

**Approved**

Revised 5/12/2016



**ATLANTA CITIZEN REVIEW BOARD  
MINUTES OF THE MEETING**

April 14, 2016  
55 Trinity Avenue, SW  
2<sup>nd</sup> Floor Atrium Committee Room One  
Office Telephone: 404-865-8622  
Atlanta, Georgia 30303  
6:30 p.m.

The April 2016 meeting was called to order by *Chair Sherry Williams* at 6:32 p.m.

**AGENDA**

**ROLL CALL**

*(The ACRB has eleven members)*

**ACTIVE MEMBERS PRESENT**

**SHERRY WILLIAMS** (*Chair/Williams*)  
**CECILIA HOUSTON-TORRENCE** (*Torrence*)  
**BILL BOZARTH** (*Bozarth*)  
**WILLIAM HARRISON** (*Harrison*) (*arrival time 6:35*)  
**RUTH PRICE** (*Price*)

**GERALD SOUDER** (*Vice Chair/Souder*)  
**PAUL BARTELS** (*Secretary/Bartels*)  
**GINO BROGDON** (*Brogdon*)

**ACTIVE MEMBERS ABSENT**

**HAROLD HARDNETT** (*Hardnett*)

**VACANT BOARD SEATS**

**APAB-NPU** (*Group S - Z*) – (*11 months*)  
**Office of the Mayor** (*vacant 2 years and 8 months*)

**STAFF ATTENDEES**

**SAMUEL LEE REID**, Executive Director(*Reid*); **SHEENA ROBERTSON**, Investigation Manager (*Investigator Robertson*); **ROBIN LOLAR**, Investigator, Sr., (*Investigator Lolar*); **BRIAN FLEMING**, Investigator, Sr., (*Investigator Fleming*); **MYOLA SMITH**, Project Manager (*Smith/Transcriber*); **LYNN GARRETT**, Executive Admin. Assistant, (*Garrett/Transcriber*); **VIRGINIA ROBINSON**, (*Robinson*) COA Law Department

## APPROVAL OF MINUTES OF THE LAST MEETING, FEBRUARY 2016

*Chair Williams* opened the floor for discussion and corrections to the approval for February minutes.

*Bartels* moved to approve the minutes as recorded. *Souder* seconded. Hearing no discussion, the motion was approved

## APPROVAL OF MINUTES OF THE LAST MEETING, MARCH 2016

*Discussion and Comments...*

1. *(Bozarth)* I have a question. Why did we decide to not hear the three cases that night?
2. *(Williams)* We did have a quorum, however, we had two (2) new board members who had not had a chance to adequately review the cases and they had not read the minutes.
3. *(Bozarth)* Did we not send them Myola?
4. *(Smith)* Yes we did send them to everyone. The consensus of the board was because the two newest members were not here for that particular meeting, they were not in a position to vote on them.
5. *(Houston-Torrence)* At that point, we had not had our case review training but this past week, I had my case training.
6. *(Reid)* Correct. They hadn't been train yet, so they shouldn't have been voting on any cases prior to some type of training.
7. *(Williams)* noted for the record: We had a quorum; however, we had two new board members who had not been trained." Any other corrections or concerns? At this point, we welcome board member, **Bill Harrison**.

*Houston-Torrence* moved to accept the minutes for March 2016 meeting. *Bartels* seconded. Hearing no discussion, the motion was approved.

## EXECUTIVE DIRECTOR'S REPORT

*The Chair* noted for the board's information that she asked the executive director to send his report out in advance of the meeting. "I recommended that we receive the report in advance so that we can move the meetings along and we can have better thought-out questions. He is going to do a synopsis of the report. In the future, the report will now be sent out with the minutes so that you have time to review them."

The following highlights were reported by *Director Reid*:

- City Council passed the ACRB proposed ordinance as a consent item during the March 21<sup>st</sup> City Council meeting.
- The ACRB budget 2017 fiscal year budget increased by \$16,999. The amount is to cover the costs associated with the ordinance changes. "While this may not appear to be a significant increase as compared to previous years, the ACRB is currently in a good position. We have adequate staff to meet the current demands."
- Included in the legislative changes is the Mediation Program that the ACRB will begin implementing. Director Reid indicated that he will discuss the mediation program at another time.
- Another noted change is the board now being required to participate in outreach. The outreach team will continue to send out calendar notes and communications informing the board of various activities

and encouraging board members to participate in events of their interest to meet the minimal required number of activities required annually.

*Discussion and Comments...*

1. **(Bozarth)** *Tell me what the staff will look like once all the re-assignments and new hires are done. Can you go over that quickly?*
2. **(Reid)** *The staff structure, as far as assignments, you have the executive director, two (2) managers. One project manager, who is over administration, outreach and mediation. The other manager is the investigation manager overseeing investigations. The rest of the staff includes two (2) investigators, an outreach public information officer, an executive assistant, and an administrative assistant (when that person comes on board). I think with that staffing, and where we are now, we are in a good position to handle various things that we are trying to do. Next year, if we realize that we don't have enough investigators, or not enough staff to make something happen, then we will make a request for that. This year, the City's budget direction was not to add any increases to anyone's budget unless it was something related to an ordinance change. The whole idea was to keep the budget flat. The good thing about that is, there are going to be no cuts.*
3. **(Bozarth)** *The administrative person will handle some of your duties because you will also be responsible for mediation?*
4. **(Reid)** *We are trying to transition Myola from doing a lot of the administration duties. There are other duties that she will still hold on to; but payroll, purchasing, board meeting things, we will be moving out to other individuals. A lot of her time will need to be focused on community outreach; mediation, and the budget.*
5. **(Harrison)** *With regards to the mediators, are they going to be paid or non-paid?*
6. **(Reid)** *The way we are looking at it and I have concerns with both of them paid and unpaid, but we need qualified candidates; attaching some money to it, will make it easier to get qualified people who may be interested. ...like these law firms...based on you just signing up. ...trying the volunteer thing...like I said, it can work, it just going to take us some time to get up and run with it. A lot of times when you get volunteers, you wind up getting people who are recently out of training, building up their status and experience. These types of mediations, you really need people who have experience in dealing with the emotional piece that people tend to come in with.*
7. **(Harrison)** *How will the pay be comparable to what pay scale?*
8. **(Reid)** *We are a city agency and we are not going to pay private corporate rate fees. We do know that we have to pay something that shows value of people's time.*
9. **(Williams)** *Can you bring an estimate?*
10. **(Reid)** *All the details of the Mediation program have not be worked out and when they have been finalized, including the specifics pertaining to mediator pay, the program specifics will be presented.*

- **Director Reid** touched on Community meetings indicating that ACRB is still planning to hold three meetings in the community this year to allow the agency to make a presence in other areas of the city.
- Color of Law Presentation – FBI Special Agent Andrew Benjamin came last month to introduce himself to the board. Agent would like to come back and make a presentation to the board during a board meeting and to answer any questions that you may have.

- Training- **Reid** thanked everyone for providing their training availability. **Reid** stated that he would like to push for June to begin training for the board members. He anticipates the two newest seats, the Urban League and People’s Agenda appointees will be on board and this will allow them to participate in the trainings.

*Discussion and Comments...*

1. (**Bozarth**) *Are you in contact with those organizations about the appointments?*
  2. (**Reid**) *Yes, we actually sent them letters today reminding them we need them to appoint someone. The idea is to call them tomorrow to further that conversation. The president of the Urban League is actually thinking about being the person to serve on the board. I’m not sure who the People’s Agenda is going to appoint.*
- Board member will be paid for attending board meetings and trainings. “We need to have some policies in place. The board will need to determine what constitutes a board member’s attendance for a full meeting or training in order to receive the stipend.”

*Discussion and Comments...*

1. (**Williams**) *Before you go on to that. Why don’t we ask the board members to make comments on that and to make a recommendation to submit to you between now and the next meeting.*
  2. (**Reid**) *A recommendation for the policy? About attendance?*
  3. (**Williams**) *Yes. Everybody might have the same ideal or they might be all different.*
  4. (**Bartels**) *I think one thing that we need to think about is what exactly constitutes attendance at a meeting or training? If like some people are more than X number of minutes late or they leave more than X number of minutes early. We need to define that.*
  5. (**Williams**) *I think the main thing is to find out what the other boards are doing. Aren’t there other boards that get paid?*
  6. (**Reid**) *There are.*
  7. (**Williams**) *We need to find out what they are doing.*
  8. (**Reid**) *That will work.*
  9. (**Smith**) *So as far as tonight, because you are supposed to be paid for tonight, we will just delay processing payments until we have something on record. Is that what I’m hearing?*
  10. (**Several members**) *No, No.*
  11. (**Williams**) *We are only delaying the actual policy.*
  12. (**Smith**) *Okay and so that you are aware, we will use the sign-in sheet for documentation. Make sure you initial your name on the sheet because that is the back up support we need in order to process these payments. It’s up to you to do this to verify your attendance because when we get back to the office and start this process, we don’t want to guess about your attendance instead your initials will be the verification.*
  13. (**Williams**) *We need proper documentation at all times anyway.*
- ACRB Office is planning on moving to a more suitable office space. The City’s building planning unit is considering the 14<sup>th</sup> floor of the City Hall Tower. The plan is to have Ethics and ACRB share the space on that floor.

*Discussion and Comments...*

1. (**Harrison**) *Have you seen the space?*
2. (**Reid**) *I have not seen the space? Apparently, it is supposed to be move-in ready.*

3. **(Robertson)** *When I was in the Law Department, the Compliance Unit was on the 14<sup>th</sup> floor. The only thing is that, it does not have a conference room, so that's something that you have to think about.*

- Board Recommendations to Atlanta Police Department (APD) – ACRB sent a letter to Atlanta Police Department requesting an update on additional recommendations that had been submitted by the board. No response has been received back from APD. **Reid** stated that he will meet with Major Martin from APD on next week to speak about other issues and the recommendations update.
- **Director Reid** met with the City Attorney's Office to discuss their concerns about officers receiving due process. "The City Attorney believes that the agency is violating officer's due process rights by not providing officers an opportunity to be heard before the board. We will continue to meet with the City Attorney's Office to discuss their concerns and communicate your suggestions. As things become clearer, we will report on the outcome."

#### *Discussion and Comments...*

1. **(Reid)** *One of the issues that I think that we may have resolved is when the board will receive the cases and having the officers and citizens come in. A lot of this is getting into some language that's in the ordinance. Depending on how this plays out, we may need to go back to city council and have that language changed. Because in the wording, it talks about a hearing process and even though we have been doing this for 9 years, the way we have been doing it, no one has complained about it. City Attorney office thinks that it exposes us to some type of liability issues, so we need to look at it and see what the real exposé is...five years nothing has happened. We will continue to talk about it.*
2. **(Harrison)** *What exposes us to lawsuits?*
3. **(Reid)** *There's a concern that officers are not getting their due process by the board; and when the body rules on these cases that can open up the board to some type of lawsuit.*
4. **(Bartels)** *I was going to say, my understanding of the law, I did criminal, not civil. My understanding is that any time there's any type of hearing that can adversely affect the government employee, they are entitled to due process. Which basically means two things; it means a hearing and the opportunity to be heard. I don't know about the specifics of that, I think we can all agree that we have a hearing on these cases. I think the two issues are; to what extent is due process implicated in light of the fact that we can't make any **binding** recommendations. All we can do are recommendations. That is one issue that I have seen. The second issue that I see is, what exactly does it mean to be heard? The staff always seeks out the officers to get their side of the story. Does that count as being heard? Those are the two issues.*
5. **(Brogdon)** *Also there's the opportunity to talk at the hearing. Everybody is totally opened to the public to speak. We have a section with each hearing where they get an opportunity to come. If you take advantage of due process...even if this is a due process issue.*
6. **(Harrison)** *It's not a due process issue because if the Office of Professional Standards (OPS) is going to mirror our officers' investigations which are what they are doing, OPS gives that officer an opportunity to speak. Because what we do is not binding on the officer.*
7. **(Reid)** *Clearly, all those issues that you raised, we are looking at them. Gino, the one that you talked about, is the one that we have not fully made officers aware of; that they can come to the hearing. That is a communication piece that we have started doing that you will be seeing in the future. Letters going out to them as a reminder. But, what is that going to look like? That is what the conversation is going to be.*

8. *(Williams)* They can also be told when they actually show up to be interviewed.
9. *(Reid)* It's a formality type of thing that we need to take care of.
10. *(Brodgon)* Is it too much trouble to involve the board in the meeting with the city attorney in terms of figuring that out? The only reason I say that is, the city attorney is kind of looking at it from a bird's eye view and if you are here, these are the issues we can come up with off the top of our head. Not that we can speak of the city's liability, but surely the due process.
11. *(Reid)* This is something that the board should be weighing in on and I'm glad to hear that, because, we're talking about the process that you guys have to live with. I think that the city attorney's office would probably like to hear your opinions as well because they make the recommendations, it's up to the board to follow or not.
12. *(Bartels)* Instead of us attending regular meetings, is there a contact person at the city attorney's office that we can give feedback to?
13. *(Reid)* That's possible, but all the other board members need to know what's happening; and we all need to know what the arguments are. Now, if there was a meeting and a member didn't attend it, that's different. I am hesitant about the one-on-one thing because this is a process for the entire board. Everybody needs to know what is happening.
14. *(Brodgon)* Maybe we can do an email string where everybody writes their issue and we assign one board member or two board members to attend a meeting.
15. *(Robinson)* I'm Ginny Robinson. I'm from the city attorney's office. This is just my second meeting. I am happy to give out my email. Veronica and I will be switching off, meaning, who will attend which meeting and if you all feel comfortable with an email chain, that's fine. Happy to have that conversation with anyone.
16. *(Williams)* I agree with Lee and I think what he is talking about is that we need to make a decision as a board, as far as messaging, so that everybody can understand what's going on and as a board, presenting to you.
17. *(Robinson)* And that's fine. If you would like my phone number or my email, I'm happy to give that out and talk through some issues

- Bylaws Update - **Reid** reiterated that the board needs to form a committee for the pay policy. He also would like the committee to review the bylaws that are related to the new ordinance changes.
- Regarding Community Outreach - **Smith** announced that the art and essay contest is coming up on the last two weeks of the contest. "This weekend, we will be at Greenbrier Mall. We are pulling together a fun day for kids and families to register for the art and essay contest. Now that you are required to do four (4) community activities, this might be one of those fun things that you can do. If you are interested come out between 1 p.m. and 4 p.m. I have posters for the art and essay contest with the rules and registration on the back. If you know of some kids between the grades of 1-5 to enter the art contest, and grades 6-12 for the essay contest, please pick up some information from me. Also, if you come out this weekend, all of us will be wearing, as well as the kids that enter the contest, a T-shirt like this and it says, "We're all in this together!" We have an image of the citizen and the police and then ACRB of course is the bridge. On the back; it has "Art and Essay Contest." I think that it's going to be a lot of fun."

*Discussion and Comments...*

1. *(Williams)* Did they send these out to schools?
2. *(Smith)* Yes.

3. *(Williams)* How many people think that they might be able to make a showing?
4. *(Harrison)* This weekend?
5. *(Smith)* Yes. Saturday, April 16<sup>th</sup>.
6. *(Williams)* Did everybody get their mail? Did anyone not get this in the mail? Great.

**Note:** *Chair Williams* asked if anyone had concerns in changing the order of the review of the complaint on the agenda. *Williams* advised that case #15-085 (*Investigator Lolar*) will be the first case to review due to the fact that Investigator Lolar has only one case. No objections were made.

## INTAKE REPORT FOR MARCH 2016

Investigation Manager *Robertson* reported that for the month of March 2016, the ACRB received twenty-one (21) complaints.

### A. COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS:

The ACRB staff is seeking approval to dismiss seven (7) of the 21 complaints. It should be noted that the proper referrals were given to those citizens whose complaints fell outside of ACRB's jurisdiction. The following is a list of the complaints that are being recommended for dismissal and the reason for the recommendation:

1. ACRB Case No. 16-035 - Other  
Recommend dismissal for lack of jurisdiction.
2. ACRB Case No. 16-037 – False Imprisonment & False Arrest  
Recommend dismissal for lack of jurisdiction.
3. ACRB Case No. 16-039 – Unlawful Detainment & Illegal Search  
Recommend dismissal for lack of jurisdiction
4. ACRB Case No. 16-040 – Harassment  
Recommend dismissal for lack of jurisdiction
5. ACRB Case No. 16-047 – Inappropriate Touching  
Recommend dismissal for lack of merit
6. ACRB Case No. 16-053 – False Arrest, Excessive Force & Inadequate Medical Care  
Recommend dismissal for lack of jurisdiction.
7. ACRB Case No. 16-054 – False Arrest  
Recommend dismissal for lack of merit.

### **Investigation recommendations:**

The following eight (14) cases are recommended for investigation:

1. ACRB Case No. 16-034 – Excessive Force & False Arrest  
The Complainant alleges that on December 29, 2015, while on his way to see his dying mother in the hospital, he was stopped by two APD officers for committing a traffic infraction. He alleges that during the stop, the officers forcibly removed him from the vehicle and he was threatened to be tased by a sergeant. He further stated that he was arrested for failing to sign the citation, a claim he denies. Recommend investigation as an excessive force and possibly a false arrest complaint. However, preliminary investigation revealed that complainant's criminal case stemming from this incident is pending adjudication in the Fulton County State Court and the investigation into the false arrest allegation will depend on its outcome. Recommend suspension of the investigation pending the resolution of his case.
2. ACRB Case No. 16-036 – False Imprisonment

The Complainant alleges that on February 8, 2016, he was improperly stopped and detained by two APD officers and as a result, he was arrested for having outstanding warrants. Recommend investigation as a false imprisonment complaint.

3. ACRB Case No. 16-038 – False Imprisonment  
The Complainant alleges that on February 26, 2016, she was unlawfully detained while at the Hartsfield-Jackson International Airport by an APD officer. Recommend investigation as a false imprisonment complaint.
4. ACRB Case No. 16-041 – False Imprisonment  
The Complainant alleges that on March 1, 2016, two APD officers unlawfully detained him; as a result, he was arrested for having outstanding warrants. Recommend investigation as a false imprisonment complaint.
5. ACRB Case No. 16-042 – False Arrest/Excessive Force/Abusive Language  
The Complainant alleges that on October 14, 2015, he was unlawfully detained and arrested by APD officers. He further alleges that during the incident, the officers physically assaulted him and was verbally abusive towards him.
6. ACRB Case No. 16-043 – Harassment & Unprofessional Conduct  
The Complainant alleges that Zone 5 APD officers had been harassing him. He also alleges that the officers have been rude and unprofessional towards him.
7. ACRB Case No. 16-044 – Falsifying Report  
The Complainant alleges that on October 18, 2015, the APD officer that responded to an accident involving her and another motorist failed to ask her any questions or take a statement from her. She further alleged that the officer falsified the incident report by stating that he did talk to her. Staff is awaiting complainant's signed complaint. If the signed complaint is received within the next few weeks, then recommend investigation as an inappropriate action required complaint. If signed complaint is not received, then recommend dismissal.
8. ACRB Case No. 16-045 – False Imprisonment & Harassment  
The Complainant alleges that on March 11, 2016, APD officers unlawfully stopped and cited him for failure to signal and maintain lanes. Complainant feels that he is being harassed due to his prior complaint with ACRB (15-136).
9. ACRB Case No. 16-046 – False Arrest & Excessive Force  
The Complainant alleges that on February 12, 2016, he was falsely arrested by an APD officer and during the arrest, the officer struck him in the back with a blunt object. Complainant stated that his case was dismissed. Recommend investigation as a false and excessive force complaint.
10. ACRB Case No. 16-048 – Unprofessional behavior & Discriminatory References  
The Complainant alleges that on March 22, 2016, an APD officer's behavior during the investigation of an accident involving her and another motorist was unprofessional. She further alleges that the officer said to the other motorist, "these people, this is why I have to write a report", which she felt was inappropriate. Recommend investigation as a conduct and discriminatory reference complaint
11. ACRB Case No. 16-049 – False Arrest  
The Complainant alleges that on March 13, 2016, he was falsely arrested by an APD officer. Preliminary investigation revealed that the Complainant's criminal case stemming from this incident is pending adjudication in the Fulton County State Court and the investigation into the false arrest allegation will depend on its outcome. Therefore, recommend suspension of the investigation pending the resolution of his case.



12. ACRB Case No. 16-050 – Abuse of Authority  
The Complainant alleges on March 13, 2016, while incarcerated at the Atlanta Detention Center, a correction officer and a lieutenant intentionally withheld his paperwork and prolonged his processing time. Recommend investigation as an abuse of authority complaint.
13. ACRB Case No. 16-051 – Inappropriate Conduct & Rudeness  
The Complainant alleges that on March 29, 2016, an APD officer was unprofessional. He further alleges that the officer accused him of stealing a TV. Recommend investigation as an inappropriate action required complaint.
14. ACRB Case No. 16-052 – False Arrest  
The Complainant alleges that on February 27, 2016, he was falsely arrested by APD. Preliminary investigation revealed that the Complainant criminal case stemming from this incident is pending adjudication in the Fulton County State Court and the investigation into the false arrest allegation will depend on its outcome. Therefore, recommend suspension of the investigation pending the resolution of his case.

*Discussion and Comments...*

1. **(Souder)** *I have a question about...I know that the ordinance was effective as of March 30<sup>th</sup>. I know that you said that you sent out a letter, selected to go back how many days? Has the legal department said that we could investigate something that was filed when the incident happened before the ordinance was actually in effect?*
2. **(Reid)** *The action that you guys took on it was dismissed because we couldn't cover it.*
3. **(Robertson)** *You all haven't technically made a decision on these particular cases.*
4. **(Souder)** *But, what I'm saying is, the incident happened prior to the ordinance changing and if we can investigate. I was just wondering if the legal department had any input in that.*
5. **(Reid)** *That would have been no difference than when this ordinance was put in place originally, when people wanted to come in and file complaints related to something happen within that time frame going back.*
6. **(Williams)** *That's a good question.*
7. **(Souder)** *The ordinance changes were effective March 30<sup>th</sup>. A lot of these cases that are on here now, we didn't have the authority to investigate, but they happened prior to the ordinance changing.*
8. **(Robinson)** *I have to get back with you on that...have to double check. First time hearing this.*
9. **(Williams)** *Does the ordinance specifically say we can actually review cases that we did not take six months before the ordinance was in effect?*
10. **(Harrison)** *If the action that the officer had against the particular citizen, is still within the time frame, is that still an active complaint?*
11. **(Robertson)** *We only sent letters to the ones that were still within the window of 180 days to still file a complaint.*
12. **(Williams)** *Oh, I see what you are saying. It wasn't really that many.*
13. **(Souder)** *The reason for my question obviously is, when a law changes, or something becomes a criminal offense or whatever, you can't get charged for it back before the law actually took effect. Unless it was retroactive issue. I think that we need to know for sure.*
14. **(Reid)** *Yeah, I think that we can do that.*
15. **(Williams)** *Let me see if I can clarify this. Those folks who fall within that 180 days window of their case, they actually could file again on April 1<sup>st</sup> because the 180 days is still not over. I got it. Does that make sense?*
16. **(Bozarth)** *That's been our assumption. But Gerald (Souder) is raising a question, which I do believe that we need some extension on it.*
17. **(Souder)** *Part of that is because of the issues that we had in the past where the chief does not agree with our recommendations anyway. If we go and hear these cases and we find in favor of*

- the complainant; sends the recommendation to the police chief and he says, "Well, that wasn't covered!" So I think that we need to know up front before we spend the time to make a decision one way or another on a case that we are actually going to have to look at it.*
18. **(Reid)** *I can definitely understand where you're coming from and appreciate that. My thought would be; if we were to run into that problem, then I think, we as a board...you guys as a board, will need to address that with the city council and make it retroactive; if that is the problem. You as a citizen board hear the concerns of the citizens and address those concerns about police conduct. We should at all times be focusing on making it more available for citizens to have their grievances heard. That your job...that is what you do. Truthfully, the ordinance never should have been as narrow as it is anyway. If the person is saying that the action occurred, and they believe that it occurred, and they went through the steps of actually filing a complaint against the officer; which would have been a violation in the police policy manual, and if we then tell them, well, we got this new law, even though would be a policy violation in the police department's book, we can't investigate your complaint. I think that our goal is to open up the process. How do we get people to bring their complaints to us? For the individual that didn't file a complaint 180 days ago, who now comes in stating that he would like to file a complaint, you are not going to turn that complaint away. You can accept it.*
  19. **(Souder)** *That wasn't my point Lee.*
  20. **(Reid)** *No, I think as a board, it has to be looked at.*
  21. **(Robertson)** *To resolve this issue tonight, it only involves four cases. One, we have not gotten to sign the complaint yet. Once we get the complaint back, it will be received after the ordinance was passed anyway. The other complaint is coming in on Monday. I can get her to do a totally new complaint form and be signed as of Monday. The other two, you can dismiss them tonight. I will send the complainants a letter to inform them that they just need to do another complaint form.*
  22. **(Reid)** *Wait a minute. On the ones that you have there, when did they file the complaint?*
  23. **(Robertson)** *They filed it prior to...*
  24. **(Reid)** *But they haven't filed a new complaint?*
  25. **(Robertson)** *Right, that's what I'm saying; which will only affect two (2) individuals. I can send them letters to both of them saying your case has been dismissed because XYZ; however, because of the new ordinance has passed, we will now be able to investigate your case, but we need you to re-file your complaint.*
  26. **(Reid)** *Right. That's the way that they are supposed to be done. We will talk about that.*
  27. **(Williams)** *Obviously, that is a technicality, so let's get back on track. I have one quick question. Why is it that we hear a complaint where the person was actually arrested for outstanding warrants? There are two of them like that.*
  28. **(Robertson)** *The issue is, they are alleging that...it's not that the words weren't valid; the officer didn't have reasonable suspicions to stop him in the first place. That is how the arrest came about...after they checked and ran their names and found that they had warrants. So the issue is whether or not the officer had the right to stop them in the first place. That is why we are looking at it as a false imprisonment complaint.*
  29. **(Bozarth)** *We have one of those to discuss tonight, right?*
  30. **(Williams)** *Correct.*
  31. **(Bozarth)** *My question to you Lee, are you're ok going forth with the presumption that we can hear these cases? I think Gerald's point is we need to make sure we can. Can we at least ask the question? Is that reasonable?*
  32. **(Reid)** *Yes.*

### **Reconsideration of Complaint:**

#### ACRB Case 16-021 – Harassment

The Complainant had filed a harassment complaint against two (2) APD officers pertaining to an incident that occurred on February 4, 2016 while driving on Martin Luther King Jr. Drive and Hamilton E. Holmes Drive.

ACRB's numerous attempts to obtain a statement from Mr. Williams have been unsuccessful. Therefore, recommend for dismissal for lack of cooperation.

B. BOARD VOTES ON INTAKE REPORT

**Bozarth** moved to accept the Intake Report for March. **Bartels** seconded. Hearing no further discussion, the motion was approved with complaint.

**COMPLAINTS REVIEW:**

**ACRB CASE NO 15-085, LINDSAY MCCUTCHEN**

A. ALLEGATION SUMMARY

The Complainant, Lindsay McCutchen, alleged that on July 5, 2015, at approximately 12:30 a.m., while at the Big Sky Buckhead Bar, Atlanta Police Officer Thomas Gleason engaged in excessive force when he grabbed Ms. McCutchen by the neck, pushed her to the ground, slammed her head to the concrete and choked her to the point where she almost "blacked out."

B. STAFF RECOMMENDATION

The ACRB staff recommends that the allegation of Excessive Force against Officer Thomas Gleason be assigned a finding of **Not Sustained** (*there is insufficient evidence to conclude that the officer committed the alleged acts of misconduct*).

*Discussion and Comments...*

1. (**Bozarth**) *I am inclined to accept Ms. Lolar's recommendation. This is in my neighborhood. You don't get too many complaints from that side of town. I went over to the Big Sky Bar this afternoon and checked it out and it's interesting. It sits about 50-75 feet back from the street. If you look at the picture, there's a little wall there and a patio behind it. People can sit there on the patio or go inside. There is a long parking lot which is probably where the police walked her back. Couple of things comes up for me... again, I said this so many times; off duty police officers are not in my opinion the best way to enforce drinking policies at these bars. It's a shame that so many officers are in a position financially to have to accept these jobs. It gets them into a position where we have situations like this and I think it's bad. Having said that, I would imagine that he was probably a little rough with this young woman, however, her attitude challenged him and he probably did what he had to do. I would say I wish that he weren't there, he gotten caught up in this situation. That's the reality, we have a lot of off duty police officers who provide assistance; the bouncer, and that was what he was doing here. I recommend that we accept Ms. Lolar's recommendation of not sustained.*
2. (**Brogdon**) *I disagree a little bit. While I did find Ms. McCutchen's testimony to be somewhat inconsistent, some of the stuff that she said was consistent with the other witnesses and the witnesses that...I don't want to say that they were on the officer's side; the other officer didn't see it, but the bouncer gave his description of it and left out the details of them taking the people the ground. I think that is undisputed that he took the two that he took...Adam and Lindsay to the ground. I think that is undisputed. For the bouncer to leave that out, I think that it take credibility from that. Honestly, I think Lindsay's story was a little bit overdone. There was nothing that corroborated someone standing over her, hitting her in her face and choking her until she blacked out. But, this officer did take her to the ground and you know I think that there is a little debate as to whether she was swinging or what she was doing as she was walking away. When I think about 5' 3", 120 lbs woman and I do not know how big the officer is, it seems excessive to me to put her on the ground and put a knee in. That's not her testimony, that's Adam's. He said that he had her on the ground and he didn't know if she was facing up*

or facing down, but his knee was in her. That is how you subdue somebody; that's how you subdue me when I am out of control. Someone who is 120 lbs and 5' 3" maybe they do not teach a difference, but I would think that it seems excessive and seems likely to hurt. To take her by the throat is also undisputed and to take her to the ground. The other thing is, the stuff about the incident report not giving it to a supervisor and then the officer who came out didn't write a report. There's a problem with that. That's elbow rubbing. That's people scratching each other's back. There should be an incident report. He took two (2) people to the ground as an off duty officer. I saw the policy on it and there's some discretion because, it's whether this action is likely to hurt them. Well, there's someone that's maybe likely to hurt one person than someone not, but a 120 lbs woman who's 5' 3" taking her to the ground by her throat and putting his knee in her back or chest is excessive. I think at the very least, needs some type of document of an incident like this. For there to be no report, no supervisor's call to the scene; for it to take over 45 minutes for someone to get to this place. I'm not criticizing how long it takes to get there. In terms of priority, APD has a lot going on. When you think about the visual of this, if you read everybody's version of the story, we know that she was grabbed by the throat and taken to the ground. Why that to me seems out of control. Even if she is out of control, and what she said was wrong and she was totally wrong in this incident, but I don't think that then allows you to break procedure because police officers are held to a different standard. It is unfortunately, his job as an off duty officer handled that without exceeding the necessary force. I think it did.

3. **(Bozarth)** Maybe Ms. Lolar can expand on this. She (complainant) was admittedly intoxicated and resisting being told to leave the bar. The officer was challenged and she did not suffer any long term injuries, no hospitalization. I was comfortable with the degree of force at least to get her away from the scene. It wasn't inappropriate. Again, I wish that it hadn't happened and wish she wasn't there. I don't think that we can also hold him accountable to the fact that he wasn't written up. If the complaint is against him for his excessive force...I guess this is false imprisonment, right?
4. **(Brogdon)** I wasn't saying anything about not being written up. I was saying that there is no accountability with no investigative report, no accountability with no supervisor's call to the scene. There were two people, not the two people that called in, but when Adam called in, he complained about himself and the other young lady. There may have not been any alternative action taken to memorialize this incident. I think that there is something wrong there. That's not what we're here to discuss, but it's more of this indication of unclean hands. That's not fair to charge somebody with that one when that's is not within the board's purview, but it does add the analysis in terms of the excessive force and what the reactions were, how the cops reacted. The fact that no report was taken, I know it was within discretion that it didn't have to be taken, but the supervisor should make that call. I thought that was part of the standard procedure and it weren't.
5. **(Price)** Can I say something? Arresting females, they are the worst to arrest. They scratch, they pull your hair and they kick. Twenty-six years, I only had a fight with one woman. We're wild, we scratch and we jump on other folks backs. I don't think that they can write a SOP on how to arrest somebody just because she is a female.

**Chair Williams** opened the floor for a motion. **Bozarth** moved to accept staff's recommendation to **Not Sustain** allegations against Officer Thomas Gleason for excessive force. **Bartels** seconded. Hearing no further discussion, the vote was called and the motion was approved with one abstention (**Harrison**) and one opposed (**Brogdon**). **Harrison** cited that he had not received the case report as his reason for abstaining.

#### ADDITIONAL RECOMMENDATION

It is noted that Officer Gleason's "Extra Job Permit" that was on file at the time of this incident expired on June 24, 2015; approximately a week and a half prior to this incident. Staff is recommending the Board ask APD to look into the issue concerning Officer Gleason's not having a valid extra job permit on file at the time of the incident.

*Discussion & Comments...*

1. **(Bozarth)** *What would that look like Robin, writing a letter or attaching a paragraph to the letter to the Chief?*
2. **(Robertson)** *It will just be recorded in the letter.*
3. **(Bozarth)** *I think that point should definitely be made. If you need a motion, I will make that motion that the language be added to the letter to the chief.*

**BOARD VOTE ON RECOMMENDATION**

**Bozarth** moved to accept staff's recommendation for the Atlanta Police Department to look into why Officer Gleason did not have a valid job permit on file at the time of the incident. **Brogdon** seconded. Hearing no further discussion, the vote was called and the motion was approved with one abstention (**Harrison**)

**ACRB CASE NO 15-148, GERALD KELSO**

A. **ALLEGATION SUMMARY**

The Complainant alleges that on October 10, 2015, Atlanta Police Officer Juan Cooper unlawfully stopped and cited him for failure to stop at a stop sign.

B. **STAFF RECOMMENDATION**

ACRB staff recommends that the allegation of False Imprisonment against Officer Juan Cooper be assigned a finding of **"Exonerated"** (*the investigation established that the alleged acts occurred but were justified legally and properly within Department policy*).

*Discussion and Comments...*

1. **(Williams)** *Did anybody else get to see the video? I had to hold my laughter. That's why I love dash cams. A picture is worth a thousand words... well, a video is worth ten thousand. Any questions?*
2. **(Bartels)** *Would you concur with staff's conclusion that it's clear that he did go through the stop sign?*
3. **(Williams)** *He did. It's very clear. He did not pause, hesitate, or yield.*
4. **(Bozarth)** *I have one comment. I'm gonna have to agree with Sheena's (Robertson) recommendation. Isn't it interesting that the dash cam confirms the officer's position? It always seems to be working when there is some question about them, it often is working. I'm going to let that comment fall. I would say if the staff, we could start keeping your records of the number of times that the dash cam did not work, I think that makes a case for us to it brings up a larger issue.*
5. **(Bartels)** *There's the other case we had where it was out of order for fifteen months. We need to talk about that.*

Following the discussion **Bozarth** moved to accept staff's recommendation to **Exonerate** the complaint against Officer Cooper. **Houston-Torrence** seconded. Calling for the vote, the motion was approved with one abstention (**Harrison**). **Harrison** cited that he had not received the case report.

Following Harrison comments about not receiving the reports, the following discussion occurred:

*Discussion and Comments...*

1. **(Harrison)** *I don't have a report.*
2. **(Williams)** *These are cases are for the month before.*

3. **(Bartels)** *These were passed out.*
4. **(Harrison)** *I didn't know...*
5. **(Williams)** *It was in the minutes. It's ok. You received the minutes in that package though?*
6. **(Harrison)** *Yeah, probably. All I got is 15-134*
7. **(Williams)** *So the minutes have the information on there. Did you receive the agenda?*
8. **(Harrison)** *Whatever I was supposed to get last month, that's what I got.*
9. **(Williams)** *We also sent the agenda in the email.*
10. **(Bozarth)** *It will be helpful to me to use my time well. I didn't know until I got the minutes that these cases will be heard tonight. I read them for the month before; knew I was absent, put them aside. I would have spent some time reviewing had I known. The other thing is, one of the packages that were sent to me, from the March meeting, we are not hearing tonight. I invested half an hour looking at that and I didn't know that we weren't going to see that until I got the agenda. All of that can be helpful if you make those decisions early to tell us what we need to look at..*
11. **(Williams)** *What is actually feasible as for as the earliest that the agenda can go out?*
12. **(Smith)** *In that particular case, the decision to take or remove the case wasn't made until this week.*
13. **(Bozarth)** *Who made that decision?*
14. **(Williams)** *I did. We did not want to be here all night and we do not have a lot of cases for the following month. So we just moved....*
15. **(Reid)** *To resolve that issue, what we can do is; in a situation where we don't hear a case that we are planning to hear, the next day we can send out an email.*
16. **(Harrison)** *I did get the agenda Tuesday from Lynn Garrett.*
17. **(Williams)** *We will make sure that you get it early. Can the agenda go out at least 2 weeks before?*
18. **(Smith)** *The goal is to get it out a week in advance but, we have to wait until you all approve it. If we don't get the approval until Monday or Tuesday, then that is what's going to happen.*
19. **(Williams)** *We'll work together; so we'll make that happened. So where are we?*

A. ADDITIONAL RECOMMENDATION

The Complainant alleged that during the traffic stop, Officer Cooper's behavior was unprofessional. The recommendation from the staff is that the board may want to recommend to APD to look into the Complainant's allegation.

*Discussion and Comments...*

1. **(Robertson)** *The additional recommendation is that he also alleged that during the traffic stop, the officer's behavior was unprofessional. We didn't have jurisdiction to look into that. We're recommending that it we refer it back to APD.*
2. **(Williams)** *Would that be in the form of a letter?*
3. **(Robertson)** *Yes. It will be with the letter that we send to the chief.*

**Chair Williams** opened the floor for a motion. **Bartels** moved to adopt the recommendation and to include in the letter the allegation of unprofessionalism by Officer Cooper. **Price** seconded. Motion was approved.

**ACRB CASE NO 15-149, ANDRE MCDANIEL**

A. ALLEGATION SUMMARY

The Complainant alleged that on December 2, 2015, Atlanta Police Officers Darryl Moore and Dexter Sanchez unlawfully stopped and cited him for failure to stop at a stop sign located at the intersection of North Avenue and English Avenue.

B. STAFF RECOMMENDATION

ACRB staff recommends that the allegation of False Imprisonment against Officers Darryl Moore and Dexter Sanchez be assigned a finding of **Not Sustained** (the investigation established that there is insufficient evidence that the officers committed the alleged acts of misconduct).

*Discussion and Comments...*

1. **(Bozarth)** *The officers said he did and the complainant said he didn't.*
2. **(Bartels)** *Well, I think that it shows again that body cameras vehicle mounted cameras they are not the entire solution, but they are a piece of it. If we had that then, we might have something to tip the balance one way or the other. Unless we discuss it more, I will make a motion to adopt staff's recommendation.*

**Bartels** moved to adopt staff's recommendation to assign a finding of **Not Sustained** for False Imprisonment against Officers Darryl Moore and Dexter Sanchez. **Brogdon** seconded. Hearing no further discussion, the vote was called and the motion was approved with one abstention (**Harrison**). **Harrison** cited that he had not received the case report.

**ACRB CASE NO 15-109, BRIAN BRICKHAM**

A. **ALLEGATION SUMMARY**

The Complainant alleges that on October 30, 2014, Atlanta Police Officer Trenton Nielsen was verbally abusive towards him when he told him to "Shut the fuck up" and referred to him as a "Monkey."

B. **STAFF RECOMMENDATION**

ACRB recommends that the allegation of Abusive Language against Officer Nielson be assigned a finding of **Not Sustained** (the investigation failed to prove or disprove that the alleged act (s) occurred).

*Discussion and Comments...*

1. **(Souder)** *Other than the fact that it is the same type of issue where there's no camera; it's 'he said, she said' type of thing. I would have to agree looking at the facts presented by the investigator that there is no way to tell who would be telling the truth. I would have to agree with the recommendation to Not Sustain.*
2. **(Bozarth)** *One of the things that bothered me was...and I spoke with Brian about it today. When they stopped him in the first place; he's a thirty-five year old man and the suspects were between sixteen and twenty-one years old. The color of the car that they said that committed the arm robbery was a different color car. His clothing did not match the description of the men that they were looking for. The whole premises of him stopping in the first place; it was back to something that we said earlier; it turned out that he was not the right guy who done this arm robbery, but he had warrants. You said that camera might have help*
3. **(Williams)** *Now, that's a good question though. Which precincts have cameras?*
4. **(Robertson)** *They say none of the zones have cameras? Only in the interview rooms they can record, but they don't have cameras.*
5. **(Souder)** *But the officer could have had a body camera on.*
6. **(Bozarth)** *Brian, you interviewed him in the jail; while he was in jail, right? Can you give us ideal how credible he was in making these claims?*
7. **(Fleming)** *I can't speak on his credibility...if he was lying or not. I took the statement and tried to question him in a manner which he would have to be very detailed in his statement. As for as his credibility, there was no evidence that he was telling me the truth or that he was lying.*
8. **(Bozarth)** *Same question on Officer Nielson. Did he seem credible?*
9. **(Fleming)** *Same thing. Basically, it was a he said she said... There's nothing to support either one.*
10. **(Bartels)** *I have a question. Reviewing over this...he was trying to find his way back to Interstate 20, which as far as that goes, completely illegal. He was pulled over on Northside*

*Drive by Lieutenant Wilson...the other officers arrived. Why was he pulled over in the first place?*

11. **(Fleming)** *He had just done a robbery investigation and we didn't actually go into all of that because he was found guilty. They brought the people out who were robbed and he was identified as the one who actually committed the robbery.*
12. **(Bozarth)** *He wasn't found guilty of that crime though.*
13. **(Fleming)** *He was found guilty of actually having a gun and giving them false information.*
14. **(Bozarth)** *The way I read it, he was not one of the people who committed the arm robbery that night for which he was stopped? Am I correct?*
15. **(Fleming)** *Well, he was identified by the people who made the complaint.*
16. **(Bozarth)** *But the court did not convict anybody. You look at the court records and that was nolo contendere.*
17. **(Bartels)** *I guess my question goes back to not, because the people actually ended up identifying after he was stopped, why do you think that they ended up stopping him in the first place?*
18. **(Fleming)** *I think because he admitted during this interview he was driving around trying to find his way...if you don't know where you are going; I might slow down. I think that might have caught the officer's attention and at the same time, he said that there were stuff going on the radio and that he heard on the officer's radio of this robbery taking place and that might have peaked the officer's interest.*
19. **(Bartels)** *What I'm trying to say is...if somebody driving around slowly, that's still not illegal. I'm ok going along with staff's recommendation on the abusive language because it's a he said, she said. I'm concerned as to why he was pulled over in the first place; before witnesses identified him and before he heard anything on the radio.*
20. **(Bozarth)** *He didn't file the complaint on that basis.*
21. **(Bartels)** *It wasn't processed. I would say this, I have no proof that we would do it all over again, but is it a false imprisonment to begin with.*
22. **(Bozarth)** *Turned out that he lied; gave a phony name; he's not a credible.*
23. **(Bartels)** *Yeah, but all that happened after he was stopped.*
24. **(Bozarth)** *I know, the question is, in a body like this, if somebody was guilty of other things, which he was, he lied to the police, does that weigh in our decision whether to believe him when he talks about another alleged infraction.*
25. **(Bartels)** *Like I said, I am ok with staff's recommendation on the abusive language, but what was the legal justification before he filed?*
26. **(Brogdon)** *Maybe, we can do a recommendation to look into his file. That is my concern with the, 'he said, she said'. If it's a he said, she said, and if they are doing that enough, there are going to be enough complaints in the file that substantiate some type of trail. So, I think the very least that we can do is make a recommendation in the letter that says: "This is non-sustained, because clearly there is not enough evidence, but, recommends further investigation regarding any other abusive language violation..." And I think the issue that others are bringing up with regards to the reason why they pulled him over, I would like to address that, but that's not what he complained about. We can't really shift to try and find something. Even though I think that there's a problem with that.*

**Chair Williams** opened the floor for a motion. **Bartels** moved to accept staff's recommendation. **Brogdon** seconded. Hearing no further discussion, the vote was called and the motion was approved with one abstention (**Harrison**). **Harrison** cited that he had not received the case report.

#### **ACRB CASE NO 15-134, DEJUAN ANDERSON**

##### **A. ALLEGATION SUMMARY**

The Complainant alleged that on October 16, 2015, while in the vicinity of Joseph Lowery Boulevard and Donald Lee Hollowell Parkway, Atlanta Police Officer Marvin Shields III falsely imprisoned him when he unlawfully stopped and detained him.



B. STAFF RECOMMENDATION

ACRB staff recommends that the allegation of **False Imprisonment** against Officer Shields be assigned a finding of **Not Sustained** (*the allegation failed to prove or disprove that the alleged act(s) occurred*).

C. ADDITIONAL RECOMMENDATION

During the course of the investigation, it was revealed that the dash camera in Officer Shields' vehicle was inoperable on the day of the incident and has been defective since July 2014. If the dash camera had been working, the incident may have been captured and could have provided some insight surrounding the traffic stop. Therefore, the Board may want to recommend to APD that the dash camera in Officer Shields' vehicle (APD Vehicle #31182) be repaired to ensure future traffic stops and citizen encounters are memorialized.

*Discussion and Comments...*

1. (**Bartels**) *I have a question. His statement for why he originally stopped was that he was letting a friend go and that would appear to come under the exception of maybe, Section 2A, stand whether occupied, except momentarily to pick up or discharge a passenger or passengers and if he actually had someone in the vehicle with him. To me that is discharging a passenger. Did he name the individual?*
2. (**Fleming**) *He wouldn't name the individual and I asked the officer as well. Did you see anybody get in or out of the car? He said that he sat there 45 seconds observing and nobody came to the car*
3. (**Bartels**) *If he had a name, I would be more inclined to sustain it.*
4. (**Price**) *Can I say something? That incident occurred where the prostitutes are walking around all night and he stopped because he thought that he was going to pick up a lady. The problem that I was concern with; he stopped there with two cases. That's a morning watch case. When I would get off at 7a.m. in the morning and court does not open up until 8. If my supervisor is not concerned about me going to court, then I am going home.*
5. (**Fleming**) *I checked with APD, he wasn't notified.*
6. (**Bartels**) *In fairness, sometimes the cops are not notified by the courts. The other thing that I would like to point out; this is just a general comment. With regards to stopping a vehicle in the roadway, I counted this law and there are 17 different ways one can violate that law. My comment is that, I think that we've become an over criminalize society. Seems like everything is illegal in one way or another. Anytime I hear somebody say, we are to pass a law to control this or that or this trivial behavior, it's going to create more of this police/citizen interaction*
7. (**Williams**) *One of the things that I thought was interesting; that it was 4:12 a.m. and here again, there was not dash cam available. If my memory is correct, the officer said that he wasn't in the side lane, but in the middle of the street, which I thought was interesting.*

**Bartels** moved to adopt staff's recommendation to assign a finding of **Not Sustained** for False Imprisonment against Officer Shields. **Brogdon** seconded. Hearing no further discussion, the vote was called and the motion was approved.

BOARD VOTE ON ADDITIONAL RECOMMENDATION

*Discussion and Comments...*

1. (**Williams**) *Number one, I agree with that. Number two, going back to 4:00 a.m. in the morning; high crime area and suspicious people walking around, why would APD not want to have dash cams operable to show what they are describing to us.*
2. (**Harrison**) *Is it a deliberate intention that it wasn't working because it was a year and three months? The second thing, is with the cost of the camera. Fifty-five hundred working cameras in or around the city and most of them going to be operated by Midtown Police. I doubt very seriously that there are no cameras on this particular incident.*

3. **(Fleming)** *One of the things that we all do, in addition to talking with APD to get the dash camera; it's just a habit. We automatically do it...it's called Midtown Blue. We did call Midtown Blue.*
4. **(Harrison)** *And they said that they didn't have it?*
5. **(Fleming)** *Yes.*
6. **(Robertson)** *Their overriding system is like 15 days.*
7. **(Williams)** *So there should be a law if more than 15 days.*
8. **(Harrison)** *The problem with that, some of these cameras; will increase to about ten-thousand; some will be privately owned.*
9. **(Bartels)** *How were you all able to narrow down precisely the date that the camera stopped working?*
10. **(Fleming)** *APD told us.*
11. **(Bozarth)** *If I was a supervisor, I would be asking, how could you have one of your cars with no camera for that long. Do we have a funding challenge?*
12. **(Williams)** *I would like to know what the policy is for cameras to be repaired when they are not working. Do we know what the policy is?*
13. **(Reid)** *No, but we can find out.*
14. **(Williams)** *I would like to amend staff's recommendation if that is ok. Do you have a motion on the forum?*
15. **(Bartels)** *I will withdraw that.*
16. **(Williams)** *I would like to amend staff's recommendation and also ask APD what their policy is for cameras once they know that they are not working; to get them repaired. Is there a policy or not?*
17. **(Bozarth)** *May I suggest Madam Chairman, an amendment to what you are suggesting, rather than putting this as an additional paragraph and a response to his complaint; let's send a letter on that subject separate. One of our recent cases, it turned out that the camera was inoperable for over a year, that concerns us, can you tell us what your policy is on repairing... Hopefully, we can get an answer.*
18. **(Williams)** *So, now what we are saying is that the additional recommendation stands where it is, but to write an additional letter... a separate letter. Okay.*

**Bozarth** moved to accept staff's recommendation to provide a letter to APD to have Officer Shields' dash cam repaired. The board also voted on an additional recommendation to send a separate letter to APD regarding their concerns on inoperable vehicle mounted cameras throughout APD. **Bartels** seconded. Hearing no further discussion, the vote was called and the motion was approved.

## **OLD BUSINESS**

*No old business.*

## **NEW BUSINESS:**

No new business.

## **PUBLIC COMMENTS**

*No one signed up to speak.*

## **ADJOURNMENT**

The *Chair* entertained a motion to adjourn. Meeting adjourned 8:13 P.M.

*ACRB Minutes for April 14, 2016 were approved: May 12, 2016*  
***Paul Bartels, Board Secretary***

*Transcribed: LG*