KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-1012-UF	Version Type:	AMENDED
Report Date:	1/25/2023 1:43 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Irving Police Dept.	Agency Address:	305 N. O'Connor Rd.
Agency City:	Irving	Agency State:	TX
Agency Zip:	75061		

Director Information

Director Salutation:	Chief	Director First Name:	Derick
Director Middle Name:			
Director Last Name:	Miller		
Reporter Name:	Joshuah Smith	Reporter Email:	jdsmith@cityofirving.org

Decedent Information

Identity of Deceased

First Name:	Michael
Middle Name:	Scott
Last Name:	McPhail
Suffix:	
Date of Birth:	2/5/1988
Sex:	Male
Race:	Anglo or White
Age At Time Of Death:	34

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

Date/Time of Custody or Incident:	6/29/2022 8:07 PM

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

Death Date and Time:	6/29/2022 8:14 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:

Rifle wounds

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:	1901 N Macarthur Blvd	City:	Irving
County:	Dallas	Zip:	75061

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: 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 on a Public Servant x6

Offense 2:

Places Weapons Prohibited

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:

Places Weapons Prohibited (TXPC 46.03)

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?:	No
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?:	No
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:	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 Wednesday, June 29, 2022, at approximately 2000 hours, Officer Tarango #1332 was at Baylor Scott and White Hospital located at 1901 N Macarthur Blvd in Irving, Dallas County, Texas awaiting a blood draw for an unrelated arrest. He was summoned to assist Baylor Police Department officers who were called by hospital staff because of a patient with a gun in room 40.

Officers attempted to talk with the patient, later identified as Michael McPhail, but he would not comply with orders or carry on a conversation. He raised the gun and pointed it towards officers. As they cleared the area to find cover, they heard a shot being fired from inside of the room Michael was inside.

Additional officers arrived on scene and were notified via radio that shots had been fired. They rushed inside of the hospital as another shot was fired from inside of Michael's room. They approached the room as Michael came into view holding a pistol. Michael then pointed the pistol at officers and fired a round at them. Officers fired several rounds at Michael until he fell to the ground. Once on the ground he began moving the hand that possessed the pistol, which still posed a threat to officers and patients at the scene. Officers fired again until the threat was eliminated.

Officers quickly entered the room and secured Michael into handcuffs and moved the pistol to a safe location. Officers requested medical attention from the hospital staff. An Emergency Room Doctor came into the room and began to assess Michael's injuries. Michael was pronounced deceased.