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May 13, 2011

Chief George Turner
Atlanta Police Department
226 Peachtree Street, S.W.
Atlanta, Georgia 30303

RE: Complaint #10-70, Dajuan Cloud

Dear Chief Turner:

The Atlanta Citizen Review Board (“ACRB”) completed its investigation and adjudication of the complaint that was filed by Dejuan Cloud alleging excessive force and abusive language by Officer Bryan French. The allegations were investigated by Marc Addington based on a timely complaint filed by Mr. Cloud.

Mr. Cloud provided a written statement describing an incident where an officer struck him with a police car and the officer used abusive language after he arrested him on December 13, 2010 on Arthur Langford Parkway. Mr. Cloud said that he fled after being stopped by Officer French and claimed that as he was driving, he lost control of his vehicle and eventually crashed on Arthur Langford Parkway. According to Mr. Cloud, he was attempting to leave the site of the crash when the officer struck him with his vehicle. He was knocked down, but he got up and continued to run and was arrested after being shocked by the same officer. He then said that Officer French called him a “bitch” after he was in custody. He said he fled from the police because he was scared of them.

The investigator was unable to interview Officer French because he was on extended medical leave as a result of injuries he sustained during the foot chase with Mr. Cloud. However, the interview conducted by the Office of Professional Standards and the police report were sufficient to discern the officer’s point of view. Officer French stopped the car driven by Mr. Cloud because the car was possibly stolen. The car fled from him and he pursued the car until the car was involved in a crash. After the crash, Mr. Cloud got out of the car and Officer French observed a holster on his back attached to his pants. He was about 5 feet from Mr. Cloud and after seeing the holster, and believing Mr. Cloud was armed, Officer French ducked down to take cover under his dashboard. While applying his brakes, he inadvertently struck Mr. Cloud in the leg. He saw Mr. Cloud fall, but he got up immediately and continued to flee on foot. Officer French pursued Mr. Cloud on foot and suffered a serious injury during the foot pursuit. Officer French was transported to Grady Hospital for treatment and did not participate in the arrest of Mr. Cloud. East Point Police made the arrest.

Continue on...

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The East Point Police report indicates that Corporal Fillers used his Taser to affect the arrest. The empty black holster was recovered and a handgun was located by the Atlanta Police Department near the vehicle that Mr. Cloud was driving.

There is no dispute that Dajuan Cloud was struck by Officer French's police car. Mr. Cloud alleges that Officer French struck him to prevent him from fleeing. Officer French said that he was fearful and took cover under his dashboard while he stopped his vehicle to avoid being shot. Officer French inadvertently struck Mr. Cloud in the leg. However, Mr. Cloud was able to get up and run. His medical records indicate that he had some swelling to his left leg. For the above reasons, the Board voted to assign a finding of **Not Sustained** to the allegation of **excessive force**.

The Taser was used by the East Point Police Department and they are not subject to the Atlanta Citizen Review Board's jurisdiction. Thus, the appropriateness of this action was not reviewed by the Board.

Mr. Cloud said that Officer French called him a "bitch," after he was arrested. Officer French did not perform the actual arrest because of his injuries. For this reason, the allegation of abusive language as it pertains to Officer French was **Unfounded**.

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".

Joy Morrissey,
Board Chair

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