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Cops Put Bag Over Woman's Head, Strap Her Down to Take Blood Test

US 00:59 10.02.2015 (updated 07:53 10.02.2015)

1668 5 1

A Texas woman is filing suit claiming Austin police strapped her to chair, put a bag over her head and held her in a chokehold to forcibly draw blood for a DUI test.

Caroline Callaway is suing the city of Austin, Travis County, the Travis County Police Department, Pro-Touch nurses and one of its employees for unlawful search and seizure, assault and battery, and negligence and medical malpractice, according to Courthouse News.

Callaway claimed that Travis County officer Patrick Oborski arrested her after she refused to take a breathalyzer test. She was then taken to the county jail and placed in a padded room, where the alleged events took place.

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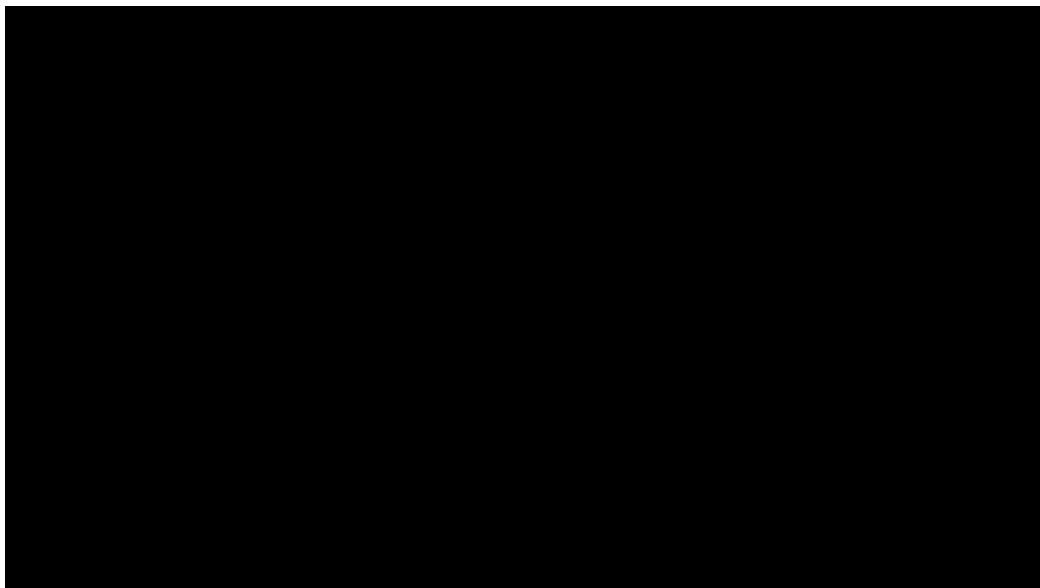
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She explained to the officers that she suffered from an anxiety disorder and took medication to treat it.



At that moment, she began to “involuntarily tremble” from said disorder. An officer then put a Tranzport hood, a bag used to deprive the senses to reportedly give a “calming effect,” over Callaway’s head.

Unsurprisingly, this caused Callaway to fall further into panic, and inhibited her breathing.

Daphne Pattison Silverman, Callaway’s attorney, told Courthouse News that Shannon Ramsey Graham, a contracted nurse with Pro-Touch, was also on the scene to administer a blood test, but according to the lawsuit, when she punctured the still shaking Callaway with the needle it burst open causing her blood to spew onto the officers.

“(D)efendants continued the abuse determined to take Ms. Callaway’s blood. In order to stop Ms. Callaway from trembling, one of the officers used choke hold pressure points on her neck, until her body went limp.” the complaint explains.

Based on her test results, Callaway was charged with a DWI, but the lawsuit contends the results are highly inaccurate due to the situation.

Callaway now claims to suffer to suffer from Post Traumatic Stress Disorder in addition to her anxiety disorder, nerve damage and bruising on her neck.

She is seeking punitive damages, pain and suffering, humiliation, and emotional distress.



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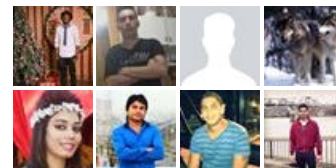
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The DWI case will go to court in April.

Callaway says she is pursuing the case in order to "change a government policy here and nationwide for the betterment of all citizens."



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