KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	17-662-UF	Version Type:	ORIGINAL VERSION
Report Date:	12/14/2017 8:49 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Hamlin Police Dept.	Agency Address:	351 South Central
Agency City:	Hamlin	Agency State:	TX
Agency Zip:	79520		

Director Information

Director Salutation:	Chief	Director First Name:	Bobby
Director Middle Name:			
Director Last Name:	Evans		
Reporter Name:	Bobby Evans	Reporter Email:	hamlinpolice@gmail.com

Decedent Information

Identity of Deceased

First Name: Delbert

Middle Name: Lewis

Last Name: McNiel

Suffix:

Date of Birth: 9/7/1969 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: 12/2/2017 1:15 AM

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

Death Date and Time: 12/2/2017 2:45 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: Pending autopsy results

Medical Cause of Death:

Medical Cause of Death:

PENDING AUTOPSY

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

Medical Treatment:	Unknown

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?:	Unknown whether decedent sustained a fatal injury

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?:	Not Applicable

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?:	Could not be determined

If death was an accident, homicide or suicide, what was the means of death?

Means of Death:	Unknown

Location / Custody Information

Where did the event causing the death occur?

Street Address:	200 block West Lake	City:	Hamlin
County:	Jones	Zip:	79520

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

Location Category: Parking lot/garage

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: Medical facility

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:

Resisting Arrest

Offense 2:

Public Intoxication

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: Alcohol / drug offense

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: Used other weapon, specify:

Specify Weapon Used:

Screw Driver

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)

Attempted to injure

Ways Decedent Attempted To Injure Others:	law enforcement personnel; Attempted to injure 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):	Yes	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?:	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:	Unknown	Escape or attempt to escape/flee custody:	Unknown
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:	Yes, mark which restraint devices were used

Type of restraint

Type of Restraint:	Handcuffs; Leg Shackles

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

Hamlin Police received calls regarding a make subject in the street with a flash light and that he was throwing items in a local business parking lot. Officer(s) responded and made contact with the male subject identified as Delbert McNiel. Officer(s) felt he was under the influence and feared for his safety and the safety of the public he might come in contact with. The officer attempted to take this subject into custody when the subject took off on foot. The officer managed to locate this subject and placed this subject into custody. This subject was placed in the transport area of the patrol vehicle where he severely damaged the vehicles recording equipment and tried to break out the rear windows with his feet. The location of the jail is approximately 18 miles away and the officer(s) felt he would pose a high risk to himself and the officer(s) if he was not better restrained. The officer(s) requested a deputy sheriff respond to their location with leg shackles and a "hip" belt that would keep his hands down in front of his waist. This subject was subsequently "tazed" and EMS dispatched to this location. This subject was extremely combative towards the EMS staff and they were not able to perform their duties. The subject continued to fight while the EMS and officers waited for the additional restraints. The deputy arrived with the additional restrains and while placing them on the subject he relaxed and apparently went into a situation where he needed CPR. The EMS personal who had been on scene for well over 20 minutes immediately started CPR and he was transported to the local hospital. Once at the hospital and continued efforts to resuscitate subject failed CPR was discontinued. The Texas Rangers were immediately notified and are conducting the investigation.