KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	20-192-UF	Version Type:	AMENDED
Report Date:	9/3/2020 12:52 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Wilson County Sheriff's Dept.	Agency Address:	800 Tenth St.
Agency City:	Floresville	Agency State:	TX
Agency Zip:	78114		

Director Information

Director Salutation:	Sheriff	Director First Name:	Joe
Director Middle Name:	D		
Director Last Name:	Tackitt, Jr.		
Reporter Name:	Stephen Moore	Reporter Email:	smoore@wilsoncountytx.gov

Decedent Information

Identity of Deceased

First Name: Stephen

Middle Name: Michael

Last Name: Obrien

Suffix:

Date of Birth: 4/20/1999 Sex: Male

Race: Anglo or White

Age At Time Of Death: 20

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

Date/Time of Custody or Incident: 2/24/2020 12:29 AM

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

Death Date and Time: 2/24/2020 12:29 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)

Manner of Death: Homicide (includes Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

The autopsy report indicates the male subject Stephen Michael OBrien died as the result of 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: Not Applicable

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

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:	305 10th St	City:	Floresville
County:	Wilson	Zip:	78114

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

Location Category: Parking lot/garage

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:

Deadly Conduct

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: Other, specify

Type of Offense, Other:

911 call for a man displaying a firearm in the Walmart parking lot.

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: No

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

Attempt to Injure Others?: No

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

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:

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:	No	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 2/24/2020 multiple law enforcement units were dispatched to the Walmart located at 305 10th St. Floresville Texas. A 911 call was received regarding a male subject standing next to a vehicle in the parking lot waving a firearm. Floresville Police Department, State Troopers and the Wilson County Sheriff's Office responded. The WCSO deputy arrived first on scene. He made contact with the male subject matching the description of the armed male from the 911 call. The male subject had his hands in the pockets of his hoodie. The deputy ordered the male subject to remove his hands from his pockets. The deputy had his duty weapon pointed at the male subject as he ordered the male subject to remove his hands from his pockets several times. The male subject kept backing away from the deputy. As this was happening, DPS Trooper, FPD Officer, and another WCSO deputy arrived to assist. A few moments later two other deputies arrived on scene as well. The male subject was yelling at the law enforcement officers to hurt him. The male subject then quickly removed his right hand from the pocket of his hoodie and pointed it towards the first deputy on scene. In the male subject's hand was a dark colored object. The two deputies and the trooper discharged their duty weapons at the male subject striking him. The subject was struck multiple times and succumbed to his injuries. No one else was physically hurt during this use of force.