

Man shot by Merrillville police suffered from mental illness, 'needed help' in hours before death, family says

Jacobs, Becky . Chicago Tribune (Online) , Chicago: Tribune Interactive, LLC. Mar 17, 2018.

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ABSTRACT (ENGLISH)

Two Merrillville police officers were placed on an administrative leave after the shooting, and the Northwest Indiana Major Crimes Task Force turned over its investigation Feb. 27 to the Lake County prosecutor's office for review, Greg Mance, task force spokesman, said. Mental health help Police have a tough bar to meet when responding to a person who may be in a mental health crisis, said Marianne Halbert, criminal justice director for the National Alliance on Mental Illness in Indiana. Under Indiana law, a police officer can commit a person if the officer has "reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled and is in immediate need of hospitalization and treatment." If a police response doesn't lead to detention, a family can petition a medical professional to have a court order an emergency detention, but that can be a much longer process, Halbert and Gonzales said.

FULL TEXT

Jimmy Terry was headed east to the nation's capital city when he stopped in Merrillville last month and asked relatives to wire him money, family and police said.

"I asked, 'Where exactly are you going in such a rush?'" Solomon Terry, Jimmy Terry's younger brother, said. "He said he was going to Washington, D.C., to put the devils and demons in their place."

But the 30-year-old Jimmy Terry was killed the morning of Feb. 14 when police fatally shot him in the driveway of a car dealership along U.S. 30. Police said they were called after he chased an employee there with a knife.

Records show family members had called Sioux Falls and Merrillville police to check on Terry's safety and try to detain him.

Hours before the fatal confrontation in Merrillville, Hobart police made contact with Terry less than three miles away at Walmart on U.S. 30, but had no reason to arrest him, an official said.

Terry's brothers were making the 10-hour trek from his home in South Dakota to Northwest Indiana when they learned of his death.

Two Merrillville police officers were placed on an administrative leave after the shooting, and the Northwest Indiana Major Crimes Task Force turned over its investigation Feb. 27 to the Lake County prosecutor's office for review, Greg Mance, task force spokesman, said. The prosecutor's office did not release an update as of Friday afternoon.

Terry's mother, Denise Greenwood-Terry, went through her son's belongings at his apartment earlier this month after the family gathered for his funeral in Sioux Falls.

She and his brothers said they think about the hours that led up to his death and the attempts to prevent it.

"He needed help," Greenwood-Terry said.

Sioux Falls dealership

On Feb. 13, Jimmy Terry broke into a Ford dealership in Sioux Falls, his family and police said.

A little before 6 a.m. that day, Terry used his Jeep Cherokee to ram a glass wall of the dealership, Sioux Falls police spokesman Sam Clemens said.

Terry took keys from inside, found the vehicle they belonged to in the lot and "started loading a bunch of his personal items" into it, Clemens said.

"Something scared him away, and we're not really sure what it was," Clemens said.

Terry left his personal items in the vehicle and drove away in his Jeep, according to Clemens.

Sioux Falls police considered Terry as a suspect, Clemens said. They learned Terry had died in Merrillville when they were working on a warrant for his arrest the next day, Clemens said.

Terry had no ties to Indiana, his family said. They think that's just where he ended up stopping after leaving home. His family estimates he must have left Sioux Falls around noon Feb. 13, and there was a gap before they heard from him again.

Around 9 p.m. Feb. 13, Terry texted "asking for money," Lecon Terry, Jimmy's older brother, said. Greenwood-Terry also got a call that night. Jimmy asked her to "wire him some money at Walmart" and said "he had done something wrong," she said.

"He hung up on me because I guess I was shocked and I said, 'Are you sure?' He had been having so many different dreams and hallucinating, you know," she said.

"Once we found his location and what he needed, we were able to keep him there long enough to see if law enforcement could do something to help him," Solomon Terry said.

The family called non-emergency police numbers in Indiana and relatives who lived closer in Michigan to go check on Terry, as Solomon and Lecon Terry began to drive south.

"If I didn't think it was a dire situation, I wouldn't bother with it," Solomon Terry said.

Hobart welfare check

Shortly before 3 a.m. on Feb. 14, Sioux Falls police asked Merrillville police to check on Terry's well being, a Hobart police report shows.

Terry "has mental health issues" and said "he was driving to Washington, D.C., because it is the will of God," the report states.

Sioux Falls police instructed officers they "will need to develop your own probable cause for a mental health hold" if they found Terry, according to the report.

Minutes later, Hobart police, who have jurisdiction over the Walmart, went to check on him, the report shows.

The officers noted Terry "seems lucid and fine," but they told him "his family was concerned for his safety," according to the report.

"He stated he did not want to hurt himself or others and further stated that he was 'fine.' He confirmed he was traveling to Washington for 'vacation,'" the report states.

Terry's Jeep was "heavily damaged" on the front end with about three inches of glass by the windshield wipers that appeared to be from the Sioux Falls dealership incident, according to the report.

The officers got in touch with Sioux Falls police, who said they were applying for a warrant for the incident there but it was "non-extraditable," the report states.

Terry "was allowed to remain in his vehicle in the Walmart lot where he fell asleep," according to the report. He hadn't committed any crimes in Hobart and "he passed typical protocol for a mental commitment in our state," the report states.

Mental health help

Police have a tough bar to meet when responding to a person who may be in a mental health crisis, said Marianne Halbert, criminal justice director for the National Alliance on Mental Illness in Indiana.

"Too many times we as law enforcement as whole are forced to make difficult decisions. Sometimes they are split-second and sometimes we can analyze and weigh the options before we make a decision, and (in) this situation we had time to analyze our options," Hobart police spokesman Lt. James Gonzales said in an email.

Under Indiana law, a police officer can commit a person if the officer has "reasonable grounds to believe that an individual has a mental illness, is either dangerous or gravely disabled and is in immediate need of hospitalization and treatment."

Hobart officers observed Terry to see if he posed any harm, and they contacted Sioux Falls to see if they could detain him for a crime there, according to Gonzales.

"Unfortunately, neither option worked and we weren't able to legally detain Mr. Terry," Gonzales said.

It's a delicate balance to find reasonable belief that meets legal criteria to detain someone without infringing on a person's civil rights, Halbert said.

If a police response doesn't lead to detention, a family can petition a medical professional to have a court order an emergency detention, but that can be a much longer process, Halbert and Gonzales said.

"These are really tough situations," Halbert said. "It can be heartbreaking for everybody involved."

Terry's family said they had asked police to detain Terry to keep him safe until they could get there and get him the help he needed, which Solomon Terry said he thought was "a good plan."

Jimmy Terry

Terry studied at Iowa State University's architectural program, his obituary states, and he had a passion for drawing and playing drums and violin.

"He was always very photogenic," Lecon Terry said.

While Terry had struggled with mental health issues in recent years, Greenwood-Terry said her son "kept everything kind of private" as they tried to get him help. Family members said he had been taking medication used to treat mental illness.

Terry was "having bad dreams," she said. When Lecon Terry talked to his brother the morning he was killed "it was still going on like he was a different person," he said.

"This was a real episode," Lecon Terry said.

Sioux Falls police had "a few different" incidents" in the past with Terry, but "nothing serious," Clemens said.

Terry had never done anything as serious as an attempted burglary before, his family said.

Being hours away, it was frustrating to ask for help when Terry was all the way in Indiana, they said.

"I trusted that they were going to help my son, not kill him," Greenwood-Terry said.

911 calls

A woman who worked at the car dealership called police from inside a locked bathroom, according to recording the Post-Tribune obtained through a public records request. The employee told a 911 dispatcher that a customer had come in demanding keys to a Ford Explorer Sport, according to the call.

When she insisted he needed to produce at least a driver's license for him to test drive a vehicle, "it took like a minute and a half for him to process it," she said.

"He said he'll be back," she said.

Terry then went outside, and, "the next thing I know he came back in with a knife in his hand," demanding keys from the manager, the woman said.

"He told him, 'I'm going to kill you if you don't,'" she said.

A male caller described Terry to a dispatcher —a purple and yellow Vikings jacket, glasses —when he broke off and yelled to someone in the distance, "He's right there! He's right there in the Jeep!"

Moments later, Terry was shot by Merrillville police. He died shortly later at Methodist Hospital Southlake.

Police recovered a knife from the scene, and the task force previously said officers used a stun gun before shooting Terry. Mance declined to comment on when the stun gun was used and declined to answer additional questions until after prosecutors decide on the case.

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Credit: Becky Jacobs

DETAILS

Subject:	Fatalities; Task forces; Law enforcement; Automobile dealers; Deaths; Mental health care; State laws; Mental disorders
Location:	Indiana United States--US Washington DC
Company / organization:	Name: Walmart Inc; NAICS: 452112, 452910, 454111
Identifier / keyword:	PTB news suburbs
Publication title:	Chicago Tribune (Online); Chicago
Publication year:	2018
Publication date:	Mar 17, 2018
Section:	Suburbs - Post Tribune - News
Publisher:	Tribune Interactive, LLC
Place of publication:	Chicago
Country of publication:	United States, Chicago
Publication subject:	General Interest Periodicals--United States
Source type:	Blogs, Podcasts, & Websites
Language of publication:	English
Document type:	News
ProQuest document ID:	2014715823
Document URL:	https://search.proquest.com/docview/2014715823?accountid=14026
Copyright:	Copyright Tribune Interactive, LLC Mar 17, 2018
Last updated:	2018-03-18
Database:	Global Newsstream

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