

Family pursues answers in death of theft suspect - Buffalo News, The (NY) - January 14, 2019 - page 1

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Marcus Neal came back to Western New York last fall and was reconnecting with old friends in the place where he grew up.

Three months later, the 47-year-old was dead, killed by three bullets from a Buffalo police officer's gun.

Police have told Neal's family he was seen shoplifting "small personal items" from Wegmans on Amherst Street late on Dec. 12. About 20 minutes later and roughly a mile away, following a pursuit by police, he was shot on the roof of a garage in Black Rock.

He died the next day.

His family has hired a law firm to investigate his death, according to his father, Charles B. Neal III.

"From what they said the violation was, such a minor violation, I think that they created a scenario that was unnecessary," Neal said of police. "Totally unnecessary."

According to the police department's account of what happened – which Neal's family members note has not been accompanied by the disclosure of any corroborating evidence – he was identified as a shoplifting suspect at the supermarket. An on-duty police officer who was at the store was flagged down by employees and then put a description out over the police radio. A man said to match that description was seen nearby on Grote Street. Officers pursued him, and he eventually made it onto the roof of a four-car garage on Gladstone Street.

Police said Neal had a knife and began cutting himself. At some point, they used pepper spray on him. According to police, he charged at them with the knife. That's when Officer Joseph Meli shot him twice in the abdomen and once in the leg. It took Buffalo firefighters about 15 minutes to get Neal down from the roof after the call of "shots fired" went out over police radio and before he was put in an ambulance.

The Police Department says the officer had no choice but to shoot Neal because he was armed and charged at officers. Neal's death remains under investigation by the Erie County District Attorney's Office and the Buffalo Police Department, according to spokesmen for each office.

Marcus Neal was born in Washington, D.C., but grew up in the Niagara Falls area, his father said. He attended schools in the Falls and in the Niagara Wheatfield School District before he moved away in his 20s.

He had been back in the area since September. He had been living in Roanoke, Va., helping to take

care of his mother, and was most recently in Florida, where his father lives, for several months.

While living in Florida, Marcus wasn't able to find any real full-time work and picked up some jobs off Craigslist, according to his father.

The original purpose for coming back to New York was for a court date to settle an outstanding traffic ticket near Rochester. His ultimate goal was to regain his driver's license, which he had done, his father said.

Marcus had found a small place to live on Tonawanda Street. He has relatives in the Falls area, including a stepbrother, an uncle and a grandmother.

He also has a son who lives across the border in Hamilton, Ont.

"Marcus was there in Buffalo to try to accomplish some personal things, to reconnect, to spend more time with his son," Charles Neal said.

Several of Marcus' friends from Western New York made the trek to Virginia for a memorial service on Dec. 22, he said.

During the years he lived in Roanoke, he had multiple run-ins with police, with a criminal history dating back to 1998 in Virginia, according to public records.

Neal's convictions included petit larceny, burglary and resisting arrest, according to records from the Roanoke City General District Court and the Roanoke City Circuit Court. He was acquitted of a charge of assault on a law enforcement officer in January 2011, according to court records.

James Bible, an attorney in the Seattle area, was **Marcus Neal's** uncle by marriage. He also represents families in wrongful death cases involving alleged police misconduct.

Now, the type of situation the lawyer helps other people with has hit home.

"Anytime something like this happens, it's important to recognize that human life is lost," he said. "Marcus has a family. Marcus was loved dearly."

Bible knows **Marcus Neal's** 95-year-old grandfather, who gets down on his knees and prays every night before bed. When his grandfather learned of Neal's death, he shook and cried uncontrollably, Bible said.

Marcus' death also shook his aunt, Bible's wife, "to her very core."

"Because they know how special he was to all of them," Bible said.

"And anytime something happens like this in a community where law enforcement – somebody that is paid for with our taxes – actually takes somebody else's life, the entire community should take pause," he said, "and we should all figure out how we can do better, as opposed to simply being in a space where we say all those other things about a person prior to the investigation,

which often happens with law enforcement.”

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