



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 20-973-UF

Version Type: AMENDED

Report Date: 4/14/2021 10:58 AM

Status: Submitted

Agency/Facility Information

Agency Name: Bay City Police Dept.

Agency Address: 2201 Avenue H

Agency City: Bay City

Agency State: TX

Agency Zip: 77414

Director Information

Director Salutation: Chief

Director First Name: Robert

Director Middle Name: B

Director Last Name: Lister

Reporter Name: Robert Lister

Reporter Email: rlister@cityofbaycity.org

Decedent Information

Identity of Deceased

First Name: Erik

Middle Name: Jon

Last Name: Perez

Suffix:

Date of Birth: 6/26/1990

Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 30

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

Date/Time of Custody or
Incident: 8/18/2020 5:29 PM

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

Death Date and Time: 8/18/2020 6:01 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:

two gunshot wounds resulted in lethal internal injuries

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

Medical Treatment: No

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: 2100 block Horn
Road

City: Bay City

County: Matagorda

Zip: 77414

What location category best describes where the event causing the death occurred?

Location Category: Field/woods/lake/waterway/beach

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: 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 Deadly Weapon Public Servant

Offense 2:

Evading Arrest Motor Vehicle

Offense 3:

Evading Arrest

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;
Alcohol / drug
offense; Crimes
Against Child(ren)

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?:	No	Resist being handcuffed or arrested?:	No
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:	Yes
Attempt gain possession officer's weapon:	N/A		

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 Tuesday August 18, 2020 at approximately 1729 hours, Bay City Police Sergeant attempted to make a traffic stop on a vehicle. Patrol Sergeant recognized the driver as having felony warrants. Patrol Sergeant initiated emergency lights and the vehicle failed to stop. Before the suspect vehicle came to a stop the suspect fired approximately 7 rounds from a handgun at the Patrol Sergeants vehicle striking it twice. Shortly after this the suspect got out of his vehicle and ran on foot through the woods onto Horn Road. Other Bay City PD officers as well as Matagorda County Deputies and Texas DPS officers arrived in the area to assist. The foot pursuit continued several blocks when the officers yelled at him to drop his weapon. The suspect turned around and fired one round at the officers pursuing the suspect. At this time a Matagorda County Deputy, a Bay City PD Officer and a Texas DPS Trooper fired rounds at the suspect. The suspect was hit by the return

fire and went to the ground. Officers approached the suspect, secured the suspects firearm and placed suspect in handcuffs. Officers called for EMS and began checking for wounds as the suspect was still alive. EMS arrived and the suspect stopped breathing. EMS was unable to revive the suspect and was pronounced dead by a Justice of the Peace at 1801 hours. Preliminary autopsy reports show the suspect received two bullet wounds one to the stomach area and one to the right leg.