



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

July 22, 2022

ICMS #: 2022-0612

On July 22, 2022, the OPO received an online complaint.

The complainant alleges: On [REDACTED] at approximately [REDACTED], our recent high school graduate, 18-year-old son, was attending a concert at [REDACTED], when a fight broke out near where he & his friends were viewing the show. Neither he nor his group were in any way involved in the tussle, they were merely bystanders. Suddenly, he felt liquid & burning on the back of his neck, at which point he swung around to see where it was coming from. At that point, he glimpsed about 8 Austin Police officers, 2 or so using pepper spray indiscriminately in the direction of the fight. In an instant, he was sprayed in the face & eyes, incapacitating him for about 40 minutes. He called my wife & I once he could stop crying & breathe normally, around [REDACTED], & he detailed what had happened. Our son is allergic to a variety of substances if contacting his skin & also has eczema. He is fortunate that this incident did not lead to a major reaction of some kind. He was unable to identify the officer(s) responsible, since he was incapacitated & sprawled on the ground. This was a reckless, unjust, & indefensible response to the fight by APD, which did not even include a verbal warning/intervention against those actually involved in the fight! We expect a full explanation & accounting by those officers involved. Our son is very lucky not to be injured.

This notice of complaint is a request for Internal Affairs to initiate an investigation to determine if the employee conduct is within compliance of APD policy, Civil Service Rules, and Municipal Civil Service Rules.