OFFICE OF
POLICE OVERSIGHT

NOTICE OF COMPLAINT

March 31, 2023

ICMS #: 2023-0246

On March 27, 2023, the OPO received an online complaint.

The complainant alleges: APD bungled an investigation then rushed a PC affidavit and caused me irreparable harm.

Three motorcyclists were engaged in deadly conduct Tex. Penal Code Sec. 6.03, 22.05 ([redacted] based on mistaken identity, which then turned to assault Sec. 22.01 when one of the motorcyclist tried to kill me. According the APD Incident Report ([redacted]) the motorcyclist stated that someone in a white sedan had "…almost hit the red motorcycle earlier…" and believed I was that person. I defended myself with my licensed handgun after the motorcyclist sucker punched me and then tried, both, to take my weapon and to kill me with it. I then immediately called 911-EMS and stated that I shot a man and needed emergency medical personnel. APD then treated my call for help as a "Shoot/Stab Hotshot" and immediately designated the motorcyclist as the victim and me as the suspect. (See EMS Dispatch Report and APD Incident Report.) I was victimized twice, once by three motorcyclists, and again by APD.

Witness: [redacted]

Dr [redacted] witnessed the 3 motorcycles harassing my vehicle on [redacted] near [redacted] Dr [redacted] has advised that she is willing to speak with police about what she saw. But because of her work with children, she is unwilling to speak with lawyers. APD did not reach out to residents along [redacted] at the time of the incident. APD indicated to me that they believed there was only one motorcycle involved in the incident, which is incorrect.

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.