



COPY

September 16, 2009

ACRB Members
Roderick Edmond
Seth Kirschenbaum

Mr. Richard Pennington
Chief of Police
Atlanta Police Department
226 Peachtree Street
Atlanta, Georgia 30303

Joy Morrissey
J.L. Booker
Charis Johnson
John Michael
Owen Montague
Alan Moms
Sharese Shields
Cristina Beamud

RE: 09-07 Complaint of Darryl Momon

Shirley Franklin

Dear Chief Pennington:

The Atlanta Citizen Review Board ("ACRB") completed its investigation and adjudication of the complaint that was filed by Darryl Momon. Mr. Momon alleged that on December 23, 2008 he arrived at the Kroger Shopping Center located at 3030 Headland Drive to assist his daughter who had been involved in a motor vehicle accident. Atlanta Police Officer Roderick Jonson determined that Mr. Momon's daughter was at fault in the accident. Mr. Momon claims that his daughter became upset and he intervened and tried to calm her. Officer Johnson told Mr. Momon to step away but he continued to talk to his daughter and was arrested after Mr. Momon asked for the name of his supervisor. He was charged with disorderly conduct.

Atlanta City Council
Lisa Borders

Officer Johnson's report indicates that Mr. Momon physically resisted when he was placed under arrest. Mr. Momon denied this. The criminal charges were dismissed upon the motion of the prosecution. Officer Johnson declined to answer questions regarding this matter in the ACRB office. The Office of Professional Standards provided a copy of the statement that he made regarding this complaint.

Carla Smith
Kwanza Hall
Ivery Lee Young, Jr.

Other witnesses included Mr. Momon's son and daughter. They stated that their father did not resist arrest and was not aggressive towards the officer. Jasmine Brown-Smith and Brittney Marrox were interviewed. They were passengers the car driven by Mr. Momon's daughter. Their recollections were vague; however, they both recalled the officer repeatedly asked Mr. Momon to step away. The witnesses claim that Mr. Momon continued to be argumentative and refused to obey the officer. They stated that Mr. Momon did not resist the officer.

Cleta Winslow
Natalyn Mosby Archibong

The ACRB considered all the available evidence and voted unanimously to recommend that the allegation of **False Arrest** against Officer Johnson be **not sustained**.

Anne Fauver
Howard Shook
Clair Muller

Please let me know if you have any questions or concerns or if you would like to have a copy of the investigation. The ordinance requires that the Chief respond in writing regarding which recommendations are accepted, rejected, or will be implemented with modifications within thirty (30) days of the submission of a recommendation for action by the Board to the Chief. See Sec. 2-2211(O) of Ordinance 07-0-0141.

Felicia A. Moore
Clarence T. Martin

Sincerely,

Jim Maddox
Joyce Sheperd
Ceasar C. Mitchell

Roderick E. Edmond, M.D., J.D.
Chair

Mary Norwood
H. Lamar Willis

cc: Mayor Shirley Franklin
President Borders and City Council Members
ACRB Board Members