



Conduct Unbecoming: Cost of bad behavior

Andy Pierrotti

March 1, 2016

Carlos Chacon isn't the type of man who hides his emotions, especially when he talks about the time his son told him how proud he was of him.

"He told me he'd forgot how determined I am to fight for things when I know I'm right," explained Chacon with tears coming to his eyes.

Chacon is talking about the day a jury ruled in his favor for what Austin police did to him in 2011.

It started when he called 911 after he says a man threatened him near a hotel in north Austin. When he tried to introduce himself, Austin police pulled him out of his car. Dashboard camera video captured the confrontation.

"Stop the car! Stop the car, show me your hands!" explained Austin Police Officer Eric Copeland in the video.

"I said I'm not a threat to you, I am the party that called you. I said I'm on the phone right now with 911 and you can hear the 911 in the background," contends Chacon.

Copeland and his partner then pushed Chacon to the ground, tasing him in the process.

"He didn't pull the taser one time on me, they tased me three times," said Chacon.

A jury ruled the officers violated Chacon's civil rights and awarded him \$1 million. The judge overseeing the case wrote, "As Chacon's luck would have it, the worst decision he made that night was to call 911."

Erica Grigg, Chacon's attorney, practices civil rights litigation.

"That was his community saying, we're not going to put up with this sort of rogue behavior from cops. We have to have a police department that is accountable for the behavior of their officers and they were upset," said Grigg.

According to records obtained by the KVUE Defenders from several departments across Texas, law enforcement's agencies have paid at least \$54 million in taxpayer dollars in claims and lawsuits since 2009.

Records show the city of Austin paid at least \$6.6 million. It also includes smaller departments, like the Bastrop County Sheriff office, which settled a \$1.2 million lawsuit last year involving the fatal shooting of Yvette Smith.

Former Bastrop County deputy Daniel Willis is charged with Smith's murder, with his retrial starting in March. Willis used an assault rifle to shoot Smith, and contends he thought Smith had a gun.

Before working in Bastrop, Willis was a jailer in Travis County, where a 2012 job evaluation showed he "needed more development in handling explosive situations and utilization of common sense."

The Austin Police Department confirms Willis failed a psychological exam when applying to work with its department before getting hired in Bastrop.

"It just seems to me that often there are these red flags through the hiring procedure that pop up that go ignored," argues Grigg.

Less than a year after Chacon won his lawsuit, the same officer who tased him was accused of misconduct again.

APD suspended Copeland for 90 days in 2015 for inappropriately tasing a suspect twice. Copeland remains on the force today.

Over the phone, Austin Police Chief Art Acevedo said Copeland knows he's been put on notice. The KVUE Defenders shared our findings with Austin Mayor Steve Adler, but would not comment on whether he thought Copeland is a liability for the city.

"You know, it would be hard for me to comment of any particular situation that I haven't been independently brief on," said Adler.

According to the CATO Institute, policing agencies across the nation spent more than \$346 million on misconduct related civil judgments and courts costs in 2010.