KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-686-UF	Version Type:	AMENDED
Report Date:	11/22/2022 6:01 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Austin Police Dept.	Agency Address:	PO BOX 689001
Agency City:	Austin	Agency State:	TX
Agency Zip:	78768		

Director Information

Director Salutation:	Chief	Director First Name:	Joseph
Director Middle Name:			
Director Last Name:	Chacon		
Reporter Name:	Shane Streepy	Reporter Email:	shane.streepy@austintexas.gov

Decedent Information

Identity of Deceased

First Name: Robert

Middle Name: Van

Last Name: Hammitt

Suffix:

Date of Birth: 9/14/1973 Sex: Male

Race: Anglo or White

Age At Time Of Death: 48

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

Date/Time of Custody or Incident: 5/26/2022 4:55 AM

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

Death Date and Time: 5/26/2022 5:37 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:

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; 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:	1500 Crossing Place	City:	Austin
County:	Travis	Zip:	78741

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:

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?:	No

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 (Public Servant)	
	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:	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

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?:	Yes
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	Unknown	Escape or attempt to escape/flee custody:	Unknown
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:

At approximately 4:55 a.m., on May 26, 2022, Austin 9-1-1 Communications received a call regarding a man with a gun in the area of Faro Dr. and Crossing Place. The caller identified himself as Robert Hammitt and stated a man was pointing a gun at him. Hammitt provided additional details to the dispatcher, stating a white male, wearing tan clothing, was holding a rifle inside of a black Ford F-150 truck at 1500 Crossing Place. Multiple officers arrived at 1500 Crossing Place and located a man and a truck that matched the description in the 9-1-1 call. The man in the Ford F-150 truck was later positively identified as Robert Hammitt.

Officers exited their marked police vehicles and approached the truck on foot. Two officers made verbal contact with Hammitt, who was seated inside of the truck, on the driver’s side. Officers began to issue instructions to Hammitt to leave his hands outside of the truck window and to exit the truck. Within seconds of the truck door opening, Hammitt began to fire shots in the direction of the officers. The officers ran for cover and returned fire in the direction of the truck. The officers returned fire from their APD-approved firearms. The officers remained behind cover and told Hammitt to show his hands and stop moving. Officers identified themselves as Austin Police and continued to provide instructions to Hammitt. For several minutes, officers told Hammitt to exit the truck in order to help him and provide medical aid. Hammitt did not respond to the

instructions.

Officers approached the truck and were able to remove Hammitt from inside of the vehicle. Once the officers checked to make sure Hammitt did not have a weapon on his person, they began life-saving measures. Two minutes later, Austin-Travis County EMS arrived on scene and continued with life-saving measures. Hammitt succumbed to his injuries and was pronounced deceased on scene at 5:37 a.m. No civilians or officers on scene sustained physical injuries.

A firearm was recovered inside of the truck where Hammitt was seated, on the driver's side floorboard.