KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-255-UF	Version Type:	ORIGINAL VERSION
Report Date:	3/6/2022 4:01 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Greenville Police Dept.	Agency Address:	PO BOX 1049
Agency City:	Greenville	Agency State:	TX
Agency Zip:	75403		

Director Information

Director Salutation:	Chief	Director First Name:	William
Director Middle Name:			
Director Last Name:	Cole		
Reporter Name:	William Cole	Reporter Email:	wcole@ci.greenville.tx.us

Decedent Information

Identity of Deceased

First Name: James

Middle Name: David

Last Name: Fanning

Suffix:

Date of Birth: 10/11/1972 Sex: Male

Race: Anglo or White

Age At Time Of Death: 49

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

Date/Time of Custody or Incident: 2/7/2022 9:24 PM

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

Death Date and Time: 2/7/2022 9:24 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 pending

What was the manner of death? (select only one)

Manner of Death: Other - specify

Manner of Death Description:

gun shots

Medical Cause of Death:

Medical Cause of Death:

Officers shot Fannin in self defense

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: 5700 Industrial Blvd
City: Greenville
County: Hunt
Zip: 75401

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

Location Category: Other, specify

Other Location Category:

Adjacent apartment complex

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 subsequent to 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:

discharging a firearms

Offense 2:

aggravated assault on a peace officer

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: Other, specify

Type of Offense, Other:

Fannin was discharging a firearms in a public place in violation of city ordinance. Fannin had threatened a neighbor in the apartment complex where he lived. Fannin. Fannin began raising a firearm towards officers as they were giving verbal commands.

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

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?:	Yes
Exhibit any mental health problems?:	Yes	Exhibit any medical problems?:	Yes

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):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	No
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:

INFORMATION - OFFICER INVOLVED SHOOTING

On 2/7/2022, at approximately 2138 hours, Officers J. Steinbach #286 and Z. Brown #331 responded to the Ranchview Apartments, 5700 Industrial Boulevard, Greenville, TX 75401 in reference to a shots reported call for service. Officer Steinbach had responded to a previous call for service at the apartment complex (22-003357) where she described one of the involved persons (James Fanning) as being intoxicated. Dispatch reported at approximately 2125 hours an apartment tenant (who would not provide further identifiers) heard "10-12" gunshots in the area. At approximately 2135 hours, Dispatch received another call reportedly from James Fanning who told the 911 Dispatcher that he was going to shoot himself and further advised if an Officer attempts to make contact with him he was going to shoot himself. Dispatch pinged the phone via 911 service and informed me his location appeared to be in a wooded area north of the apartment complex near Building 6. James Fanning is a resident of Building 6.

Officer Steinbach and Officer Brown arrived in the area of the apartment complex to check the area for any shooting activity near inhabited areas. I, Sgt. Fouse deployed a Greenville PD drone with thermal camera (Autel Evo II - Dual) from the parking lot of the Farm Bureau Insurance (5828 Industrial Drive). I utilized the drone's thermal camera and located James Fanning crouched down next to a cedar tree (activity recorded on the drone). Fanning was located approximately 300 feet from the property line fence that is located along the north side of the apartment complex. I observed Fanning to be wearing a cowboy hat and observed him to be in possession of a rifle and a handgun. Fanning discharged both firearms multiple times (recorded). Fanning later called 911 at approximately 2228 hours stating he will shoot himself before anyone gets within 100 feet and mentioned that he had brain cancer/tumor. Fanning also demanded the drone to stop flying or he would shoot it down. I observed Fanning aim the rifle multiple times at the drone and also discharge the firearm at it. I maintained the drone's orientation to be to the east and somewhat to the north, in the event he continued to fire at the drone it would not be in the direction of the apartment complex. At 2230 hours, Fanning told 911 Dispatch that he had "PTSD". Fanning hung up on Dispatch and I attempted to contact him by telephone to establish communication with him. Multiple times I called and it went directly to voicemail, suggesting to me that Fanning had turned off his phone.

At approximately 2247 hours, I observed Fanning walking south, back towards the apartments. I had not seen him drop his rifle or handgun. I communicated this information to Officers Steinbach and Brown and advised them that if Fanning gets close to the apartments to establish physical cover and attempt to establish communication with him. At approximately 2249 hours, Fanning reached the fence line, which is approximately 30-40 feet from Building 6. Officer Steinbach established communications with him and began to give him basic commands to disarm. Officer Brown provided immediate cover for Officer Steinbach and armed himself with his department issued patrol rifle. Officer A. Williams #297 and Officer R. Roberds #315 arrived on scene to provide additional security and cover. Officer Williams positioned himself near Officer Brown and Officer Roberds positioned himself near cover further to the east near a dumpster unit. Officer S. Thomas #130 (Greenville PD UAS Pilot) and I monitored Fanning's actions with the drone. I observed Fanning drop his rifle and I observed him shed what appeared to be a backpack, later identified as a ghillie suit/covering. I continued to observe him bring his right hand to his head then point it to the ground and discharge a handgun. I observed Fanning discharge a handgun twice, into the ground, while Officer Steinbach was communicating with him. Fanning would not disarm himself of the pistol/handgun. The battery life for the present flight iteration on the drone was nearing a critical low stage. I communicated to Officers on scene that the drone was being flown back to exchange batteries and redeploy. Officer Thomas landed the drone at our deployment location. I exchanged batteries and Officer Thomas redeployed. Officer Steinbach drew her department issued Taser to offer the ability of a less lethal deployment option and communicated this to Officer Brown while he was providing immediate cover for her. Officer Brown maintained control of his patrol rifle. Officer Williams was equipped with his Patrol Rifle, and Officer Roberds had his service pistol. Officers had moved to a closer position while still providing cover, utilizing the northeast corner of Building 6, which

closed distance to reduce their reaction time and offer them better visual given the low light environment. Fanning had secured the pistol in his waistband at one point while Officer Steinbach was communicating with him. Fanning then quickly reached to his waistband and drew the handgun out, bringing it up. Officer Steinbach deployed her Taser, as it was already drawn in her hand. Officer Brown discharged his patrol rifle. Officer Williams discharged his patrol rifle. Officer Roberds discharged his service pistol. Fanning was struck by the Taser probes and rounds discharged from the Officers' firearms. He fell backward. Officer Steinbach climbed the fence and checked on Fanning, rolling his body to its side to check his status as well as ensure he did not reach for, have control of, or attempt to discharge a firearm. Officer Williams communicated shots were fired. The drone being redeployed had not arrived back on scene. The drone arrived on scene and the recording resumed.

American Medical Response (AMR) and Greenville FD personnel were staged at my location. I communicated to
them the scene was secure and to respond to the Officers' location. AMR and GFD responded priority to the scene. Officer E. Moon #332 remained with Officer Thomas to provide assistance to the drone operation as needed. I responded to the scene to handle supervisory responsibilities. I arrived and saw Officer Williams walking to his patrol vehicle to secure his rifle. I contacted Officer Brown who advised Fanning drew a pistol from his waistband, in which Officer Brown and Officer Williams fired their rifles. I instructed Officer Brown to secure his rifle in his patrol vehicle and for him and Officer Williams to remain separate and inside their patrol vehicles. I checked on Officer Roberds and Officer Steinbach. Officer Steinbach was standing next to Fanning, who was laid on the ground. I contacted Captain A. Phillips #172 and informed him of the Officer Involved Shooting. I then contacted Lieutenant E. Camp #116 and informed him of the Officer Involved Shooting. I remained on scene to assist in scene security for the remainder of the investigation. I released the crime scene log to Officer J. Robinson #334 at approximately 0440 hours. Audio / Video Unit #1705.