KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-1302-UF	Version Type:	AMENDED
Report Date:	7/19/2023 12:13 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Texas Parks & Wildlife Dept.	Agency Address:	4200 Smith School Rd
Agency City:	Austin	Agency State:	TX
Agency Zip:	78744		

Director Information

Director Salutation:	Mr.	Director First Name:	Carter
Director Middle Name:			
Director Last Name:	Smith		
Reporter Name:	Michael Durand	Reporter Email:	mike.durand@tpwd.texas.gov

Decedent Information

Identity of Deceased

First Name:	Darian
Middle Name:	Patrick
Last Name:	Fisher
Suffix:	
Date of Birth:	12/19/1975
Sex:	Male
Race:	Black or African American
Age At Time Of Death:	46

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

Date/Time of Custody or Incident:	9/23/2022 8:16 AM

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

Death Date and Time:	9/23/2022 11:00 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)

Homicide (includes

Manner of Death:	Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:
Multiple Gunshot Wounds - Homicide

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:	US 287 MP 274 (34.25274 N, 99.54150 W)	City:	Chillicothe
County:	Hardeman	Zip:	79225

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

Location Category: Roadway/highway/street/sidewalk

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:

Attempted Capital Murder

Offense 2:

Aggravated Assault with a Deadly Weapon

Offense 3:

Evading Arrest

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; Discharged firearm

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

Attempt to Injure Others?:	Yes (select all that apply)
Ways Decedent Attempted To Injure Others:	Attempted to injure law enforcement personnel; Injured civilian(s) or other inmate(s)

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?:	Unknown
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?:	No
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:	Yes
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 September 23, 2022, at approximately 7:00 am, Texas Game Wardens overheard radio traffic from Hardeman County Sheriff's Office about a pursuit with a suspect in a truck tractor semi-trailer that had been involved in a shooting. The driver of the truck tractor was being pursued by police. Game Wardens caught up

with the pursuit outside of Chillicothe and shortly after the driver of the truck tractor stopped. The driver then exited the truck tractor on the passenger side of the truck and began shooting at the police. The driver was then fired upon by police, TX DPS Troopers, and Game Wardens. The driver was deceased. No law enforcement was injured during this incident.

Medical Examiner's Report states the deceased died from multiple gunshot wounds.