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New evidence confirms Fort Bend Constable Daryl Smith places


knee on suspect's neck; Lies to Houston Civics investigators

Fueling Democracy

FORT BEND COUNTY, TX -- Houston Civics has obtained an official Missouri City Police Department memo (<http://keepusahonest.com/Daryl-Smith/RELEASE%20IA%20FILES%20-%20Part%206.pdf>) revealing the horrifying actions of Fort Bend Constable Daryl Smith. During a 2016 arrest as a Missouri City Police Senior Officer, Constable Daryl Smith forcibly placed his knee on the neck of a suspect for a total of 44 seconds, leading to the suspect being rushed to the hospital. When an internal investigation was conducted by Missouri City Police Department, Smith lied to investigators about putting his knee on the man's neck, but later changed his story and admitted to his disgusting actions once body camera footage was shown to him. Constable Smith is currently in a tight runoff election against Tonja Beard. (https://www.fbherald.com/news/early-voting-for-runoff-elections-underway/article_fee7430a-bba6-11ea-bf28-bb5bac6b61bb.html)



Police
Michael Berezin
Chief of Police



Houston Civics

Memorandum

To: Captain Dwayne Williams
From: Lieutenant Jeffrey York
Supervisor Michael Curry

CC: Assistant Chief Keith Jemison
Captain Kevin Williams
Assistant Chief Lance Bothell

Date: July 26, 2016

Re: PSI #16-0011 Investigative Report Summary

INTRODUCTION

This Internal Affairs Division investigative report responds to the administrative inquiry initiated by the Chief of Police against Sergeant Daryl Smith Employee# 266 of the Missouri City Police Department Patrol Division.

The Chief of Police's allegation against Sergeant Smith is for violation of policy 20-07 Use of Force. This incident took place in the 19800 block of South University Boulevard on May 28, 2016 at approximately 1347 hours.

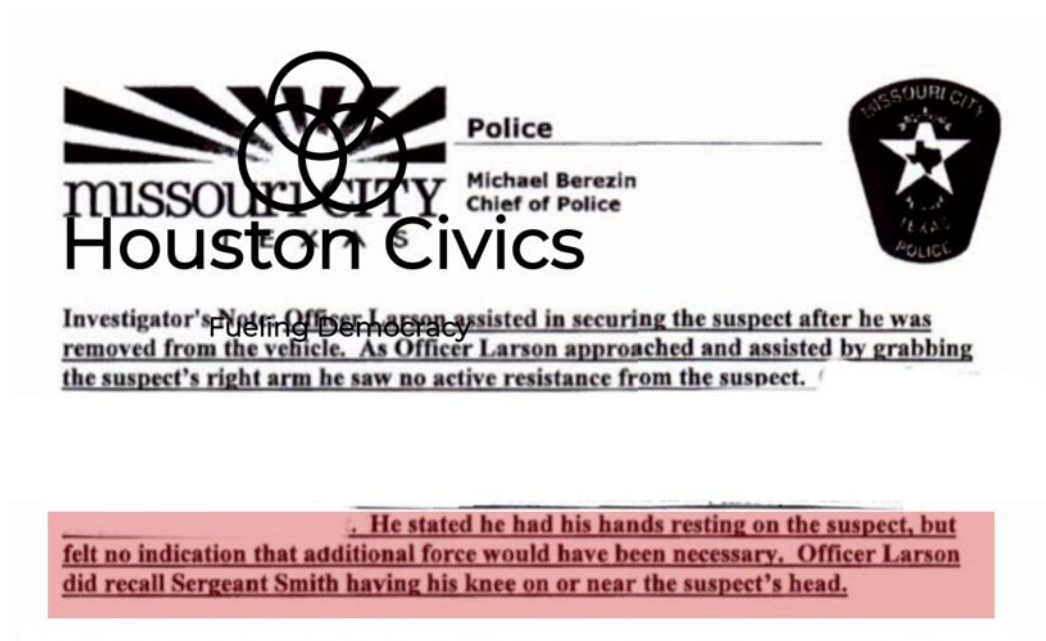
During the course of the investigation of PSI 16-0010, the investigator reviewed all body cam videos from the arrest of the suspect. During this review it was observed that

Sergeant Smith places the point of his left knee into the side of the neck of the suspect, at what appears to be a point nearest where the suspect's spine and skull meet. Sergeant Smith placed his knee on the suspect's neck as soon as the suspect was removed from the vehicle and placed in a prone position. Sergeant Smith's knee remained on the suspect's neck while the suspect was being handcuffed. After the suspect was secured, Sergeant Smith's knee remained on the neck of the suspect until Officers on scene requested the suspect be turned over, to facilitate the completion of their search.

This resulted in Sergeant Smith's knee, and the bulk of his body weight, being applied to the suspect's neck for a total of 44 seconds (14 seconds while he was being handcuffed, and an additional 30 seconds after he was secured).

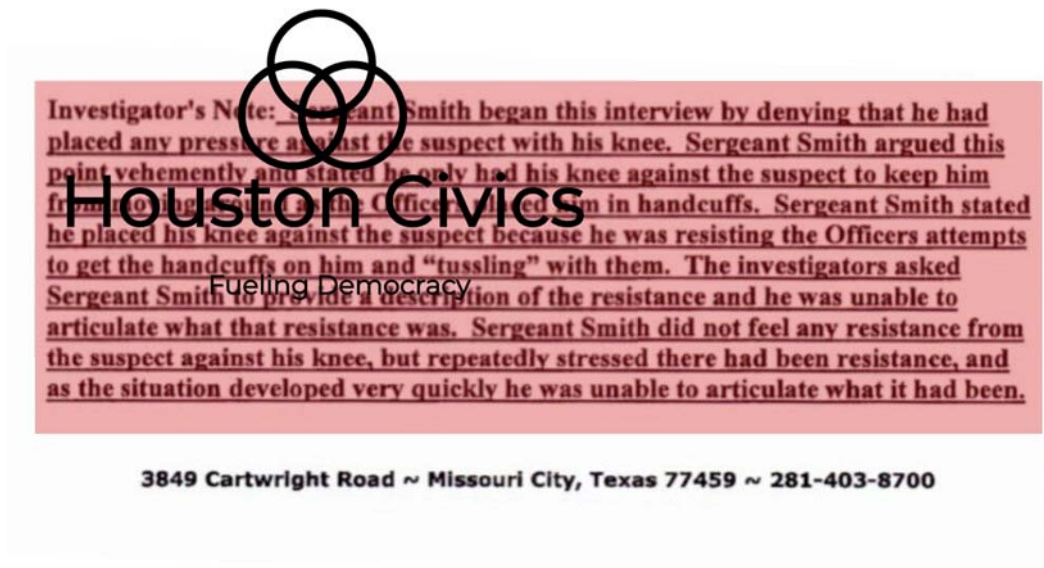
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Officers on the scene of the arrest confirmed to investigators they saw Constable Smith's knee of the man's kneck, while he was handcuffed. Officer Robert Larson told investigators the suspect was not resisting but also noticed "Sergeant Daryl Smith was keeping the suspect's head area secured with one of his knees."



Investigators note from conversation with Officer Robert Larson

According to investigators, Constable Smith immediately lied when confronted about the placement of his knee during the arrest, but soon changed his tune once he was shown overwhelming evidence proving his statements were deceptive. Smith told investigators he used his knee as an excessive force because the suspect was resisting, however, all officers on the scene except Smith told investigators there was no resistance from the suspect.



Investigators note from conversation with Constable Daryl Smith

Investigators concluded that Smith's actions were negligent, troubling, unwarranted, and unbecoming of a senior police officer. They assert that this type of unwarranted excessive force could certainly result in damage to the airway, restriction of blood flow to the brain, damage to the spine of the suspect, and positional asphyxiation. The suspect complained of head and neck pain during the arrest, similar to George Floyd before he was killed by Minneapolis Officer Derek Chauvin.

(<https://www.nytimes.com/2020/05/31/us/george-floyd-investigation.html>)

We will continue to follow this developing story.

HOUSTON CIVICS (/?AUTHOR=5D534FAEB8A6F200019E27D5)