KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-155-UF	Version Type:	AMENDED
Report Date:	8/15/2023 2:11 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Austin Police Dept.	Agency Address:	PO BOX 689001
Agency City:	Austin	Agency State:	TX
Agency Zip:	78768		

Director Information

Director Salutation:	Chief	Director First Name:	Joseph
Director Middle Name:			
Director Last Name:	Chacon		
Reporter Name:	Shane Streepy	Reporter Email:	shane.streepy@austintexas.gov

Decedent Information

Identity of Deceased

First Name: Anthony

Middle Name: Marquise

Last Name: Franklin

Suffix:

Date of Birth: 3/4/1991 Sex: Male

Race: Black or African American

Age At Time Of Death: 31

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

Date/Time of Custody or Incident: 1/15/2023 11:43 PM

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

Death Date and Time: 1/16/2023 12:30 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:

Gunshot wounds

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?: 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:	601 Colorado Street	City:	Austin
County:	Travis	Zip:	78701

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:

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: Medical facility

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:
Aggravated Assault	
	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

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 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?:	Unknown
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?:	No	Resist being handcuffed or arrested?:	Yes
Physically attempt/assault officer(s):	Unknown	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 Sunday, January 15, 2022 at approximately 11:33 p.m., Austin 9-1-1 Communications received multiple 9-1-1 calls regarding a man with a gun and gunshots fired in the downtown area. The 9-1-1 calls were received within seconds of one another. The callers provided various locations in and around W. 6th Street. Officers immediately responded to the calls for help.

At 11:34 p.m., a 9-1-1 call was received with multiple people on the phone line. A female on the call said an individual was shooting in the area of Lavaca Street and 5th Street. A male on the same 9-1-1 call said someone was shot.

At 11:36 p.m., another 9-1-1 caller described a chaotic scene with people running in the 300 block of W. 6th Street. Officers responded to the area as the information was provided by Austin 9-1-1 communications.

At 11:35 p.m., the first officers arrived on the scene and began searching for the man with a gun. Information was obtained from the 9-1-1 callers and witnesses on the scene. Based on the information, a description was given to officers, which was put out over the police radio. Officers continued searching the area as they

gathered information about the suspect's description and last known direction of travel. The suspect was described as a black male, thin build, 6'1" to 6'2", with "afro style hair," and wearing all dark clothing.

At approximately 11:38 p.m., a male shooting victim was located at 5th and Lavaca Street, and he began speaking with officers. The victim had a non-life-threatening gunshot wound. Officers provided medical aid to the victim as Austin-Travis County Emergency Medical Services (ATCEMS) was called at the scene. The male victim was transported to a local hospital by ATCEMS, where he was treated and discharged. Officers continued searching the area for the suspect involved in the shooting.

At approximately 11:43 p.m., three APD officers riding in an APD utility vehicle in the area saw a male, later identified as Anthony Marquis Franklin, who matched the description of the shooter. As the officers began to approach and call out to Mr. Franklin, they observed Mr. Franklin had a gun. The officers yelled out "gun" to one another. The officers gave Mr. Franklin several commands to drop the gun. Mr. Franklin did not comply with the officers' orders. He began to run westbound on W. 6th Street and then northbound on Colorado Street. One of the officers jumped out of the utility vehicle and began to run after Mr. Franklin on foot. The other two officers continued to follow in the utility vehicle. The officers verbally commanded Mr. Franklin to drop the gun and show his hands. Mr. Franklin again did not comply with the officer's commands.

As the pursuit of Mr. Franklin approached 601 Colorado Street, Mr. Franklin ran onto the porch of a building. An unknown male was also on the porch and, at this point in the investigation, is not believed to be involved in this incident. The unknown male quickly jumped off the porch with his hands up and ran away from the scene. The officers continued to order Mr. Franklin to show his hands. Mr. Franklin also jumped off the porch and fell to the ground. Within seconds, all three officers fired their Department-issued firearms at Mr. Franklin, striking him. Mr. Franklin threw the gun toward a vehicle parked on the street near him. The gun landed directly in front of Mr. Franklin. The officers told Mr. Franklin, "do not move," and he complied with those commands. Once officers gained compliance from Mr. Franklin, the officers approached Mr. Franklin even though the gun was still within close proximity to Mr. Franklin. The officers secured Mr. Franklin and searched him for additional weapons. The officers immediately began life-saving measures.

Officers requested medical assistance to the scene. Mr. Franklin was transported to a local hospital by ATCEMS with serious injuries, and at approximately 12:30 a.m., Mr. Franklin succumbed to his injuries and was pronounced deceased. No other civilians or officers sustained physical injuries.

A firearm was located on the ground near Mr. Franklin.