



City of Fond du Lac Police Department
Department Statement
December 23, 2018 In-Custody Death Investigation



February 08, 2019
For Immediate Release
Chief William B. Lamb

Fond du Lac County District Attorney Eric Toney has provided us with a comprehensive de-briefing on the investigation conducted by the City of Sheboygan Police Department, and his subsequent review and findings, in the December 23, 2018, in-custody death situation involving Mr. Christopher Cary.

We would like to start by saying that the death of any person is always a very sad and tragic event, and we share our sincerest sympathies with Mr. Cary's surviving family and loved ones for their loss.

Based on the review and findings of District Attorney Toney, we were advised that the following conclusions have been made:

- DA Toney indicated that he had ruled that the Officers involved in this matter "acted appropriately," that "Mr. Cary was responsible for his death," and that "there is absolutely no basis for any prosecution."
- That Mr. Cary's cause of death was ruled "acute cocaine toxicity," and that the evidence and facts indicate that Mr. Cary had ingested cocaine in an apparent effort to avoid law enforcement officers from discovering it.

Further, according to the investigative findings:

- The Officers did not know that Mr. Cary had ingested cocaine before they removed him from his vehicle and was taken into custody and placed into the rear seat of a squad car; additionally, that Mr. Cary was showing no signs of distress at that time.
- Officer Smith was monitoring Mr. Cary while he was in the rear seat of the squad car.
- "That Officer Smith acted professionally and swiftly in calling for an ambulance within seconds of it becoming apparent Mr. Cary could be experiencing a medical emergency."

- While the Officers were waiting for the Paramedics to arrive they “continued monitoring Mr. Cary to ensure he was breathing and had an open airway until EMS crews arrived.” Additionally, that the safest place for him while they were waiting for the ambulance to arrive was to remain in the squad car.

After their arrival, Fond du Lac Fire/Rescue Paramedics took command of Mr. Cary, began providing treatment and ultimately transported him to St. Agnes Hospital. Mr. Cary was later pronounced dead in the Emergency Room of St. Agnes Hospital.

While it is tragic that attempts to save Mr. Cary’s life were unsuccessful, we commend the Officers involved for their immediate action to try to help him, and for the professionalism and care that they extended while he was in their custody. This situation has also been difficult on our Officers that were involved and their families and loved ones as well, and we extend our sympathies to each of them.

We are grateful that the statutorily required investigation into this matter has now been concluded, and we would like to thank the City of Sheboygan Police Department and Fond du Lac County District Attorney Eric Toney for the priority status that they provided in this investigation and review.

Chief William B. Lamb
City of Fond du Lac Police Department