



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

April 8, 2010, 6:30 P.M.

55 Trinity Avenue, S.W., Committee Room Two, Atlanta, Georgia 30303

**BOARD MEMBERS IN ATTENDANCE**

**JOY MORRISSEY** (Chair/Morrissey); **CHARIS JOHNSON** (*Johnson*) arrived 6:52 p.m.; **SETH KIRSCHENBAUM** (*Kirschenbaum*); **OWEN MONTAGUE** (*Montague*) arrived at 6:50 p.m.; **JOHN MICHAEL** (*Michael*); **SHARESE SHIELDS** (*Shields*); **MACEO WILLIAMS** (*Williams*)

**BOARD MEMBERS ABSENT**

**J.L. BOOKER** (*Booker*)  
**RODERICK EDMOND** (*Edmond*)  
**ALAN MORRIS** (*Morris*)

**STAFF ATTENDEES**

**MARC ADDINGTON**, Investigator (*Addington*); **CRISTINA BEAMUD**, Executive Director (*Director/Beamud*); **SHEENA ROBERTSON**, Investigator (*Robertson/Transcriber*); **WILLIAM CASTINGS**, Board Legal Advisor, COA Law Department (*Castings*)

**GUEST ATTENDEES:**

None

**CALL TO ORDER**

*Chair Morrissey* officiated the meeting. The meeting was called to order at 6:37 p.m.

**A G E N D A**

**APPROVAL OF MINUTES OF THE LAST MEETING:**

The *Chair* asked if there were any corrections to the minutes. There were no corrections noted. *Michael* moved to approve the Minutes for March 11, 2010. *Shields* second and the motion was approved.

## ***ACTION ITEMS:***

### **DISCUSSION OF DISCIPLINE RECOMMENDATION FOR #09-04 COMPLAINT:**

A copy of the Director's memo of Officers Deontaye Harris and Luis Gonzalez's disciplinary history was distributed to each member present.

*Morrissey* gave a brief summary of the case and opened the discussion to the Board to determine the appropriate penalty to be imposed upon the officers.

#### **(1) Officer Deontaye Harris**

The Board first reviewed and discussed Officer Harris' disciplinary history. Due to Officer Harris' extensive disciplinary history, *Shields* moved to recommend a twenty (20) day suspension. Motion was seconded by *Michael*.

*Morrissey* asked whether or not there was any discussion concerning the motion.

*Kirschenbaum* stated that if the board passes the motion he asks *Beamud* to include in her letter to the Chief the reasons why the Board has made the harshest recommendation that they have ever made as a Board. He stated that the reasons were partly due to Officer Harris' prior disciplinary history and the seriousness of the offense.

The Motion was approved.

#### **(2) Officer Luis Gonzalez**

The Board then reviewed and discussed Officer Gonzalez disciplinary history. Following the discussion, *Kirschenbaum* moved to recommend a five (5) day suspension to be imposed upon Officer Gonzalez. Motion was seconded by *Michael*. Motion was approved.

### **DISCUSSION OF INVESTIGATION #10-01 COMPLAINT:**

Complaint #10-01 was filed January 12, 2010. A completed investigation was distributed to the Board on March 11, 2010.

A copy of the Director's memo summarizing the investigation of the complaint was distributed to each member present.

#### **A. SUMMARY OF COMPLAINT**

The Complainant reported that on April 14, 2009 the Atlanta Police raided his wife's place of business and confiscated 95% of the property. The Complainant claims that the

following day, he was arrested and charged with Possession of Counterfeiting Service Marks, Criminal Sale of Recorded Material and Possession of Firearm by a Convicted Felon. The Complainant alleges that he was re-arrested on October 28, 2009 for the same charges pursuant to a warrant. The Complainant stated that he does not understand why he was re-arrested because he had been going to all his court dates.

The ACRB investigation revealed that the Complainant's October 28, 2009 arrest was pursuant to a warrant.

Based on the aforementioned information, the staff of the ACRB recommends that the allegation of False Arrest be unfounded against Officers Lakea Gaither and Genesis Huff.

#### **B. COMPLAINT RECOMMENDATION**

Following the discussion, it was moved by ***Kirschenbaum*** to accept the recommendation of the staff and to assign unfounded to the allegation of False Arrest. ***Shields*** seconded. The Motion was approved.

#### **REQUEST FOR SUBPOENAS:**

***Beamud*** informed the Board that Officers Bryon Martin, Charles Yacoune, Charles Brown and Larry Bennet refused to give statements to ACRB after they were notified to appear. She expressed that she was hoping to be able to avoid this step because she feels that the ordinance is pretty clear on this issue. ***Beamud*** stated, "The Board should not have to seek subpoenas for employees. It presents a burden to the ACRB office and it demands a lot of time waiting for the Committee on Council to address the issue. It doesn't seem like an efficient way to do business." ***Beamud*** stated that she made a decision to ask the Board to seek these subpoenas because "otherwise, we really are not producing a good product for your consideration."

Following the discussion, it was moved by ***Montague*** to approve the subpoenas. Motion was seconded by ***Michael***. Motion approved.

#### **MARCH INTAKE REPORT:**

A copy of the Director's intake report was distributed to each member present.

***Beamud*** reported that the office received a lot of new complaints for the month of March, noting that many of the complaints stem from the Eagle Bar incident and made appropriate preliminary recommendations on each.

It was moved by ***Kirschenbaum*** to accept the Executive Director's report. ***Williams*** seconded and the motion was approved.

## EXECUTIVE DIRECTOR'S REPORT:

A copy of the Director's report was distributed to each member present. *Beamud* reported the following:

### A. CORRESPONDENCE WITH THE CHIEF

*Beamud* asks the Board to look at the grid on the report. She brought to the Board's attention that a pattern has developed where the Chief only accepts the Board's recommendations when there is no finding of culpability.

### B. PUBLIC AWARENESS COMMITTEE

*Beamud* ask the Board for some clarity regarding the Public Awareness Committee such as does the original members want to remain on the committee, do they want to add members, etc...

*Shields* asked *Beamud*, "Who is currently on the committee?"

*Morrissey* replied that the original members of the Public Awareness Committee were *Kathy Crawford, John Michael, Joy Morrissey, and Owen Montague*. *Morrissey* stated that she wants to see if *Morris* is interested in joining the committee.

*Michael, Shields, and Williams* voiced that they were interested in being a part of the committee. *Montague* will also participate but does not want to be in a leadership role. *Morrissey* does not want to be actively involved but wants to be copied on the committee's activities.

*Beamud* directed the Board's attention to the City of Portland's Community Outreach Plan report that was included their handouts. She stated that she wants to stay focused and strategic on this issue and believes that the Portland report could serve as a road map to the work of the subcommittee.

*Morrissey* commented that she likes the Portland Community Outreach Plan and encourages the members of the Public Awareness Committee to take a look at it.

### C. ETHICS TRAINING

*Morrissey* advised that *Morris* and *Williams* should attend one, if not both, of the two upcoming ethics training sessions.

### D. BUDGET

*Beamud* reported that ACRB's budget is going up 10%. She stated that it was good news but added that it's still not enough but at least it is not a cut.

*Beamud* informed the Board that due to budgetary constraints, she will be unable to hire anyone to keep up the website and she does not have the skills to do it. *Montague* proposed hiring a part time person to help with the website.

*Johnson* recommended to *Beamud* that she look into hiring a student or an intern.

*Beamud* advised that she would look into it.

E. MEETING WITH THE MAYOR

*Beamud* advised the Board that the meeting with the Mayor is scheduled for April 19, 2010 at 2:00 p.m. with *Morrissey*, *Kirschenbaum* and *Beamud* attending.

F. INVESTIGATIVE UPDATES

*Beamud* reported that she is still working on the Johnston case and is working with the police department to get information regarding extra jobs. *Beamud* stated that she will put in the report that the police have been unable to provide the requested information.

G. GRANT POSSIBILITIES

*Beamud* reported that she is talking to some of her professor friends in Boston to see if they want to join her in applying for a DOJ grant. *Beamud* asks the Board to take a moment to read the solicitation and to let her know if they have any ideas as to how they could meet the grant requirements.

**PUBLIC COMMENTS:**

There were no public comments.

**ADJOURNMENT:**

*The Chair* entertained a motion to adjourn. *Johnson* moved to adjourn and *Williams* seconded. Motion approved. Meeting adjourned at 7:50 p.m.