



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number: 17-51-C

Version Type: AMENDED

Report Date: 2/10/2017 2:37 PM

Status: Submitted

Agency/Facility Information

Agency Name: Carson County
Sheriff's Dept.

Agency Address: PO BOX 972

Agency City: Panhandle

Agency State: TX

Agency Zip: 79068

Director Information

Director Salutation: Sheriff

Director First Name: Loren

Director Middle Name:

Director Last Name: Brand

Reporter Name: Tam Terry

Reporter Email: tam.terry@co.carson.tx.us

Decedent Information

Identity of Deceased

First Name: Yai

Middle Name:

Last Name: Lee

Suffix:

Date of Birth: 7/11/1975

Sex: Male

Race: Asian or Pacific
Islander

Age At Time Of Death: 41

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

Date/Time of Custody or
Incident: 2/3/2017 2:00 AM

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

Death Date and Time: 2/3/2017 1:00 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:

GUN SHOT WOUNDS OF THE TORSO

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?: 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: 1374 US 60

City: Panhandle

County: Carson

Zip: 79068

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

Location Category: Law Enforcement
Facility

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

Type of Custody: Police Custody
(pre-booking)

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: 2/3/2017 3:01 AM

Where did the death occur?

Death Location: Law enforcement
facility/booking
center

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:

Possession of Marijuana >5 lbs <=50 lbs

Offense 2:

Possession of a Controlled Substance - Penalty Group 1 >= 1 gram < 200 grams

Offense 3:

Possession of a Controlled Substance - Penalty Group 1 >= 1 gram < 200 Grams

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:

Possession of Marijuana

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: 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):	No	Make suicidal statements?:	No
Exhibit any mental health problems?:	No	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):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	N/A
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:

Deputy Blackburn and Deputy Zundt made a traffic stop on a 2016 White Kia Soul bearing CA 7MLM796 on IH 40 which was occupied by two subjects who were later identified as Phan Toyed and Yai Lee. During the stop Blackburn asked for consent to search which was refused. Blackburn called DPS Trooper Ingle and his K9 who did a free air search of the vehicle. The K9 indicated that there were narcotics in the vehicle. Both subjects were detained and transported to the DPS barn in Panhandle. Deputy Zundt drove the suspect's vehicle to the DPS Barn where the Deputies started searching the vehicle. At one point while the Deputies were moving suspected contraband to scales Lee walked to the vehicle, removed a handgun and began firing at the Deputies. Both Deputies returned fire. Lee was hit multiple times and died on the scene. The Deputies did not sustain any injuries.

