KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	21-643-UF	Version Type:	AMENDED
Report Date:	12/22/2021 11:19 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	Via Metro Transit Police Dept.	Agency Address:	800 W. Myrtle
Agency City:	San Antonio	Agency State:	TX
Agency Zip:	78212		

Director Information

Director Salutation:	Chief	Director First Name:	Mark
Director Middle Name:			
Director Last Name:	Witherell		
Reporter Name:	Mark Witherell	Reporter Email:	mark.witherell@viainfo.net

Decedent Information

Identity of Deceased

First Name: Terry

Middle Name: Wayne

Last Name: Bishop

Suffix:

Date of Birth: 5/6/1993 Sex: Male

Race: Anglo or White

Age At Time Of Death: 27

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

Date/Time of Custody or Incident: 4/20/2021 3:56 PM

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

Death Date and Time: 4/20/2021 3:56 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:

Autopsy report conclusion states that the decedent "died as a result of multiple gunshot wounds."

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?:	Firearm, unspecified

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:	3820 San Pedro	City:	San Antonio
County:	Bexar	Zip:	78212

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

Location Category: Other, specify

Other Location Category:

On VIA Metropolitan Transit Authority Bus #553

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?:	Yes

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:

Attempt Capital Murder

Offense 2:

Deadly Conduct

Offense 3:

Unlawfully Carrying Weapon

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?:	Yes (select all that apply)
Ways Decedent Attempted To Injure Others:	Attempted to injure law enforcement personnel; Attempted to injure civilian(s) or other inmate(s)

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

Appear intoxicated (alcohol or drugs):	Yes	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:

Barricade self or initiate standoff?:	No	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?

Under Restraint:	No

Summary of Incident

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

Summary:

Two Officers with the VIA Metro Transit Police Department responded to the intersection of San Pedro and Olmos where VIA bus #553 was stopped at the bus stop. Officers were dispatched to the location due to calls

to the dispatcher for a man on the bus waving a gun around and tapping it on the window. The caller to dispatch had been on the bus and had got off at a previous stop to call the police. Once the officers approached the bus, they saw the decedent sitting in the rear right (curb) side of the bus and the first officer saw the decedent put the handgun in his waistband through the bus window. The first officer entered the rear doors of the bus and one entered the front doors. Both set of doors were on the curb side (Right) of the bus. Officers gave repeated commands to the decedent to raise his hands and stand. The decedent stood and initially put his hands up. The decedent walked down the aisle towards the officers. The decedent lowered his left hand and grabbed the handgun from his waistband. The first officer in the rear door entryway of the bus fired several shots, striking the decedent. The second officer present did not fire his duty weapon. The decedent went down after the impact of the gunshots. Officers administer first aid to the decedent and the decedent was treated by EMS technicians. The decedent died from his wounds and was pronounced dead at the scene. Both Officers had activated their body-worn cameras and cameras on the bus captured the incident. The San Antonio Police Department Shooting Team was called and handled the investigation under SAPD case number 21073275.