



WARRANT OF ARREST AND DETENTION
DALLAS COUNTY, TEXAS

DMU INTAKE

JAN 16 PM 12:34

DALLAS COUNTY SHERIFF

FELONY

XXX

MISDEMEANOR

BOND AMOUNT: \$

TO BE SET

WARRANT NUMBER:

M2018592

COURT NUMBER:

The State of Texas vs. PALMER, AUSTIN DANIEL W/M

DL: [REDACTED]

Arrest Status: At-Large

Race: W

Sex: M

DOB: [REDACTED]

Height: 604

Weight: 215

Hair: BRO

Eyes: HZL

SMT:

Address: [REDACTED]

Business Name: Dallas County Sheriff's Office

Business Address: 133 N. Riverfront Blvd Dallas, TX 75207

Complainant: JEREMIAH RAMOS

Date of Offense: 10/07/2019

Date Complaint Was Filed: 01/16/2020

Warrant Issued To: Dallas County Sheriff

IN THE NAME OF THE STATE OF TEXAS TO ANY SHERIFF OR OTHER PEACE OFFICER OF THE STATE OF TEXAS -- GREETINGS:

YOU ARE HEREBY COMMANDED to take instanter the body of:

AUSTIN DANIEL PALMER - W/M [REDACTED]

hereinafter called the accused, and him safely keep so that he may be dealt with according to law, and to hold the accused to answer to the State of Texas for an offense against the laws of the said State, namely:

ASSAULT CAUSES BODILY INJ 22.01 (a)(1) Misd "A" / Offense Code 13990001

which offense he is accused by written complaint, made under oath that has been presented to me and that is by this reference incorporated herein for all purposes.

WITNESS BY SIGNATURE THIS

16

DAY OF January, 2020

IN JAIL

[Signature]
David A. Woodruff
Dallas County Magistrate

MAGISTRATE, IN AND FOR THE COUNTY OF DALLAS,
TEXAS

STATE OF TEXAS

IN JAIL

X
X
X

COUNTY OF DALLAS

DMU INTAKE

2020 JAN 16 PM 12:34

DALLAS COUNTY SHERIFF

AFFIANT FOR ARREST WARRANT OR CAPIAS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned Affiant who, after being duly sworn by me, on oath stated:

My name is B FETTER #629, and I am a Peace Officer of the County of Dallas, Texas.

I have good reason to believe and do believe that on or about the 7 day of October, 2019 one

PALMER, AUSTIN DANIEL W/M [REDACTED] who did then and there in the County of Dallas, Texas commit the

offense of ASSAULT CAUSES BODILY INJ 22.01 (a)(1)

Texas Penal Code, Class A Misdemeanor

My belief is based upon the following facts and information received from: B. Fetter #629

of the Dallas County Sheriff, who participated in the investigation of the offense and alleged the following information:

On Monday, December 20, 2019, Juanita Morales (W/F [REDACTED] 53yoa) generated a complaint to the Dallas County Sheriff's Internal Affairs Division. Per Ms. Morales' IAD statement, she identified that she was the mother of Jeremiah Ramos. She disclosed that on October 7, 2019, she was sitting in her living room with her front door opened, when she saw two white men walk across the front yard. They said, "Jeremiah, remember me?" Jeremiah said, "No," they replied, "whatever." They handcuffed her son and walked off with him. Ms. Morales made known that she only communicate by writing letters, due to low income and does not have money to send her son for commissary. She noted that while Jeremiah was handcuffed in the backseat of the Sheriff's car, he was trying to explain to them that he was not guilty of Evading Arrest. One of them turned around and tased him. He wrote a letter saying, "Mom, I didn't do anything to deserve this. They just did it to me for nothing." Ms. Morales expressed that she could not even imagine the pain, her son felt and just thinking, "My God." Will they ever stop doing these things to these people and get away with this? Ms. Morales also articulated that her son said that they also put it to his neck and to his private parts. She included that her son said, "Mom, I don't care about any money, I just want justice." Ms. Morales continued to express her concerns.

On Thursday, December 26, 2019, IAD Detective(s) obtained a written statement from Jeremiah Ramos (W/M [REDACTED] 22yoa). Ramos has been incarcerated in the Dallas County Jail since his arrest on October 7, 2019. Ramos articulated in his IAD statement that his arresting officer had tased him. He noted that the officer asked if he was aware that he had almost hit him. Ramos denied the act, since he had never seen the officer before. The officer instructed Ramos to shut his mouth and that he was sure it was him. Ramos described the officer as the one who wore glasses and drove the squad car. The other officer was in the backseat next to him. Ramos continued to deny the accusation when the officer grabbed his taser from his waist and turned towards the back, facing Ramos, and put the taser to his stomach for 15-20 seconds. After he finished, the officer instructed him that if he said another word before they got to the jail, he would tase him on his throat. If he moved, the officer threatened to tase him in his private area (genitals). Ramos recalled the officer asking his co-worker, who was in the backseat, if his camera was on, he replied, "No, it was not." Ramos concluded that he remembered that he was not Resisting Arrest and was not aggressive towards the guards at any time.

On Wednesday, January 8, 2020, PES Detective C. Loboda #1013 was called by IAD Detectives T. Love #828 and K. Chavez #993 to photograph Ramos' injuries. Ramos was housed in the Dallas County North Tower Jail, unit 3E04. During the dialog with detectives, Ramos mentioned that he still had marks left from the taser. Ramos lifted his shirt, pointed to his left side where there were two different areas of injuries. Det. Loboda conducted a visual examination of the areas. Det. Loboda observed four (4) marks (injuries). Ramos said that the marks were from where the taser was used on him. Ramos disclosed that he was taken into custody and while handcuffed in the backseat, the driver then used his taser on him. Ramos said the taser was then placed on his private area and was told if he ran again, he would be tased there. When he began to yell, the officer then placed the taser to his neck and told him that he did not shut up he would be tased there. Ramos mentioned that another deputy was sitting next to him and did nothing to stop the attack. Det. Loboda photographed Ramos and his injuries, including sizing and distance between the marks with a ruler.

Det. Loboda showed S.Sgt. Dyer, who is the department's taser instructor, photographs of Ramos' injuries. S.Sgt. Dyer acknowledged that Ramos' injuries were consistent with markings left by a taser. Det. Loboda then photographed a same model taser that was not associated with this investigation. The photographs, included a ruler for measurements between the metal prongs, which were consistent with the injuries photographed on Ramos' body.

On Thursday, January 9, 2020, the Dallas County Sheriff's Internal Affairs Division submitted a referral memorandum, along with other documents, to the Criminal Investigations Section in regards to a reported Assault. The Complainant was identified as Jeremiah Ramos (W/M ██████████ 22yoa). The memorandum listed the involved Dallas County Sheriff's Deputies as Austin Palmer #1045 and Phillip Koenig #995, who arrested Ramos on October 7, 2019. Both deputies are assigned to the Dallas County Sheriff's Warrants Execution Section.

The Dallas County Sheriff's Report Management System (RMS) revealed that Deputy Koenig had completed Ramos' arrest report on October 7, 2019, under DSO Service Number 19-096757. The report listed the arrest location as 345 N. St. Augustine Road Dallas, TX. The arrest narrative only articulated, "ARRESTED ON WARRANT." No other articulation of use of force or taser deployment was mentioned in the report. . A search on RMS did not depict supplemental reports from either Deputies Palmer or Koenig pertaining to the use of force or taser deployment. Per the Dallas County Sheriff's Department General Orders and Code of Conduct, Chapter 1.6, Section V, page 590, when a deputy deploys a Conducted Electrical Weapon (CEW), the deputy will complete a Use of Force report on department RMS system and submit for approval.

Historically, RMS revealed that Deputy Koenig had generated an offense report of Evading Arrest Detention W/Veh, under DSO Service Number 19-095004. The report, dated September 30, 2019 (correct offense date was October 01, 2019), depicted that Deputies Palmer and Koenig attempted to serve felony warrants on Jeremiah Ramos. According to the RMS report, upon approaching the residence at 7232 Wallace St. Dallas, TX 75217, Deputy Koenig observed a Ford F-150 pickup pull into the driveway with a male driver and female passenger. Deputy Koenig approached the vehicle and made contact with the driver, who he determined was Ramos based upon previously viewing of his AIS picture. Deputy Koenig made contact with the driver and requested that he lower the window. The driver lowered it a couple of inches. Deputy Palmer approached the passenger side of the vehicle and was able to determine the driver was Ramos. Deputy Koenig attempted to have dialog with the driver, when the driver reversed out of the driveway. Deputies ran towards their squad car. The driver continued on Wallace St at a high rate of speed directly towards the officers. Deputy Keonig described that he feared the driver was going to strike Deputy Palmer as he was attempting to get into the squad car. Deputies attempted to initiate a chase, but the vehicle was able to get away.

The Dallas County Sheriff's Call Sheet showed that Deputy Koenig was assigned to unit 494, which is a two-man unit, and his assigned partner was Deputy Palmer. The call sheet showed that the unit was on-scene at 4:42 p.m.

The Dallas County Adult Information System (AIS) showed that Ramos was arrested on October 7, 2019, and booked into the Dallas County Jail at approximately 5:58 p.m. The arresting agency was the Dallas County Sheriff. The AIS database depicted Ramos arrest time at 4:50, by badge 1045, which is Deputy Palmer.

Deputies completed a handwritten Dallas County Jail Booking Information Sheet. The sheet depicted that Ramos was arrested on October 7, 2019, at 4:50 p.m. The arresting officers were Koenig #994 and Palmer #1045. The listed offenses were Poss CS, under warrant #s F1955068 and F1853160. He also had two misdemeanor offense for Burglary Vehicle, under warrant M1953365 and Theft of Property, under warrant M1941469. The offense of Evading Arrest W/Veh, Warrant # F1918920, was filed by Det. D. Crear #668 with the Dallas County District Attorney's Office.

IN JAIL

DALLAS COUNTY SHERIFF
2020 JAN 09 PM 12:34
TAKE

At approximately 2:35 p.m., Detectives Martin and Fetter conducted a non-custodial interview with Deputy P. Koenig inside the DSO/CIS interview room. The interview was Axon audio and video recorded. During the interview, Deputy Koenig corroborated Ramos' outcry that Deputy Palmer had tased him while Ramos was handcuffed in the rear seat. Deputy Koenig said that when he and Deputy Palmer arrested Ramos, Palmer asked Ramos if he remembered him. Deputy Koenig said that he had handcuffed Ramos and they walked Ramos to the squad car. He placed Ramos in the rear passenger seat. Meanwhile, Deputy Palmer got into the driver's seat. Deputy Koenig got in the rear seat of the squad car; Deputy Palmer was talking to Ramos. Deputy Koenig said he was startled by the sound of a taser going off. He looked up and saw Deputy Palmer leaned from the driver's seat and tased Ramos in his chest by pulling the trigger. He described that Ramos had fallen back in his chair in pain. He said that Ramos was yelling. He remembered that Ramos had said that he was not guilty. Deputy Koenig said that after the taser stopped, Deputy Palmer placed the taser in Ramos' private parts. Deputy Koenig said he remembered that Deputy Palmer had yelled at Ramos and said that he [Palmer] had a lot to live for and that he was a piece of shit for trying to run him over. Deputy Koenig did not remember if Deputy Palmer had asked him if his body camera was off. Deputy Koenig described Ramos' demeanor was calm and stated that he did not show signs of being aggressive. Deputy Koenig disclosed that when they got to the jail, he asked Ramos if he was okay. Ramos reiterated that he did not attempt to run Deputy Palmer over. Deputy Koenig disclosed that a use of force report was not generated/submitted.

At approximately 3:52 p.m., Detectives Martin and Fetter attempted to interview Deputy A. Palmer inside the DSO/CIS Interview Room. Deputy Palmer invoked his rights and requested to speak with this attorney. At the conclusion on the interview, Deputy Palmer's taser was seized as as evidence. PES Det. Loboda processed it as evidence item #1 and submitted the article into the DSO evidence locker. The taser serial number, X13004DP2, was verified to be the same serial number to the printed Axon usage report.

Based upon the facts obtained during this investigation:

On Monday, October 7, 2019, at approximately 4:52 p.m., Deputy Austin Palmer (W/M [REDACTED] 33yoa) intentionally, knowingly or recklessly caused bodily injury to Jeremiah Ramos (W/M [REDACTED] 22 yoa) by unlawfully deploying his Axon Taser (non-lethal weapon) to Ramos' torso, which caused physical injuries (burn marks). Palmer's actions caused physical pain and discomfort.

Charge #1 Assault Causes Bodily Injury / Texas Penal Code 22.01(a)(1) Misd A Warrant #M2018592

On Monday, October 7, 2019, at approximately 4:52 p.m., Deputy Austin Palmer (W/M [REDACTED] 33yoa), who is a license peace officer for the State of Texas and was on duty for the Dallas County Sheriff's Office. Deputy Palmer, at the time of the offense, intentionally subjects another, to wit: Jeremiah Ramos (W/M [REDACTED] 22yoa), to mistreatment when he unlawfully deployed his Axon Taser on Ramos. Palmer's actions caused physical pain and discomfort.

Charge #2 Official Oppression / Texas Penal Code 39.03(d) Misd A / Warrant # M2018593

I believe this information to be true to the best of my knowledge.

WHEREAS, Affiant requests that an Arrest Warrant or Capias be issued for the above accused individual(s) in accordance with the law.

IN JAIL

B. Fetter #429
AFFIANT

DALLAS COUNTY SHERIFF
2020 JAN 6 PM 12:34
DMC INTAKE

STATE OF TEXAS

COUNTY OF DALLAS

IN JAIL

X
X
X

DMU INTAKE
2020 JAN 16 PM 12:34
DALLAS COUNTY SHERIFF

AFFIANT FOR ARREST WARRANT OR CAPIAS

BEFORE ME, the undersigned authority, on this day personally appeared the undersigned Affiant who, after being duly sworn by me, on oath stated:

My name is B FETTER #629, and I am a Peace Officer of the County of Dallas, Texas.

I have good reason to believe and do believe that on or about the 7 day of October, 2019 one PALMER, AUSTIN DANIEL W/M [REDACTED] who did then and there in the County of Dallas, Texas commit the offense of OFFICIAL OPPRESSION 39.03(d) Texas Penal Code, Class A Misdemeanor

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of the Dallas County Sheriff, who participated in the investigation of the offense and alleged the following information:

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IN JAIL

Included in the referral were taser download reports for Deputies Koenig and Palmer. S.Sgt. Dyer downloaded the reports for the IAD investigation, per the request of IAD Detective Love. Deputy Koenig's taser report did not depict usage during the period of Ramos' arrest. Deputy Palmer's taser report depicted usage during the period when Ramos was arrested and in custody of Deputies Palmer and Koenig. The report identified Deputy Palmer's taser as Model Taser X26P with a serial number X13004DP2. The report, sequence #1082, depicted that Deputy Palmer's taser had an "armed" event, timestamped 07 Oct 2019 16:59:45. Sequence #1083, the taser had a "trigger" event for a duration of 5 seconds, timestamped 07 Oct 2019 16:59:47. Then, sequence #1084, the taser had a "safe" event for a duration of 8 seconds, timestamp 07 Oct 2019 16:59:53. The report listed the times as local times [DD:MM:YYYY hh:mm:ss].

A review of Deputy Koenig's Axon Body Worn Camera, for Ramos's arrest, showed that the camera was activated on October 7, 2019, at 4:46 p.m. The video footage was 5 minutes and 48 seconds. The footage depicted that Deputies walked down the street to a house where Ramos was sitting outside with other unidentified individuals. Deputy Koenig placed Ramos in handcuffs, without physical resistant. The footage captured Deputy Palmer speaking to Ramos, "What's up man, Jeremiah right, you remember me?" Deputy Palmer informed the other individuals that Ramos had tried to run him over last Tuesday. Deputies escorted Ramos to their marked squad car, which was parked south of the residence. While escorting Ramos, he informed the deputies that his truck had been broken down. Ramos continued to ask what was going on. Ramos denied deputies' allegation that he attempted to run Deputy Palmer over or evaded. Deputy Koenig placed Ramos in the rear passenger seat. Deputy Palmer got into the driver's seat and Deputy Koenig got in the rear seat, next to Ramos. At no time did the footage capture Ramos being physical towards deputies. After Deputy Koenig sat in the backseat, his body worn camera was turned off.

A review of Deputy Palmer's Axon Body Worn Camera, for Ramos's arrest, showed that the camera was active on October 7, 2019, at 4:46 p.m. The video footage was 3 minutes and 41 seconds. The footage captured the same similarities as Deputy Koenig's footage. As deputies walked Ramos to their squad car, Deputy Palmer's body worn camera was turned off.

No dash camera footage was located for this arrest. The body camera footages captured that both officers were wearing full distinctive uniforms that identified them as Dallas County Sheriff's Deputies (Peace Officer).

On Monday, January 13, 2020, at approximately 7:45 a.m., CIS Detectives Martin and Fetter spoke with Ramos inside the DSO/CIS interview room. The interview was audio and video recorded. Ramos is currently incarcerated in the Dallas County Jail, pending transport to the Wilmer Treatment Center. During the interview, Ramos advised that he was willing to participate in the prosecution of this offense(s). Ramos provided a comparable recollection of what he wrote in his statement to Internal Affairs. Ramos said that he had wrote his mom a letter stating what occurred. Ramos mentioned that he had moved from Wallace St and he was wrongly arrested for the offense evading. He said that his truck was broken down for a month, and when he was arrested, his mechanic was fixing his truck.

Ramos provided his recollection of what occurred. He said that officers parked down the street and walked up to his house. The officers approached and asked if he remembered them. The officer told him that he had almost hit him. Ramos admitted never going to court on a P.R. bond and knew that officers would come for him. Ramos said that he pled with the officers that they had the wrong person because he did not know he had warrants and did not evade. The officer placed him in the rear passenger seat and told him to "shut the fuck up." Ramos said that the officer sitting in the driver's seat appeared to be mad. Ramos said that he was not getting wild or cursing at the officers. Ramos remembered that the front officer asked the rear officer if he had his body camera off, replied, "Yes, I have it off." At that time, the front officer then removed his taser from his belt and removed an object from the end of the taser. He then tased him on his stomach, causing him to shake and move. Ramos description of the act is how an officer would drive or contact stun a person. After being tased, the officer then placed the taser to his neck and told him if he said another word, he would tase him in his neck. The officer then positioned the taser on his private area (genitals) and pressed down. The officer instructed him if he say anything that he would tase him there. Ramos believed that the officer had threatened him. Ramos said that the officer tased him due to something that he did not do. Ramos described that the officer sitting in the back next to him did not stop the other officer from tasing him. He said the officer in the backseat informed him that he had to take responsibility for what he had done. Ramos said that he did not tell the medical department of the episode due to the officers standing near the door and he was afraid that something would happen to him. Ramos lifted his shirt and pointed out his injuries. Ramos said when he got to the jail, he looked at his wounds and noticed that the injuries were red and scabbed over. Ramos described the officer who tased him as a tall, slender male who wore glasses. With the physical description provided by Ramos, it was evident that he described Deputy Palmer as the officer who tased him. Ramos filled out a diagram of the Tahoe.

At approximately 2:35 p.m., Detectives Martin and Fetter conducted a non-custodial interview with Deputy P. Koenig inside the DSO/CIS interview room. The interview was Axon audio and video recorded. During the interview, Deputy Koenig corroborated Ramos' outcry that Deputy Palmer had tased him while Ramos was handcuffed in the rear seat. Deputy Koenig said that when he and Deputy Palmer arrested Ramos, Palmer asked Ramos if he remembered him. Deputy Koenig said that he had handcuffed Ramos and they walked Ramos to the squad car. He placed Ramos in the rear passenger seat. Meanwhile, Deputy Palmer got into the driver's seat. Deputy Koenig got in the rear seat of the squad car; Deputy Palmer was talking to Ramos. Deputy Koenig said he was startled by the sound of a taser going off. He looked up and saw Deputy Palmer leaned from the driver's seat and tased Ramos in his chest by pulling the trigger. He described that Ramos had fallen back in his chair in pain. He said that Ramos was yelling. He remembered that Ramos had said that he was not guilty. Deputy Koenig said that after the taser stopped, Deputy Palmer placed the taser in Ramos' private parts. Deputy Koenig said he remembered that Deputy Palmer had yelled at Ramos and said that he [Palmer] had a lot to live for and that he was a piece of shit for trying to run him over. Deputy Koenig did not remember if Deputy Palmer had asked him if his body camera was off. Deputy Koenig described Ramos' demeanor was calm and stated that he did not show signs of being aggressive. Deputy Koenig disclosed that when they got to the jail, he asked Ramos if he was okay. Ramos reiterated that he did not attempt to run Deputy Palmer over. Deputy Koenig disclosed that a use of force report was not generated/submitted.

At approximately 3:52 p.m., Detectives Martin and Fetter attempted to interview Deputy A. Palmer inside the DSO/CIS Interview Room. Deputy Palmer invoked his rights and requested to speak with this attorney. At the conclusion of the interview, Deputy Palmer's taser was seized as as evidence. PES Det. Loboda processed it as evidence item #1 and submitted the article into the DSO evidence locker. The taser serial number, X13004DP2, was verified to be the same serial number to the printed Axon usage report.

Based upon the facts obtained during this investigation:

On Monday, October 7, 2019, at approximately 4:52 p.m., Deputy Austin Palmer (W/M [REDACTED] 33yoa) intentionally, knowingly or recklessly caused bodily injury to Jeremiah Ramos (W/M [REDACTED] 22 yoa) by unlawfully deploying his Axon Taser (non-lethal weapon) to Ramos' torso, which caused physical injuries (burn marks). Palmer's actions caused physical pain and discomfort.

Charge #1 Assault Causes Bodily Injury / Texas Penal Code 22.01(a)(1) Misd A Warrant #M2018592

On Monday, October 7, 2019, at approximately 4:52 p.m., Deputy Austin Palmer (W/M [REDACTED] 33yoa), who is a license peace officer for the State of Texas and was on duty for the Dallas County Sheriff's Office. Deputy Palmer, at the time of the offense, intentionally subjects another, to wit: Jeremiah Ramos (W/M [REDACTED] 22yoa), to mistreatment when he unlawfully deployed his Axon Taser on Ramos. Palmer's actions caused physical pain and discomfort.

Charge #2 Official Oppression / Texas Penal Code 39.03(d) Misd A / Warrant # M2018593

I believe this information to be true to the best of my knowledge.

WHEREAS, Affiant requests that an Arrest Warrant or Capias be issued for the above accused individual(s) in accordance with the law.

IN JAIL

B. Fetter #629
AFFIANT

DP4 INTAKE
2020 JAN 16 PM 12:34
DALLAS COUNTY SHERIFF