



December 15, 2009

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

RE: 09-15 Complaint of Tamika Anthony

Dear Chief Pennington:

The Atlanta Citizen Review Board (“ACRB”) completed its investigation and adjudication of a complaint filed by Tamika Anthony on May 12, 2009. Ms. Anthony alleged that on April 23, 2009 at about 6:30 p.m., she returned home to find that her husband, Dalton Amiable, was being arrested by Officer Darnell Perry. During the search of her husband, the officer retrieved some money from his pocket and gave it to Ms. Anthony. Officer Perry continued to search her husband and found some marijuana in his pocket and then demanded that she return the money. Ms. Anthony explained that the money was hers, having received it from unemployment. She alleged that the officer was rude and blocked the door and demanded the money. She claimed that she went back into the apartment to retrieve the money and Officer Perry grabbed her around the neck, choked her and pulled her while instructing her not to resist arrest. She claimed that the officer punched her in the right eye and her husband, who was already handcuffed, observed this and tried to rush at the officer. Her husband fell and Ms. Anthony alleged that Officer Perry kicked him in the face.

Ms. Anthony was arrested for obstructing an officer and claims that when her face began to tingle, she asked for an ambulance. She alleges that the officer laughed and when the ambulance arrived she refused treatment because Officer Perry told her that if she went to Grady, he would make sure that she spent a long time there and she would not get out of jail until Monday. She was treated at the Fulton County Jail and medical records indicate that she sustained a black eye.

Chief Richard Pennington
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Mr. Amiable, the complainant's husband, corroborated the information provided by Ms. Anthony. While the couple said that there were witnesses to the incident, the witnesses would not agree to be interviewed. Officers Darnell Perry and Christopher Lanier appeared before the ACRB and refused to answer questions. Officer Perry produced a copy of his statement contained in his incident report and said it was an accurate account of the incident. Officer Dominique Pattillo did not appear to answer questions despite a notification to do so. Sergeant Adams was interviewed and he stated that he responded after the couple was arrested. He called an ambulance and completed a use of force report.

The Office of Professional Responsibility had a video tape of the parking lot. The video shows Ms. Anthony in handcuffs being escorted out of the apartment but it does not show an assault.

Because there was no consistent evidence that supports the allegations made by Ms. Anthony, the ACRB voted to recommend that a finding of **not sustained** be applied to the complaint of excessive force made by Ms. Anthony.

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.

Sincerely,



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

cc: Mayor Shirley Franklin
Council President Lisa Borders
Members of City Council



CITY OF ATLANTA

Kasim Reed
Mayor

226 Peachtree Street
Atlanta, Georgia 30303
(404) 546-6900

Atlanta Police Department
George N. Turner
Interim Chief of Police

January 14, 2010

Mr. Rod Edmond, M.D., J.D., Chair
Atlanta Citizen Review Board
55 Trinity Avenue, SW
City Hall Tower, Suite 9100
Atlanta, GA 30303

RE: 09-15 Complaint of Tamika Anthony

Dear Mr. Edmond:

I am in receipt of the Atlanta Citizen Review Board's letter, dated December 15, 2009, recommending that the allegation that Officer Darnell Perry used excessive force be Not Sustained.

The Atlanta Police Department's Office of Professional Standards has concluded its investigation into Ms. Tamika Anthony's allegation of unnecessary force and has come to the same conclusion as the ACRB. Having assessed the findings of both the Atlanta Citizen Review Board and the Department's investigative summaries, I concur with both the Office of Professional Standards findings as well as the Atlanta Citizen Review Board.

Major M. A. Perdue, commander of the Office of Professional Standards, can be contacted at (404) 658-7028, if you have any further concerns regarding this complaint.

Sincerely,

George N. Turner
Interim Chief of Police

GNT/nk

cc: Ms. Cristina Beamud, ACRB
Asst. Chief P. N. Andresen
Major M. A. Perdue
File