



# Office of the Attorney General Law Enforcement Division

PO Box 12548  
Austin, TX 78711

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# Incident

Incident # **CX7245366623**

Beat		Rpt Dist	Type				Seq <b>1</b>			
<b>General Report</b>		Attempt	Occurred	Date	Time	Day				
		<input type="checkbox"/>	On or From	<b>04/20/2022</b>	<b>15:26</b>	<b>Wed</b>				
		<input type="checkbox"/>	To	<b>04/20/2022</b>		<b>Wed</b>				
		<input type="checkbox"/>	Reported	<b>04/20/2022</b>	<b>15:26</b>	<b>Wed</b>				
Crime / Incident (Primary, Secondary, Tertiary) <b>39.03 PC Official Oppression</b>										
Location of Incident <b>Round Rock Isd, Austin</b>							County <b>TRAVIS</b>			
Cross Street <b>300 W 15TH ST</b>										
Dispo "V" = Victim "RP" = Reporting Party "W" = Witness "S" = Suspect "O" = Other										
<b>S</b>	Last, First, Middle (Firm if Business) <b>CLARK, DUSTIN KANSAS</b>		Race <b>W</b>	Sex <b>M</b>	Age <b>43</b>	HT <b>WT</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>	Home Phone <b>0</b>	
Address <b>[REDACTED]</b>		DOB		DL Number		State		Work Phone <b>0</b>		
City, State, Zip Code <b>ROUND ROCK TX 78664</b>		SSN		Local ID #		State #		FBI # <b>0</b>		
<b>S</b>	Last, First, Middle (Firm if Business) <b>STORY, JEREMY WADE</b>		Race <b>W</b>	Sex <b>M</b>	Age <b>46</b>	HT <b>WT</b>	Hair <b>BRO</b>	Eyes <b>GRN</b>	Home Phone <b>0</b>	
Address <b>[REDACTED]</b>		DOB		DL Number		State		Work Phone <b>0</b>		
City, State, Zip Code <b>ROUND ROCK TX 78665</b>		SSN		Local ID #		State #		FBI # <b>0</b>		
	Last, First, Middle (Firm if Business)		Race	Sex	Age	HT	WT	Hair	Eyes	
Address		DOB		DL Number		State		Work Phone		
City, State, Zip Code		SSN		Local ID #		State #		FBI #		
	Last, First, Middle (Firm if Business)		Race	Sex	Age	HT	WT	Hair	Eyes	
Address		DOB		DL Number		State		Work Phone		
City, State, Zip Code		SSN		Local ID #		State #		FBI #		
Synopsis <b>On 04-22-2022, the Office of the Attorney General (OAG) Special Crimes Unit (SCU) accepted this case for investigation that was referred by the Williamson County Attorney's Office, after receiving multiple complaints from citizens that involve possible violations of the Open Meetings act and Official Oppression by the Round Rock Independent School District Board (RRISD) and the Round Rock ISD Police Department.</b>										
S O L V A B I L I T Y	Continuation Attached <input type="checkbox"/>		Property List Attached <input type="checkbox"/>		Property Damage \$					
	UCR <b>26</b>		Press Release <input type="checkbox"/>		Domestic Violence Case <input type="checkbox"/>					
	Gang Related <b>N</b>		Hate Crime <input type="checkbox"/>		Victim Senior Citizen <input type="checkbox"/>					
	Pursuit <input type="checkbox"/>		Force Used <input type="checkbox"/>		Child Abuse <input type="checkbox"/>					
			County Code <b>TRAVIS</b>		Disposition <b>REF</b>					
			Connecting Case #							
	Report Complete/Ready for Review <input checked="" type="checkbox"/>		CAD/CFS Event # <b>22-000917</b>							
	Assigned To _____ Date _____									
Officer ID <b>Adam Madore, Sgt.</b>					Reviewed By <b>Wayne Rubio, Lt.</b>			Approved <b>YES</b>		
								Date <b>03/01/2023</b>		



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INTRODUCTION

1.0 On 04-22-2022, the Office of the Attorney General (OAG) Special Crimes Unit (SCU) was accepted a case for investigation that was referred to the SCU by the Williamson County Attorney's Office, after receiving multiple complaints from citizens that involve possible violations of the Open Meetings act and Official Oppression by the Round Rock Independent School District Board (RRISD) and the Round Rock ISD Police Department.

DETAILS OF INVESTIGATION

1.1 On 04-25-2022, I (Sergeant Adam Madore) was assigned case #CX7245366623 for investigation. I was provided a case opening memorandum and a letter drafted by Williamson County Attorney Dee Hobbs. In the letter, County Attorney Hobbs requested assistance from the OAG after the County received numerous complaints regarding the RRISD School Board and possible Open Meetings Act Violations.

1.2 In the letter, County Attorney Hobbs describes several complaints that have been made against the RRISD PD and School board. Hobbs also describes two instances where individuals were arrested or forcibly removed from school board meetings. In September 2021, Jeremy Story and Dustin Clark were arrested after warrants were obtained for Hindering Proceedings by Disorderly Conduct. This occurred after RRISD Police Officers removed the two males from school board meetings and then later obtained arrest warrants through Williamson County.

1.3 On 04-25-2022, I contacted Round Rock ISD Police Department Chief Jim Williby via telephone. I requested any reports, forms or other documents relating to the arrests involving Jeremy Story and Dustin Clark. This phone call was followed up by email with the specific documents requested. (Exhibit 2)

1.4 On 04-25-2022, Chief Williby provided me the requested documents. These documents included the arresting Officer's offense report, booking sheet, warrants and affidavits for the arrest of Clark and Story. I reviewed these reports, as well as videos taken of the incident from various sources.

1.5 On 04-25-2022, I requested assistance from a crime analyst employed by the OAG and assigned to the SCU. The analyst was asked to provide continuous assistance throughout the duration of the investigation. On 04-25-2022, the analyst located the driver's license information for the following individuals:

JEREMY STORY- DOB - DL#  
DUSTIN KANSAS CLARK- DOB- - DL#

1.6 On 04-25-2022, I reviewed the August 16th, 2021 school board meeting, which lasted 8.5 hours. Over 100 speakers, including students, faculty and other citizens provided their input on mask mandates and whether or not masks should be required at Round Rock ISD. At approximately the one (1) hour and 21 minute mark, Dustin Clark speaks about the mask mandate. Clark spoke when it was his turn and spoke respectfully during his two (2) minute speech window.

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1.7 During this same meeting, Jeremy Story was called up by the school board to speak during his allotted time. Board Member Amy Weir announced to Mr. Story that he had requested to speak about items including but not limited to the mask mandates that the meeting was called for, and instructed Story that he was only allowed to speak to the COVID-19 mask mandate. There was some verbal argument between Amy Weir and Jeremy Story, but Mr. Story began his speech. Story stated that all of the topics discussed during his two (2) minute speech would directly relate to the mask mandate discussion. Story began his speech discussing the rule of law and how the board was violating the rule of law by going against the Governors order on mask mandates. Mr. Story then attempted to bring up an example of another rule of law violation that the school board was committing, briefly referencing the superintendent of the ISD, and an ongoing investigation. Story was immediately talked over loudly by members of the school board and his microphone was cut out, making it unclear what Story said or if it related to the mask mandates. Story was removed from the microphone and prohibited from speaking approximately one (1) minute into his speech.

1.8 The president of the school board at the time, Amy Weir, stated "we need to have this gentlemen removed please". and "goodbye Mr. Story. Weir then directed Round Rock ISD Police Officers to stop Story from speaking and he was escorted out by Round Rock ISD officers. It appeared from videos from several sources that Story passively resisted officers by being non-cooperative, but not violent or assaultive while being escorted out.

1.9 I reviewed the police reports written by RRISD Police Officers about the incident. Officer Pope wrote in his report that on 08-16-2022, he was working an overtime detail at the school board meeting. Officer Pope stated in the report that limited seating was set up in the room at the direction of the school board, due to social distancing requirements. Only those with a chair could be in the board room, but there were other places to watch the live proceedings. Officer Pope contacted Jeremy Story, DOB [REDACTED] after observing that Story was standing in the room and that all of the seating was full. Story told Officer Pope that he could not tell him where he could or could not stand and that he had the right to be in the room. Officer Pope allowed Story to remain in the room after Officer Pope stated that Story was becoming disruptive as the meeting was about to start.

1.10 Officer Pope stated that during the meeting, it was Story's turn to speak and the Board President, Amy Weir instructed Story that he was only permitted to discuss the mask mandate and not to deviate from the topic. During the speech, Officer Pope stated Story brought up the superintendent and a protective order against the superintendent. Board President Amy Weir instructed Story to stop talking but Story continued on with his speech loudly. President Weir then directed RRISD Police Officers to remove Story from the board room for disrupting board proceedings.

1.11 Officer Pope and Officer Pontillo, according to their report, asked Story to leave several times, but Story refused. Officer Pope then used escort techniques for passively resistive individuals and removed Story from the room. Officer Pope and Pontillo state in the report that Story yelled and resisted,

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causing a disturbance to the board proceedings.

1.12 This information was passed on to RRISD Police Detective Lauren Griffith, who later applied and obtained an arrest warrant for Story for the incident.

1.13 On 09-14-2022, another school board meeting took place. RRISD Sergeant Chavez was working the event when RRISD personnel advised him that attendees were brining their own chairs to sit in during the proceedings. Sergeant Chavez states in his report that RRISD Police Chief Yaborough instructed him and other officers to remain at the doors and direct attendees into an overflow observation area that was set up. Sergeant Chavez stated in the report that numerous attendees were shouting "let us in" at the doors to the board meeting.

1.14 Sergeant Chavez stated in his report that Dustin Clark, DOB spoke when he did not have the floor and interrupted others while they were speaking. Sergeant Chavez stated Clark was given numerous warnings before board members instructed Clark to leave. Clark reportedly ignored the warnings and remained in the room, causing further interruption. Sergeant Chaves states in his report that himself and Assistant Chief Williby gave several orders and warnings to Clark, ordering him to leave the board room. Clark continued to refuse. Sergeant Chavez and Assistant Chief Williby removed Clark from the collapsible chair that he brought, while Clark passively resisted. Clark was escorted by the officers out of the room and building, while Clark screamed several things such as "Communist!".

1.15 Please see RRISD Police Department report 21-0915-0002 and 21-0817-0001 for further details.

1.16 I reviewed the recording of the meeting on 09-14-2022 and observed that the meeting began by President Amy Weir instructing atendees that the only people allowed within the board room will be those who obtained one of the specified (approximately 18 seats) and that anyone who tried to violate that rule would be escorted out by law enforcement. Several trustees on the board objected and tried to vote on that. The board president and RRISD attorney did not allow that to occur and stated that they were in fact allowed to use law enforcement to enforce this applied rule. There was a large amount of discussion about allowing the public into the board room. There was a few minutes of heated discussion between the board members before the board president asked Assistant Chief Williby to remove anyone not in a chair set up by the administration. Assistant Chief Williby made an announcement to where all of those who did not have chairs could go and view the meeting.

1.17 Throughout the entire meeting, you can hear a crowd of people chanting "let us in!". During the meeting, after public comments, the board attempted to clear the room for anyone not in the chairs set out by the administration. The board took a recess and then became extremely heated with each other again.

1.18 At the 28:48 minute mark, a citizen named Doug Mcqueen had the floor and told the board that several of the members were "endangering" everyone in the

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board room for not wearing a mask. There were several comments that could be heard from other members of the public in the room made back at Mr. Mcqueen.

1.19 Several members began making comments after Mr. Mcqueen was done speaking and the board continued on. Around the 31 minute mark, Dustin Clark was told to leave for continuing to make comments about the public not being allowed. The board argued with Mr. Clark for several minutes and then discussed amongst themselves to have Mr. Clark removed from the room.

1.20 Mr. Clark made comments about allowing the public in a few minutes later, after the board moved to discuss the tax rate and other financials. President Weir then asked Assistant Chief Williby to remove Mr. Clark from the room. Assistant Chief Williby can be heard giving several warnings, and then Mr. Clark was physically removed from the room by RRISD Police Officers. Mr. Clark can again be heard yelling "communist!" as stated in the RRISD Police report.

1.21 On 09-17-2022, RRISD Police Detective Lauren Griffith obtained an arrest warrant for Jeremy Story and Dustin Clark, for Hindering Proceedings by Disorderly Conduct, Texas Penal Code 38.13, a class A misdemeanor. The warrant was signed by a Williamson County Magistrate. The magistrate did not print their name on the warrant and I am attempting to obtain the information on the magistrate that signed the warrant.

1.22 Both Clark and Story were arrested on 09-17-2022 by the Williamson County Sheriff's Office and subsequently released on 09-18-2022.

1.23 On 06-02-2022, I contacted Chief Jim Williby of the Round Rock ISD Police Department to attempt to set up interviews with Officers Pontillo and Pope, Sgt. Chavez and Detective Griffith, who were all involved with the incidents during the school board meetings on 08-16-2022 and 09-14-2022. Detective Griffith was not directly involved at the school board meetings but wrote the arrest warrants for the incidents. I emailed and called Chief Williby requesting to set up the interviews. I was later contacted by Attorney Tiger Hanner, who stated he was representing the RRISD Police Officers and that contact or questions could be made through Hanner.

1.24 On 06-02-2022, I contacted Ryan Deck, the attorney representing Story and Clark to see if there is information that Attorney Deck was willing to provide, such as his clients willingness to partake in an interview.

1.25 On 06-06-2022, I was contacted by the RRISD School Attorney's Office, who asked what I was hoping to discuss with their Police Officers. I informed them that I had questions about the arrest of Clark and Story, as well as some other questions about the investigation and that I would work through Mr. Hanner, their TMPA attorney.

1.26 On 06-14-2022, I arranged an interview with the involved RRISD Police Department members, through their attorney Tiger Hanner. The interviews were scheduled for 06-22-2022.

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1.27 On 06-15-2022, I received several forwarded emails from Williamson County Attorney's Office, that were sent from citizens, demanding RRISD School Board Trustee Danielle Weston be investigated. A report from the independent law firm, Wadell Serafino, was attached to the emails.

1.28 The 37 page report contained the independent investigation that was conducted. The law firm found that emails, believed to be forwarded to non-RRISD school board members were released by Trustee Danielle Weston, violating client-attorney privilege and therefore violating the law. The report can be read in full and is attached to this report (ATTACHMENT-WADELL SERAFINO)

1.29 On 06-16-2022, I was provided several emails from citizens of Williamson County, to the Williamson County Attorney's Office. These emails included the Wadell Serafino Report as well as a petition under chapter 87 for the removal of Trustee Bone that was forwarded to the Williamson County District Court.

1.30 I discussed these emails with OAG Criminal Prosecutions Attorney Shane Attaway, who stated that the OAG will not be getting involved in those proceedings at this time.

1.31 On 06-30-2022, I interviewed Former Chief Yarborough, Assistant Chief Jim Williby and Detective Sergeant Lauren Griffith at the Round Rock ISD administrative building. During all of the interviews, Texas Municipal Police Association Attorney Tiger Hanner was present and represented all of the individuals that were interviewed. All interviews were audio recorded.

#### INTERVIEWS

##### FORMER CHIEF YARBOROUGH

Chief Yarborough stated that during the year of 2021 he was the Chief of Police for the Round Rock ISD Police Department. Now, as of the date of the interview, he stated that he was the Chief of Police for the City of Hutto, TX. Chief Yarborough stated that the Round Rock ISD Police Department received a large amounts of threats through mail, social media, phone calls, and in person due to issues and topics within the school board as well as the mask mandate that the Round Rock ISD had in place. Chief Yarborough stated that the threats grew more frequent as the year went on, causing fear and tension among school board members, Round Rock ISD faculty and citizens. Chief Yarborough stated that there were threats of "rushing" the school board podiums during school board proceedings.

Chief Yarborough stated that the Round Rock ISD Police Department was not involved in deciding how many chairs were allowed in the board room during school board meetings, but that they were aware of another room being set up near the board room where the meeting was televised and citizens were afforded the right to speak as per school board policy.

Chief Yarborough stated that he was aware of the events involving the arrest of

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Jeremy Story and Dustin Clark, but that he was not the arresting officer. Chief Yarborough recalled that Jeremy Story was given a warning by police officers earlier in the meeting that took place on August 16th, 2021 for interrupting the meeting. Chief Yarborough stated that at no time was the Round Rock ISD Police Department told to watch Story, told that Story was going to have an outburst and or that Story was going to cause any problems. Chief Yarborough stated that he did not know Jeremy Story until after the incident on August 16th, 2021.

Chief Yarborough Stated that he was in attendance at the August 16th, 2021 meeting and that Story had signed up to speak, stating that his topic was something other than the mask mandate. When Story got up to speak, he was instructed my Amy Weir, the school board president at the time that he could only speak on the mask mandate. Story became argumentative but began his two-minute speech. Chief Yarborough stated that Story went off topic during the speech and brough up matters involving criminal allegations against the superintendant. Several board members called for a point of order and Story was warned to get back on topic. Story began yelling over the board members and continuing to speak. The School Board members called for the removal of Story from the meeting and the Round Rock ISD Officers that were in the room went over and asked Story to leave. He refused and ignored the Officers and the Officers used escort techniques to remove him from the board room.

Chief Yarborough stated that he contacted the Williamson County Attorney's Office on August 17th, 2021 and advised them of the incident. The incident was assiged to Detective Sergeant Lauren Griffith for further investigation. Chief Yarborough stated that the County Attorney's Office provided assistance and was aware that a warrant was to be drafted for the offense later on. Chief Yarborough stated that the decision to have an arrest warrant issued was the decision of the Police Department and the County Attorney's Office and that no outside influence from citizens or school board staff was a factor.

Additionally, Chief Yarborough stated that they had a meeting scheduled to discuss the case involving Story with the County Attorney's Office to discuss their plan of action, and then the incident with Dustin Clark occurred at the September Board meeting. Chief Yarborough stated that the County Attorney's Office was made aware of the incident and was aware and involved in the process of the arrest warrant being issued. Chief Yarborough also explained that he even passed on certain information about all of the threats being received to the FBI for assistance.

ASSISTANT CHIEF JIM WILLIBY

Assitant Chief Williby state that he was present during the removal of Clark and Story from the two separate board meetings, but was only the contact officer during the removal of Dustin Clark. Assistant Chief Williby stated that the Round Rock ISD continuously received threats against the school and the school board due to the ongoing politics. Assistant Chief Williby stated that the only concerns of the Round Rock ISD Police Department were they safety and security of the staff, students, visitors and faculty of the school district. Assitant

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Chief Williby explained how fearful that citizens and faculty were due to the ongoing threats.

Assistant Chief Williby stated that he was the contacting officer for Dustin Clark. He stated that at the September meeting, Clark began arguing with Officers Early on about the seating regulations that were put in place by the school board. During the meeting, Clark had an outburst and interrupted the meeting, yelling. The school board members called a point of order and requested he be removed. Clark ignored Assistant Chief Williby's instructions and continued to yell, causing Assistant Chief Williby and another Officer to remove him from the room as he yelled things such as "Communist!" at the school board. Assistant Chief Williby stated that Clark stated that he knew he interrupted the meeting. Assistant Chief Williby stated that the information involving the incident was immediately passed on to Chief Yarborough as he was on scene at the time.

Assitant Chief Williby stated that the decision to arrest later on with an arrest warrant was so that a complete and thorough investigation could be completed. Additionallly, Williby stated that the warrant was issued after the second incident, involving Clark, after consultation with the County Attorney's Office.

**DETECTIVE GRIFFITH**

Detecetive Griffith stated that she was working during the August school board meeting that Jeremy Story was removed from. She stated that she was working in the parking lot so did not see the event occur. She was later assiged the case, as well as the case involving Dustin Clark, to complete an investigation on and later obtained an arrest warrant. She stated that the County Attorney's office was aware of the entire process and that she, and Chief Yarborough had been in contact with them about the investigation. Griffith also stated that she discussed the facts of the case with the Judge, who determined that there was probable cause to obtain the warrants for arrest for Story and Clark.

1.32 I requested the body-cam footage as well as any other documents or other evidence that are available. Tiger Hanner, the TMPA attorney stated that he would faciliate getting that information to me.

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