



GOVERNOR GREG ABBOTT

May 16, 2024

The Honorable Jane Nelson  
Secretary of State  
State Capitol, Room 1E.8  
Austin, Texas 78701

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:25 PM O'CLOCK

MAY 16 2024

  
Secretary of State

Dear Secretary Nelson:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following official document:

A proclamation No. 2024-0001 granting a pardon to Daniel Scott Perry.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,

  
Gregory S. Davidson  
Executive Clerk to the Governor

GSD:gsd

Attachment

# PROCLAMATION

BY THE

## Governor of the State of Texas

PROCLAMATION No. 2024-0001

DPS #07666731

---

---

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, Daniel Scott Perry, TDCJ #02450686, D.O.B. April 24, 1987, was sentenced in the 147th District Court in Travis County on May 10, 2023, to twenty-five years in prison for the offense of Murder, Cause No. D-1-DC-21-900007; and

WHEREAS, the Texas Board of Pardons and Paroles has conducted an exhaustive review of Daniel Scott Perry's personal history and the facts surrounding his shooting of Garrett Foster; and

WHEREAS, both the Second Amendment to the United States Constitution and Article I, Section 23, of the Texas Constitution protect the right to keep and bear arms for, among other things, self-defense; and

WHEREAS, Texas law, consistent with those constitutional guarantees, provides one of the clearest self-defense protections in the United States; and

WHEREAS, Texas Penal Code § 9.32(a) provides that a person "is justified in using deadly force against another" when that person "reasonably believes the deadly force is immediately necessary" to protect a person against another's use of unlawful deadly force; and

WHEREAS, Texas Penal Code § 9.32(c) provides that a person who is otherwise lawfully present at the location where deadly force is used "is not required to retreat before using deadly force"; and

WHEREAS, on July 25, 2020, Daniel Scott Perry, while driving on a public road in Austin, slowed his vehicle as he rounded a corner onto Congress Avenue and encountered a group of protestors obstructing traffic; and

WHEREAS, Daniel Scott Perry's car was immediately surrounded by aggressive protestors who rushed to obstruct, strike, pound, smash, and kick his vehicle; and

WHEREAS, Garrett Foster then approached within 18 inches of Daniel Scott Perry's car, confronted him, and brandished a Kalashnikov-style rifle in the low-ready firing position; and

WHEREAS, Daniel Scott Perry fired his handgun at Garrett Foster to eliminate a perceived threat to his safety and called law enforcement less than one minute later to inform them of the incident; and

WHEREAS, Daniel Scott Perry explained to law enforcement at the time that he used his weapon because he feared losing his life and has since consistently stated that he acted in self-defense; and

WHEREAS, Travis County District Attorney José Garza, rather than upholding the self-defense rights of citizens, has prioritized "reducing access to guns" that citizens may use to lawfully defend themselves; and

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:25 PM O'CLOCK

MAY 16 2024

WHEREAS, District Attorney Garza directed the lead detective investigating Daniel Scott Perry to withhold exculpatory evidence from the Grand Jury considering whether to report an indictment; and

WHEREAS, District Attorney Garza has not sought "to see that justice is done," Tex. Code Crim. Proc. art. 2.01, but has instead demonstrated unethical and biased misuse of his office in prosecuting Daniel Scott Perry; and

WHEREAS, the Texas Board of Pardons and Paroles has recommended a Full Pardon and Restoration of Full Civil Rights of Citizenship;

NOW, THEREFORE, I, GREG ABBOTT, Governor of the State of Texas, by virtue of the authority vested in me under the Constitution and laws of this State, and acting upon the recommendation of the Texas Board of Pardons and Paroles, do hereby grant unto the said:

**Daniel Scott Perry**

A FULL PARDON AND RESTORATION OF FULL CIVIL RIGHTS OF CITIZENSHIP THAT MAY HAVE HERETOFORE BEEN LOST AS A RESULT OF HIS CONVICTION OF THE OFFENSE ABOVE SET OUT IN CAUSE NO. D-1-DC-21-900007, 147TH JUDICIAL DISTRICT COURT, TRAVIS COUNTY, TEXAS.

I HEREBY DIRECT that a copy of this proclamation be filed in the office of the Secretary of State.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed hereon, this the 16th day of May, 2024.

Handwritten signature of Greg Abbott in black ink.

GREG ABBOTT  
Governor

ATTESTED BY:

Handwritten signature of Jane Nelson in black ink.  
\_\_\_\_\_  
JANE NELSON  
Secretary of State

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
1:25 pm O'CLOCK

MAY 16 2024