



# OFFICE OF POLICE OVERSIGHT

## NOTICE OF COMPLAINT

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June 16, 2022

ICMS #: 2022-0496

On June 13, 2022, the OPO received a complaint via email.

**The complainant alleges:** [REDACTED] \*Date is either [REDACTED] or [REDACTED] \* APD Case # [REDACTED]

I am writing in regard to our complaints, and to express my disappointment with the Austin Police Department. Specifically several of the officers that arrived on the scene at my house at [REDACTED]. The first complaint is with Officer [REDACTED]. When he first arrived he immediately escalated the situation. He brutally and excessively forced my grandson to the ground and handcuffed him for no apparent reason. My grandson and his girlfriend were in an emotional teenage breakup. As it appears in my video, [REDACTED] realized how out of control he was. It was suggested afterward that he did not know the situation. That explanation makes it worse. He should have calmly approached the situation and investigated, instead of his tyrannical actions. We believe [REDACTED] is unsafe to be on the streets, and he is a bad representation of the APD.

Then 3 patrol cars arriving minutes apart on Code 3 was ridiculous, an act of intimidation, and an embarrassment to APD (and us too frankly). Can you imagine how frightening that was to a 19-year-old? The explanation was not adequate. They other Officers were too far away? Officer [REDACTED] should have waited for backup if he felt that he could not handle the situation. Instead, he aggressively threw a teenager, half his size on the ground. He was the armed one and out of control.

Then the actions of Officer [REDACTED] warrants a complaint too for being out of control. [REDACTED] simply walked (in handcuffs) to stand closer to me, his grandfather and [REDACTED] grabbed him and pulled him. [REDACTED] reacted by pulling back. Then [REDACTED] throws him on the ground and gets on top. This is when Officer [REDACTED] aggressively assaulted me. I was simply videoing the situation. I did not move toward them. I was clearly in my legal right place. I was upset at the situation but still calm until they started pushing and grabbing my arms and harming me. [REDACTED] and the other officers were not in a position to be giving me directives and orders. There was no threat from me. I was not interfering with them. [REDACTED] assaulted me. I want to file a complaint that [REDACTED] assaulted me, a 67-year-old



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person on a public sidewalk who was exercising his first amendment right. These officers are brutes. They all need better training.

I asked several times, as you hear on the video "what crime had been committed here?" That is their only job, to deal with crime. Not teenage relationship breakups. [REDACTED] girlfriend [REDACTED], said several times she was fine and there was no crime committed. CRIME is the key action here. THERE WAS NO CRIME!!. These officers could not articulate a crime. Suspicion is not a crime. They should have released him as soon as it was determined there was no crime. Instead, they intimidated, brutalized, and tried to find a warrant (illegally) or something else they could make into a crime. Still, they could not find anything. This was a big opportunity to make things right but instead, the officers maintained the excessive force fraternal attitude between them all. One officer should have stepped up and de-escalated the situation, released [REDACTED], and moved the other officers on their way.

These officers' actions are exactly why people want to defund or refund the police. These officers are hostile, untrained, and aggressive. I am glad his grandmother and I were there. I think if not he would have seriously injured or maybe killed.

I am not sure about our next steps. I hope to hear back with some clear ramifications for these officers' actions. Then we will determine our direction.

I will be forwarding more information but attached is my video from my iPhone. I would also like to see Officer [REDACTED] & Officer [REDACTED] body cam video. How do I get that?

[REDACTED]

***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.***