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Travis County District Attorney Releases Information on Cases of Potential Law Enforcement Misconduct

Two 2021 Officer-Involved Shooting Cases to Be Presented to Grand Jury

*Ramos and Ambler Cases to Be Presented Before the Expiration of the Current Grand Jury Term in
March*

AUSTIN, TX -- Today, Travis County District Attorney José Garza released detailed information on the status of every case pending in the Office's Civil Rights Unit. The information released includes the date of the incident; a summary of the facts known to the office; the status of the case within the office; and when possible, the name of the complainant or decedent, the name of the officer or officers, and a timeline for presenting the case to the grand jury.

Additionally, District Attorney Garza released details about two officer-involved shootings that took place in the first week of 2021. He disclosed that his Office's prosecutors responded to the scene within hours of the incident occurring and are actively investigating the incidents. In keeping with policy, the Office will present both cases to the grand jury.

"Already this year, there have been two officer-involved shootings. In total, two people were injured, and Alexander Gonzales was killed. It is a tragedy for our community, and I would like to express my sympathies to the family of Mr. Gonzales, and to everyone who has been affected," said José Garza, Travis County District Attorney. "Our community has been clear that when law enforcement officers use deadly force, prosecutors must investigate the case quickly and with transparency, to ensure that no one is above the law."

In September of 2020, then-District Attorney Margaret Moore announced that the office would defer the presentation of two officer-involved shooting incidents, one involving Michael Ramos and the other involving Javier Ambler, to a Travis County grand jury until District Attorney Garza assumed leadership of the Office. District Attorney Garza announced his intent to present both Mr. Ambler's and Mr. Ramos's case to a Travis County Grand Jury prior to the expiration of its term on March 30, 2021.

In addition to Mr. Ramos' and Mr. Ambler's cases, there are six additional cases involving an officer-involved shooting or death in the custody of a law enforcement officer all of which occurred prior to Garza's tenure as District Attorney. The oldest of these cases dates back to March of 2018 and the Office will be presenting each of them to a Travis County Grand Jury. District Attorney Garza announced that the Office will be providing a regular status update every 14 days until each has been presented to a grand jury. With the exception of the cases involving Mr. Ambler, Mr. Ramos, and Ms. Zimmerman, the Office plans to present these cases to a grand jury in chronological order of the date of the incident. After the expiration of the current Grand Jury's term in March, the Office will be empaneling additional grand juries to hear these cases. The Office expects that presentation of these cases will begin by June of this year.

"Holding law enforcement accountable when they commit a crime is critical to public trust and confidence in the fair administration of justice," said Dexter Gilford, Civil Rights Division Director. "The Travis County District Attorney's Office is committed to holding accountable those charged with enforcing the law and ensuring public safety when they have violated the law."

For questions, please contact Alexa Etheredge at alexa.etheredge@traviscountytexas.gov or (512) 364-4185.

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Travis County District Attorney's Civil Rights Unit Case Summaries

The following is a list of each officer-involved use of force or other misconduct matter involving injury to any person currently pending in the Office's Civil Rights Unit. The list provides an update on the status of the investigation.

INDICTED CASES

INDICTED: STATE OF TEXAS VS MARCUS REED, D-1-DC-19-904052, D-1-DC-19-904030, D-1-DC-19-900065: At the time of the incident, Mr. Reed, then a licensed peace officer, was employed as an Investigator with the Austin Fire Department. Mr. Reed was indicted and charged with the commission of Sexual Assault, Official Oppression, and Aggravated Perjury. Mr. Reed's case was tried on August 12, 2019 in the 167th District Court and the jury returned a guilty verdict on the Aggravated Perjury charge. The jury was unable to reach a verdict on the Sexual Assault and Official Oppression charges and the judge declared a mistrial on both charges. The retrial of the Sexual Assault and Official Oppression charges is set for January 25, 2021 in the 167th District Court.

Mr. Reed also has a pending Indecency with a Child by Sexual Contact case, which was indicted on June 7, 2019. This case is also scheduled for jury trial on January 25, 2021 in the 167th District Court. Mr. Reed is alleged to have engaged in sexual contact with a child younger than 17 years of age.

INDICTED: STATE OF TEXAS VS NATHANIEL STALLINGS, D-1-DC-19-904051, D-1-DC-19-904052: At the time of the incident, Mr. Stallings, then a licensed peace officer, was employed as a police officer with the Austin Police Department. On October 6, 2017, while on duty and in uniform in a fully-marked Austin Police Department patrol vehicle, Mr. Stallings is alleged to have caused bodily injury to a civilian. Mr. Stallings was indicted on June 25, 2018 and charged with Assault and Abuse of Official Capacity. Both cases are pending a jury trial on April 19, 2021 in the 450th District Court.

INDICTED: STATE OF TEXAS VS LANDO HALL, D-1-DC-900105: At the time of the incident, Mr. Hall was employed as a police officer with the Austin Police Department. On Monday, January 4, 2021, APD Officer Lando Hall was indicted for the felony offense of Misuse of Official Information, a third degree felony under Section 39.06(b) of the Texas Penal Code by the 147th Special Grand Jury – Extended July 2020 term. The case is pending in the 403rd Judicial District Court.

Note: Due to COVID-19 restrictions there are currently no criminal jury trials in Travis County.

UNINDICTED

DECEDENT: AQUINTIS GRIFFIN/SUBJECT OFFICERS: ALBERT MARTINEZ; CHRISTOPHER SALACKI; DANIEL MATHIS; JOSEPH CAST; JOSEPH MORAN; JUSTIN HALBACH; LEWIS HOLLAND; STEPHEN JOHNSON & WESLEY DEVRIES (Date of Incident: 08/18/2018): Mr. Aquantis Griffin died as a result of multiple gunshot wounds fired by Austin Police Department officers on August 18, 2018.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: ISAIAH HUTCHINSON SUBJECT OFFICERS: DANE O'NEIL, ZACHARY WOODS, DEANDRE WRIGHT, TREY NELSON (Date of Incident: 03/17/2019): On March 17, 2019, Mr. Hutchinson died from multiple gunshot wounds fired by four Austin Police Department officers assigned to various units working downtown during the South by Southwest Festival.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: JAVIER AMBLER / SUBJECT OFFICERS: MICHAEL NISSEN, JAMES JOHNSON, ZACHARY CAMDEN, PATRICK NELSON (Date of Incident: 03/28/2019): Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

DECEDENT: JAVIER AMBLER / SUBJECT OFFICERS: ROBERT CHODY, JASSON NASSOUR (Date of Incident: 03/28/2019): Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

COMPLAINANT: GIORGIO TAYLOR / SUBJECT OFFICER: SHANNON OWENS (Date of Incident: 04/22/2019): At the time of the incident, Mr. Owens was a licensed corrections officer with the Travis County Sheriff's Office. On April 22, 2019, while on duty and in uniform, Mr. Owens is alleged to have presented a false sworn affidavit for warrant of arrest and detention. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March of this year.

DECEDENT: CARLOS DODERO / SUBJECT OFFICERS: HUGH BUTLER, WILLIAM BERTELSON (Date of Incident: 04/28/2019): Mr. Carlos Dodero died as a result of multiple gunshot wounds fired by the Austin Police Department on April 28, 2019. At the time of the shooting incident, the Austin Police Department responded to multiple calls to 911 for a disturbance occurring on the Pennybacker Bridge.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: MAURIS DESILVA / SUBJECT OFFICERS: CHRISTOPHER TAYLOR, KARL KRYCIA (Date of Incident: 07/31/2019): Mr. DeSilva died from multiple gunshot wounds fired by two Austin Police Department officers on July 31, 2019.

We expect that this case will be presented to a grand jury in early summer 2021.

DECEDENT: TYLER GRIST / SUBJECT OFFICERS: OSVALDO HERNANDEZ, RICHARD MARTINEZ, ALEXANDER ANTILLON, ANTHONY CARDINAL, ANTONIO SERNA (Date of Incident: 08/31/2019): Mr. Tyler Grist's death occurred while in custody in the Travis County jail on unrelated charges. Mr. Grist was found unconscious by Travis County Sheriff's Office's staff. The

case is currently under investigation in a joint investigation conducted by the Travis County Sheriff's Office, Texas Department of Public Safety, and the Travis County District Attorney Office's Civil Rights Unit.

DECEDENT: FRED BABCOCK / SUBJECT OFFICER: MATTHEW HARMATUK (Date of Incident: 09/22/2019): Mr. Fred Babcock died as a result of a gunshot wound fired by the Austin Police Department on September 22, 2019.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence.

We expect that this case will be presented to a grand jury in early fall 2021.

DECEDENT: ENRIQUE QUIROZ / SUBJECT OFFICERS: EDUARDO PINEDA, SPENCER HANNA, ZANE DOWDELL, LUCAS PARKER, MARK YALETCHKO and TRINITHAD GARCIA (Date of Incident: 03/21/2020): Mr. Quiroz died while in custody of the Austin Police Department after an encounter with multiple officers on March 31, 2020.

We expect that this case will be presented to a grand jury in early fall 2021.

COMPLAINANT: F. ZIMMERMAN (Pseudonym) / SUBJECT OFFICER: WALTER DODDS (Date of Incident: 04/18/2020): On April 18, 2020, while responding to a service call involving Ms. Zimmerman, Mr. Dodds, then an Austin Police Department officer encountered Ms. Zimmerman and is alleged to have later returned to her residence and alleged to have sexually assaulted her.

This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March.

DECEDENT: MICHAEL RAMOS / SUBJECT OFFICERS: CHRISTOPHER TAYLOR, MITCHELL PIEPER (Date of Incident: 04/24/2020): Mr. Michael Ramos died as a result of multiple gunshot wounds fired by an Austin Police Department officer on April 24, 2020.

The case is currently under investigation in a joint investigation conducted by the Austin Police Department's Special Investigations Unit and the Travis County District Attorney Office's Civil Rights Unit. This case is expected to be presented to a Travis County grand jury before the expiration of the current grand jury's term in March.

COMPLAINANT: NAME WITHHELD DUE TO BEING A MINOR / SUBJECT OFFICERS: NICHOLAS GEBHART and JOHN NICKLASON (Date of Incident: 05/30/2020): On May 30, 2020, Complainant, a Minor, was attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos that occurred in downtown Austin and was struck with "bean bag" ammunition and "rubber bullets".

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: BOMANI RAY BARTON / SUBJECT OFFICER: KYU AN (Date of Incident: 05/30/2020): On May 31, 2020, Mr. Barton, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck with “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: GEMICAH VOLTER-JONES / SUBJECT OFFICER: DERRICK LEHMAN (Date of Incident: 5/30/2020): On May 30, 2020, Mr. Volter-Jones, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: MEREDITH WILLIAMS / SUBJECT OFFICER: JOSEPH CAST (Date of Incident: 5/30/2020): On May 30, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: NICOLE UNDERWOOD / SUBJECT OFFICER: JOHN SIEGEL (Date of Incident: 5/30/2020): On May 30, 2020, Mr. Underwood, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: MEREDITH DRAKE / SUBJECT OFFICER: CHANCE BRETCHES (Date of Incident: 05/31/2020): On May 31, 2020, Mr. Drake, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: ANTHONY EVANS / SUBJECT OFFICER: KYLE FELTON (Date of Incident: 05/31/2020): On May 31, 2020, Mr. Evans, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: JUSTIN HOWELL / SUBJECT OFFICER: KYLE FELTON (Date of Incident: 5/31/2020): On May 31, 2020, Mr. Howell, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: SAMUEL KIRSCH / SUBJECT OFFICER: NOT IDENTIFIED (Date of Incident: 5/31/2020): On May 31, 2020, Mr. Kirsch, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: CHRISTEN WARKOCZEWSKI / SUBJECT OFFICERS: JUSTIN BERRY; ALEXANDER LOMOSTEV & TODD GIBLERTSON (Date of Incident: 5/31/2020): On May 31, 2020, Ms. Williams, attending a protest in downtown Austin following the deaths of George Floyd and Michael Ramos, was struck by “bean bag” ammunition.

The investigation into and review of the use of force allegations arising out of the May 30 and May 31, 2021 protests is still underway. The cases are expected to be presented to a Travis County grand jury in early fall of 2021.

COMPLAINANT: DYLAN POLINSKI / SUBJECT INVOLVED OFFICERS: JAVIER RODRIGUEZ AND KAMOWA REYNOLDS (Date of Incident: 01/04/2021): On January 4, 2021, Mr. Dylan Polinski survived an incident in which he was shot by one Austin Police Department officer and “tased” with a conducted electrical weapon, commonly known as a “TASER” during an encounter with police officers at a local hotel.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early fall of this year.

DECEDENT: ALEXANDER GONZALEZ / SUBJECT OFFICER: LUIS SERRATO (Date of Incident: 01/05/2021): On January 5, 2021, Mr. Alexander Gonzalez died as a result of multiple gunshot wounds in an incident involving an off-duty Austin Police Department officer and another officer who was on duty, both of whom discharged their weapons striking Mr. Gonzalez.

The case is currently under investigation in a joint investigation involving the Austin Police Department’s Special Investigations Unit and the Travis County District Attorney Office’s Civil Rights Unit. Our Office expects that the investigation should be concluded within a time frame that will allow the case to be presented to a grand jury in a manner consistent with our policies and in the order of its chronological occurrence not later than early fall of this year.