



April 30, 2019

ICMS: 2019-0208

Date of Complaint: March 1, 2019

Complaint:

The Office of Police Oversight received a complaint from [Redacted] via USPS Certified Mail on March 1, 2019 in the form of a notarized document against Austin Police Department Officers:

Officer [Redacted]

Officer [Redacted]

Alleging Austin Police Department Officers [Redacted] and Officer [Redacted] used deadly force and torture in the Wrongful Death.

Additional Information:

Signed and notarized complaint

Audio (Telephone) Recordings

Administrative Policy to Review:

General Order 200 Response to Resistance

200.4 DEADLY FORCE APPLICATIONS

An officer has no duty to retreat and is only justified in using deadly force against another when and to the extent the officer reasonably believes the deadly force is immediately necessary to (Tex. Penal Code § 9.51(c) and (e)):

- (a) Protect himself or others from what he reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) Make an arrest or to prevent escape after arrest when the officer has probable cause to believe that:
 - 1. The subject has committed or intends to commit an offense involving the infliction or threatened infliction of serious bodily injury or death; or
 - 2. The officer reasonably believes that there is an imminent or potential risk of serious bodily injury or death to any other person if the subject is not immediately apprehended.



NOTICE OF FORMAL COMPLAINT

The OPO is permitted to make a preliminary recommendation on the classification of administrative cases.

The OPO recommends that this allegation receive a D classification.