KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-1305-UF	Version Type:	AMENDED
Report Date:	10/4/2022 1:51 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Wichita Falls Police Dept.	Agency Address:	610 Holliday St.
Agency City:	Wichita Falls	Agency State:	TX
Agency Zip:	76301		

Director Information

Director Salutation:	Chief	Director First Name:	Manuel
Director Middle Name:			
Director Last Name:	Borrego		
Reporter Name:	Joseph Puddu	Reporter Email:	joseph.puddu@wfpd.net

Decedent Information

Identity of Deceased

First Name: Gabriel

Middle Name: Michael

Last Name: Varela

Suffix:

Date of Birth: 8/31/2004 Sex: Male

Race: Anglo or White

Age At Time Of Death: 17

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

Date/Time of Custody or Incident: 9/16/2021 7:39 AM

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

Death Date and Time: 9/16/2021 1:12 PM

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: Pending autopsy results

Medical Cause of Death:

Medical Cause of Death:

Results from Medical Examiner still pending

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?

Street Address:	2507 8th Street	City:	Wichita falls
County:	Wichita	Zip:	76301

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

Location Category: Residence/Home

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:

Attempted Capital Murder (Peace officer)

Offense 2:

Aggravated Assault (Family Violence)

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

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):	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?:	Yes	Resist being handcuffed or arrested?:	N/A
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 9/16/21 Officers responded to a 911 call from a female reporting that her son (Decedent) had punched her in the face and pointed a handgun at her while in their residence in Wichita Falls Texas. Upon arriving, officers located the caller at 9th and Fillmore and were told that the Decedent became enraged when she confronted him about finding marihuana in his bedroom. The Decedent punched his mother in the face with a closed fist, then went to her room and retrieved a handgun from a nightstand. The Decedent's mother dialed police but before Telecommunicators answered the Decedent returned, pointed the gun at her face and told her to hang up. Decedent asked his mother, who she called and then stated, "I'm the baby{sic}, I will kill the whole family, take (younger brother) to school". Decedent's mother left the residence with Decedent's brother and called 911. Calls by police personnel at the scene were made to the Decedent's phone but were unanswered. The decision was made by police supervisors to have the Negotiator Unit respond and attempt contact with the Decedent. From approximately 0957 until 1115 negotiators were able to communicate with Decedent via cellphone and attempted to get his surrender while also confirming he was inside the residence. During this same time, investigators prepared an arrest warrant for the Decedent's Aggravated Assaults on his mother. The Decedent terminated Communications with the Negotiator Unit at 1115 and at 1312 hours SWAT attempted the introduction of chemical munitions into Decedent's location in the interest of safety of

the apprehension of Decedent. The front door was breached by SWAT personnel and was immediately met with gunfire from inside the residence. The Decedent exited the rear of his residence holding a hand gun, while running towards officers on the outer perimeter. Decedent discharged his handgun at officers who returned fire, killing Decedent.