



# KEN PAXTON

## ATTORNEY GENERAL *of* TEXAS

### CUSTODIAL DEATH REPORT

## Agency Information

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CDR Number: 20-283-C

Version Type: ORIGINAL  
VERSION

Report Date: 3/26/2020 1:25 PM

Status: Submitted

## Agency/Facility Information

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Agency Name: Sherman Police  
Dept.

Agency Address: 317 S. Travis

Agency City: Sherman

Agency State: TX

Agency Zip: 75090

## Director Information

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Director Salutation: Chief

Director First Name: Zachary

Director Middle Name: A

Director Last Name: Flores

Reporter Name: John Kennemer

Reporter Email: johnk@cityofsherman.com

## Decedent Information

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## Identity of Deceased

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First Name: Terry

Middle Name: Frank

Last Name: Cagle

Suffix:

Date of Birth: 3/4/1946

Sex: Male

Race: Anglo or White

Age At Time Of Death: 73

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

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Date/Time of Custody or  
Incident: 3/2/2020 8:20 AM

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

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Death Date and Time: 3/2/2020 8:35 AM

## Manner / Cause of Death

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Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

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Medical Examiner/Coroner  
Evaluation?: Yes, results are  
available

What was the manner of death? (select only one)

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Manner of Death: Other - specify

Manner of Death Description:

Gun Shots cause from an Officer Involved shooting.

Medical Cause of Death:

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Medical Cause of Death:

Gun Shots

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

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Medical Treatment: No

If death was an accident, homicide or suicide, who caused the death?

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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)

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Type of weapon that caused death?: Firearm,  
unspecified

Was the cause of death the result of a pre-existing medical condition or did the decedent develop the condition after admission?

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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?

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Means of Death: Firearm

## Location / Custody Information

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Where did the event causing the death occur?

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Street Address: 100 W. Hwy 82

City: Sherman

County: Grayson

Zip: 75090

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

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Location Category: Roadway/highway/street/sidewalk

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

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Type of Custody: Police Custody  
(pre-booking)

Specific type of custody/facility:

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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):

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Entry Date Time:

Entry Date Time N/A: ☒

Where did the death occur?

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Death Location: Scene of incident

## General Information

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Did any other law enforcement agencies respond to calls for service related to this incident?

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Other Agencies Respond?: No

What were the most serious offense(s) with which the deceased was (or would have been) charged with at the time of death?

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Offense 1:

Aggravated Robbery

Offense 2:

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)

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Type of Offense: Violent Crime  
Against Persons

At any time during the incident and/or entry into the law enforcement facility, did the decedent display or use a weapon?

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Decedent display/use of weapons: Yes, mark all that apply

Decedent Display or Use Weapon Details: Displayed firearm without discharge

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

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Attempt to Injure Others?: No

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

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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:

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Barricade self or initiate standoff?: Yes

Resist being handcuffed or arrested?: Yes

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?

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Under Restraint: No

## Summary of Incident

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

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### Summary:

On 03/02/2020 at approximately 0800, the suspect entered into the First Texoma Bank located at 3425 N. Heritage Parkway and robbed the tellers at Gun Point. A citizen saw the suspect inside of the bank and alerted the Sherman Police Dispatch. The citizen followed the suspect, giving dispatch constant location of the suspect. Sherman Police Officer made contact with the suspect in the 100 block of W. Highway 82 and conducted a felony traffic stop.

During the traffic stop, officers gave orders to the suspect to exit the vehicle, but the suspect failed to comply with those orders. Several Sherman Officers arrived as back up and one of the officer, a trained negotiator, began negotiations with the suspect to exit the vehicle. At some point the suspect did exit his vehicle with a hand gun in his right hand. The negotiator continued to tell the suspect to put the gun down and walk away from it. At approximately 8:35am, the suspect, while standing at the front of his vehicle, yelled "no", and began walking towards the officers while raising the hand gun towards the officers. Eight Sherman Officer discharged their duty weapons, striking the suspect, who did not survive the gun shots.

