



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 21-1167-UF

Version Type: AMENDED

Report Date: 3/8/2022 10:59 AM

Status: Submitted

Agency/Facility Information

Agency Name: Chambers County
Sheriff's Office

Agency Address: PO BOX 998

Agency City: Anahuac

Agency State: TX

Agency Zip: 77514

Director Information

Director Salutation: Chief Deputy

Director First Name: John

Director Middle Name:

Director Last Name: Leger

Reporter Name: John Leger

Reporter Email: jaleger@chamberstx.gov

Decedent Information

Identity of Deceased

First Name: Dexter

Middle Name: Trevor

Last Name: Attaway

Suffix:

Date of Birth: 2/3/1986

Sex: Male

Race: Anglo or White

Age At Time Of Death: 35

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

Date/Time of Custody or Incident: 8/12/2021 11:16 AM

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

Death Date and Time: 8/12/2021 11:16 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:

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: No

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?: 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

Location / Custody Information

Where did the event causing the death occur?

Street Address: Interstate Highway
10 near milepost
819

City: Winnie

County: Chambers

Zip: 77665

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

Location Category: Roadway/highway/street/sidewalk

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: Medical facility

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:

Aggravated Assault on a Peace Officer

Offense 2:

Theft of Motor Vehicle

Offense 3:

Evading

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

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)

Attempted to injure

Ways Decedent Attempted To 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):	Unknown	Make suicidal statements?:	No
Exhibit any mental health problems?:	Unknown	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?:	Yes	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:	Unknown	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:

On August 12, 2021, at approximately 1115 hours, a Texas Department of Public Safety Trooper broadcast over the radio (Chambers LE-1) that he had received information about a vehicle occupied by a suspect (later identified as Derek Attaway) involved in a shooting in Harris County. The vehicle was described as a Ford F-250 blue or green over beige bearing Oklahoma plates with an abundance of construction equipment in the bed. Additionally, the Trooper advised that the shooting suspect stole the truck in an armed robbery (carjacking) from Harris County, and suspect had fire shots at deputies within Harris County. The vehicle was pinged eastbound on Interstate Highway 10 (IH-10) near Cove, Texas.

Based on the information given about the suspect being armed and dangerous, reckless, and acting with no regard for human life, deputies proceeded to Interstate 10 to attempt to locate the suspect vehicle. A short

time later, a Harris County Peace Officer broadcast an updated ping showing the suspect passing Wallace Road. A Detective with the Chambers County Sheriff's Office in a marked unit located the stolen vehicle near the 822-mile marker of IH-10 eastbound, Chambers County, Texas. The suspect vehicle began traveling at high speeds and driving recklessly attempting to elude deputies. At one point, the suspect vehicle drove through the grass median separating IH-10 and the south service road, continuing eastbound on the service road. As deputies continued to pursue the vehicle, at one point the driver (Attaway) veered towards a patrol vehicle nearly striking the rear of the vehicle. Deputies saw through the vehicle's back glass as Attaway displayed what appeared to be a handgun. He discharged the firearm through the rear window multiple times, striking a Chambers County deputy's windshield on the passenger side at head level, narrowly missing the deputy. Based on the Attaway's reckless driving, and him discharging a firearm on more than one occasion at Peace Officers in an attempt to take their lives, deputies feared their lives or the lives of civilian's could be taken by the actions of the suspect.

As the pursuit continued, Attaway continued firing shots out the rear window. At this point a DPS Trooper used his vehicle to end the pursuit. The trooper vehicle struck Attaway's vehicle near the rear tires, causing the suspect vehicle to roll. The vehicle made a complete rotation before resting upright, partially on the roadway and partially in the grass median still facing west.

As the vehicle was coming to a halt right side up, deputies observed Attaway quickly climbing out of the front passenger side window. Attaway was known to be armed and had already fired at officers several times. Multiple weapons were observed by a deputy as Attaway scrambled from the vehicle and quickly began to advance toward the weapons and in the direction of deputies, the disabled trooper vehicle, and the injured trooper inside it. The deputy felt that if Attaway were allowed to gain control of a weapon he would carjack or harm another citizen, or gain control of the injured trooper's weapons. Deputy stated he believed that Attaway may also have been concealing the weapon he had utilized to fire at law enforcement already. As Attaway advanced toward officers and weapons, the deputy fired a single round striking Attaway, who stiffened and fell to the ground. A short time later, when sufficient personnel arrived to safely make an approach, officers moved up where they could secure Attaway and began to administer first aid. Attaway was transported via life flight for emergency care, but was later pronounced deceased. An autopsy is pending. This incident is being investigated by the Texas Rangers as per routine policy and procedure.