KEN PAXTON
ATTORNEY GENERAL of TEXAS

# CUSTODIAL DEATH REPORT

## Agency Information

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| CDR Number: | 19-326-UF | Version Type: | AMENDED |
| Report Date: | 10/4/2019 1:59 PM | Status: | Submitted |

### Agency/Facility Information

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|---|---|---|---|
| Agency Name: | Texas Department Of Public Safety | Agency Address: | PO BOX 4087 |
| Agency City: | Austin | Agency State: | TX |
| Agency Zip: | 78773 | | |

### Director Information

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|---|---|---|---|
| Director Salutation: | Director | Director First Name: | Steven |
| Director Middle Name: | C | | |
| Director Last Name: | McCraw | | |
| Reporter Name: | Joanne Scarbrough | Reporter Email: | joanne.scarbrough@dps.texas.gov |

## Decedent Information

### Identity of Deceased

First Name: Leonardo

Middle Name:

Last Name: Gallegos

Suffix: Jr.

Date of Birth: 7/14/1978 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 40

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

Date/Time of Custody or Incident: 3/27/2019 4:16 PM

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

Death Date and Time: 3/27/2019 6:10 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 of Chest and Leg.

## 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?: 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

## 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?

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| Street Address: | 1200 FM 1337 | City: | Morton |
| County: | Cochran | Zip: | 79346 |

## 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:

Failure to Register as a Sex Offender

Offense 2:

Possession of a Controlled Substance

Offense 3:

Were the Charges:: Filed

## What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of Offense: Other, specify

Type of Offense, Other:

Traffic Violation

## 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: Attempted to injure

| | |
|---|---|
| Injure Others: | 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?: | Yes |
| 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: | No | | |

### Was the deceased under restraint in the time leading up to the death or the events causing the death?

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| Under Restraint: | No |

## Summary of Incident

### Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

On March 27, 2019, at 4:16 p.m., a Texas Highway Patrol Trooper, along with a DPS Special Agent, attempted to stop a 2006 Chevrolet pickup for failing to signal a turn in Levelland, Texas. The driver, later identified as Leonardo Gallegos Jr., failed to stop, and a pursuit ensued.

The pursuit lasted approximately two hours and six minutes. During this time, assisting officers successfully deployed spikes strips, deflating the fleeing vehicle's two front tires. Gallegos, however, continued to evade and ultimately led approximately ten Texas Highway Patrol units and one Hockley County Sheriff's Office unit into a field off of FM 1337 between Whiteface and Morton, Texas.

While driving through the field, Gallegos fired a sawed-off shotgun at the pursuing officers. Nine troopers and

the special agent returned fire, striking Gallegos four times.

The officers immediately pulled Gallegos from the vehicle, but they found no pulse. They attempted lifesaving measures without success. Gallegos was later pronounced deceased by a Cochran County Justice of the Peace.