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## APD, TCSO Named In Civil Rights Lawsuit

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Updated: Friday, February 6 2015, 03:45 AM CST

The Austin Police Department and Travis County Sheriff's Office are facing a civil rights lawsuit. It stems from a driving while intoxicated arrest. But the lawsuit isn't necessarily about contesting the arrest.

In the lawsuit, lawyer Daphne Silverman says law enforcement officers went too far to charge her client. "There was excessive force used," she said.

The case stems from the February 2013 arrest of Caroline Callaway. She was taken to the Travis County Jail after she refused a breathalyzer. Silverman says to do a blood

draw, Callaway was strapped to a chair and a bag put over her head.

Silverman says Callaway was shaking and the needle popped out.

The suit claims Callaway already had an anxiety disorder, and now suffers from nerve damage and PTSD among other problems. That's when she alleges deputies crossed the line. "Another officer used a pressure point choke hold procedure to attempt to render her in some level of unconsciousness and her body did go limp and they took her blood at that point," Silverman says.



Her criminal case is still pending and is currently set to go to trial in April. We reached out to the city of Austin about the case. We were told they have not yet received the lawsuit. Travis County Sheriff's Office said it does not comment on pending litigation.

(Photo from Callaway's attorney)

By [Melanie Lofton](#)

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