



**Deaths and Injuries in CBP encounters since January 2010**  
**(including off-duty incidents and when CBP was acting as backup)**  
**(as of November 12, 2015)**

REGIONAL CENTER FOR  
BORDER RIGHTS

Name	Age	Date	Location	Nationality	Incident summary
<b>2010</b>					
1. Jorge A. Solis-Palma	28	Jan. 4, 2010	Douglas, AZ	Mexican	Shot and killed by a Border Patrol agent after reportedly throwing a rock and injuring an agent and his dog. Incident was captured on a surveillance camera. <sup>1</sup>
2. Victor Santillan de la Cruz	36	March 31, 2010	Laredo, TX	Mexican	Shot and killed during a struggle with a Border Patrol agent. <sup>2</sup>
3. Neil Begin	54	April 23, 2010	Near Van Buren, ME	U.S.	Border Patrol Agent Robert Kipler, assigned to the Van Buren Station of the Houlton Sector, responded to a residence located just south of Van Buren, to back up a Maine State Trooper investigating an ongoing domestic dispute. Agents entered the residence with the State Trooper and confronted the subject [who] appeared to be holding a bolt-action rifle. The State Trooper and BP agent discharged their weapons at the subject. The subject was struck by some of the rounds fired, and collapsed to the floor. EMS arrived and transported the subject to a local hospital for emergency treatment and later transported by life-flight to a hospital in Bangor, Maine. The subject died the next morning. The Maine State Attorney General's report later found that Agent Robert Kipler fired 14 shots, and Kipler fired the fatal shot. The AG also found the shooting to be justified. <sup>3</sup>
4. Anastasio Hernandez Rojas	42	May 28, 2010  Closed: Friday, Nov. 6, 2015	San Diego, CA	Mexican	Longtime San Diego resident; tortured to death by federal officers at a Border Patrol station as he resisted being deported. <sup>4</sup>  <b>Eyewitness videos:</b> <a href="http://www.youtube.com/watch?v=2y5gpc5BdbS#t=32">http://www.youtube.com/watch?v=2y5gpc5BdbS#t=32</a> <a href="http://www.youtube.com/watch?v=eJGI1FR3MPA">http://www.youtube.com/watch?v=eJGI1FR3MPA</a>  The DOJ announced that following a comprehensive investigation it will not pursue federal criminal civil rights or other federal charges against the

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					federal agents involved in the in-custody altercation that resulted in the death of Anastasio Hernandez-Rojas. Federal prosecutors determined that the evidence was insufficient to pursue federal criminal civil rights charges. <sup>76</sup>
5. Sergio Adrian Hernandez-Guereca	15	June 7, 2010	El Paso, TX	Mexican	<p>Shot and killed by a Border Patrol agent after a group of suspected illegal immigrants reportedly threw rocks at agents at an international bridge. Guereca was on Mexican soil; the agent was 12 yards from the border on the U.S. side.<sup>5</sup></p> <p><b>Eyewitness video:</b>  <a href="http://www.youtube.com/watch?v=7wI2Q1XikLw">http://www.youtube.com/watch?v=7wI2Q1XikLw</a></p> <p><b>CASE closed by DOJ:</b> <a href="http://www.justice.gov/opa/pr/2012/April/12-crt-553.html">http://www.justice.gov/opa/pr/2012/April/12-crt-553.html</a></p>
6. Juan Mendez, Jr.	18	Oct. 5, 2010	Eagle Pass, TX	U.S.	Shot in the back twice and killed by a Border Patrol agent after being involved in a car chase. Mendez was stopped by the officer for driving with a “suspicious load” and took off running; he briefly struggled with the agent before the shooting. <sup>6 7</sup>
7. Jesus E. Castro Romo	30	Nov. 16, 2010	Santa Cruz County, AZ	Mexican	<p>Survived shooting by a Border Patrol agent after crossing into the U.S. as part of a group of undocumented immigrants. The group decided to return to Mexico after seeing Border Patrol agents on horseback, but was then detected by patrol. Romo made a “short attempt to flee” but then stopped and surrendered. After he surrendered, Romo was hit by the agent and then shot.<sup>8</sup></p> <p><b>*UPDATE:</b> In a Feb. 5, 2015 ruling, Federal District Court Judge James Soto ordered the \$497,000 payment to Jesus Castro Romo. In his ruling, Soto requires the government to pay Castro for the injuries caused by the shooting, subsequent treatment and medication costs, pain and suffering, and loss of income over the course of the next 38 years. Those costs totaled \$553,000, but the judge cut it by</p>

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					10%, finding that Castro, who was in the act of illegally crossing the border, was 10% responsible for his injuries. <sup>9</sup>
<b>2011</b>					
8. Ramses Barron Torres	17	Jan. 5, 2011	Nogales, Mexico	Mexican	Shot and killed after allegedly throwing rocks at Border Patrol agents. Witnesses deny he threw rocks. <sup>10</sup> DOJ stated in their press release closing their investigation that they reviewed surveillance videos, but videos have not been released publicly. <b>CASE closed by DOJ:</b> <a href="http://www.justice.gov/opa/pr/2013/August/13-crt-908.html">http://www.justice.gov/opa/pr/2013/August/13-crt-908.html</a>
9. Roberto Pérez Pérez		Jan. 13, 2011	San Diego, CA	Mexican	Beaten while in detention for trying to re-enter the U.S. and died due to lack of proper medical care. <sup>11</sup>
10. Alex Martinez	30	Feb. 27, 2011	Whatcom County, WA	U.S.	Shot and killed by Border Patrol agents while allegedly swinging a hammer and smashing windows in his mobile home. Martinez had a history of mental problems. <sup>12</sup> His brother says Martinez did not come out running and instead complied with commands to step out of the house. What officers believed to be a gun in his possession was in fact a flashlight. <sup>13</sup>
11. Carlos Lamadrid	19	March 21, 2011	Douglas, AZ	U.S.	Shot 3 times in the back and killed by a Border Patrol agent while fleeing across the border into Mexico, reportedly transporting marijuana. The agent was allegedly under attack by a rock thrower when he fired. <sup>14</sup> <b>CASE closed by DOJ:</b> <a href="http://www.justice.gov/opa/pr/2013/August/13-crt-907.html">http://www.justice.gov/opa/pr/2013/August/13-crt-907.html</a>
12. Amado Rodriguez	46	April 18, 2011	Fabens, TX	Unknown, born in Sinaloa, Mexico	The Fabens Border Patrol Station was contacted by the El Paso Sheriff's Office to provide backup for El Paso Sheriff's deputies on scene. The El Paso Sheriff's Office SWAT team also arrived on the scene. The El Paso Sheriff's Department has conducted several investigations into the shooting, including an Internal Affairs investigation <sup>15</sup> . The results of the investigations have not been

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					released, but family members claimed in a new story that the Mr. Rodriguez, who has been in a wheelchair since age 17, was improperly shot by law enforcement agents responding to the scene. <sup>16</sup>
13. Jose Gutierrez Guzman	41	March 30, 2011	San Luis port of entry, AZ	Mexican	Longtime L.A. resident brought to the U.S. as a child; tased into a comatose state during an incident while being deported. Officers claim they tased him because he became combative but offered no evidence of this. <sup>17</sup>
14. Jose Alfredo Yañez Reyes	40	June 21, 2011	Tijuana, Mexico	Mexican	Shot and killed while suspected of attempting to cross the border into the U.S. illegally. Agents claim suspected border crossers were throwing rocks; it's unclear if Reyes was involved in the rock throwing. <sup>18</sup>
15. Omar Olivares	28	Sept. 15, 2011	Eagle Pass, TX	Unknown	Off duty agent got into a shootout with his wife's cousin. Wife's cousin was killed at the scene. Agent died later at the hospital. It is unknown how the shooting started. According to EPPD approx. 36-38 rounds shot by both individuals. Olivares was shot approximately four times by the agent and the agent was shot seven times. Agent was transported to the Ft. Duncan Medical Center. <sup>19</sup>
16. Hugo Veytia-Quintero	47	Sept. 25, 2011	San Diego port of entry, CA	Mexican	Survived after being shot by CBP officials after pulling a fake gun and waving it into the air. Veytia-Quintero had walked through a pedestrian crossing turnstile to enter the U.S. from Mexico without stopping to be processed. CBP agents attempted to handcuff him when he pulled the fake gun out of his belt. <sup>20</sup>
17. Gerardo Rico Lozano	20	Nov. 3, 2011	Near Corpus Christi, TX	Mexican	Shot and killed after allegedly driving at Border Patrol agents who pulled over his vehicle. <sup>21</sup>
18. Byron Sosa Orellana	28	Dec. 6, 2011	Near Sells, AZ	Guatemalan	Shot and killed after allegedly assaulting an agent and police dog. <sup>22</sup>
<b>2012</b>					
19. Alexander Arthur Martin	24	March 15, 2012	Near Campo, CA	U.S.	Died in car explosion that may have been caused by Border Patrol tasers. Border Patrol officials chased Martin's car after he began driving the wrong way down the highway. <sup>23</sup>

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20. Charles Robinson	75	June 23, 2012	Jackman, ME	U.S.	Shot and killed by Border Patrol agents during a confrontation at his residence. Robinson was reportedly intoxicated and believed to be injured. <sup>24</sup>
21. Juan Pablo Perez Santillán	30	July 7, 2012	Near Matamoros, Mexico	Mexican	Shot and killed while standing on the banks of the Rio Grande. Border Patrol claims Perez Santillán was throwing rocks; witnesses in Mexico say he was unarmed. <sup>25</sup>
22. Rogelio Marquez Rodriguez	36	Aug. 18, 2012	Laredo, TX	n/a	A Border Patrol agent chased down an unarmed fleeing man and ran him over, a reckless pursuit that got the agent's vehicle stuck on the banks of the Rio Grande. "Due to the violent force of the impact, Mr. Marquez's body was thrown a few feet away from the vehicle and it immediately caused him serious personal injuries and severe pain, suffering and discomfort that left him splayed on the ground unable to get up," the complaint states. Marquez suffered a broken arm and back injuries that still give him shooting pains three years later, he says. Marquez seeks \$750,000 in damages for assault, battery, gross negligence and infliction of emotional distress. The Department of Homeland Security is in charge of the Border Patrol. It denied Marquez's claim in April, writing: "Based on the investigation made in connection with this claim and the evidence before U.S. Customs and Border Protection, we are denying this claim in its entirety." <sup>74</sup>
23. Guillermo Arévalo Pedroza	36	Sept. 3, 2012	Nuevo Laredo, Mexico	Mexican	Shot and killed while at a barbeque with his wife and daughters. Border patrol agents claim they were under attack from rock throwers on the Mexican side of the Rio Grande. A video of the shooting didn't show any rock throwing. <sup>26</sup> <b>Eyewitness video:</b> <a href="http://www.youtube.com/watch?v=sW68x20i4hM">http://www.youtube.com/watch?v=sW68x20i4hM</a>
24. Valerie Tachiquin-Alvarado	32	Sept. 28, 2012	Chula Vista, CA	U.S.	Shot and killed after allegedly hitting a Border Patrol agent with her car. <sup>27</sup>
25. Nicholas J. Ivie	30	Oct. 2, 2012	Near Bisbee, AZ	U.S.	Shot and killed in friendly fire incident. <sup>28</sup>
26. José Antonio	16	Oct. 11, 2012	Nogales, Sonora	Mexican	Shot multiple times in the back and killed after reportedly throwing rocks at U.S. Border Patrol agents. <sup>29</sup> The ACLU filed a lawsuit on

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Elena Rodriguez					behalf of Jose Antonio’s mother, Araceli Rodriguez, in 2014, but it wasn’t until Wednesday (Sept. 23) that federal authorities officially charged the agent, Lonnie Swartz, with second-degree murder – the first time such a charge has ever been leveled in a cross-border shooting. <sup>75</sup>
27. Margarito Lopez Morelos	19	Dec. 2, 2012	Baboquivari Mountains, AZ	Guatemalan	Shot and killed after a struggle with a Border Patrol agent. <sup>30</sup>
28. [Name not released]	N/A	Dec. 4, 2012	South of Gila Bend, AZ	Unknown	An unidentified man was shot and injured when Border Patrol agents reportedly checked out “possible bandit activity” and encountered “two armed men.” <sup>31</sup>
<b>2013</b>					
29. [Name not released]	51	Feb. 16, 2013	San Ysidro port of entry, CA	U.S.	Man crossed into the United States in a vehicle with two other USC relatives. They were directed to an inspection area and he collapsed. An agent performed CPR on the man until medics arrived. According to CBP, agents did not use any force on the suspect. The cause of the man's death is not known. <sup>32 33</sup>
30. Mathew Simmons	27	March 21, 2013	Just south of Hebronville, TX	U.S.	Agents drove up to a car on the side of road that appeared to have been in an accident. One agent checks the car license plate and determines it was a stolen vehicle. Simmons pulled a handgun on the three agents, shooting one of them in the hip. The agents respond with gunfire and killed him. <sup>34</sup>
31. [Name not released]	Not released	June 5, 2013	Campo, CA	Unknown	Agent shot at suspect vehicle when the driver made a U-turn and drove directly at him. Driver sustained non-life threatening injuries. <sup>35</sup>
32. Ernesto Gutierrez Cortez	38	Oct. 19, 2013	Otay Mesa, CA	Unknown	After CHP conducted a high-speed chase of a suspected carjacking, three CBP officials at port of entry shot at the car killing the driver. <sup>36</sup>
33. [Name not released]	Not released	Oct. 23, 2013	Laredo, TX	Unknown	A Border Patrol agent shot and wounded two immigrants after he was assaulted. The immigrants had recently crossed the Rio Grande near a train yard along the river east of Laredo's downtown. One of the agents

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					was assaulted as he tried to apprehend the immigrants, and he opened fire, hitting two of them. An agent and two individuals were taken to a local hospital to be treated for injuries. <sup>37</sup>
34. [Name not released]	Not released	Oct. 23, 2013	Laredo, TX	Unknown	Same incident described above.
35. [Name not released]	Not released	Nov. 12, 2013	Chula Vista, CA	Unknown	An off-duty U.S. Border Patrol agent opened fire on someone outside a South Bay pharmacy (Rite Aid), after which the targeted person fled in unknown condition. It was unclear what led to the shooting. The involved agent remained at the scene and was being questioned by police. <sup>38</sup>
36. Steven Keith	58	Dec. 25, 2013	Campo Border Patrol Station near San Diego, CA	U.S.	<p>Keith was arrested at a border checkpoint after agents allegedly discovered drug paraphernalia and trace amounts of methamphetamine inside his vehicle. He was then taken to a holding cell at the Campo Border Patrol station. Six hours after his arrest, he was dead. Border Patrol officials say he became incoherent and unresponsive while in the cell. Border Patrol emergency medics administered CPR to the man and called paramedics.<sup>39</sup></p> <p><i>San Diego Medical Examiner report released to Al Jazeera</i> indicated he may have accidentally swallowed a packet of drugs that ruptured in his system: <a href="http://america.aljazeera.com/articles/2014/3/16/us-border-patrolthoughtdeadmanwasfakingseizurereportsays.html">http://america.aljazeera.com/articles/2014/3/16/us-border-patrolthoughtdeadmanwasfakingseizurereportsays.html</a></p>
<b>2014</b>					
37. Keith J. Martin	35	Jan. 2, 2014	Near Hondo, TX	U.S. (born in Germany)	Border Patrol agent Adam S. Garibay, 33, is suspected of killing his wife's lover, Keith J. Martin, 35. After beating and tying up his wife in Corpus Christi, Garibay drove to Martin's home on a private road 3 miles north of Hondo, TX, and allegedly shot him to death. <sup>40</sup>

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38. [Name not released]	Not released	Jan. 13, 2014	Temécula, CA	Unknown	<p>A BP agent pulled over a van in Temecula, Calif. Two of the four men inside were in the country without authorization. BP said in a statement that, as the agent moved in to arrest one of the men, the man punched the agent. The agent then tried to subdue him with a Taser but the man continued resisting. The driver of the van took cell phone footage. BP’s statement doesn’t reflect the details in the video. The agent is kneeling over the shirtless man lying on the ground. Another man is holding on to the subject’s legs. The BP agent punches him repeatedly with short jabs.<sup>41</sup></p> <p><b>Eyewitness video:</b> <a href="http://www.10news.com/news/cellphone-video-of-border-patrol-arrest-raises-questions-of-excessive-force-01142014">http://www.10news.com/news/cellphone-video-of-border-patrol-arrest-raises-questions-of-excessive-force-01142014</a></p>
39. Gabriel Sanchez Velazquez	Late 20s	Jan. 16, 2014	Near Apache and Portal, AZ	Mexican	<p>A Mexican male fled from Border Patrol agents and was eventually located “hiding under a mesquite bush.” He struggled with the agent who found him, attempting to get the federal officer’s weapon. The BP agent, “fearing for his personal safety and potential serious injury, pulled his handgun and fired at the suspect.” The man was struck in the upper body area and “succumbed to his injuries at the scene.” Cochise County Sheriff’s Office is leading the investigation.<sup>42</sup></p>
40. [Not released]	14	Jan. 30, 2014	Nogales, Arizona	Mexican	<p>A Border Patrol agent was charged with aggravated assault after punching a minor in a Border Patrol station in Southern Arizona.<sup>43</sup></p> <p><b>Video of assault:</b>  <a href="http://www.azcentral.com/story/news/politics/immigration/2014/10/03/video-border-agent-punching-teen-charges-reduced/16652675/">http://www.azcentral.com/story/news/politics/immigration/2014/10/03/video-border-agent-punching-teen-charges-reduced/16652675/</a></p> <p><b>CBP’s public affairs statement:</b>  “A U.S. Border Patrol agent surrendered to the Santa Cruz County Sheriff’s Office today following developments in U.S. Customs and Border Protection, Office of Internal Affairs’ investigation into an allegation of physical assault on Jan. 30 against a minor who was in custody at the Nogales Border Patrol Station, in Nogales, Arizona. Investigators followed up on a report submitted to the Joint Intake Center by a Supervisory Border Patrol agent assigned to the Nogales</p>

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					Border Patrol Station. CBP Internal Affairs investigators conducted an investigation and brought their findings to the Santa Cruz County Attorney's Office, who accepted the case for prosecution. CBP will fully cooperate with all investigations of this matter."
41. Jesús Flores Cruz	41	Feb. 18, 2014	Otay Mountains, CA (southeast of San Diego)	Mexican	<p>Two Border Patrol agents split up to cut off a group of three suspected undocumented immigrants. The two agents were out of sight of each other when one of the agents was struck in the face by a rock thrown by one of the suspects. Fearing for his safety, the agent fired his duty pistol at the man, striking him. The agent sustained minor injuries.<sup>44</sup> Mexico condemns the shooting.<sup>45</sup></p> <p><b>CBP issued the following statement</b> At 6:30 a.m. PST Tuesday, a Border Patrol agent on patrol on the Otay Mountain in San Diego, Calif., was assaulted by three individuals and struck in the head with a rock. The agent discharged his service-issued weapon, resulting in the death of one individual. The agent apprehended the two other individuals. CBP is fully cooperating with the investigation conducted by the FBI and the San Diego Sheriff's Department.</p>
42. [Name not released]	[Not released]	March 10, 2014	Detroit, MI	[Not released]	An off-duty U.S. Border Patrol agent fatally shot a man in Detroit during a dispute that may have stemmed from a card game. The agent fired several shots at the other man, killing him. <sup>46</sup>
43. Mother, daughter and another	[Not released for mother]	March 12, 2014	Near Abram, TX and Mission, TX	Honduran	Texas border agent kidnapped, assaulted three illegal immigrants from Honduras before killing self. <b>Esteban Manzanares, 32</b> , was on duty when he came across the woman and two teens, who were attempting to cross the U.S.-Mexico border illegally. They were surrendering

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teen girl [Names not released]	and teen daughter]				when Manzanares kidnapped and assaulted them before shooting himself. <sup>47</sup>  <b>NOTE: BP agent commits suicide.</b>
44. Mother, daughter and another teen girl [Not released]	[Not released for mother and teen daughter]	March 12, 2014	Near Abram, TX and Mission, TX	Honduran	Same as above, teen daughter
45. Mother, daughter and another teen girl [Not released]	14	March 12, 2014	Near Abram, TX and Mission, TX	Honduran	Same as above, other teen
46. Amon Chavez <sup>48</sup>	[Not released]	March 31, 2014	San Miguel, tribal port of entry on Tohono O'odham Nation (AZ)	U.S./tribal member	A U.S. Border Patrol agent working on the Tohono O'odham Indian Nation opened fire after a U.S. citizen tried to ram him with a truck. The agent was standing outside his marked vehicle when the driver of the truck charged at him. The agent opened fire, injuring two of the three people in the truck. <sup>49</sup>
47. Shawn Miguel (driving, cousin of Amon)	[Not released]	March 31, 2014	San Miguel, tribal port of entry on Tohono O'odham	U.S./tribal member	Same incident described above

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			Nation (AZ)		
May 30, 2014 – CBP releases <a href="#">PERF report</a> and new <a href="#">Use of Force Handbook</a>					
48. Jose Luis Arambula	31	May 30, 2014	Green Valley, AZ	U.S.	<p>Arambula, of Tucson, was shot killed in Green Valley Friday as he was fleeing border patrol agents. One of the agents, Daniel Marquez, fired multiple shots at Arambula, killing him.<sup>50</sup></p> <p><b>BP statement:</b> At approximately 2:30 p.m. MST Friday, Border Patrol agents on patrol attempted to conduct a stop on a suspicious vehicle on Interstate 19 (I-19) near Green Valley, Arizona. The vehicle’s driver failed to yield to the agent’s emergency lights and sirens and continued driving. At the intersection of Abrego Drive and Camino Encanto, the driver stopped the vehicle and fled on foot. Agents pursued the driver and during the encounter, an agent discharged his service issued weapon, resulting in the death of the driver. Bundles of marijuana were located in the subject’s vehicle. The Border Patrol is fully cooperating with the Pima County Sheriff’s Office – led investigation.</p>
49. [Name not released]	54	Sept. 5, 2014	McAllen Station processing facility, TX	Mexican	<p>Agents find immigrant hanging in station.<sup>51</sup></p> <p><b>CBP’s public statement:</b> Shortly before noon local time on Friday, Sept. 5, U.S. Border Patrol agents at McAllen Station processing facility encountered a 54-year-old male Mexican national who was unresponsive. Border Patrol agents immediately began administering CPR and contacted emergency medical services for further assistance. Medically trained staff at the processing facility assisted with CPR until local EMS arrived on scene. The man was transported to a local hospital where he later died. U.S. Border Patrol’s Rio Grande Valley Sector and CBP’s Office of Internal Affairs are working collaboratively with the investigating agencies, including the DHS Office of Inspector General, the FBI and McAllen Police Department, who are investigating this unfortunate death.</p>

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50. Aide Fink	50	Sept. 25, 2014	Flower Mound, TX (near Dallas)	U.S.	Police arrested Daniel Fink, 40, for the murder of his estranged wife. The 50-year-old woman was found with multiple gunshot wounds just after midnight Thursday inside a house. Daniel Fink is employed by U.S. Customs and Border Patrol. <sup>52</sup>
51. [No names released]	[not released]	Oct. 2, 2014	near Escobares, TX	Mexican	<p>Cross-border incident. Not covered by media. CBP sends following statement to NGOs: <b>BORDER PATROL RESPONDS TO ROCK THROWERS ALONG RIO GRANDE</b> Several south Texas news organizations, including the McAllen Monitor, Telemundo (local) and Estrella TV contacted CBP regarding a shooting incident along the Rio Grande.</p> <p><b>CBP Statement:</b> On Oct. 2, at approximately 10 a.m., U.S. Border Patrol Riverine Agents from the Rio Grande City Station were seizing a load of marijuana on the banks of the Rio Grande near Escobares, Texas, when suspected narcotics smugglers on the Mexican side of the river began assaulting the agents with rocks. The patrol boats the agents were operating were hit several times before agents deployed less than lethal pepperball launchers and an agent fired one round from a standard-issued firearm. No injuries were reported. Agents seized approximately 682 pounds of marijuana. The Border Patrol's Rio Grande Sector notified their Mexican counterparts, and CBP's Office of Internal Affairs, in collaboration with RGV Sector, is investigating the incident.</p>
52. [Name not released]	36	Oct. 17, 2014	Holding cell in BP checkpoint between Carlsbad, NM and El Paso, TX	U.S.	<p>AP story: Federal authorities say a drug suspect has died while in custody at a U.S. Border Patrol facility in Texas. CBP says the 36-year-old man was found unresponsive Friday in a holding cell at a Border Patrol checkpoint between Carlsbad, NM and El Paso, TX.<sup>53</sup></p> <p><b>CBP statement:</b> At approximately 10:40 a.m. Friday, October 17, U.S. Border Patrol agents assigned to Highway 62/180 Border Patrol checkpoint</p>

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					discovered that a 36-year-old male in custody at the checkpoint was unresponsive in a holding cell. Border Patrol agents immediately began administering CPR and contacted emergency medical services for further assistance. EMS arrived on scene and continued lifesaving efforts during transport to an El Paso hospital where the subject was pronounced dead. The subject was in custody because agents discovered controlled substances in his possession. U.S. Border Patrol's El Paso Sector and CBP's Office of Internal Affairs are working collaboratively on the investigation.
53. Amaro López	23	Oct. 24, 2014	Southwest of Tucson, AZ	Mexican	López died of a single gunshot to the head. Two BP agents were after several men in the area of West Hermans and South Sandario roads when one of the men tried to shoot one of the agents. One agent fired his weapon in response. The other members of the group ran off. <sup>54</sup> <b>CBP NGO liaison statement:</b> Today at approximately 10:23 a.m. Arizona Time, U.S. Border Patrol agents assigned to the Tucson Sector reported they were involved in a shooting incident about 10 miles southwest of downtown Tucson, Arizona, resulting in the death of one individual. Agents recovered multiple weapons and no injuries to the agents involved have been reported. Additional Border Patrol agents and aircraft from U.S. Customs and Border Protection's Office of Air and Marine have been deployed to secure the area. Pima County Sheriff and CBP's Office of Internal Affairs, in collaboration with Tucson Sector, are investigating.
54. Adam Thomas	27	Nov. 8, 2014	Hemet, CA	U.S.	An off-duty Border Patrol agent, John Demery, confronted a neighbor and fatally shot him multiple times. <sup>55</sup> A six-year veteran of the Border Patrol assigned to the Murrieta station, Demery was placed on paid administrative leave after the shooting. <sup>56</sup>
55. [Name not released]		Dec. 21, 2014	Ambassador Bridge btwn Detroit, MI, and Windsor, Ontario	Canadian	CBP said in a statement that a Canadian man was shot and wounded after pointing a handgun at guards at a port of entry in Detroit, MI. The officers ordered him to drop the weapon, but the man refused and instead pointed his gun in the officers' direction, prompting them to open fire. The man was treated at a hospital before taken to jail. <sup>57</sup>

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Francisco Ceseña	40	Dec 24, 2014	San Ysidro Port of Entry, CA	U.S.	<p>The FBI is investigating the death of an El Cajon resident who was shot with a Taser at the San Ysidro Port of Entry. 40-year-old Francisco Ceseña's cardiac arrest occurred because he was shot with electricity, held face down on the ground, and he was under the influence of methamphetamine and heroin. The manner of death was ruled a homicide. His skin showed seven pairs of injuries tied to the use of an electronic weapon.<sup>58</sup></p> <p><b>CBP Statement:</b> After records checks revealed that the individual should be considered armed and dangerous, officers escorted him to the security office. There, officers conducted a pat down, seized heroin and reviewed law enforcement records to confirm criminal history and a warrant for his arrest. Customs reported that the man jumped over a desk and attacked two officers who were checking his criminal record. <a href="#">San Diego police</a> said, in a news release, the man was combative and one of the officers used his Taser.<sup>59</sup></p>
<b>2015</b>					
56. [Not released]	[Not released]	Jan. 21, 2015	Chapeno, TX	Not U.S.	<p><b>BP STATEMENT:</b> On January 21, 2015, at approximately 2 a.m., U.S. Border Patrol agents from Rio Grande City Station responded to drug smuggling activity near the small community of Chapeño, Texas, west of Roma. As the agents secured the narcotics load, one agent searching the area for smugglers came under fire. The agent returned fire striking [and killing] one subject. The FBI, Starr County Sheriff's Office, with the assistance of the DPS Texas Rangers are investigating the incident. Rio Grande Valley Sector is fully cooperating with the investigation.</p> <p>According to a news report, the individual was "not a U.S. citizen".<sup>60</sup></p>
57. Tiano Melton	25	Jan. 22, 2015	Interstate 10, Sierra Blanca, TX		<p>A motorist pulled into the inspection lane at a Border Patrol checkpoint, but then didn't stop. Border Patrol agents pursue the vehicle for 30 miles before it finally stopped. Four agents were approaching the vehicle when one yelled, 'Gun!' the agency said. Two agents fired their weapons. None of the agents were injured. "A pistol-shaped pellet gun was recovered from the individual's vehicle,"</p>

Name	Age	Date	Location	Nationality	Incident summary
					according to the statement. <sup>61</sup>
58. Unknown	unknown	February 2, 2015	East El Paso, TX		An off-duty Border Patrol agent faces attempted murder charges after a domestic violence dispute turned into a standoff. After five hours of coaxing, the man, later identified as Alberto Montelongo, let the two victims go. A female Border Patrol agent received non-life-threatening injuries, officials said. A second victim was taken to the hospital with critical injuries. <sup>62</sup>
59. Unknown	Unknown	February 2, 2015	East El Paso, TX		See summary above
60. Unknown	Unknown	February 17, 2015	Alpine, TX		<p>The driver of an SUV who led Border Patrol agents on a pursuit in Alpine Tuesday night was injured and treated at a hospital after agents fired at the vehicle, authorities said. The incident began around 10 p.m. when Border Patrol agents attempted to stop an SUV. The driver initially didn't stop but then pulled over to let several passengers out of the vehicle. Those people ran off.</p> <p>The driver then sped off again and nearly struck a Border Patrol agent. He said that agents, fearing for their safety, fired at the vehicle.<sup>63</sup></p>
61. Unknown	unknown	February 18, 2015	Marfa Border Patrol Station, TX	Mexican	A Mexican citizen in custody of the U.S. Border Patrol at the Marfa station suffered an apparent seizure and died early Wednesday morning, according to an agency news release. The man had been detained at about 5pm Tuesday, February 17 for allegedly entering the country illegally. The man became ill at about 5:20am Wednesday, February 18. Border Patrol agents rendered aid in the form of CPR and contacted Marfa EMS. Emergency first responders arrived and provided CPR as well but were unable to revive the man. <sup>64</sup>
62. Unknown	Unknown	February 18, 2015	San Antonio, TX area	unknown	The victim, believed to have been entering the country illegally, was shot by an agent assigned to the Carrizo Springs Border Patrol office. The shooting happened around 9 a.m. Wednesday in a rural area. The

Name	Age	Date	Location	Nationality	Incident summary
					man was transported to a hospital in San Antonio and is expected to survive. <sup>65</sup>
63. Jamison Edward Childress	20	March 19, 2015	Suma, WA	Canadian	<p><b>CBP statement:</b> On Thursday, March 19, 2015, at approximately 2:30 p.m. PST, U.S. Border Patrol agents on patrol responded to a sensor activation along the U.S.-Canadian border near Sumas, Washington. An individual was encountered and suspected of having illegally crossed the border. The subject failed to follow verbal requests and displayed erratic and threatening behavior toward two agents who responded. The subject then assaulted one of the agents with an unknown spray who then discharged his service-issued weapon, fatally striking the individual.</p> <p>A man shot to death in Sumas by a U.S. Border Patrol agent was identified Friday, March 20, as a 20-year-old Canadian wanted for murder. A tripped sensor alerted Border Patrol that someone crossed the border into the United States on Thursday afternoon, March 19, near Sumas. Two agents confronted a man...The agent then shot the man, Jamison Childress, with his service-issued firearm near Arthur's Way. Childress died from a single gunshot wound to the head, said Whatcom County Medical Examiner Gary Goldfogel.<sup>66</sup></p> <p>The U.S. border patrol agent who killed [Childress] will not be facing any charges. According to the Whatcom County prosecutor, the officer was "justified" in using deadly force.<sup>67</sup></p>
64. Jessica Cooke	21	May 7, 2015	Waddington, NY	U.S. citizen	A 21 year old SUNY Canton criminal justice student was detained and tased at a Border Patrol checkpoint. She was then handcuffed and put in the back of a patrol car, where she believes she waited for about 45 minutes to an hour before the K-9 unit arrived.
65. [not released]	N/A	May 17, 2015	British Virgin Islands	unknown	A suspected drug smuggler was shot and killed by U.S. agents during a chase off the British Virgin Islands...[CBP] agents were fired upon in the waters of the British Caribbean territory as they chased a boat

Name	Age	Date	Location	Nationality	Incident summary
					suspected of being used to transport drugs. The agents returned fire, wounding the suspect, then boarded the vessel and provided medical care. The suspect was later pronounced dead at a local hospital. <sup>68</sup>
66. [not released]	n/a	June 18, 2015	Encinitas, CA	Non-US	A CBP boat collided with a smuggling boat carrying people suspected to be trying to enter the U.S. without documents. The smuggling boat capsized and 20 people fell into the water. One woman died and three others were transported to a hospital with severe injuries. <sup>69</sup>
67. [not released]	n/a	June 18, 2015	Encinitas, CA	Non-US	See summary above
68. [not released]	n/a	June 18, 2015	Encinitas, CA	Non-US	See summary above
69. [not released]	n/a	June 18, 2015	Encinitas, CA	Non-US	See summary above
70. Richard Matt	49	June 26, 2015	Lake Titus, NY	US Citizen	Convicted murderer Richard Matt escaped from prison and was on the run for 3 weeks before law enforcement cornered him. Border Patrol agents had been called in to help the search. Matt was holding a shotgun when the authorities found him and would not drop the weapon and raise his hands over his head. A Border Patrol agent shot him three times in the head, killing him. <sup>70</sup>
71. [Name not released]	30	Oct. 17, 2015	Chula Vista, CA	Not released	Melissa Hayes-Spencer, 30, a U.S. CBP officer, fatally shot her boyfriend in their Chula Vista apartment Oct. 17, telling police that it was in self-defense. She voluntarily went to the Chula Vista police headquarters for further questioning. She was later booked into jail on a charge of murder. Police are also coordinating with internal affairs investigators from U.S. Immigration and Customs Enforcement. <sup>71</sup>
72. Unknown	n/a	n/a	Naco, AZ	n/a	U.S. Customs and Border Protection confirmed a Border Patrol agent fired his weapon across the international border near Naco, AZ on Monday, Oct. 19. According to a news release, the agent fired at someone on the Mexico side of the border point that he believed was pointing a firearm at him while he was taking another person into

Name	Age	Date	Location	Nationality	Incident summary
					<p>custody at about 6:25 a.m. It is unknown if anyone was injured in the incident. Mexican authorities responded to the incident scene, and CBP sent a Use of Force Incident Team.</p> <p>CBP also notified the Department of Homeland Security Office of Inspector General about the incident.</p> <p>No other details about the incident were immediately available<sup>72</sup>.</p>
73. [Name not released]	Not released	Oct. 21, 2015	Calexico PoE	Unknown	<p><b>CBP Statement</b></p> <p>On Wednesday, Oct. 21, at about 12 a.m. local time, a U.S. Customs and Border Protection Officer on duty at one of the vehicle primary lanes at the Calexico West Port of Entry in California was approached by an individual on a bike. The individual got off the bike with a knife in his hand and approached the officer. The officer discharged his service issued weapon, striking the individual. Officers immediately administered first aid until emergency medical services arrived. EMS transported the individual to a local hospital, where he was pronounced dead. The officer involved was not injured. The U.S. Department of Homeland Security's Office of Inspector General, the Calexico Police Department and CBP are investigating the incident. CBP will provide more information as it becomes available.</p>
74. Jose Francisco "Franklin" Rodriguez Palacios Paz	Unknown	March, 2015	South Padre Island, TX	Honduran	<p>Investigators have linked a Border Patrol agent to the headless body found on South Padre Island in March and have charged him with capital murder, among other charges. Luna, who worked with Border Patrol for about six years, was formally charged with capital murder, engaging in organized criminal activity, tampering with evidence and possession of a controlled substance. Authorities arrested three other men in connection to Luna. The three men are suspected of being members of the Gulf Cartel, according to the Cameron County Sheriff's Office.<sup>77</sup></p> <p>Fishermen found Paz's body off the shore of South Padre Island.</p>

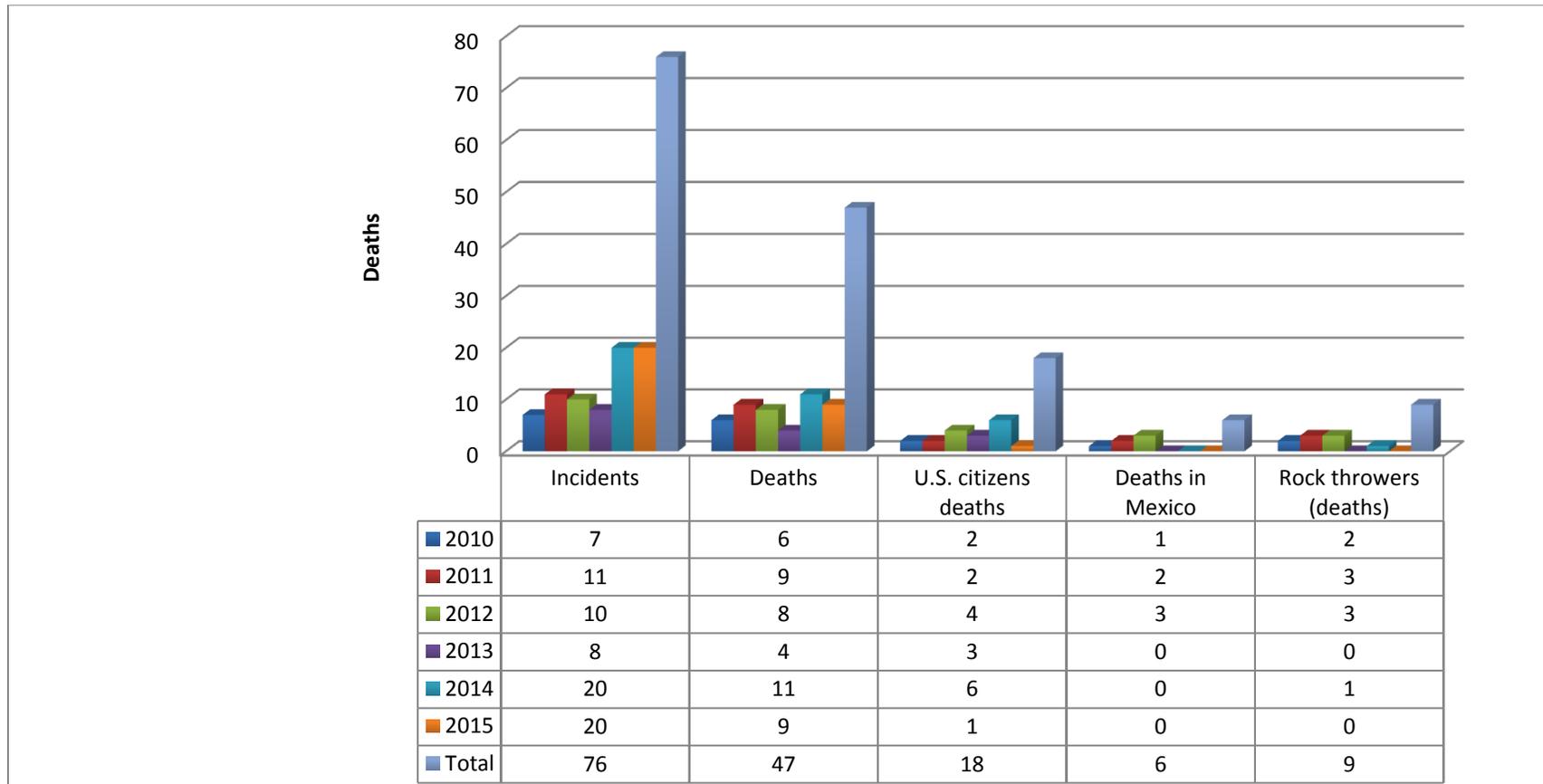
Name	Age	Date	Location	Nationality	Incident summary
					<p>Investigators said his body had been mutilated. Lucio said the arrest of four individuals in June for the death eventually led authorities to Luna, who was arrested Thursday at his home in Hebbbronville. Authorities said investigators found a safe at Luna's home that contained nearly \$90,000, around a kilo of cocaine and several handguns. U.S. Customs and Border Protection said Luna has been placed on administrative leave.<sup>78</sup></p>
75. Unknown	n/a	Oct. 1, 2015	n/a	n/a	<p>A Customs and Border Protection officer is arrested for allegedly pulling out his gun while driving at another man in an 18 wheeler. According to the report, Michael Roscover was still in uniform at the time of the incident. The statement by CBP reads: "On October 5, 2015, a CBP officer assigned to U.S. Customs and Border Protection's Laredo Port of Entry was arrested by Laredo Police officers on a <u>charge of deadly conduct</u>, a Class A misdemeanor. The officer, age 50, has been employed with CBP for 11 years and is currently assigned to administrative duties."<sup>79</sup></p>

## QUICK ANALYSIS

- Since January 2010, at least 47 individuals have died as the result of an encounter with CBP officials (this figure includes the deaths reported by *The Arizona Republic* in Dec. 13, 2013). At least 42 deaths resulted from the use of force.
  - The remaining 5 deaths seem health related: in 2013, one man collapsed and died in a secondary inspection area at a port of entry and another died accidentally by ingesting a packet of drugs that ruptured in his system; and in 2014, one individual died of an apparent suicide while in custody, another was found unresponsive in a holding cell at a Border Patrol checkpoint, and one suffered a seizure while in custody in a BP station.
  - In six of the use of force cases, it appears the Border Patrol agent was off-duty: in 2011, one shot and killed his wife's cousin in an argument; in 2014, an agent killed his wife's lover, another agent killed an individual in a card game shootout, a third agent shot and killed his estranged wife in front of his children, and a fourth agent shot and killed his neighbor after believing he had been speeding in a vehicle in his neighborhood; in 2015, a CBP officer shot her boyfriend whom she alleged was hitting her. (In 2015, a fifth agent held two people hostage in a domestic dispute and shot and injured both individuals, one critically).
  - In one case, Border Patrol Air and Marine agents chased and crashed into a boat, making it capsize. About 20 people fell into the water and one woman drowned.
- In addition, since January 2010, *at least* 26 individuals (including a minor punched in stomach) have been seriously injured during an encounter with CBP. In one instance, a Border Patrol agent shot across the U.S.-Mexico border, near Naco, Arizona, and it is unknown if there were any injuries (October 19, 2015)
- *The Arizona Republic* (in their Dec. 13, 2013 story) noted that 42 individuals have been killed by Border Patrol agents *since Feb. 2005* and, "In none of the 42 deaths is any agent or officer publicly known to have faced consequences — not from the Border Patrol, not from Customs and Border Protection or Homeland Security, not from the Department of Justice, and not, ultimately, from criminal or civil courts.") (<http://www.azcentral.com/news/politics/articles/20131212arizona-border-patrol-deadly-force-investigation.html>).
- At least 18 of the individuals who have died since January 2010 were U.S. citizens (*Az Republic* counts 13 fatalities of US citizens between 2005-2013)
- Four of the individuals who have died were in a moving vehicle when their car was shot at or Tasered. One victim was a U.S. citizen, 32-year-old mother of five. Two tribal members were shot and injured in a moving vehicle in 2014.
- In at least five of the above cases, BP agents were responding to a back-up request by local law enforcement officials (e.g., a domestic dispute, request for interpretation, handling a subject who is under psychological duress, backup in search for escaped convict).
- In at least 9 of the fatalities, CBP allege individuals were throwing rocks

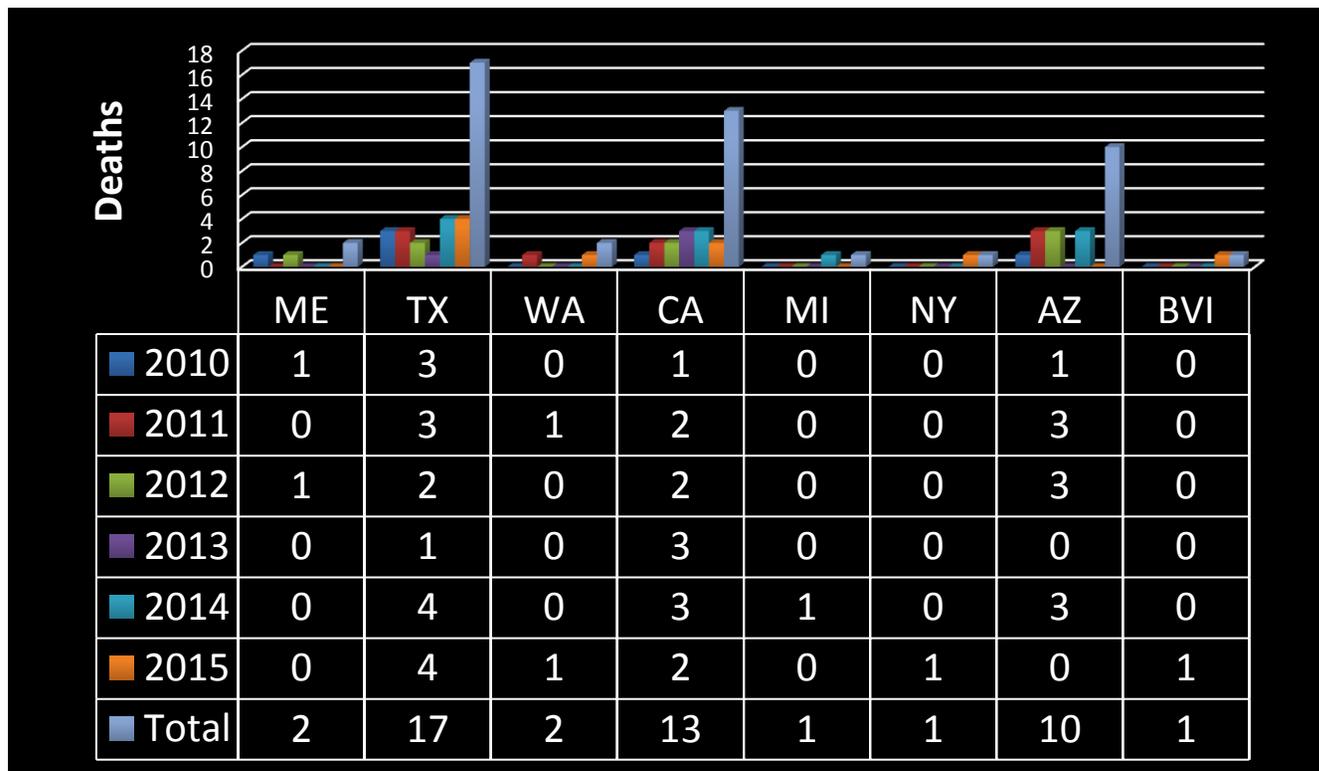
- One death and three injuries resulted from a CBP boat colliding with a smuggling boat in an attempt to stop the boat and apprehend its passengers.
- One death was BP agent Nicholas Ivie, who was shot to death by “friendly fire”. Another death, not counted above, was a BP agent who committed suicide after raping a woman, her daughter and another teen.
- 6 of the people that have been killed by the CBP were standing on Mexican soil: 1) Sergio Adrian Hernandez-Guereca, 2) Ramses Barron Torres, 3) Jose Alfredo Yañez Reyes, 4) Juan Pablo Perez Santillán, 5) Guillermo Arévalo Pedroza and 6) José Antonio Elena Rodriguez. All were Mexican citizens. In addition, a Border Patrol agent shot across the U.S.-Mexico border, near Naco, Arizona, but it is unknown if there were any injuries (October 19, 2015)

- Other analysis:



**NOTE:** In 2013, there was an unconfirmed report in one of the incidents that occurred on Oct. 23 that the group was throwing rocks. In addition, since very few details have been released about several of the incidents, it is unclear whether or not more individuals were U.S. citizens or citizens of another country.

### U.S. States Where BP Agent Was Standing in Fatal Incidents



\*BVI = British Virgin Islands (U.S. anti-drug patrols [in this case, CBP agents] can enter BVI waters under a bilateral agreement between U.S. and Great Britain)<sup>73</sup>

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