

# PROSECUTING ATTORNEY

## CRIMINAL DIVISION

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On December 6, 2025, at approximately 4:45 PM, Grand Rapids Police Officers Borta, Teninty and Caviness were involved in a shooting with Martin Martinez-Salazar during a felony traffic stop on Tremont Blvd. NW. Mr. Martinez-Salazar's wife had reported to police that he had pointed a handgun at her on December 5th. In addition, she provided text messages from Mr. Martinez-Salazar sent to her, indicating he was not afraid to die at the hands of the police. When the police pulled him over, he exited his car and began firing at the officers, who returned fire striking him several times, ultimately the wounds led to his death.

### FACTS

Grand Rapids Police were originally dispatched on December 6, 2025, to meet with the daughter of Mr. Martinez-Salazar who wished to report an incident during which her father pulled a handgun on her mother the night before. Police met with her and her mother who both informed police that the three of them were at home the night before and her father Martin Martinez-Salazar appeared to have been drinking. Mr. Martinez-Salazar's daughter indicated she was in the bathroom when she heard her mother yell to come and get her son from the mud room near the garage. She also heard her mother and father arguing when she exited the bathroom. She further heard her mother say something about Mr. Martinez-Salazar threatening to kill her. This occurred at approximately 9:50 at night.

She came into the room and found her mother and father arguing in front of her son. She did not see any physical contact between her parents at the time, but her mother indicated to her that Mr. Martinez-Salazar pushed and possibly pulled her hair as she was attempting to leave the room during the argument. Her mother then indicated she was going to call the police, and Mr. Martinez-Salazar grabbed a handgun and pointed it at her saying he was going to kill her before the police could get there. Her daughter indicated to police she never saw the gun, her mother just told her about it. Her mother told police Mr. Martinez-Salazar had pointed the gun at her during the argument. He left soon after the incident and the police were not called that night. Both women indicated there was a history of domestic violence in the home, so her mother was hesitant to call the police; in previous incidents Mr. Martinez-Salazar told his wife if she calls the police, he is "going to make sure it is for something worth it."

The two women made the decision to call Grand Rapids Police the next day after they received some text messages from Mr. Martinez-Salazar which were concerning. In one he had texted his wife that "I don't want anyone to call the police. I'm not afraid to die at the hands of the police, I'm prepared for that, I don't have a milligram of fear to grab myself right now with bullets with the police I know they are going to kill me..." He demanded she come home to cook for him and called her "evil" for not doing so. He also called her a whore in another text. The two women were afraid of staying at their home that night, so they had gone elsewhere and were not home when he came back, leading to some of the text messages. When she spoke with police his wife indicated to them, she was afraid and felt her husband was capable of killing her since he now had a gun. Police attempted to contact him at his residence after this; they spoke to him on the phone, he asked if they were with his wife, and they asked him to exit the residence to speak with them. He said he would but then hung up and never left home. Police attempted to contact him again, but he never answered the phone. Police left the home, then dispatch received a call from his wife who indicated that she had received a text from her husband demanding the police leave, he had a gun and would shoot himself. Police had left the home but maintained a presence in the area to see if Mr. Martinez-Salazar would himself leave. Police were in contact with his wife as well and told her not to come home given all of the circumstances. His wife was extremely concerned that he had a gun given the comments he was texting her.



Mr. Martinez-Salazar then left the home in his silver Saturn Outlook. Officer Caviness and Teninty were in a fully marked GRPD cruiser when they first observed Mr. Martinez-Salazar drive by them on 4<sup>th</sup> Street. They were fully familiar with what had been occurring, and in fact, they were some of the officers who had originally tried to contact him at his home earlier. Given the fact that he had a gun, made threats to kill himself and had threatened his wife with a gun, they made the decision to conduct a high-risk felony traffic stop. Mr. Martinez-Salazar did not immediately stop when they activated their overhead lights, signaling him to pull over. He continued at a slow speed and ultimately stopped his vehicle on Tremont Blvd. By this time, a second cruiser driven by Officer Borta had joined them and the two cruisers took a position behind Mr. Martinez-Salazar in the road. Nobody approached the vehicle; the incident is caught on bodyworn camera and in-car video, and it clearly shows the officers telling Mr. Martinez-Salazar to turn his vehicle off and exit his vehicle. Mr. Martinez-Salazar, after a short period, did open his door, but had a handgun and immediately began firing at the officers as he exited his vehicle. The officers then returned fire. Mr. Martinez-Salazar was struck several times, the cause of death was a gunshot wound to the chest/abdomen.

### **SELF DEFENSE AND DEFENSE OF OTHERS LAW**

The rule of self-defense and defense of others is closely intertwined under Michigan law. As a general rule, the use of deadly force against another person in self-defense, or defending another person, is justifiable if, under all the circumstances, the individual who uses the force honestly and reasonably believes that the other person is in imminent danger of death or great bodily harm and that it is necessary for him to exercise deadly force.

In 2006 the Michigan Legislature codified the law regarding self-defense when it passed the Self-Defense Act(SDA), MCL 780.971, *et seq*; which sets forth the circumstances in which a person may use deadly force in self-defense.

- 1) An individual who has not or is not engaged in the commission of a crime at the time he or she uses deadly force may use deadly force...if either of the following applies:
  - a. The individual honestly and reasonably believes that the use of force is necessary to prevent the imminent death of or imminent great bodily harm to himself or another individual.
  - b. The individual honestly and reasonably believes that the use of deadly force is necessary to prevent the imminent sexual assault of himself or of another individual. *MCL 780.972*

It is not enough that the actor's belief be honest; that belief must also be reasonable. *People v Heflin*, 434 Mich 482, 502(1990). It must be emphasized that the test is not from hindsight if the use of such force was actually necessary. It is whether looking at the actor, and examining the information that the actor had at the time of the incident, and all of the circumstances surrounding that moment, if the actions he took were reasonable.

"Actual necessity is not the test for self-defense; where circumstances present a person with reasonable cause to believe he is in danger he may respond, even if his belief is later shown to have been a mistaken one." *People v Shelton*, 64 Mich App 154, 156 (1975). The reason for granting a person leeway in making a sudden decision to use deadly force that may in fact be in error was recognized by the Michigan Supreme Court long ago in 1860. "Human life is not to be lightly disregarded, and the law will not permit it to be destroyed unless upon urgent occasion. But the rules which make it excusable or justifiable to destroy it under some circumstances are really meant to insure its general protection... And such rules, in order to be of any value, must be in some reasonable degree accommodated to human character and necessity." *Pond v People*, 8 Mich 150, 173(1860).

These principals are further expressed in the standard jury instructions pertaining to defense of others: First, at the time he/she acted, the defendant must have honestly and reasonable believed that \_\_\_\_\_ was in danger of being (killed/seriously injured/sexually assaulted). If his/her belief was honest and reasonable, he/she could act immediately to defend \_\_\_\_\_ even if it turned out later that he/she was wrong about how much danger \_\_\_\_\_ was in; Second, if the defendant was only afraid that \_\_\_\_\_ would receive a minor injury, then he/she was not justified killing or seriously injuring the attacker. The defendant must have been afraid that \_\_\_\_\_ would be killed/seriously injured/sexually assaulted. When you decide if he/she was so

afraid, you should consider all the circumstances: (the condition of the people involved, including their relative strength/whether the other person was armed with a dangerous weapon or had some other means of injuring \_\_\_\_\_, the nature of the other person's attack or threat/whether the defendant knew about any previous violent acts or threats made by the other person." Third, at the time he/she acted, the defendant must have honestly and reasonably believed that what he/she did was immediately necessary. Under the law, a person may only use as much force as he/she thinks is needed at the time to protect the other person. When you decide whether the force used appeared to be necessary, you may also consider whether the defendant knew about any other ways of protecting \_\_\_\_\_, but you may also consider how the excitement of the moment affected the choice the defendant made. *CJI2nd 7.21.*

#### CONCLUSION

This is about as clear a case of self-defense or defense of other justification as will ever occur. Mr. Martinez-Salazar exited his car, firing a gun at officers who had pulled him over. From all the video, and statements of the officers, he opened the door and started firing his gun directly at them. Once this occurred the officers were completely justified in returning fire. The officers were also justified in attempting to stop Mr. Martinez-Salazar as he drove away from his home; they had information that he had threatened his wife with a gun, he was suicidal, and he posed a danger to himself and others that necessitated them taking some sort of action. They had attempted to contact him at home, but he refused to answer, they simply could not allow him to go about the public knowing what had occurred and the statements he had made to his wife. All three officers were completely justified in their action that day, so there will be no criminal charges filed against them.

  
Chris Becker  
Kent County Prosecutor

1-19-26  
Date