KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1377-UF	Version Type:	ORIGINAL VERSION
Report Date:	10/18/2023 9:44 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Comanche Police Dept.	Agency Address:	110 E. Grand Ave.
Agency City:	Comanche	Agency State:	TX
Agency Zip:	76442		

Director Information

Director Salutation:	Chief	Director First Name:	Kelly
Director Middle Name:			
Director Last Name:	Davis		
Reporter Name:	Kelly Davis	Reporter Email:	kdavis@comanchetexas.gov

Decedent Information

Identity of Deceased

First Name: Eloy

Middle Name:

Last Name: Leal

Suffix:

Date of Birth: 7/31/1973 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 50

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

Date/Time of Custody or Incident: 10/14/2023 11:16 PM

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

Death Date and Time: 10/15/2023 3:00 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)

Homicide (includes

Manner of Death: Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

Multiple 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: No

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; 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

Location / Custody Information

Where did the event causing the death occur?

Street Address:	657 S. Bowie St	City:	DeLeon
County:	Comanche	Zip:	76442

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:

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):

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:

Burglary of Habitation Texas Penal Code 30.02 (d) (2)

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: Displayed other weapon, specify:

Specify Weapon Displayed:

Large Bowie style knife

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 law enforcement personnel; Injured 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):	Yes	Make suicidal statements?:	Yes
Exhibit any mental health problems?:	No	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?:	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:	No
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 Saturday, October 14, 2023, at approximately 11:16 PM Officer Cooper Hall (Comanche Police Department) responded to assist DeLeon Police Officer Daily on a disturbance in progress with a stabbing victim at 657 S. Bowie St. DeLeon Texas. Upon arrival at the scene, Officers Cooper and Daily contacted a male subject armed with a large knife in front of 657 S. Bowie St. DeLeon St. This subject was later identified as the deceased, Eloy Leal.

Mr. Leal was highly agitated and waving the large knife erratically. Officers attempted to make contact with Mr. Leal and he refused to follow commands by the officers. In an attempt to de-escalate the situation both Officer Cooper and Daily spoke to Mr. Leal asking him to drop the knife and telling him they did not want to harm him. During this discussion, Mr. Leal stepped into the roadway in front of 657 S. Bowie St. Mr. Leal became more agitated and did not respond to de-escalation tactics used by the officers. Mr. Leal charged toward Officers Cooper and Daily at which time both officers fired their weapons striking Mr. Leal approximately 9 times.

The Texas Rangers were notified and Texas Ranger Josh Burson responded to the location to conduct a criminal investigation of this incident. The Comanche Police Department initiated an internal review of this investigation.