



January 20, 2010

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Chief George Turner

Atlanta Police Department

226 Peachtree Street, S.W.

Atlanta, Georgia 30303

RE: Complaint #10-38, Johnny Dixon

Dear Chief Turner:

Cristina Beamud

Executive Director

The Atlanta Citizen Review Board (“ACRB”) completed its investigation and adjudication of the complaint that was filed by Johnny Dixon against Officers Houston and Streeter alleging excessive force.

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Mr. Dixon alleged that on June 7, 2010, he was subjected to excessive force by Officers Ivory Streeter and Shaun Houston when they stopped him at gunpoint during a traffic stop. Mr. Dixon said that he was a front seat passenger in a car driven by his friend, Gregory Hayes, at about 2:40 a.m. at the corner of Campbellton and Fairburn Road. He said that the officers flashed their blue lights and they were ordered to get back into the car. They complied. Officer Streeter approached the drivers’ side and Officer Houston approached the passenger side of their car. Mr. Dixon said that Officer Houston had his firearm drawn and pointed at his head. He said both officers yelled repeatedly to shut up and get their hands up. Mr. Dixon said that they complied and when Dixon asked why they were being detained, Officer Houston told them to shut up and asked for identifications. Officer Streeter took the identifications and returned to the patrol car, but Officer Houston remained with his gun pointed at his head. After several minutes, Officer Streeter returned to the car and gave the ID’s back to the passengers and explained that an unmarked auto theft unit had mistakenly entered the incorrect plate number into the computer which led the officers to believe that the car was stolen.

Mr. Courtney Green, the person seated in the back of the car on the passenger side, was interviewed. He said the officer who approached the passenger side of the car had his firearm drawn. The officers asked for identification and they complied. The officer came back a short time later and told them everything checked out and returned the identifications. The officer said they were part of an auto theft unit and a car with a description matching theirs had been reported stolen.

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Mr. Gregory Hayes was interviewed. He said that he was the driver of the car and he parked his car when he saw flashing blue lights. He opened the door and he saw two African American officers who yelled for him to get back into the car. He did and one officer approached the driver's side with his hand on his holster. The other officer approached the passenger side with his gun drawn and pointed at Johnny Dixon. The officers asked for identification and checked and everything came back okay. Mr. Hayes said one of the officers told him that the reason he drew his weapon was because he saw his reverse lights come on. Mr. Hayes said that the officer's claim was not true because at the time of the stop, he was trying to get out of the car. Mr. Hayes further said that the officers told him that they stopped his car because an undercover officer ran his tag and mistakenly, put in the wrong tag number which caused it to come back stolen.

There was no Use of Force Report filed in this matter. There were no radio transmissions relevant to this incident. MDT records indicate that the officers ran the VIN number and the identification of the three men who were in the car.

Officer Houston's interview revealed that he and Officer Streeter stopped a 2006 Silver Chevrolet because they had been advised by an undercover officer that the vehicle had the incorrect tag number on it. Officer Houston said that when they stopped the car, they parked behind it and he noticed the vehicle's reverse lights come on, which led him to believe that the driver was trying to flee. Officer Houston un-holstered his weapon and pointed it toward the ground. He repeatedly yelled to the driver to turn off the car and the car stopped. Officer Houston claims that he holstered his weapon before approaching the passenger side of the car. They obtained identifications and ran the record checks and everything turned out okay.

Officer Streeter revealed that he stopped the car because they had been advised by an undercover officer that the tag number on the car belonged to a different car. He said that it was later determined that the officer incorrectly entered the tag number into the computer. They initiated the stop and the driver drove into the parking space at a service station and he parked the patrol car directly behind it. He noticed the car's reverse lights come on and told the driver to put the car in park. He said that he received confirmation that the car was in park and then approached the driver's side of the car. He asked for identification and then walked back to his patrol car and ran checks on the vehicle. He noticed that Mr. Dixon was agitated. He explained the reason for the stop and Mr. Dixon asked to speak with him privately and told him he was very upset about the way Officer Houston approached him. Mr. Dixon told him that he would file a formal complaint. He claimed that he didn't know if Officer Houston drew his weapon and said he never un-holstered or placed his hand on his firearm. He said that he considered the encounter a routine traffic stop.

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The investigation revealed that Officer Raynard Price was the undercover officer they alluded to in their interview. Officer Price was interviewed by OPS and he explained that he provided incorrect information to Officers Houston and Streeter.

As a result of the investigation, staff recommends that the allegation of excessive force against Officer Streeter be Unfounded. The allegation against Officer Houston received a recommendation of Exonerated.

Please let me know if you have any questions or concerns or if you would like to have a copy of the full 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,

A handwritten signature in blue ink, appearing to read "Joy Morrissey", with a stylized flourish at the end.

Joy Morrissey
Board Chair

cc: Mayor Kasim Reed
Council President Ceasar Mitchell
Members of Council
ACRB Board Members