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A Travis County Grand Jury has decided that Austin Police Department (APD) officer John Gabrielson will not face charges for firing his weapon at Fernando Estrada during an incident at the Shell gas station located at Rundberg Lane and North IH 35 on January 25th, 2014.

On the afternoon of January 25th, 2014, Officer Gabrielson was flagged down by a driver who was following a truck which had struck his vehicle and left the scene. The officer spotted the truck and followed it into the Shell gas station located at Rundberg and North IH 35. When the truck stopped in the parking lot, Gabrielson exited his patrol vehicle and began giving verbal commands to the driver. Gabrielson drew his firearm and approached the truck which was trying to exit the parking lot, but was blocked by cars that were in line for the car wash. The truck then accelerated, struck the curb and rammed the right rear portion of an Escalade that was in the car wash line. The truck continued to accelerate, spinning its wheels, and trying to force the Escalade out of its path. The back end of the truck moved toward Gabrielson as it accelerated. Gabrielson fired three times at the driver's side of the truck, but the driver was not struck. The truck was able to force the Escalade, as well as another vehicle, out of its path and escaped down Rundberg. Gabrielson pursued the truck west bound on Rundberg until it crashed near the HEB at 9411 North Lamar Blvd. The driver of the truck, Fernando Estrada, was taken into custody and subsequently found to be intoxicated.

The Grand Jury met twice to consider the case for a total of eight hours. They heard from nine witnesses, including Officer Gabrielson.

Press packets containing documents, audio and video related to the incident are available on the 2nd floor of the District Attorney's Office, located at the Criminal Justice Center, 509 West 11th Street.

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