KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16149C	Report Date:	4/8/2016 4:33 PM
Status:	Submitted		

Agency/Facility Information

Department ID:	627	Department Type:	POLICE
Agency Name:	Odessa Police Dept.	Agency Number:	TX0680200
Agency Phone:	4323353327	Agency Address:	205 N. Grant
Agency City:	Odessa	Agency County:	Ector
Agency State:	TX	Agency Zip:	79760

Director Information

Director Salutation:

Chief

Director First Name:

Timothy

Director Middle Name:

Director Last Name:

Burton

Reporter Name:	Captain J. P. Harvell	Reporter Email:	jharvell@odessa-tx.gov

Location / Custody Information

Where did the event causing the death occur?

Street Address: 3001 E.Business Loop 20

City: Odessa

County: Ector

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: Joel

Middle Name:

Last Name: Fabela

Suffix:

Date of Birth: 1/11/1978 Sex: Male

Ethnicity: Hispanic

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

Death Date and Time: 4/1/2016 9:00 PM

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

Date/Time of Custody or Incident:

4/1/2016 8:53 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

Manner of Death Description:

Homicide-Grand Jury has not ruled

Death Reason:

Injuries only

Medical Cause of Death:

Medical Cause of Death:

Gun shot 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 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:

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

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:

Evading Detention

Offense 2:

Aggravated Assault

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:	No	Resist being handcuffed or arrested?:	Yes
Try to escape/flee from custody:	Yes	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 April 1, 2016 at approximately 9:00 pm Sergeant Carruth, Corporal Feril, and Officers TenEyck and Mota responded to Quality Inn reference a wanted fugitive in room 312. Upon arrival officers devised a plan to lure the fugitive from the hotel room. Officer Feril had the hotel desk clerk call room 312. She was asked to advise the occupant that he needed to sign paperwork at the hotel desk. Officers TenEyck and Mota were positioned near the room in hopes of apprehending the fugitive as he exited the room. An unknown male

exited room 312 and officers attempted to detain him for questioning. The subject pulled away and ran but tripped over a parking curb and fell to the ground. Both officers attempted to place the male subject in hand cuffs; however, he continued to resist. Officer Mota then observed the fugitive fleeing on foot. Believing that Officer TenEyck had control of the unknown male Officer Mota disengaged and chased the fugitive. During the struggle, Officer TenEyck noticed that the unknown male had a pistol in his hand. Being afraid for his life, Officer TenEyck drew his gun and fired as the unknown male turned towards him. Officer TenEyck and the unknown male fell to the ground. As Officer TenEyck sat up he saw the unknown male running towards the location of Sergeant Carruth and a civilian ride along. Fearing for their safety, Officer TenEyck fired at the unknown male until he fell to the ground. Officer Mota heard Officer TenEyck yell, “Gun! Gun!” and then almost immediatelyheard gun fire, so he stopped his pursuit of the fugitive, drew his weapon, and ran back towards Officer TenEyck. When he arrived, he observed Officer TenEyck sitting on the ground firing his weapon. Officer Mota then observed the unknown male that both officers were attempting to detain lying on the sidewalk. Sergeant Carruth and Officer Mota approached the unknown male, checked on his condition and secured him. Officer TenEyck radioed for EMS. The unknown male expired at the scene.