

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOANNA CASTRO,
PLAINTIFF

v.

Case No. 5:18-CV-312-DAE

ALBERT SALINAS,
DEFENDANT

AFFIDAVIT OF JOANNA CASTRO

STATE OF TEXAS §
TRAVIS COUNTY §

Before me, the undersigned notary, on this day personally appeared JOANNA CASTRO, the affiant, whose identity is known to me. After I administered an oath, affiant testified as follows:

1. "My name is Joanna Castro, I am over the age of 18, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge are true and correct.
2. On February 20, 2018, I was in the City of Olmos Park to film the police. I am a back-up camera person for activists who conduct "audits." By the term "audit," I mean that my fellow activists go to a public place to exercise their Constitutional rights to see if the police do their job right and protect the rights of citizens and activists.
3. I arrived in Olmos Park on February 20th in the evening. I was dropped off on a sidewalk a few blocks from where Defendant Salinas made contact with me. I walked along the sidewalk, talking to Jack Miller, who was the activist exercising his Constitutional rights in this particular audit. Jack also walked along the sidewalk. A few cars passed us as we walked along the sidewalk. I don't believe anyone else was walking on the sidewalk at the same time.
4. At a certain point, Defendant Salinas, whose name I did not know at the time, stopped his patrol vehicle right in the middle of the street, adjacent to where we were walking along the

sidewalk area. The official sidewalk on that block is right next to the building with parking spaces between the public sidewalk and the road. Salinas parked in the middle of the street. When he parked, I was holding both my cellphone and dedicated camera. The cellphone was on the video recording mode and filming, and my dedicated video camera was also on and filming.

5. I cannot remember if I was on the sidewalk area at the exact moment Salinas got out of his vehicle. I was 10 feet or less from the street, standing on asphalt. There was a parking lot behind me (as Salinas's vehicle was positioned in front of me).
6. Salinas started shouting at me, yelling to get back and to step away, and to put my camera down. With those shouts, I moved away from Jack Miller, obeying the order, walking back and to the side away from Jack, following Salinas's order. But, I did not follow the order to put down my camera.
7. Salinas came toward me with his rifle pointed toward me, walking fast, almost running. He kept yelling at me. He ordered me to step back and put my camera down. I stepped back, but I did not stop filming.
8. As he was charging toward me, there were people walking in the parking spots within two parking spots of me. The next-door restaurant was busy and open, and I assume that the people in the parking spots near me were patrons of the restaurant. People were sitting at tables on the patio at the restaurant, maybe 30 feet away.
9. He aggressively slapped my cellphone, and then he knocked my dedicated camera with his hand in two separate motions. He was yelling about my camera before he slapped and hit both the cellphone and dedicated camera. Salinas knocked both the cellphone and dedicated camera out of my hands. After he knocked both of the recording devices out of my hands, he left me, turning his back on me, and walked toward Jack Miller.
10. He came after me so forcefully that he hit my shoulder and breast on the left side of my body. From his body language and words, he was aiming for my camera. But, he hit my upper left side. After this, I was sore and tender where he hit me for about a week and a half.
11. Once he knocked the cameras out of my hands, he left me alone entirely. He did not approach me again. He gave no other orders for me to move.
12. Salinas never told me, or ordered me, to stand in any particular place. He just kept saying to get back – and I obeyed each time. He did not order me to move again after he slapped the recording devices out of my hands.
13. Exhibits A and B are the recordings from my devices. They are true and correct copies. They have not been edited.

14. On about the 27th of March 2018, I was again filming police in Olmos Park in roughly the same location. Many activists, maybe a dozen were present for this audit. Apparently, Salinas got a warrant for my arrest on March 22nd. While I was filming, there were many activists open carrying firearms as part of the audit. I filmed an activist's arrest.
15. Two Olmos Park police officers approached me on different occasions, asking if I was Ms. Castro. I was asked about three times if I was Ms. Castro. I did not respond the first two times. I responded the last time, and the officer said he had a warrant for my arrest.
16. I was taken to Olmos Police Station, where I sat until about 1:00 a.m. I was arrested about 6:00 p.m. or 7:00 p.m. I was shown a picture of myself after the arrest, and I confirmed it was me. My shoes were taken from me as I waited until 1 or 2:00 a.m. They then tried to transport me to Bexar County Jail.
17. When they were ready to transport me, they shackled my ankles, they put extra handcuffs on my wrists. It was raining outside. As I walked out the door, Salinas stopped me and put his hand on my shoulder, as about five other officers watched. Salinas said: "No one has been in my vehicle, so if we find anything – any drugs in my vehicle, they are yours." When he said that, it caused an extreme fear response. It scared the hell out of me that he was going to frame me for something. I was thinking the whole time – what if I wasn't going to make it to Bexar County Jail. What if they were going to pull over?
18. Two officers were talking among each other at the front of the vehicle, whispering, during the drive. They were within inches of each other in front seat. I couldn't hear what they said. They were driving slow. I thought they were going to pull over, hurt me, or plant something, or throw something in the back seat to plant on me. I was scared.
19. We got to the Bexar County Jail, and the two officers left me in the vehicle as they escorted other activists into the jail. They came back, I tried to watch them – again afraid something bad was going to happen. One officer got me out. I was taken inside. Salinas then left. The other officer sat me down and told me not to talk. I was booked into the jail. I was photographed and fingerprinted. I was in the Bexar County jail cell until about 2:00 p.m. the day after my arrest. I received a post card in the mail when I got out of jail stating that I had a warrant out for my arrest for the Salinas-interference charge.
20. When I talk about Salinas's statement and actions during my arrest, I still have an emotional response, thinking that Salinas could have shot me when he had his rifle pointed at me on February 20th, or planted something on me when he arrested me in March.
21. I went to court one time for the charge of interfering with a peace officer. During that first and only setting, the charge was dismissed by the prosecution, citing insufficient evidence. The dismissal is attached as Exhibit C, and incorporated herein by reference.

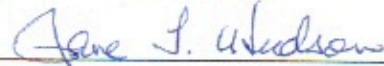
22. At no time during the encounter with Officer Salinas, did he give me an order that I did not follow, with the sole exception of the order to stop filming him because that is my First Amendment protected right.

Further, Affiant sayeth naught.



Joanna Castro

Sworn to and subscribed before me by Joanna Castro on June 13, 2018.



Notary Public in and for
the State of Texas

