KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-105-UF	Version Type:	ORIGINAL VERSION
Report Date:	2/3/2023 1:49 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Dallas Police Dept.	Agency Address:	1400 S. Botham Jean Blvd
Agency City:	Dallas	Agency State:	TX
Agency Zip:	75215		

Director Information

Director Salutation:	Chief	Director First Name:	Eddie
Director Middle Name:			
Director Last Name:	Garcia		
Reporter Name:	Daniel Avalos	Reporter Email:	daniel.avalos@dallaspolice.gov

Decedent Information

Identity of Deceased

First Name: Joey

Middle Name: Cesar

Last Name: Fraire

Suffix:

Date of Birth: 8/9/2004 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 18

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

Date/Time of Custody or Incident: 1/25/2023 3:03 PM

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

Death Date and Time: 1/25/2023 3:43 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: Homicide (includes Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

Firearm related injuries

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Yes

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:	2540 Bahama Drive	City:	Dallas
County:	Dallas	Zip:	75211

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:

N/A

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:

Capital Murder

Offense 2:

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: 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: Injured 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?:	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):	N/A	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?

Under Restraint:	No

Summary of Incident

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

Summary:

On January 25, 2023, at approximately 3:00 p.m., Fugitive Unit officers were conducting covert surveillance in the 2500 block of Wilbur St. for an unrelated family violence suspect. The Fugitive Unit officers observed the suspect, Joey Cesar Fraire, L/M/ 18, who was wanted for Capital Murder out of the Farmers Branch Police Department. The officers were aware of Mr. Fraire’s wanted status from a wanted persons bulletin. Officers followed the suspect, who was the passenger in the vehicle, to 2546 Bahama Drive, the Bahama Glenn Apartments. The driver of the vehicle was not involved in the Farmer’s Branch offense. Fugitive Unit officers initiated their tactical apprehension protocols to convince the occupants of the suspect vehicle to surrender. A distraction device was deployed at which time the driver of the vehicle complied with officers’ verbal commands and was arrested without incident. The suspect refused to exit the vehicle at which time Fugitive Unit officers deployed an additional distraction device, followed by pepper ball rounds, both of which failed to convince the suspect to comply. The suspect was observed on drone video holding a handgun. This information was relayed via radio to the members of the arrest team. The drone was a live feed and was not recording at the time of the incident. The suspect opened the door and discharged the handgun at officers. The officers returned fire striking the suspect multiple times. First aid was administered by Fugitive Unit officers and the suspect was transported to a local hospital. No other officers sustained any injuries during this incident.

It is believed Officer Gonzalez sustained a grazing gunshot wound to his left foot. He was treated at Methodist Central Hospital and later released. Suspect Fraire was transported to Methodist Hospital with multiple gunshot wounds and was pronounced deceased by the attending physician.

The suspect's weapon, a Canik 9mm handgun, was recovered at the scene. The weapon's magazine contained 15 rounds and had a capacity of 18 rounds. The weapon was found with a partially ejected round in the breach and a live round partially chambered. At this time, detectives are unable to confirm how many rounds were fired by the suspect.

Additionally, twenty- seven (27) 5.56mm FCC's and thirty (30) 9mm FCC's were recovered from the scene. Three officers fired rifles and three officer fired pistols.

PES responded to the location, processed the scene, and collected evidence. PES performed a round count of the involved officers and collected their weapons.
BWC Unit responded to the location and collected and downloaded involved officer and witness officers BWCs. Citizen cell phone video was also shared with detectives. Multiple witnesses stated the suspect fired at officers and the involved officers returned fire.

A walkthrough was conducted by witness officers Sgt. D. Mulvihill, #9720, Detective R. Willis, #10020 and A. Hernandez, #10602. The Dallas County District Attorney's office were notified and responded to the scene. Police Oversight also responded.

Notifications: PES, IAD, Dallas County District Attorney's Office, PIO, Police Oversight, O.W.L Unit, Drone Unit