



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 17-339-UF

Version Type: AMENDED

Report Date: 8/26/2020 10:32
AM

Status: Submitted

Agency/Facility Information

Agency Name: Plano Police Dept.

Agency Address: PO BOX 860358

Agency City: Plano

Agency State: TX

Agency Zip: 75086

Director Information

Director Salutation: Chief

Director First Name: Gregory

Director Middle Name:

Director Last Name: Rushin

Reporter Name: Gregory Rushin

Reporter Email: greg@plano.gov

Decedent Information

Identity of Deceased

First Name: Eleuterio

Middle Name: Torres

Last Name: Amaya

Suffix:

Date of Birth: 2/20/1954

Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 63

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

Date/Time of Custody or
Incident: 6/12/2017 4:23 PM

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

Death Date and Time: 6/12/2017 4:50 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:

Died as the result of 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: 6400 Preston Road

City: Plano

County: Collin

Zip: 75024

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

Location Category: Business

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:

Aggravated Kidnapping

Offense 2:

Aggravated Assault

Offense 3:

Aggravated Assault of a Public Servant

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)

Attempted to injure law enforcement personnel;

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?:	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?:	No	Resist being handcuffed or arrested?:	N/A
Physically attempt/assault officer(s):	No	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Yes	Escape or attempt to escape/flee custody:	N/A
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 June 12, 2017, at approximately 4:15 pm, a citizen (victim) parked at the Quick Trip gas station at 6400 Preston Road, Plano, Texas. After she entered the gas station, a male suspect secreted himself in her back seat with a revolver while she was in the store. After the victim re-entered her car, the suspect pointed his revolver at her and told her to drive. While this was occurring, an on-duty Plano Police Officer parked at a nearby gas pump and began to gas her Police vehicle.

As the victim pulled out of her parking spot, she observed the Police Officer and jumped out of her car and got into the Police vehicle for protection. The victim's car, still in gear, hit a pickup truck parked at another gas pump. The officer saw a male suspect in the back seat of the sedan, open the rear driver-side door and fire a

revolver toward the officer and the victim. The officer returned fire in defense of herself and the fleeing female. The officer continued to fire toward the suspect until he fell from the victim's car. During the gunfire, the fleeing female severed the gas hose from the pump as she drove the Police vehicle across the parking lot to a safe distance.