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?: Handgun;
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: US Highway 84 and
County Road 466

City: Coleman

County: Coleman

Zip: 76834

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: 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:

Agg. Assault Against Pub Servant

Offense 2:

Evading Arrest Det W/Veh

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:

Suspicious Person

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: Displayed firearm without discharge

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): Unknown

Make suicidal statements?: Yes

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?: N/A

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 12/25/2023, Coleman County Sheriff's Office responded to a service call of a suspicious person near the intersection of US Highway 67 and FM 2805 in Coleman County, Texas. Coleman County Sheriff responded and attempted to contact a 43-year-old male suspect. When the Sheriff approached the suspect, he fled in an SUV and Officers from the Coleman County Sheriff's Office and Coleman Police Department pursued. The Suspect stopped his vehicle in the main lane of travel on US highway 84 near County Road 466 and exited the vehicle armed with a 9mm handgun. An Officer from the Coleman County Sheriff's Office, an Officer from the Coleman Police department, and an off-duty Coleman Police Department Officer discharged their weapons at the suspect and struck him multiple times. The suspect was transported via air ambulance to an Abilene hospital where he pronounced deceased on 12/26/2023.