

Declaration of Jean Posey

I, Jean Poscy, declare the following based on my personal knowledge

- 1 I am over the age of 18.
- 2 On the afternoon of August 16, 2010, I was babysitting in a ground-floor apartment at the West Terrace Apartments at 14305 Lorain Avenue, Cleveland, OH.
- 3 I heard a commotion outside and one of the children with me yelled, "Aunt Jean, they're hurting him!" Because one of the other children I was responsible for was outside, I ran right to the window to see what was happening
- 4 When I got to the window, I observed two police officers grabbing Juan Ortiz and throwing him up against a car in the parking area. They were just a short distance away from me. Juan was crying out in pain.
- 5 I observed Juan's mother attempt to intervene to protect him, but the police held her back and pushed her down on the ground. She was speaking Spanish and was panic-stricken. I was afraid she was going to have a heart attack.
- 6 I observed Juan's father tell the police they were making a mistake and that his son had down nothing. I believe Juan's father told the police that Juan had Down syndrome
- 7 In response, the police were screaming and using vulgar and obscene language toward Juan's parents. The language those officers used would make a sailor blush. One of the officers told Juan's mother to "get the h--- back to where she belongs." He called her a "Mexican wetback."
- 8 Juan Ortiz is a sweet child and is small for his age. At the time of the incident, he appeared to be 12-13 years old. All you have to do is look at Juan's face and you can tell that he is mentally disabled.
- 9 From the time I saw the police slam Juan into the car until they released him was approximately 15-25 minutes.

I declare under penalty of perjury that the foregoing is true and correct

Dated: 11/14/12

Jean Posey
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