



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

January 12, 2022

ICMS #: 2022-0031

On January 12, 2022 the OPO received an online complaint.

The complainant alleges: Incident 1: I was heading home from work and turned the corner towards my house at [REDACTED] [REDACTED] at [REDACTED]. I saw a neighbor who lives by me and has mental issues and drug and alcohol issues. He was walking towards [REDACTED] as he does all day and night. I then saw a woman sitting on the curb at another neighbors' house at the corner house. I rolled down the window and she asked for money and was bare foot and distressed. She was not violent, but distressed and talking in disjointed sentences about many things over and over. Being raped, being half hispanic (she would lift up her shirt to show me her nipples that were brown she said), being pregnant, wanting a 7-up, her grandfather, death, angels, the brightness of the brake lights on my mini van, her name was [REDACTED] and that she was 33 years old and more. I did not get out of my minivan but pulled up next to the curb at the neighbors' house with the woman sitting behind me still on the curb. I then called Integral Care's 24/7 crisis hotline number. I was told that it could be up until 24 hours before they could get to her on the curb. That was not sufficient. I called [REDACTED] who works and advocates with mentally ill citizens and mentally ill unhoused citizens. She suggested I call EMS through 911 and request EMS for a woman who is pregnant in distress and that I ensure that I ask for a mental health officer and make sure to get the name of the operator. I called 911 and spoke with [REDACTED] with EMS [REDACTED] and asked that a mental health officer come out as well. I got out of my van to give her two granola bars and sat them on the curb. She did not like that and said that I was trying to poison her. I removed the granola bars. A neighbor in an older vintage blue pick-up truck was driving past the minivan and she ran into the middle of the street almost getting hit and throwing her hands up to stop the truck. He got out and left the truck in the middle of the street and EMS showed up. She went back to the curb at that point and two EMS paramedics went to talk to her crouching down to her level. I moved my minivan to the other side of the street as the brake lights were agitating her as were the bright lights on the ambulance by her. The neighbor in the truck had to leave as he was afraid his vintage truck would not start. Shortly after around [REDACTED] two police officers came in their vehicle Police vehicle [REDACTED] license plate# [REDACTED] and went to speak with her. One officer came over to me and said that I may have to leave because she was agitated by me. I told him that she was agitated by anyone that came by while I was there. I also told him that I had witnessed police brutality earlier in another incident involving a black



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fifteen year old with mental health issues and that I was not going to leave the scene to ensure that she was ok. He left to speak with her as well. Then both police officers came back to the minivan and Officer [REDACTED] told me that she did not want to go with them or with EMS and that they could not force her to go. I asked if he was a mental health officer and he said yes. I said that she said she was pregnant and had been raped and that she ran in front of a truck endangering herself, potentially the neighbor driving the truck and her potentially unborn baby. I asked where he would take her if she agreed to go. He said to mental health hospitals. I asked if there were beds available and he said yes. I said I had just spoken with a mental health advocate who said that beds were not readily available. I asked if he had offered her any shelter options or to take her to a shelter. He said he had not. He said that she had mentioned [REDACTED] and he had offered to take her there. (Earlier before they arrived she had repeatedly mentioned going to [REDACTED] to take a shower). I told him that [REDACTED] is for youth and that it is not a shelter and not an option at this time of night to take her there. I asked if he knew of shelters to offer her. He said offhand he did not but there are lists of them. I mentioned as a citizen I knew of a few offhand and asked why he did not know them as a mental health officer in Austin. He asked what I would like this evening. I said that I would like her somewhere safe and for her to be treated humanely and for the mental health officer to be trained to know that mental health hospitals are full and to know shelters to offer this woman: a pregnant, mentally ill, shoeless homeless woman who keeps mentioning being raped who ran into the street almost getting hit by a truck endangering herself, the baby, and the driver, and potentially me who was in the van close to the truck. I would like for officers like him to be trained in these matters. He said the police had at least 5 calls on her so far with police coming out. I asked if he preferred to keep using the police resources for the rest of the night rather than take her in his car to a shelter or have EMS take her to ER....because people are going to continue to call 911 on her. I asked him if they preferred she did hurt herself or others before taking her in rather than preventing that occurrence. He said he could not take her if she did not want to go unless she was a danger to herself and others. They left. I later drove by to see if she was ok but did not stop as she would have gotten upset again and I was afraid she would run in the street again in front of my car or others. She was lying in the corner neighbors' yard still talking in circles with her arms waving in the air. Incident 2: Later around [REDACTED] I heard the same woman [REDACTED] from the 2nd incident as her voice was getting louder as she was coming down the street as she neared my house. My neighbor across the street came out to ask if she was ok. I went to his front porch to tell him I had called EMS and a mental health officer earlier in the evening. He explained to me that the neighbor's son across the street with drug, alcohol and mental issues had brought her home from under the bridge and kicked her out when she had a psychotic breakdown. I asked her if she wanted a Sprite since she was still mentioning the 7-up in her cyclical talking. I went inside to get it and didn't have one and offered her a sparkling water instead. She took it but again was afraid it



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was poisoned and put it on the ground. She was in the middle of the street and I was fearful that if cars came by she may run in front of them again. Around [REDACTED] I called 911 again to report it and asked for a mental health officer and mentioned during the call that the first officer did not suffice in handling the situation earlier. The EMS and police arrived. Officer [REDACTED] (may be mis-spelled perhaps Badge# [REDACTED] as I wrote Badge# [REDACTED] identified himself as the mental health officer. I told him what had happened earlier and he asked if she was a danger to herself and others and or suicidal. I said yes. She had been talking about death and angels and ran into the street almost getting hit by a truck. He kept saying he would have to defer to the first mental health officer. I persisted. He went over to her and she had her head on the recycle trash can talking in circles. A female officer Sergeant [REDACTED] began asking me questions and listening. Listening. Which the other officers did not do. I wish she had been the mental health officer. It was night and day. I explained to her the situation earlier and the new information that she had been at the neighbor's house who also has mental health, drug, and alcohol issues. I explained to her that a lot of activity goes on at that house and that I hoped that she had not been raped there by anyone. I explained to her that she said she was pregnant and said that she had been raped. She asked me if she would like her to file a complaint against Officer [REDACTED] the first mental health officer and I said yes. She said someone would be contacting me and she offered her information and a number that I believe is the case number that she wrote down for me [REDACTED]. She thought it was important to report since she had run in front of the truck and that the officer didn't consider that endangering herself and others. I have not had anyone contact me however. In the end the EMS did take her in an ambulance on this second call. She was back on the street the next day according to neighbors. I have seen her at least three times since at night talking to herself walking in the middle of the street I live on. I want to impress the importance of adequate training of these mental health officers. We need both a diversion from jails for people with mental health issues and a diversion from hospitalization in the ER. Officers are forced to wait until someone is "very" dangerous to self and others because the Emergency Rooms are the diversion and ER does not want to deal with these citizens with mental health issues. We do not have enough mental health beds available so they can truly get the help they need. I followed the protocol I have always thought would assist someone with a mental health crisis. It failed on so many levels. As a taxpayer and concerned human, I am frustrated that there are not large investments in the state hospital system (ASH) and our local mental health authority - Integral Care - and there is no expansion of beds or meaningful services until someone is in fact a danger to self or others. We must do better and create a system that does not force people into jail before they can get treatment.



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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.