KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1469-UF	Version Type:	AMENDED
Report Date:	8/9/2024 11:21 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Kerr County Sheriff's Dept.	Agency Address:	400 Clearwater Paseo, Suite 102
Agency City:	Kerrville	Agency State:	TX
Agency Zip:	78028		

Director Information

Director Salutation:	Sheriff	Director First Name:	Larry
Director Middle Name:	L		
Director Last Name:	Leitha		
Reporter Name:	Clint Massingill	Reporter Email:	clint.massingill@so.kerrcountytx.gov

Decedent Information

Identity of Deceased

First Name: Patrick

Middle Name: John

Last Name: Diamond

Suffix:

Date of Birth: 4/10/1958 Sex: Male

Race: Anglo or White

Age At Time Of Death: 65

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

Date/Time of Custody or Incident: 10/15/2023 6:11 PM

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

Death Date and Time: 10/15/2023 7:33 PM

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:

Not applicable

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:	115 Kerrville South Dr. S	City:	Kerrville
County:	Kerr	Zip:	78028

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

Location Category: Residence/Home

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 against a Public Servant

Offense 2:

Aggravated Assault against a Public Servant

Offense 3:

Aggravated Assault against a Public Servant

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; Medical / Mental Health assistance call; Other, specify

Type of Offense, Other:

Subject was reported to have been intoxicated while armed and was threatening to kill his spouse and himself.

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

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

Appear intoxicated (alcohol or drugs):	Yes	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 October 15, 2023 at about 1756 hours, Kerr County 911 received an emergency call from one of the residents at 115 Kerrville South Dr. S, Kerrville, Kerr County, Texas. The caller reported her husband was

intoxicated, was threatening to kill himself and threatening to kill her. During the 911 call dispatchers were able to hear shots being fired in the background.

Uniformed Patrol Deputies were dispatched to the scene along with a uniformed Patrol Sergeant. When uniformed personnel arrived the female was evacuated from the house through a side door. Uniformed deputies began to secure the area around the house when the male suspect emerged from the house through the front door holding a pistol. Deputies gave the suspect numerous commands to drop the firearm to no avail. While the suspect was standing in the front doorway he began to sweep his right arm and body toward the Deputies while still holding the pistol in his right hand. When this occurred Deputies feared for their lives and the patrol sergeant fired his duty rifle five times in the direction of the suspect. The suspect then retreated back into the residence.

A perimeter was established and the Sheriff's Office, Special Operation Unit responded for a possible barricaded suspect. Once on scene a drone was launched and the suspect was seen injured on the living room floor. The Special Operations Unit entered the house and provided first aid until Kerrville Emergency Medical Services personnel determined the suspect was deceased.

A search warrant was issued for the property and a Smith and Wesson revolver was found just outside the front door in a flower pot. The pistol had six live rounds in the cylinder, and empty shell casings were found in the master bedroom.

This investigation is being conducted by the Texas Department of Public Safety - Texas Ranger Division.