



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 24-1558-UF

Version Type: AMENDED

Report Date: 11/21/2024 9:55
AM

Status: Submitted

Agency/Facility Information

Agency Name: Austin Police Dept.

Agency Address: PO BOX 689001

Agency City: Austin

Agency State: TX

Agency Zip: 78768

Director Information

Director Salutation: Chief

Director First Name: Lisa

Director Middle Name:

Director Last Name: Davis

Reporter Name: Daryl Bone

Reporter Email: daryl.bone@austintexas.gov

Decedent Information

Identity of Deceased

First Name: Zachary

Middle Name: Jay Thomas

Last Name: LaBrie

Suffix:

Date of Birth: 10/4/1997

Sex: Male

Race: Anglo or White

Age At Time Of Death: 27

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

Date/Time of Custody or
Incident: 11/7/2024 8:47 AM

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

Death Date and Time: 11/7/2024 9:03 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:

Gunshot wounds

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

Medical Treatment: Yes

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?: Rifle/shotgun;
Firearm,
unspecified

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: 9501 N FM 620
Road

City: Austin

County: Travis

Zip: 78726

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

Location Category: Parking lot/garage

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?: No

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 of a Peace Officer

Offense 2:

Aggravated Robbery

Offense 3:

Aggravated Robbery

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;
Medical / Mental
Health assistance
call

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?:	No	Resist being handcuffed or arrested?:	No
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:

APD understands the importance of building trust within our community and will continue working diligently to develop a strong and trusting relationship. As per our policy, we share information about a critical incident within ten business days of its occurrence. APD is working with the Office of Police Oversight (OPO) and the City of Austin to release this information today. The press release includes links to the relevant audio and video from the ongoing investigation. The Travis-County District Attorney's Office and OPO reviewed the audio and video materials identified for public release. The details provided today are preliminary, as we are very early in the investigation.

The three officers and one detective who discharged their Department-approved firearms have the following

years of service with the Department:

- 6 years, 1 month
- 4 years, 9 months
- 14 years, 6 months
- 11 years, 11 months

Per APD protocol, the three officers and one detective have been placed on administrative leave.

APD will conduct two concurrent investigations into this incident: a criminal investigation conducted by the APD Special Investigations Unit in conjunction with the Travis County District Attorney's Office and an administrative investigation conducted by the APD Internal Affairs Unit, with oversight from the Office of Police Oversight.

Transparency and accountability are key elements needed to serve and build relationships within the Austin community. Below is the chain of events related to this critical incident that will help you understand what took place. The details provided are preliminary, as we are very early in the investigation.

At approximately 3:11 a.m., a Bee Cave Police Department (BCPD) officer spotted an orange Ford Ranger truck traveling at a high rate of speed westbound in the 12500 block of Hwy. 71. The officer activated his emergency lights, and the vehicle stopped. When the officer exited his patrol car, the vehicle fled the scene at a high rate of speed and turned northbound onto FM 620. The vehicle continued driving at high speeds and began driving northbound in the southbound lanes through the City of Lakeway. As oncoming vehicles were having to move out of the subject vehicle's way to avoid being hit, the BCPD officer terminated the pursuit out of an abundance of caution. The BCPD officer then alerted APD that the subject might possibly be in the area of FM 620 and FM 2222.

At 3:14 a.m., the Travis County Sheriff's Office (TCSO) received a call from dispatch asking for assistance regarding a subject fleeing a traffic stop and heading northbound in southbound lanes of traffic on FM 620. At 3:20 a.m., the TCSO deputy lost site of the vehicle and the pursuit was terminated.

At approximately 3:38 a.m. the subject, later identified as Zachary Labrie, White male, born 10-4-97, can be seen on Ring doorbell camera footage pulling into an apartment complex parking lot at 9501 N FM 620 in an orange Ford Ranger truck. The subject exited the vehicle wearing a mask, carrying a shotgun, and approached an apartment front door. He proceeded to kick in the front door of the apartment. A few minutes later, he can be seen leaving the apartment and driving away.

At approximately 4:42 a.m., Austin 9-1-1 received a call from a female stating that a masked man with a gun approached her as she sat in her car at the Starbucks located at 7710 N FM 620. The man told her to leave everything in the car and get out. He then proceeded to flee the scene in her vehicle, a black Nissan Sentra.

At 6:27 a.m., Austin 9-1-1 received a call from a man stating that a man armed with a gun approached him in the parking lot of the HEB located at 7301 N FM 620 and forced him to hand over his car keys. The man handed the subject his keys and the subject left the scene in his vehicle, a black Nissan Rogue.

When APD Robbery Detectives arrived on scene, they located the first stolen vehicle, black Nissan Sentra, unoccupied in the HEB parking lot.

APD's Violent Crimes Task Force learned that the subject might be in the area of 9501 N FM 620 through investigative efforts and were staged at this location when they saw the subject matching the description from the two previous robberies. One of the officers identified himself as Austin Police and told the subject to get on the ground. The subject fled from the officer on foot.

The detective then attempted to make contact with the subject, but he continued fleeing on foot. The detective told the subject to stop, and as the subject was running, he turned towards the detective and pointed a handgun at him. All three officers and the detective fired their Department-issued weapons, striking the subject. At 8:47 a.m. shots taken was announced over the radio. The officers and Austin-Travis County EMS (ATCEMS) attempted life-saving measures however, the subject was pronounced deceased at 9:03 a.m.

This incident was captured on officers' body-worn cameras. Body-worn camera videos do not always capture everything the officer or witnesses saw or experienced during the incident; however, the footage helps us understand what occurred.

In compliance with state law that prohibits the release of certain information and to maintain the integrity of the investigation, the materials have been redacted.

The materials include comprehensive footage of the officers' actions and contain graphic content and language. Viewer discretion is advised.

MATERIALS BEING RELEASED:

- One Ring Camera Video

- Two 9-1-1 audio files
- Body-worn camera – Officer
- Body-worn camera – Detective
- Still photo of subject running while holding gun (pictured below)
- Still photo of subject running while pointing gun towards detective (pictured below)
- Still photo of subject on ground pointing gun towards detective (pictured below)
- Map (pictured below)

All of the released materials are available on the Department's YouTube and other social media platforms.