



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

September 23, 2022

ICMS #: 2022-0828

On September 20, 2022, the OPO received an online complaint.

The complainant alleges: On [REDACTED] at approximately [REDACTED] started being tracked and followed by undercover officers in unmarked vehicles. This continued for a couple of hours. At one point [REDACTED] dropped off his family including his wife and kids at home. Once the officers saw that his family was no longer in the vehicle without any pursuit a tire spiker was laid down in an attempt to stop his vehicle. He continued on flat tires until he couldn't any longer which is when he pulled into the [REDACTED] store located at [REDACTED]. [REDACTED] told me at that point two trucks pulled up behind him in unmarked vehicles and within a minute a marked police vehicle whipped into the parking lot and before the marked vehicle came to a complete stop bullets were already flying but that officer hopped out and started shooting into his vehicle along with four other officers from the Austin Police Department. The police says [REDACTED] opened fire from inside his vehicle before they returned fire. [REDACTED] told me [REDACTED], that he was not aware that the person following him was the police. He said he noticed someone following him but continued his errands. [REDACTED] even stopped at [REDACTED] to pick up chicken that was still in the car uneaten when this incident happened. Multiple law enforcement agencies opened fire upon [REDACTED]. We were told at one point APD was shooting and then told the state troopers were shooting as well. [REDACTED] has a long lengthy record of mental health issues including schizophrenia and PTSD. No MHMR lawyer was ever called or present. When I arrived on the scene [REDACTED] was in an ambulance being treated and his car was shot up with a lot of bullets which I do have pictures of. [REDACTED] presumes his innocence. He did have warrants, however that day at that time he was not aware that law enforcement was following him. [REDACTED] exercised his right to defend himself and his life before he realized that it was in fact law enforcement. This happened in [REDACTED] County involving four Austin Police Department officers and one DPS trooper their names are [REDACTED]



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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.