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November 17, 2011

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

RE: Complaint of Kenneth Cobb, Case #11-65

Dear Chief Turner:

The Atlanta Citizen Review Board ("ACRB") completed its investigation and adjudication of the complaint that was filed by Kenneth Cobb alleging that he was falsely arrested by Officer Jason Brooks. The complaint was investigated by Investigator Marc Addington.

Mr. Cobb alleged that on May 30, 2011 at 1495 Ezra Church Drive, Officer Brooks arrested the wrong person. He reported that his brother, Fred and his niece, Diedra were visiting his home and they had been drinking. He claims that his brother struck him in the eye and that Diedra knocked him to the ground and threatened him with a pipe. He said that Diedra called 911 and when the police arrived, they interviewed all of the parties. They then placed Mr. Kenneth Cobb, the complainant, under arrest.

Officer Brooks was interviewed and he explained that he separated the parties and investigated the incident. He decided to arrest Kenneth Cobb based on the testimony of Fred Cobb and Diedra Cobb. He charged Mr. Kenneth Cobb with disorderly conduct because he was aware that Mr. Cobb was the primary caregiver to his elderly mothers and that it would be easier for him to make bail and be released from jail if he changed him with disorderly conduct.

Investigator Addington contacted Fred Cobb. Mr. Cobb was the listed victim in the matter. Fred Cobb explained that while visiting his mother, he was physically attacked by his brother, Kenneth. He claimed he was hit by Kenneth twice, causing him to fall to the ground. He got up and Kenneth approached him with a long iron wrench. His daughter Diedra walked into the room, distracting Kenneth and this permitted Fred to grab the wrench from Kenneth's hand.

Continue...

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The Board considered the evidence and voted unanimously to recommend that a finding of Exonerated be applied to the allegation of False Arrest. Officer Brooks made this arrest based on the statements of Fred and Diedra Cobb. There was evidence to support that the primary aggressor was Mr. Kenneth Cobb and that the arrest was both proper and necessary since it involved domestic violence.

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
ACRB Investigator Sheena Robertson