



# KEN PAXTON

## ATTORNEY GENERAL *of* TEXAS

### CUSTODIAL DEATH REPORT

## Agency Information

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CDR Number: 17-583-UF

Version Type: AMENDED

Report Date: 10/18/2018 2:21 PM

Status: Submitted

## Agency/Facility Information

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Agency Name: Texas Department  
Of Public Safety

Agency Address: PO BOX 4087

Agency City: Austin

Agency State: TX

Agency Zip: 78773

## Director Information

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Director Salutation: Director

Director First Name: Steven

Director Middle Name:

Director Last Name: McCraw

Reporter Name: Joanne  
Scarborough

Reporter Email: joanne.scarbrough@dps.texas.gov

## Decedent Information

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## Identity of Deceased

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First Name: Alva

Middle Name: Joe

Last Name: Gwinn

Suffix:

Date of Birth: 9/19/1978

Sex: Male

Race: Other

Age At Time Of Death: 39

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

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Date/Time of Custody or Incident: 10/12/2017 1:18 PM

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

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Death Date and Time: 10/12/2017 1:51 PM

## Manner / Cause of Death

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Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

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Medical Examiner/Coroner Evaluation?: Yes, results are available

What was the manner of death? (select only one)

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Manner of Death: Suicide

## Medical Cause of Death:

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Medical Cause of Death:

Gunshot wound of the head.

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

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Medical Treatment: Unknown

If death was an accident, homicide or suicide, who caused the death?

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Who caused the death?: Decedent

If a weapon caused the death, what type of weapon caused the death? (Hold CTRL to select all that apply)

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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?

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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?

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Means of Death: Firearm

## Location / Custody Information

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Where did the event causing the death occur?

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Street Address: 20402 SH 195

City: Killeen

County: Bell

Zip: 76542

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

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Location Category: Field/woods/lake/waterway/beach

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

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Type of Custody: Pre-Custodial Use  
of Force

Specific type of custody/facility:

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Specific Type of Custody/Facility:

Custody of Law Enforcement Personnel during/fleeing arrest

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):

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Entry Date Time:

Entry Date Time N/A: ☒

Where did the death occur?

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Death Location: Scene of incident

## General Information

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Did any other law enforcement agencies respond to calls for service related to this incident?

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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?

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Offense 1:

Aggravated Assault w/deadly weapon

Offense 2:

Evading Arrest or Detention

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)

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Type of Offense: Medical / Mental  
Health assistance  
call

At any time during the incident and/or entry into the law enforcement facility, did the decedent display or use a weapon?

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Decedent display/use of weapons: Yes, mark all that apply

Decedent Display or Use Weapon Details: Displayed firearm without discharge;  
Discharged firearm

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

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Attempt to Injure Others?: Yes (select all that apply)

Ways Decedent Attempted To Injure Others: Attempted to injure law enforcement personnel

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

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|                                        |         |                                |         |
|----------------------------------------|---------|--------------------------------|---------|
| Appear intoxicated (alcohol or drugs): | Unknown | Make suicidal statements?:     | Yes     |
| 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:

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|                                           |     |                                           |     |
|-------------------------------------------|-----|-------------------------------------------|-----|
| Barricade self or initiate standoff?:     | Yes | Resist being handcuffed or arrested?:     | Yes |
| Physically attempt/assault officer(s):    | Yes | Gain possession of officer's weapon:      | No  |
| Verbally threaten other(s) including law: | Yes | 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?

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Under Restraint: No

## Summary of Incident

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

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Summary:

On the morning of 10/12/17, a general information and officer safety alert was broadcast regarding the deceased. Information indicated that he was involved in an altercation earlier that morning with his spouse and that he was suicidal, had violent tendencies and was armed with a revolver and approximately fifty (50) rounds of ammunition. Further information indicated that he was operating a gray Chevrolet Traverse SUV in the general area of the Bell / Williamson County line on or near State Highway 195. The involved Trooper responded to the area and observed two (2) Williamson County Sheriff's Deputies and a Florence Police Department Officer in pursuit of a vehicle matching the suspect vehicle's description, north bound on State Highway 195. The Trooper joined the pursuit, ultimately ending up as the lead unit. Based on the totality of the circumstances, including the threats and actions of the suspect, the Trooper determined that the immediate need to terminate the pursuit and prevent the suspect from entering a densely populated area, justified the use of deadly force. The Trooper deployed five (5) rounds of .357 Sig from his issued Sig Sauer P226 into the area of the vehicle's right rear tire. As the tire deflated, the vehicle slowed down significantly. The vehicle then drove off of the roadway and through a barbed wire fence onto private property near a residence, located at 20402 SH 195, Killeen, Texas 76542. The suspect exited the vehicle and continued to evade arrest afoot. The Trooper continued pursuit up a hill through the woods. The suspect jumped over a

pasture fence and took cover behind a concrete pillar. The suspect pointed a handgun at the Trooper, who responded by placing rounds on the concrete pillar in order to duress the suspect. The suspect then pointed the handgun at a deputy, who was attempting to flank his position. At this point, the Trooper gained visibility of the suspects center mass and fired, striking the suspect in the chest. The suspect then turned the gun on himself, discharging it into his head. The Trooper and Deputy attempted cardiopulmonary-resuscitation (CPR) and applied an occlusive bandage to the suspect's sucking chest wound. The suspect was pronounced deceased at the scene.