



OFFICE OF POLICE OVERSIGHT

NOTICE OF COMPLAINT

September 9, 2022

ICMS #: 2022-0755

On September 6, 2022, the OPO received an email complaint.

The complainant alleges: Official complaint about the authorizing Police Officer on scene of the unlawful restraint and Official Notice and Cease & Desist to Austin Police Department:

This is an official response and complaint against the Austin Police Department, the original employee initiating contact with me, and all rest of the employees present and involved in the alleged traffic infractions initiating the stop.

The night of [REDACTED] I was traveling, not driving nor for compensation nor commercial gains, in my automobile when I saw, what seemed like, emergency lights behind me.

So I pulled over, stopped, rolled my front left door window down, waited to identify if the person was an actual law enforcement officer, and then I began recording. The officer, identified as [REDACTED], told me he stopped me for alleged traffic infractions and was correctly called in by his supervisor to assist. But my phone's memory ran out so I had to live stream it to my social media. The video proof attached is the live streamed video portion of the stop.

When I began the live stream Police Officer [REDACTED] has already taken my Due Notice binder, seems to have read some of it and called his supervisor Police Corporal [REDACTED] he was taking a look at the binder as well and Police Corporal [REDACTED]



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also called Sergeant [REDACTED] which we were waiting for while Police Corporal [REDACTED] # [REDACTED] was finishing reading my binder.

See 00:00 through 3:57 in the video attached below.

Then Police Corporal [REDACTED] presents himself to me for the 1st time after going through the binder. I tried to explain to him that Texas Transportation Code § 502.003 states that I do not need to carry an occupation/ driver's license nor to register my automobile unless I am operating for compensation/ commercial gain. But Police Corporal [REDACTED] did state he did not know that code and asserted that I had to have a driver's license to operate upon the roadways.

See 3:58 through 5:26 in the video attached below.

Police Corporal [REDACTED] then asserts that Police Officer [REDACTED] has a lawful detention on me for a traffic violation and told me that the only way he would have to take me to jail. This is the 1st time I was threatened with arrest by an officer during the alleged traffic stop. Police Corporal [REDACTED] also seemed not to understand what traffic meant even after allegedly reading my due notice binder giving the lawful definition of traffic or he chose to not read the binder thoroughly enough. I then gave Police Corporal [REDACTED] notice that I will be suing if I was forced to identify myself.

See 5:27 through 6:47 in the video attached below.

In an attempt to see what Police Police Corporal [REDACTED] training and understanding of the law was, I asked him if he ever heard of the difference between traveling vs driving and he confirmed to have heard of there being a difference but denied the validity of it in everyday real life.

See 6:48 through 7:26 in the video attached below.

Police Corporal [REDACTED] then disregarded my rights and claim of rights and took it upon himself to try to violate my rights in order to speed up the process of the alleged



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traffic stop. While doing so Police Corporal [REDACTED] invited me to hold him responsible in any lawsuit I bring and then threatened me to take me to jail for the second time and therefore kidnap me. Police Corporal [REDACTED] even went so far to say that if I don't step out of my automobile he will make sure I will be taken to jail as well, making that his 3rd direct threat to my freedom. I then asked Police Corporal [REDACTED] why he decided to order me to step out of my automobile and tried to make him aware of how that was an unlawful order via there not being a threat to officer safety visibly nor allegedly. But Police Corporal [REDACTED] cut me off while giving him such notice and said he will wait for his Sergeant and will do so at his Sergeant's orders, making that the 4th time I got threatened with arrest.

See 7:27 through 9:13 in the video attached below.

I then began to scold Police Corporal [REDACTED] and seemed like Police Officer [REDACTED] was insinuating that I need to identify myself again and I made it clearly known to the officers and for the record that Police Corporal [REDACTED] told me he would wait for his sergeant. I made it clear for the record that I would identify myself once somebody takes the responsibility of threatening my freedom, to which Police Corporal [REDACTED] answered after the sergeant gets there.

See 9:14 through 10:30 in the video attached below.

I then finished scolding Police Corporal [REDACTED] and attended the audience in my livestream while we waited for Sergeant [REDACTED].

See 10:31 through 20:12 in the video attached below.

Then Sergeant [REDACTED] presents herself, identifies herself, and tells me the officers only want me to identify myself so that they can give me a citation. I asked Sergeant [REDACTED] if she ever heard of Texas Transportation code § 502.003 and she asserted that we have passed that point. I asked how that is and Sergeant [REDACTED] admitted to having been informed of the code and also that she understands I was not operating for compensation nor commerce. Sergeant [REDACTED] then made it clear that I would get arrested if I did not identify myself so I did. This was the 5th official time I was threatened with arrest. And



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then she asked if I had a driver's license at one point to which I told her I did but that I did not need to provide it because I was not driving, I was traveling. It was also stated all throughout my notice binder and I already made Police Officer [REDACTED] & Police Corporal [REDACTED] verbally aware as well. I also put Sergeant [REDACTED] on notice that I would sue verbally. It was at this point that my constitutional rights under the 4th and 5th amendment were violated under the approval of Sergeant [REDACTED] via being unlawfully seized/ detained and being forced to to be a witness against myself by identifying myself.

See 20:13 through 25:15 in the video attached below.

Then Police Officer [REDACTED] asked to see my VIN#, I allowed it in order to get out of this situation as soon as possible, my rights were already violated anyways and I have it all on camera. Then Sergeant [REDACTED] admits to me that she has been an officer for 18 years and that she has heard about the difference between traveling and driving. Sergeant [REDACTED] also, when I asked if she was violating my rights in spite of knowing the difference between driving and traveling or if she just didn't believe what I was saying, she answered very generally that we all have different beliefs. She also stated that nobody was violating my rights. To which I then assumed it was her negligence of the matter of driving vs traveling. She then agreed that negligence of the law was no excuse.

See 25:16 through 28:30 in the video attached below.

I then began to lecture and read my due notice binder that was returned to me.

See 28:31 through 35:26 in the video attached below.

Police Officer [REDACTED] then presents himself for the last time to give me a citation for the alleged traffic code violations. To which he admitted that if I did not sign it I would go to jail so I signed it under duress and then he told me I was not detained any longer.

See 35:27 through 37:02 in the video attached below.



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I have the video proof attached below of me being coerced into having my constitutional rights under the 4th and 5th amendment rights violated and my right to travel violated. The Austin Police employees present the night of my alleged traffic stop unlawfully restrained me as described in the Texas Penal Code - Title 5. Offenses Against the Person § 20.02-a after being put on notice of not driving nor participating in traffic, violation of my constitutional rights under the 4th amendment, see the attached code in full below. The Texas Transportation Codes under Title 7 named Vehicles and Traffic which I am falsely being charged with is being used as a lawful reason for the officers involved violate my constitutional rights under the 4th amendment protecting me from unlawful searches and seizures, 5th amendment via being forced to to be a witness against myself by identifying myself and my right to travel as expressed in the Articles of Confederation Article IV listed below & protected by the 10th & 14th amendments of the Constitution for the united States of America listed below & protected by the Constitution of the State of Texas 1876 Art. 1, § 33 below & protected by all of the other right to travel supreme court case law listed below; As I was not even engaged in traffic as defined by Henry Blacks Law Dictionary, or any commerce therefore not putting me under the jurisdiction of the traffic codes mentioned in Title 7: Vehicle and Traffic of the Texas Transportation code which initiated the stop, and in regards to the registration fee is not required pursuant to Texas Transportation Code - Title 7: Vehicles and Traffic § 502.003-a,1.

Please retrain your officers in the differences in definition between driving, traffic, traveling for non-hire, and the fact that it is clearly stated in Texas Transportation Code - Title 7: Vehicles and Traffic § 502.003 specifically says unless I am operating for compensation, I am not required to register my automobile therefore not required to have license plates nor have a occupation license therefore not required to have nor show a driver's license. Also retrain your officers by informing them that the Texas Transportation code changes the definition of motor vehicle multiple times in the code, of which I have attached two of the times below, see § 501.002, § 502.001 and Title 18 U.S. Code Sec. 31-6 definitions as well that I copied below for example, in order to clear up the cognitive dissonance behind the misunderstanding of the Texas Transportation code . Please train your officers about U.S. Constitution, Article I, Section 8 reserved the rights of congress to regulate Commerce among the several States not to regulate travel and that most of the



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traffic violations cited pertain to Vehicles and commerce together, hence the Title of the code is Texas Transportation Code, Title 7: Vehicles and Traffic; not "or traffic", its vehicles and traffic together, "and" means together.

This libel was committed via the alleged citation attached and public defamation from the Austin Police Department via being publicly wrongfully accused on the side of the public road; And I will not accept this defamation towards my character. I need to be indemnified for this, possibly irreparable damage done against my character which \$651,000 in United State of America Federal Reserve notes or any legal tender note or instrument guaranteed that I can publicly use to redeem or exchange for lawful money, if legal to do so, that is equal in value of the said amount of United State of America dollar federal reserve notes will suffice and I will only then hold the prosecution innocent and consider myself repaired. This amount is summed as \$500,000 for 5 verbal threats to arrest me, \$75,000 citation & \$50,000 for identifying myself & \$26,000 for 26 minutes after 10 minutes of being accosted as stated in my attached fee schedule. If payment is not made to me within 30 days of this notice or the day this case is dismissed, I may take proper legal action specified in the copied below 18 U.S. Code Sec. 241, 18 U.S. Code Sec. 242, UCC Sec.1-308 and/or file a claim/ lien to the appropriate bonds, insurance companies or other property legally to be used as collateral for damages. See the video proof and my fee schedule attached if you wish to continue to contract with me. Any further contact with me after this communication will be considered as consent to my fees. Please note the officers were given notice of my fees and they proceeded therefore agreed.

See electronic signature at the end of this official response/ complaint/ cease & desist/ notice. If this was received via electronic mail, or email, please scroll all the way to the bottom of this email and click any view full email options in case the electronic carrier and receivers of this email shortens view of the full email.



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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.