



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number: PA16122C

Report Date: 3/28/2016 11:14 AM

Status: Submitted

Agency/Facility Information

Department ID: 849

Department Type: STAGENCY

Agency Name: Texas Department
Of Public Safety

Agency Number: TX0000000

Agency Phone: 5124242890

Agency Address: P. O. Box 4087

Agency City: Austin

Agency County: Travis

Agency State: TX

Agency Zip: 78773

Director Information

Director Salutation:

Colonel

Director First Name:

Steven

Director Middle Name:

C.

Director Last Name:

McCraw

Reporter Name: Corey Lain, Lt.,
Texas Ranger

Reporter Email: Corey.Lain@dps.texas.gov

Location / Custody Information

Where did the event causing the death occur?

Street Address: 4066 Highway 59

City: George West

County: Live_Oak

What type of custody/facility was the Decedent in at the time of death:

Type of Custody:

Police Custody (pre-booking)

Specific type of custody/facility:

Specific Type of Custody/Facility:

Custody of Peace Officer during/fleeing arrest

Custody Type Facility:

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: At the crime/arrest scene

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Brian

Middle Name:

Last Name: Danis

Suffix:

Date of Birth: 6/23/1963

Sex: Male

Ethnicity: Anglo

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

Death Date and Time: 2/26/2016 9:05 AM

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

Date/Time of Custody or Incident:

2/26/2016 9:05 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:

Suicide

Manner of Death Description:

Death Reason:

Injuries only

Medical Cause of Death:

Medical Cause of Death:

Penetrating Gunshot Wound to the Head

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?:

Not applicable; cause of death was suicide, intoxication or illness/natural causes

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

Handgun

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

General Information

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:

Evading Detention

Offense 2:

Criminal Mischief

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Suicide

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

Appear intoxicated (alcohol or drugs): No

Exhibit any mental health problems?:

Exhibit any medical problems?:

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

Threaten the officer(s) involved: No

Resist being handcuffed or arrested?: Yes

Try to escape/flee from custody: Yes

Grab, hit or fight with the officer(s): No

Other Behavior:



Specify Other Behavior:

Use weapon threaten/assault officer(s): 0

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 2/26/2016 and at approximately 9:05 AM at the intersection of Interstate Highway 37 and U.S. Highway 59 at George West, CVE Trooper Carlos R. Martinez was contacted by the manager of a Valero convenience store in the area who stated that a white male dressed in military fatigues and driving a blue Volkswagen was acting strangely at the Valero gas station. (The manager later discovered that male had vandalized the store

including cutting a gas pump hose and attempting to remove a fire extinguisher.) The Trooper located the reported blue Volkswagen as it exited the Valero parking lot and followed the vehicle as it drove to the east side of Interstate 37 and into the Flying J parking lot. The suspicious vehicle stopped at the gas pumps of the Flying J gas station and a white male in military fatigues stepped out and began to put gas into the vehicle's gas tank. The male acted strangely as he repeatedly put the gas handle back onto the gas pump several times. The subject ran into the store and continued his strange behavior. The man ran back to the pump and began spilling gas onto the ground as he again repeatedly pulled the pump hose off and onto the pump. The CVE Trooper made contact with and identified the suspicious acting man to be Brian Danis (W/M DOB: 06-23-1963) by his North Carolina Driver license and issued United States Military identification (valid until October 2016). Two additional Troopers and a George West Police Department officer arrived on-scene to assist. During questioning, Danis was very calm and stated he was traveling from Dallas and was exercising his rights as a free citizen. Danis put his hands in his pockets and the Trooper asked him to remove his hands from his pockets. Without warning, Danis turned and ran away from the officers and produced a handgun (revolver) from his pocket. Danis turned to see where the officers were in the pursuit, put the gun to his head, and fired the handgun causing a fatal gunshot wound to his head. The Troopers secured the handgun and noted Danis to be deceased. The Troopers then noted suspicious items in the vehicle and notified the Texas Rangers to respond. The Texas Rangers along with Federal Bureau of Investigation, the Texas Department of Public Safety Explosives Ordinance Division, and the Corpus Christi Bomb Response Unit inspected the vehicle and the vehicle's suspicious contents for possible explosives and/or dangerous chemicals. Texas Ranger James Bennett, Beeville, initiated a criminal investigation into the custodial death incident.