KEN PAXTON
ATTORNEY GENERAL of TEXAS

# CUSTODIAL DEATH REPORT

## Agency Information

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|---|---|---|---|
| CDR Number: | 18-923-UF | Version Type: | ORIGINAL VERSION |
| Report Date: | 9/25/2018 1:09 PM | Status: | Submitted |

### Agency/Facility Information

| | | | |
|---|---|---|---|
| Agency Name: | White Settlement Police Dept. | Agency Address: | 8900 Clifford St. |
| Agency City: | White Settlement | Agency State: | TX |
| Agency Zip: | 76108 | | |

### Director Information

| | | | |
|---|---|---|---|
| Director Salutation: | Chief | Director First Name: | John |
| Director Middle Name: | P | | |
| Director Last Name: | Bevering | | |
| Reporter Name: | John Bevering | Reporter Email: | jbevering@wspd.us |

## Decedent Information

### Identity of Deceased

First Name: David

Middle Name:

Last Name: Najera

Suffix:

Date of Birth: 9/4/1981 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 37

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

Date/Time of Custody or Incident: 9/11/2018 12:15 PM

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

Death Date and Time: 9/11/2018 1:30 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: Suicide

## Medical Cause of Death:

Medical Cause of Death:

Gunshot wound of neck

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

Medical Treatment: No

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

Who caused the death?: Decedent

## 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: | 691 Meadow Park Drive | City: | White Settlement |
| County: | Tarrant | Zip: | 76108 |

## 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 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: 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:

Evading Arrest and/or Detention with Vehicle

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: Other, specify

Type of Offense, Other:

Class C traffic warrants

## 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

## 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): | No | Make suicidal statements?: | Yes |
| 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?: | Yes | Resist being handcuffed or arrested?: | Yes |
| Physically attempt/assault officer(s): | No | 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 11, 2018 White Settlement City Marshal's Office conducted a traffic stop on the decedent's vehicle for failure to come to a complete stop at a marked stop sign and possible traffic warrants out of multiple agencies. Upon making contact with the driver, decedent, he exited the vehicle acting nervous and strangely. He kept saying he was sorry. He was checked for the outstanding warrants. The warrants were confirmed. The Marshal went back to his vehicle and as he did the driver, decedent, got back into his vehicle and produced a handgun and held it to his chin, started the vehicle and drove off.

The Marshal began a pursuit of the driver, decedent, and requested assistance from White Settlement Police Department. The pursuit went through the City of White Settlement and into parts of the City of Fort Worth coming finally back into the City of White Settlement. The pursuit lasted approximately 15 minutes. The pursuit ended when the driver pulled up to and stopped at 691 Meadow Park Drive, White Settlement, Texas. The driver exited the vehicle. The driver, decedent, still had the handgun pointed to his chin and began running towards the front door the residence. One officer fired at the driver, decedent, striking him in the abdomen. The driver, decedent, then discharged the handgun he was holding to his chin and neck area with the bullet exiting the top of his head.

Officers began administering first aid to the driver, decedent. The driver, decedent, was loaded into an ambulance and transported to a local hospital where he was pronounced deceased.