KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-693-PF	Version Type:	ORIGINAL VERSION
Report Date:	6/8/2021 6:01 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Methodist Health System Police Department	Agency Address:	1441 N. Beckley Ave.
Agency City:	Dallas	Agency State:	TX
Agency Zip:	75203		

Director Information

Director Salutation:	Chief	Director First Name:	Dustin
Director Middle Name:			
Director Last Name:	Munn		
Reporter Name:	Dustin Munn	Reporter Email:	dustinmunn@mhd.com

Decedent Information

Identity of Deceased

First Name: Chico

Middle Name: Bresk

Last Name: Diaz

Suffix:

Date of Birth: 8/27/1991 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 29

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

Date/Time of Custody or Incident: 5/9/2021 1:56 PM

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

Death Date and Time: 5/9/2021 4:34 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 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 report.

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?: Not applicable

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?: 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: Unknown

Location / Custody Information

Where did the event causing the death occur?

Street Address:	3500 W. Wheatland Rd.	City:	Dallas
County:	Dallas	Zip:	75237

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

Location Category: Other, specify

Other Location Category:

Hospital

What type of custody/facility was the Decedent in at the time of death:

Type of Custody: Private Facility

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:

Arson

Offense 2:

Possession of Drug Paraphernalia

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; Medical / Mental Health assistance call; Crime Against Property

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: No

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):	Unknown	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?:	No	Resist being handcuffed or arrested?:	No
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:	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:	Yes, mark which restraint devices were used

Type of restraint

Type of Restraint:	Handcuffs

Summary of Incident

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

Summary:

On May 9, 2021 at approximately 1352 hrs. Sgt. D. Simmons #441 and Officer R. Collier #544 responded to the Methodist Charlton Emergency Room located at 3500 W. Wheatland Rd. regarding an activated fire alarm. Upon arrival, officers were advised that suspect identified as one Diaz, Chico Bresk was observed by medical staff intentionally and knowingly setting the hospital bed and blankets on fire inside the E.R. room 44; within the confines of the hospital building with intent to destroy or damage. The fire was distinguished after causing damage to the bed mattress and blankets. Sgt. Simmons recovered a red cigarette lighter and a glass crack pipe as evidence. The lighter was used by Diaz to start the fire. Medical staff advised that Diaz had hidden the lighter inside his rectum . Sgt. Simmons asked the staff if they thought a X-Ray exam was needed in case Diaz had any other foreign objects hidden inside him. Dr. Christopher Phillips stated that he

was discharging the patient. Diaz was then issued discharge paperwork from the hospital and placed under arrest for Arson. Officer Collier took evidence photographs of the damage. Witness statement were obtained from the Emergency Room staff who observed the incident. Sgt. Simmons and Officer Collier then escorted Diaz down the service hallway to Outpatient Driveway to be placed inside MHSPD Unit 2019. While walking down the hallway, Diaz took a knee and started lying on the floor, appearing to have difficulty walking. Officer Collier and Sgt. Simmons place Diaz in a wheelchair and wheeled him to the Outpatient Drive; Diaz stood up and was placed in the police unit, rear passenger side in a seatbelt. Officer Collier remained with Diaz and was then relieved by Officer J . Hunt as Sgt. Simmons went to the office to complete the arrest paperwork.

At approximately 1515 hrs. Officer Hunt called Sgt. Simmons via phone and stated that Diaz appeared to be sleeping and should she have him sit up. Sgt. Simmons advised Officer Hunt to watch Diaz and make sure he is still breathing . At approximately 1536 hrs. Sgt. Simmons arrived at the police unit for transport to the Dallas County Jail. Sgt. Simmons open the rear driver side door of the police unit and observed Diaz lying in the seat on his right side with his head facing away. Diaz was making continuous moaning sounds and appeared to be breathing. Sgt. Simmons called Diaz out by name and he continued to moan. Sgt. Simmons spoke with Officer Hunt about the jail not accepting Diaz with the intention of taking him back to the E.R. to be reassessed before jail transport. Sgt. Simmons relieved Officer Hunt and sat in the patrol unit to complete the book -in sheet. Approximately 10 minutes later, Sgt. Simmons noticed that Diaz's continuous moaning had stopped. Sgt. Simmons then opened the back of the unit to check on Diaz. Diaz was still lying on his right side. Sgt. Simmons physical pulled Diaz's body to the upright position, called his name several times and performed a sternum rub, Diaz was unresponsive and appeared to had stopped breathing. Sgt. Simmons did not detect a rise and fall of Diaz's chest. Sgt. Simmons then called for a medical emergency (Code MERT) via radio to Dispatch. Sgt. Simmons pulled Diaz over to the edge of the rear seat and tried to position him for chest compressions and was unsuccessful in gaining the proper position. After attempting chest compressions, Sgt. Simmons pushed and pulled Diaz back inside the unit and drove the police unit emergency code to the Emergency Room Ambulance Bay. Medical staff along with Sgt. J. Montemayor assisted Sgt. Simmons with removing Diaz from the back of the police unit and onto a hospital bed. Diaz was then quickly transported to Triage Room #1 for further medical treatment. WatchGuard Body-Camera was activated during this incident. All photos and related documents are attached to this report.

Dallas Police Special Investigations Unit and Investigators from the Dallas County District Attorney's Office responded and took over primary investigative duties related to these circumstances. The autopsy report was not available at the time of this submittal.