



March 15, 2010

**ACRB Members**

Joy Morrissey

Seth Kirschenbaum

Charis Johnson

Rod Edmond

J.L. Booker

John Michael

Ciwen Montague

Aian Morris

Sharese Shields

Moses Williams

Cristina Beamud

**Kasim Reed**

Mayor of Atlanta

**Atlanta City Council**

Cesar G. Mitchell

Carla Smith

Kwanza Hall

Ivory Lee Young, Jr.

Clela Winslow

Netalyn Mosby Archibong

Alex Wan

Howard Shook

Adreen Yolanda

Felicia A. Moore

Clarence T. Martin

Keisha Bottoms

Joyce Sheperd

Michael Julian Bond

Aaron Watson

H. Lamar Willis

Chief George Turner  
Atlanta Police Department  
226 Peachtree Street  
Atlanta, GA 30303

RE: 09-27 Complaint of Christine McDaniel

Dear Chief Turner:

The Atlanta Citizen Review Board ("ACRB") completed its investigation and adjudication of a complaint filed by Christine McDaniel. Ms. McDaniel filed a formal complaint on July 23, 2009. She alleged that on July 18<sup>th</sup> and 19<sup>th</sup> she was falsely imprisoned by Detective Brian Anderson of the Atlanta Police Department.

Ms. McDaniel explained that she was stopped by the Alpharetta Police for a traffic violation on July 18, 2009. She was told that there was an outstanding warrant for theft and was arrested. On July 19<sup>th</sup>, the Alpharetta Police Department transported her to the Fulton County Jail. According to Ms. McDaniel, the Fulton County Jail would not accept custody of her because she did not have an active warrant in the system. The Alpharetta officers transported her to the Municipal Jail where she was not accepted as a prisoner because she did not have a green ticket. An unidentified Atlanta Police Officer then issued a green ticket and she was transported back to the Fulton County Jail because the charge was a felony. Ms. McDaniel complained to the staff and a staff member looked into the matter and found that the arrest warrant was invalid and arranged for her release.

Mr. Fenn Little was Ms. McDaniel's attorney for the original larceny charge. He claims that he went to the Zone 2 precinct and spoke with Detective Anderson on July 18, 2009. Detective Anderson investigated the original case. He explained his client's situation and presented documents that the matter had been nolle-

*Chief George Turner*

*RE: 09-27 Complaint of Christine McDaniel*

*Page Two*

passed by the Fulton County District Attorney on May 28, 2009. Mr. Little said that Detective Anderson told him that he did not give the prosecutor permission to nolle-pross the case and would not authorize Ms. McDaniel's release from custody.

Detective Anderson was interviewed and stated that he received a call from Fenn Little on July 18, 2009. Mr. Little explained the problem and he said that he tried to locate Ms. McDaniel on the computer system. He tried to contact the District Attorney's Complaint room to locate the ADA who was assigned the case. He attempted to contact him but there was no answer. He said that Mr. Little became agitated and demanded that he go to the Alpharetta Police Department and have Ms. McDaniel released from custody. He told Mr. Little that he had done everything he could to assist him and that he had no verification that he represented Ms. McDaniel. Later the same day, he explains that Mr. Little appeared at the Zone 2 office and he had another conversation with him. He denies that Mr. Little presented any of the documents and told him that there was nothing more he could do without speaking to the ADA assigned the case. The original warrant that was issued in August 2008 was never cancelled. It should have been cancelled on or about February 10, 2009 when the case was dismissed. This resulted in Ms. McDaniel's arrest on July 18, 2009. This warrant should have been cancelled by the Fulton County Sheriff's Office.

Detective Anderson's version of the incident differs from Mr. Little's version of what occurred at the Zone 2 office. For this reason, the ACRB recommends that a finding of **Not Sustained** be assigned to the allegation of **False Arrest**.

As you know, the ordinance requires the Chief of Police to consider the Board's recommendations and respond in writing regarding which recommendations are accepted, rejected, or will be implemented with modifications within thirty days.

Sincerely,

Joy Morrissey  
Chair

cc: Mayor Kasim Reed  
Council President Ceasar Mitchell  
Members of City Council