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A Travis County Grand Jury today concluded that Austin Police Department (APD) Officer Patrick Cheatham will not face charges related to the July 12th, 2015 shooting death of David Allen Lepine.

On that day, Officers Cheatham and Porterfield drove to Lepine's residence in western Travis County at approximately 12:20 a.m. to speak with him after receiving a 911 call from a citizen complaining that Lepine was following her in his vehicle and had attempted to open her passenger door. The officers met with Lepine and discussed the incident, but then decided to leave because they did not have probable cause to believe a crime had been committed.

On their way back to their patrol vehicles, the officers noticed several areas of blood drops and smears on Lepine's truck. The officers resumed their questioning of Lepine, this time about the origin of the blood on his truck. The officers decided to detain Lepine in handcuffs while they called the on-duty sergeant to request a camera and crime scene personnel to the scene. As Officer Cheatham was calling the sergeant, Officer Porterfield instructed Lepine to turn around and place his hands behind his back. Instead of complying, Lepine immediately began running into a wooded area near his residence. Both Officers Porterfield and Cheatham gave chase.

While still running away from the officers, Lepine produced a gun from his pocket. Officer Cheatham ordered Lepine to drop it and to show his hands, but Lepine failed to comply. According to Officer Cheatham, Lepine then pointed the handgun at him.

Officer Cheatham fired twice, striking Lepine both times and killing him. A loaded handgun was recovered from Lepine at the scene.

The Grand Jury spent approximately seven hours reviewing evidence and heard testimony from four witnesses.

Press packets containing documents, audio and video related to the incident are available at the District Attorney's Office, located in the Blackwell-Thurman Criminal Justice Center at 509 West 11th Street.

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