KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16073C	Report Date:	2/25/2016 10:44 AM
Status:	Submitted		

Agency/Facility Information

Department ID:	849	Department Type:	STAGENCY
Agency Name:	Texas Department Of Public Safety	Agency Number:	TX0000000
Agency Phone:	5124242890	Agency Address:	P. O. Box 4087
Agency City:	Austin	Agency County:	Travis
Agency State:	TX	Agency Zip:	78773

Director Information

Director Salutation:

Colonel

Director First Name:

Steven

Director Middle Name:

C.

Director Last Name:

McCraw

Reporter Name:	James R. Woodrum, Lt.	Reporter Email:	James.Woodrum@dps.texas.gov

Location / Custody Information

Where did the event causing the death occur?

Street Address: 4016 Vista Ridge

City: Alvarado

County: Johnson

What type of custody/facility was the Decedent in at the time of death:

Type of Custody:

Police Custody (pre-booking)

Specific type of custody/facility:

Specific Type of Custody/Facility:

Custody of Peace Officer during/fleeing arrest

Custody Type Facility:

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: At the crime/arrest scene

Death Location Elsewhere:

Decedent Information

Identity of Deceased

First Name: Nathan

Middle Name: Lee

Last Name: Bailey

Suffix:

Date of Birth: 9/6/1985 Sex: Male

Ethnicity: Anglo

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

Death Date and Time: 1/27/2016 3:47 PM

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

Date/Time of Custody or Incident:

1/27/2016 1:38 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:

Justifiable Homicide

Manner of Death Description:

Death Reason:

Injuries only

Medical Cause of Death:

Medical Cause of Death:

Gunshot wound of chest

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 staff

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

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

General Information

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

Offense 2:

Aggravated Assault w/Deadly Weapon

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Officer

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or drugs):	No	Exhibit any mental health problems?:	
Exhibit any medical problems?:			

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Threaten the officer(s) involved:	Yes	Resist being handcuffed or arrested?:	No
Try to escape/flee from custody:	No	Grab, hit or fight with the officer(s):	No

Other Behavior:

Specify Other Behavior:

Use weapon threaten/assault officer(s):	1

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 Wednesday, 01/27/2016, at approximately 10:43 a.m., the Johnson County Sheriff's Office observed a vehicle that was involved in the robbery of a firearm traveling at a speed of 99 m.p.h. The Johnson County Deputies pursued the vehicle to the residence located at 4016 Vista Ridge in Alvarado, Johnson County, Texas. The suspect later idenfified as Nathan Lee Bailey, fled into the residence with the stolen firearm.

Additional Johnson County Deputies and Texas Highway Patrol Troopers responded to the residence where a standoff ensued. The Johnson County Sheriff's Office and the Texas Highway Patrol initiated a perimeter around Bailey's residence. Bailey barricaded himself inside his residence and refused to comply with orders to surrender or pleas from his family. Throughout a three hour period, Bailey refused to surrender and negotiation efforts were unsuccessful. At one point, Bailey yelled threats at the Johnson County Deputies near his residence, and told them to leavehis property. During the incident, Bailey fired a weapon at Johnson County Deputies multiple times, striking a metal trailer and a pontoon boat that the deputies were using for cover. One of the rounds was later found to have gone into Bailey's neighbor's metal building. At approximately 1:18 p.m., Bailey exited the rear door of his residence holding a pistol, and walked around to the front of his residence where law enforcement personnel were located. Bailey pointed the pistol in the direction of law enforcement and fired one round towards them. The Texas Highway Patrol Troopers (Sergeant Nathan P. Templeton, Justin D. Little, and Kirby R. Roberson) positioned on the roadway in front of the risidence, and directly in the path of the fired round from Bailey's gun, discharged their weapons (rifle) at Bailey to stop the threat of him causing the death or serious bodily injury to a person. Bailey was struck by the gunfire and died at the scene.