KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	17-373-UF	Version Type:	ORIGINAL VERSION
Report Date:	7/18/2017 3:34 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Amarillo Police Dept.	Agency Address:	200 SE 3rd Ave
Agency City:	Amarillo	Agency State:	TX
Agency Zip:	79101		

Director Information

Director Salutation:	Chief	Director First Name:	Eddie
Director Middle Name:			
Director Last Name:	Drain		
Reporter Name:	Chris Sheffield	Reporter Email:	chris.sheffield@amarillo.gov

Decedent Information

Identity of Deceased

First Name: Jason

Middle Name: Magana

Last Name: Herrera

Suffix:

Date of Birth: 12/11/1981 Sex: Male

Race: Hispanic or Latino

Age At Time Of Death: 35

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

Date/Time of Custody or Incident: 6/27/2017 6:00 PM

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

Death Date and Time: 6/27/2017 6:39 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:

Gunshot wounds to the upper body

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 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:	601 S. Nelson	City:	Amarillo
County:	Potter	Zip:	79104

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

Location Category: Residence/Home

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

Type of Custody: Pre-Custodial Use of Force

Specific type of custody/facility:

Specific Type of Custody/Facility:

Custody of Law Enforcement Personnel during/fleeing 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:

Entry Date Time N/A: ✓

Where did the death occur?

Death Location: Scene of incident

General Information

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

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?

Offense 1:

Aggravated Assault on Peace Officer

Offense 2:

Aggravated Assault

Offense 3:

Violation of Protective Order

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: 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?

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:

Attempt to Injure Others?: No

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

Appear intoxicated (alcohol or

drugs):	Unknown	Make suicidal statements?:	Unknown
Exhibit any mental health problems?:	Unknown	Exhibit any medical problems?:	Unknown

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?:	Yes
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	Yes
Verbally threaten other(s) including law:	Unknown	Escape or attempt to escape/flee custody:	Yes
Attempt gain possession officer's weapon:	Yes		

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:

Officers were sent to 601 S. Nelson on a trespassing call. Upon arrival Officers encountered the suspect. Officers gave the suspect verbal commands to exit the vehicle he was in. The suspect refused and officers used control hold in an attempt to remove the suspect from the car. The suspect began striking the officers with his hands and the officers had to strike the suspect back with their hands. The suspect picked one of the officers up and slammed him to the ground rendering him unconscious. Officers then used a taser on the suspect, to gain compliance, and this was semi-effective. The suspect was able to remove the probes. Officers then escalated to using an expandable baton on the suspect. At this point in the altercation the suspect produced a hand gun and pointed it at officers. Officers then drew their weapons and tried to create distance between themselves and the suspect. The suspect began to run from the officers but was still pointing the handgun at them. An Officer shot the suspect to protect his life and the life of his partner. Medical aid was rendered to the scene but the suspect did not survive his injuries.