KEN PAXTON
ATTORNEY GENERAL of TEXAS

**CUSTODIAL DEATH REPORT**

# Agency Information

| | | | |
|---|---|---|---|
| CDR Number: | 21-743-UF | Version Type: | ORIGINAL VERSION |
| Report Date: | 6/22/2021 11:09 AM | Status: | Submitted |

## Agency/Facility Information

| | | | |
|---|---|---|---|
| Agency Name: | Round Rock Police Dept. | Agency Address: | 2701 North Mays |
| Agency City: | Round Rock | Agency State: | TX |
| Agency Zip: | 78665 | | |

## Director Information

| | | | |
|---|---|---|---|
| Director Salutation: | Chief | Director First Name: | Allen |
| Director Middle Name: | | | |
| Director Last Name: | Banks | | |
| Reporter Name: | Daniel Sitz | Reporter Email: | dsitz@roundrocktexas.gov |

# Decedent Information

### Identity of Deceased

First Name: Antonio

Middle Name:

Last Name: Diaz

Suffix:

Date of Birth: 8/19/1981 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 39

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

Date/Time of Custody or Incident: 6/7/2021 9:45 AM

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

Death Date and Time: 6/7/2021 10:31 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 pending

### What was the manner of death? (select only one)

Manner of Death: Homicide (includes Justifiable

Homicide)

## Medical Cause of Death:

Medical Cause of Death:

Gunfire

## 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?: | 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: | 1000 W. Louis Henna Blvd. | City: | Round Rock |
| County: | Williamson | Zip: | 78681 |

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

Location Category: Business

## 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:

N/A

## 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:

Aggravated Assault with a Deadly Weapon

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 firearm without discharge |

## 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?: | No |
| 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?: | No | Resist being handcuffed or arrested?: | No |
| Physically attempt/assault officer(s): | No | 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 6/7/21 at 0945 hours, Round Rock Police received a 911 phone call from the General Manager of Home 2 Suites by Hilton located at 1000 W. Louis Henna Blvd. The manager reported a Hispanic male wearing a "wife-beater" shirt and shorts was armed with a gun and told people to get out of the hotel lobby. A second caller, at 0948 hours, reported the male pointed the gun at someone, that everyone was running out of the hotel, and the male said, "do you want to fucking die?"

Officers arrived on the scene and located the male in the hotel lobby. The male was holding a handgun in his right hand, refused to put it down after being given verbal commands. The male then began to move the gun in the direction of officers. At this point, one officer discharged his firearm, striking the male two times in the chest.

Initial responding officers, Round Rock Fire personnel, and Williamson County medics performed life-saving measures. The subject was later determined to be deceased while still on the scene.