

APD and CAP METRO video evidence against David R. Harris (Operator ID# 300230)

Look first at Officer Guadarrama's body cam footage (AXON BODY 3 X6039BFER) from 7:42:56 AM to 7:43:11 AM, corresponding to 13:17 - 13:31 (thirteen minutes, seventeen seconds to thirteen minutes, thirty-one seconds) within the body cam footage.

Officer Guadarrama said to bus driver Harris, "He (León) claimed that when he was off the bus you went...", demonstrating a throat-slashing motion to bus driver Harris.

Bus driver Harris responded, verbally telling Officer Guadarrama, "I told him 'Get on off the bus and just stay off the bus'", and non-verbally using his right hand/arm to make a bold, strong motion from his chest outward to non-verbally back up what the he was telling Officer Guadarrama.

For clarity and the record, Officer Guadarrama then mimics Harris's motion from his chest outward, to which Harris says "Yeah", meaning Harris was verbally confirming to Officer Guadarrama that he (Harris) was claiming that he (Harris) used his right hand/arm to make a bold, strong motion from his chest outward only.

Officer Guadarrama then re-demonstrates the throat slash gesture to Harris, who says "Nah", meaning Harris explicitly told Officer Guadarrama that he (Harris) did NOT make a throat-slashing motion. Officer Guadarrama then said "OK".

However, the 7:15:05:00 - 7:15:13:00 (7:15 AM and five seconds to 7:15 AM and thirteen seconds) clip of CAP METRO bus video file LT-2357-05-07 07.09.00 (6694) explicitly contradicts Harris's verbal and non-verbal statements to Officer Guadarrama.

Looking at Camera 3 [Bus2357_Driver_L], driver Harris repeatedly nods his head up and down in response to BOTH times León (standing outside the bus, shown on Camera 2 – BUS2357_Front Door L) loudly told Harris, "You're a criminal!", meaning Harris TWICE non-verbally confirmed that he (Harris) was admitting to being a criminal. Harris also simultaneously and repeatedly pointed at his own chest with his right index finger (closest finger to his thumb on his right hand) to further confirm his criminal status/admission.

Then, looking directly at León, Harris clearly and explicitly makes the throat-slashing gesture across his own throat, from left to right, using with his right index finger. Then Harris drives away.

NOWHERE in CAP METRO bus video file LT-2357-05-07 07.09.00 (6694) do you see Harris making that bold, strong motion from his chest outward that he later claimed to Officer Guadarrama that he (Harris) had made, because Harris NEVER made that gesture.

Therefore, Harris LIED at least twice to Officer Guadarrama:

- 1 Harris claimed he (Harris) used his right hand/arm to make a bold, strong motion from his chest outward only, which he NEVER did;
- 2 Harris claimed he did NOT make a throat-slashing gesture, though he did.

Therefore, Harris is allegedly guilty of ASSAULT BY THREAT, violating Texas Penal Code 22.01(A)(2), and making a FALSE REPORT TO PEACE OFFICER, violating Texas Penal Code 37.08 (a)(1).