KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	22-1760-UF	Version Type:	AMENDED
Report Date:	8/3/2023 3:14 PM	Status:	Submitted

Agency/Facility Information

Agency Name:	Kilgore Police Dept.	Agency Address:	PO BOX 3066
Agency City:	Kilgore	Agency State:	TX
Agency Zip:	75663		

Director Information

Director Salutation:	Chief	Director First Name:	Roy
Director Middle Name:	T		
Director Last Name:	Hunter		
Reporter Name:	Roy Hunter	Reporter Email:	todd.hunter@cityofkilgore.com

Decedent Information

Identity of Deceased

First Name: Calvin

Middle Name: L

Last Name: Bown

Suffix: Junior

Date of Birth: 2/14/1959

Sex: Male

Race: Black or African American

Age At Time Of Death: 63

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

Date/Time of Custody or Incident: 11/27/2022 9:00 PM

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

Death Date and Time: 11/27/2022 9:00 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:

Findings at autopsy revealed an indeterminate range gunshot wound of the decedent’s torso without an exit. A projectile was recovered. Injuries associated with this gunshot wound included perforation of the heart, lungs, and liver; hemothoraces; and fracture of the left 5th rib. An indeterminate range gunshot wound of the right thigh without an exit was identified. The projectile was recovered, and injuries associated with this gunshot wound included hemorrhage of the wound track.
Natural disease identified at autopsy included numerous radiation seeds implanted within the prostate, indicating treatment for prostate carcinoma. The decedent also had atherosclerotic and hypertensive cardiovascular disease as evidenced by aortic atherosclerosis, coronary artery atherosclerosis, left ventricular hypertrophy, and nephrosclerosis.
Postmortem toxicological analysis was non-contributory.
Based on the information available to me, it is my opinion that Calvin Brown died of a gunshot wound of torso perforating heart, lungs and liver.
The manner of death is homicide.

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

Medical Treatment: Yes

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?: Could not be determined

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:	3111 McCann	City:	Longview
County:	Gregg	Zip:	75605

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

Location Category: Parking lot/garage

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:

N/A

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: 12/13/2022 9:23 AM

Where did the death occur?

Death Location: Medical facility

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:

Assault on Public Servant

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)

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

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?:	No
Exhibit any mental health problems?:	Unknown	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:	Yes
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:

On 11/27/22 Sergeant Josh Vercher was working an extra duty security assignment in Longview, Texas at Hospitality ER. He was in full Class B attire which clearly identifies him as a Kilgore Police Officer. He has worked this off-duty job for many years. He was out in the parking lot walking from his marked Patrol Unit when he was approached by the decedent. The man asked Josh his name. The decedent didn't continue to converse with the Sergeant but stood there chewing on something in his mouth. He had an unusual stare and would not engage the Sergeant in additional conversation but just stood there. His left hand was holding something in his left pants pocket as seen by the Body Worn Camera. At some point, the Sergeant asked this

man if he needed medical attention. This man seemed to be pulling the item from his pocket when the Sergeant can be heard saying, "Is that a gun?". The Sergeant sees what appeared to be a gun and grabs the man's left arm/wrist in an attempt to stop him from pointing the gun at him. A brief struggle ensues and the Sergeant creates distance by pushing this man away from him and draws his gun. Fearing the man has engaged in an assault on him, the Sergeant fires three times. This takes place within a few feet of one another. The decedent is hit one time in the side and immediately falls to the ground and the gun falls from his hand onto the concrete. This is in a parking lot of an ER and medical staff are quickly summoned. The man was taken inside where he succumbed to his wound.

The investigation revealed the decedent was suffering from depression and an ongoing mental illness and had driven to this ER at his daughter's request. He remained in this car for over 3 hours until he saw the uniformed Officer and approached him.

Longview Police and Fire were first on the scene. The scene was secured, and Texas Ranger Jenkins was called in to conduct the investigation.

RTH