



## OFFICE OF POLICE OVERSIGHT

### NOTICE OF COMPLAINT

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March 3, 2023

ICMS #: 2023-0181

On March 2, 2023, the OPO received an online complaint.

**The complainant alleges:** My husband and I were pulled over when turning on a green signal light, we stopped the vehicle, the police officers searched the car, and also me and my husband without our consent. Their reason was never apparent just that we were in a "Bad area". We were pulled over for not using the signal light to turn left, again the light was green with the arrow as well for turning. My child was left in the car with the front door open near the road where cars were closely passing by, i asked if I could retrieve my phone to record and also my child for his safety, but both police officers refused and did not allow me to remove my child from the vehicle. I was told to put my hands behind my back to be searched, I advised that I was not consenting to this action and they continued, they also attempted to place handcuffs on me without telling me they were, i then turned around and asked him what he was doing and he said: "I have to make sure you don't have a knife or something". I then advised him that I did not and when they ran my id it showed no criminal record so there was no indication that i presented with a violent history. My husband was searched 2 times and nothing was in his possession but he was still placed in handcuffs and in the police vehicle. He also attempted to record and the officer took his phone and told him he was not allowed to record and turned off the phone camera( which is a violation of his rights since no crime had been committed, also in the video it is heard that the officer said that and also turned it off). The whole situation was a violation of our rights as citizens, we were given no information we were asked if we had "Weed,pens etc". I was confused throughout the whole experience. There is more but my lawyer will handle that situation. I need an internal investigation to be conducted due to the fact that this stop and search of our property and our persons was completely illegal and they were told they did not have permission but continued and ignored all questions we were asking. We had no choice but to sit there and allow them to do whatever they wanted without our permission. The white male officer who was the head of the whole "investigation" finally allowed me to retrieve my child from the car after him sitting in the heat for over 30 minutes, my son's head was wet from the heat. keep in mind I was not allowed to get near the vehicle to even see if he was breathing or alive. The white male officer searched the driver's side of the vehicle thoroughly I saw him stick his hands in the seat he then did not



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check the back seat thoroughly because the car seat was obstructing the area, and he did not ask me to move it, he then came to the passenger side where me and officer [REDACTED] badge # [REDACTED] (no first initial or name given), were standing. He searched the front seat and back seat but the search was not thorough and it was quick, he then gave officer [REDACTED] (badge # [REDACTED]) the backpack that was in the passenger's side of the vehicle which was my son's diaper bag, and told him to check it, officer [REDACTED] ([REDACTED]) then turned toward me and began searching the bag. The white male officer then went back to the front driver's seat and put his hands back in the seat and a brown object was found. He then said I found something, he grabbed it and placed it in a bag, and asked me if it was mine or if I recognized it I then immediately knew something was off. He never even checked the trunk of the car. My husband was uncuffed and was let back in the car along with me and our one year old son. We were not given any information, citation, ticket, warning anything. The only thing that was said was that the pill would be tested and they would issue a warrant for my husband's arrest.

On [REDACTED], I accidentally spilled my drink in the seat and floor of the driver's side, if you smell it it will smell like dawn soap, when I arrived home I cleaned it to prevent it from smelling, so I know for a fact that there was no drugs of any kind in the vehicle. Me and my husband have no record of drug abuse and we have drug tests from employment to prove it.

I am requesting that this situation be reviewed thoroughly, I am 100% sure that the officer placed that pill in the vehicle, there is no way possible for me or my husband to be connected to that pill in any form, completely impossible. When you review the cameras they had if they even had them on, you can see the officer searching the front seat then doing a quick not thorough search in the other areas, without even checking the trunk. He made sure to have officer [REDACTED] check the baby's bag so that he could be distracted. I assure you that the pill was placed by him. I don't know if it was an actual medication or drug I don't know but I know for a fact it does not belong to us. I am also requesting fingerprints to be done on the pill to prove that I nor my husband have ever come in contact with it. Review the cameras, my word is just as important as anybody else's. I have a real degree and I also serve this community as a Nurse, never should I ever have been treated like this. My husband neither nor my innocent child. If something would have happened to



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him what would be the explanation, do you think a "sorry" would have been enough? Absolutely not, I expect a response soon because this matter is serious, there's not a doubt in my heart or mind the officer white male officer is corrupt.

I have also attempted to call Austin PD, and several offices to see if there is a record of the detainment since we were detained and placed in handcuffs. There is no record of the detainment no ticket nothing. They are unable to find officer [REDACTED] badge# [REDACTED] in the system for a callback due to no first name being given. The white male officer did not provide his name or badge number. So i am not able to even provide his details but I'm sure when contacting Officer [REDACTED] you will be able to get details on the white male officer.

***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.***