

Statesman

Austin officer sues after reported racist comments by top brass

By Tony Plohetski

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Austin police Detective LaMarcus Wells was sick to his stomach when he recently learned an assistant chief was accused of calling him the N-word.

“I felt a sense of betrayal,” Wells said Friday in an interview with the American-Statesman and KVUE-TV. “Then it set in that it was hurtful, and now, basically, I’m trying to wrap my head around it.”

In a federal lawsuit filed Friday, Wells said the allegation against former Austin Police Department Assistant Chief Justin Newsom highlights a culture that has denied career advancement to him and other minorities in the department. Wells’ attorney said Newsom’s alleged comment that Wells and another officer are “stupid f-----g n-----s” brought the 12-year department veteran to a breaking point.

The lawsuit marks the latest fallout in the department since allegations against Newsom were made public earlier this month, triggering an outside review of how the matter was handled.

Despite glowing performance reviews and recommendations from Wells’ supervisors, the suit said, he was denied about a dozen transfers over the past nine years to coveted units, such

as the human trafficking and narcotics conspiracy unit, which often come with perks such as day shifts, overtime hours and take-home cars.

“The denial of the transfers has negatively impacted Mr. Wells’ career trajectory and has caused him to miss out on valuable professional opportunities and experiences,” the suit said.

Attorney Dan Ross said Wells’ lawsuit takes aim at the working conditions minorities face in the department, which the suit says has no black commanders, assistant chiefs or chief of staff. The Police Department has about 140 black officers on the force of about 1,800.

“We are not talking about the vast majority of individuals in the Police Department,” Ross said. “This is institutional, systemized racism that started years and years ago and has slowly worked its way into the policies of the Austin Police Department.”

Wells eventually received a new assignment in January 2018 after a transfer request.

The suit, which names Newsom and the city as defendants, said the department “was not able to provide consistent, objective reasons to Mr. Wells for why he was not selected for any of the transfers.”

Allegations about Newsom surfaced this month in an unsigned complaint to the city’s office of civilian oversight, touching off a firestorm in the department and the community.

Newsom was accused of using racist language to also describe former President Barack Obama and former Austin Council Member Ora Houston, who also is black. Wells is one of two

black officers named in the complaint against Newsom, who was accused of using the language in front of other officers and supervisors on the special response team.

Some union officials and community members have complained that Police Chief Brian Manley did not act fast enough to address the allegations, giving Newsom a window to retire and to receive about \$137,000 in a payout for unused sick time.

The city has hired an outside investigator to look into Manley's handling of the matter. Manley has said he was awaiting additional information about Newsom but has apologized for not doing more faster.

Newsom has said in a statement that he did not recall saying what's alleged in the complaint but said he has used "inappropriate language in private conversations with friends." He declined to comment on the suit Friday.

The city said in a statement that it is taking the matter seriously and "will review this new lawsuit and respond appropriately."

Wells said he is committed to continuing his career in law enforcement.

"I like helping people," he said. "That's No. 1, and just being involved in the community. I've always strived for that, and hopefully my work has made a difference."

