KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	23-1311-UF	Version Type:	ORIGINAL VERSION
Report Date:	10/3/2023 2:26 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Beeville Police Dept.	Agency Address:	402 N. Washington
Agency City:	Beeville	Agency State:	TX
Agency Zip:	78102		

Director Information

Director Salutation:	Chief	Director First Name:	Kevin
Director Middle Name:			
Director Last Name:	Behr		
Reporter Name:	Kevin Behr	Reporter Email:	kevin.behr@beevillepd.org

Decedent Information

Identity of Deceased

First Name: David

Middle Name: Herrera

Last Name: Barrera

Suffix:

Date of Birth: 5/5/1976 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 47

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

Date/Time of Custody or Incident: 8/26/2023 6:34 AM

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

Death Date and Time: 8/26/2023 7:00 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 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:

gunshot wounds to chest

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Yes

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:	904 W. Jones Street	City:	Beeville
County:	Bee	Zip:	78102

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:

Custody of Law Enforcement Personnel subsequent to 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:

AGGRAVATED ASSUALT ON 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: Displayed other weapon, specify:

Specify Weapon Displayed:

KNIFE

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):	Yes	Make suicidal statements?:	No
Exhibit any mental health problems?:	Yes	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?:	Yes
Physically attempt/assault officer(s):	Yes	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:	Unknown		

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 06:33 hrs. on 08-26-2023 the Beeville Police Department received a call via 911 of someone yelling in the 900 block of W. Jones Street, Beeville Texas. Two uniformed Beeville PD officers responded to the location and arrived in the area a minute later at 06:34 hrs. and were flagged down and informed that a man was having a mental episode and was armed with a knife and was inside his residence a 904 W. Jones Street.
The two officers approached the house and heard a man yelling from inside the residence. As they stepped onto the porch, they observed an adult Hispanic male in the front room through the living room window. As officers attempted to talk to him from the porch area, they observed a knife in the male’s hand and gave verbal commands to drop the knife. Instead, the male ran towards the officers and crashed through the front window and attacked the officers with the knife in his hand.
The two officers retreated and again gave verbal commands to the male as the male continued to advance towards the officers, still armed with the knife held in is his hand. The officer closest to the male deployed his Department issued taser, but it had no effect upon the assailant, who continued towards the officers in threatening and aggressive manner.
The two officers continued to back up to maintain distance and give verbal commands. The male continued to charge the officers with his knife held in a threating manner and was within 3-6 feet of the officer in the lead,

when that officer fired three shots at the male, striking him in the torso. EMS was called to the scene and officers began life saving efforts on the male.
The male was subsequently taken by EMS to Spohn Hospital Beeville where he was announced deceased.
Two adult females were also on scene and have been identified and interviewed concerning the incident.