KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

PA Number:	PA16540C	Report Date:	11/29/2016 10:36 AM
Status:	Submitted		

Agency/Facility Information

Department ID:	355	Department Type:	COCONST
Agency Name:	Harris County Constable Precinct 3	Agency Number:	TX1014800
Agency Phone:	2814274791	Agency Address:	701 W. Baker Rd.
Agency City:	Baytown	Agency County:	HARRIS
Agency State:	TX	Agency Zip:	77521

Director Information

Director Salutation:

Constable

Director First Name:

Ken

Director Middle Name:

Director Last Name:

Jones

Reporter Name: Gary Almeida Reporter Email: gary.almeida@cn3.hctx.net

Location / Custody Information

Where did the event causing the death occur?

Street Address: 1716 N Main Street

City: Highlands, Texas 77532

County: Harris

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:

Hospital/Infirmary

Custody Type Facility:

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: Elsewhere

Death Location Elsewhere: 1716 N. Main St.
Highlands, Tx.
77532

Decedent Information

Identity of Deceased

First Name: Terry

Middle Name: Wayne

Last Name: Foster

Suffix:

Date of Birth: 12/29/1985 Sex: Male

Ethnicity: Anglo

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

Death Date and Time: 8/17/2016 9:21 PM

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

Date/Time of Custody or Incident:

8/13/2016 2:42 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 pending

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

Manner of Death:

Other

Manner of Death Description:

Gunshot

Death Reason:

Don\'t know

Medical Cause of Death:

Medical Cause of Death:

Gunshot wound

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 staff

Death Causer Other:

If a weapon caused the death, what type of weapon caused the death? (mark all that apply)

Type of Death Weapon:

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

General Information

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 (PC 22.02)

Offense 2:

Offense 3:

Were the Charges::

Not filed at time of death

What were the types of charges or reason for contact?

Type of Offense:

Injuries of Decedent

Injured By: Injured by Officer

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

Appear intoxicated (alcohol or drugs):	Yes	Exhibit any mental health problems?:	
Exhibit any medical problems?:			

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

Threaten the officer(s) involved:	No	Resist being handcuffed or arrested?:	No
Try to escape/flee from custody:	No	Grab, hit or fight with the officer(s):	No

Other Behavior:

Specify Other Behavior:

Use weapon threaten/assault officer(s):	0

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:

The subject came onto the property of off duty police officer at home. The subject appear to be intoxicated either by alchol or narcotics. Subject exhibit hostility and very argumental towards the officer. Officer asked the subject to leave property. Subject went to his vehicle and tried to run him over, subject then exit his vehicle with two knifes coming towards the officer. Officer discharged his duty weapon striking him two times.

Subject was taken to local area hospitial and expired a few days later. Officer had never met or had anytype of encounters with the subject.