

## Notes on Police Violence

# Former Colorado police officers charged for arrest and injury of woman with dementia

Trévon Austin  
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Two former Colorado police officers are facing criminal charges in connection with an assault last year on a 73-year-old white woman with dementia. Gordon McLaughlin, district attorney for the Eighth Judicial District of Colorado, announced charges against former Loveland Police Department officers Austin Hopp, 26, and Daria Jalali, 27, on Wednesday.

On June 26, 2020, Karen Garner was stopped by Hopp and Jalali in Loveland, about 45 miles north of Denver. Garner was walking on the side of a road, clutching wildflowers and her wallet, when she was approached by Hopp, who suspected her of shoplifting items worth \$13.88 from a Walmart.

Body camera footage of the incident released last month shows that Hopp pulled on to the side of the road as Garner was walking home along an empty grass-covered field. Hopp approached Garner and identified himself as an officer before asking her to stop.

Garner, whose family says is only five feet tall and weighs 80 pounds, appeared confused by Hopp's commands and told him she was going home before turning to walk away. As her back was turned to him, Hopp reached for her left hand, pulled it behind her back and pinned her to the ground. Garner cried out in pain, looking terrified, and repeatedly shouted "I'm going home." Garner attempted to push herself up but Hopp forced her back down and began handcuffing her.

Garner is later shown leaning against Hopp's squad car, as Hopp continued to pin her left arm behind her back. Jalali, which the incident report says had only just arrived at the scene, walked over to take hold of Garner's arm as well. Jalali shouted "wait" as she raised Garner's elbow and a cracking noise can be heard, which Garner's attorney, Sarah Schielke, said is

the sound of her shoulder being dislocated.

Garner's body began to slide down the car and Hopp accused her of refusing to hold her own weight, placing her back on the ground. Hopp and Jalali eventually took Garner to the police station, where she was booked. According to court documents, Garner remained handcuffed to a bench in a cell for six hours before receiving any medical attention, despite numerous complaints about her shoulder and wrist being in pain.

Hopp has been charged with second-degree assault, attempt to influence a public servant and first-degree official misconduct. Jalali is charged with failure to report excessive use of force, failure to intervene in excessive use of force, and first-degree official misconduct. The district attorney's office dropped all charges against Garner.

A federal civil rights lawsuit filed by Garner's family states Garner wandered out of Walmart carrying "a Pepsi, a candy bar, a t-shirt, and some Shout Wipe refills," forgetting to pay for the items. Garner offered to pay for the items when she realized her mistakes, but store employees refused to let her. Surveillance camera footage shows that an employee tried to keep her at the store while they waited for police.

Mr. Hopp and Ms. Jalali resigned from the Police Department at the end of April, and a community service officer who booked Ms. Garner also resigned, officials said. Police station surveillance footage shows Hopp and other officers joking and gloating as they watched footage of the arrest.

"I was super excited," Hopp said. "I was like, 'All right, let's wrestle, girl. Let's wreck it!' I got her on the ground and all that stuff. I got her cuffed up ... threw

her on the ground a couple of times.” Adding, “I can’t believe I threw a 73-year-old on the ground.”

### **Former Memphis, Tennessee police officer charged for killing man while on duty**

On Wednesday, a grand jury indicted former Memphis, Tennessee police officer Patric Ferguson, 29, on counts of first-degree murder, aggravated kidnapping, tampering with evidence, abuse of a corpse, official misconduct and official oppression. He is being held without bond, according to Shelby County District Attorney General Amy Weirich.

Ferguson was arrested earlier this year after he became a suspect in the murder of 30-year-old Robert Lee Howard Jr., reported missing by his girlfriend on January 6. Court documents state Ferguson was on duty when he drove to Howard’s home and abducted him at gunpoint. Ferguson then drove less than a half mile away and fatally shot Howard in the back of his patrol car using a personal handgun. Police said that the two men knew each other but did not offer any details about their relationship.

Weirich said Ferguson later confessed to investigators and told them he enlisted help from an acquaintance, 28-year-old Joshua Rogers, to move and dispose of Howard’s body at another location. Howard’s body was recovered on January 10, according to Weirich.

Rogers, released earlier this year on a \$25,000 bond, was indicted Wednesday by a grand jury on counts of accessory after the fact, abuse of a corpse and tampering with evidence.

### **No charges filed against California officers who fatally shot mentally ill man**

On Friday, the Contra Costa County District Attorney’s office announced no charges will be brought against officers involved in the 2019 fatal shooting of 23-year-old Miles Hall. Hall was killed near his home in Walnut Creek, California northeast of Oakland as police responded to a call from Hall’s mother for help in handling a mental health-related episode.

One officer used a beanbag shotgun against Hall, who was holding a garden tool. Then officers KC Hsiao and Melissa Murphy fired their weapons, killing Hall before a mental health expert arrived at the scene. The District Attorney’s office claimed there was insufficient evidence to indict the officers.

Scott Alonso, spokesperson for the Contra Costa

DA’s office said, “They had nonlethal options to use, they deployed that and ultimately, they had to use lethal force because of the officers’ self-defense and the danger to neighbors in the community.”

Hall’s family and protesters gathered outside of Walnut Creek’s city hall building after hearing the news. Local reporters said the mother and uncle of Oscar Grant, murdered by a BART police officer in 2009, also joined the demonstration.

Speaking with local reporters, Hall’s mother said, “For us, it’s tragic there are no consequences for these officers but it’s not surprising.”

Hall’s family says they intend to ask the state attorney general and the US attorney to become involved in the case.



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