KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-1531-UF	Version Type:	AMENDED
Report Date:	8/30/2022 1:20 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Harris County Constable Precinct 4	Agency Address:	6831 Cypresswood Dr.
Agency City:	Spring	Agency State:	TX
Agency Zip:	77379		

Director Information

Director Salutation:	Constable	Director First Name:	Mark
Director Middle Name:			
Director Last Name:	Herman		
Reporter Name:	Donald Steward	Reporter Email:	donald.steward@cd4.hctx.net

Decedent Information

Identity of Deceased

First Name: Elliot

Middle Name: Maxey

Last Name: Lewis

Suffix:

Date of Birth: 9/19/1979

Sex: Male

Race: Black or African American

Age At Time Of Death: 42

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

Date/Time of Custody or Incident: 11/11/2021 10:45 AM

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

Death Date and Time: 11/11/2021 11:46 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)

Homicide (includes

Manner of Death:	Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:
Gunshot wound

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?:	Not applicable

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; 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?:	Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death:	Other, specify
Means of Death Other:	The decedent began firing upon law enforcement officers/deputies with a rifle. Law enforcement officers/deputies returned fire fatally wounding the decedent.

Location / Custody Information

Where did the event causing the death occur?

Street Address:	171 N Sam Houston Parkway E	City:	Houston
County:	Harris	Zip:	77060

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?:	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 with a deadly weapon

Offense 2:

Offense 3:

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; Crime Against Property

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 Injure Others:	Attempted to injure law enforcement personnel; Injured civilian(s) or other inmate(s)

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?:	Unknown	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?:	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:	Yes	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 November 8, 2021, a white four-door vehicle drove into the parking lot of a Harris County Precinct 4 sub-station located at 20122 Holzwarth Rd. Spring, Texas 77388. An unknown male fired multiple rounds into the sub-station and fled the scene. During the investigation of this incident, Constable investigators were able to identify the suspect's vehicle and identity. This was also confirmed by tips received from Crime Stoppers. The decedent contacted a local news station wanting to provide an interview and stating he committed the alleged offense. As a result, Constable deputies were able to obtain a possible location of the decedent. A Constable deputy located the decedent who driving the suspected vehicle and refused to stop leading deputies on a lengthy high speed pursuit. At the conclusion of the pursuit the decedent immediately exited the vehicle and began firing an assault rifle at law enforcement officers. Law Enforcement Officers returned fired fatally wounding the decedent.