



ATLANTA CITIZEN REVIEW BOARD
OCTOBER MEETING MINUTES
55 Trinity Avenue, SW, Committee Room One
Atlanta, Georgia 30303
October 11, 2012 / 6:30 P.M

ROLL CALL

(Eleven Members of the Board)

ACTIVE MEMBERS PRESENT

PAUL BARTELS (<i>Chair/Bartels</i>)	RYAN JOHNSON (<i>R. Johnson</i>)
BILL BOZARTH (<i>Bozarth</i>)	LABRIAH LEE (<i>Lee</i>)
WILLIAM HARRISON (<i>Harrison</i>)	ALAN MORRIS (<i>Morris</i>)
CHARIS JOHNSON (<i>C. Johnson</i>)	MACEO WILLIAMS (<i>Williams</i>)

ACTIVE MEMBERS ABSENT

BARBARA HUBBARD (*Hubbard*)-Excused
RUTH PRICE (*Price*)-Excused

ONE VACANT APPOINTMENT

Atlanta Business League (vacant 3 month)

STAFF ATTENDEES

SAMUEL LEE REID (*Reid/Director*), Executive Director; **SHEENA ROBERTSON** (*Robertson*), Investigator; **MYOLA SMITH** (*Smith*), Transcriber

A G E N D A

MEETING CALLED TO ORDER

The meeting was called to order by *Chair Bartels* at 6:30 p.m. He welcomed citizens announcing Public Comments will be heard later into the agenda, and if anyone cared to speak, to please sign up. Comments are limited to three (3) minutes per person. The *Chair* also welcomed members of the Atlanta Police Department Office of Internal Affairs: Major Elder Dancy and members of his staff.

APPROVAL OF MINUTES OF THE LAST MEETING, SEPTEMBER, 2012

The *Chair* directed the board's attention to minutes for September 13, 2012 meeting. He opened the floor for corrections and a motion.

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Williams moved to accept the minutes with noted punctuation correction. The motion was seconded by *Bozarth*. No further discussion, the motion was approved by all.

EXECUTIVE DIRECTOR REPORT

Director Reid reported that Kenneth Lively had been hired as the new investigator for the ACRB. He indicated that Mr. Lively possess the combination of civilian investigation and police experience. *Reid* said, "He worked in New York City doing civilian investigations for CCRB and he is a former policeman who has worked for the Stone Mountain and DeKalb County police for approximately eight years total. You will be able to meet him at the November meeting."

Regarding training for the Board, *Reid* announced that a Ride Along form had been included in the packets. He stated that the Ride Along is important because it is included in the training plan for the Board. "Every board member will be responsible for attending and participating in the training over the next six months." Members were asked to complete the forms and return them to *Reid*. The forms will be turned over to Major Dancy to be routed to each zone for scheduling based on each board member's availability.

Reid also reported that the staff is still working on the business plan, mission statement, values and core competencies. He said, "The benefit of doing this is to establish this one structure and one thought on what we are trying to accomplish. This will be important when the Board has its retreat and we can make sure we are all on the same page."

Another idea in mind is the King March. *Reid* indicated that *Williams* has recommended that the Board participate in the march which takes place around the King Holiday celebration. *Reid* asked *Williams* to provide some additional insight regarding the event.

Williams added that the march would take place in January and that the tradition has continued over the past twenty years. He said, "I am member of the King March Committee and been there for 15 to 20 years. Every January, we march down Peachtree Street and turn on Auburn Avenue stopping at Ebenezer Church." *Williams* indicated that he thought it would be a good idea for the Board to participate because the participants marching are some of the same people who rallied for the creation of this Board. "By participating, this will be a good show of faith to the community. Some people refer to this event as a parade but it is not a parade, it is a march because Dr. King never paraded anywhere." *Williams* also added that there are series of events surrounding the march that takes place over a period of ten days. Events included a *Teach-in* at the schools and a rally in front of Ebenezer Church. He said, "It is up to us to decide if we want to do the rally, the march or the Teach-in. Whatever we decide, I think the community will welcome us whole heartedly."

A. COMMUNITY OUTREACH UPDATE

Reid reported that since he came on board as the Executive Director, he and Ms. Allen Walker, Panache Communications, have been working on the 'ramp-up' phase of the outreach plan which involves meeting different individuals in city government and key stakeholders before going out in the community at large. He said, "It is important to start like this and up to this point, I have met with the Mayor, city council members: Lamar Willis, Felecia Moore, Police Chief Turner and Corrections Chief Labat, the City Attorney, Major Dancy and his staff and Chief Turner's Chief of Staff, Major Moore. Also, a while back, I introduced myself to the Lindsey Street Baptist Church congregation. All the meetings were great. We have some good opportunities to make things happen. The next phase will be going out in the community to meet individuals who we can use to become strategic partners to help us get our message out to accomplish our mission. If any of you have individuals whom you think I should meet with please let me know and I will take that under consideration to meet with those individuals or organizations."

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“We have been working on the community engagement plan that the Board Outreach Committee developed last year. I am making some changes to it and I am hoping to present that document to you at the next board meeting depending on the amount of time we have.”

“When I say Community Outreach, I mean outreach to everyone we are involved with, *i.e.*, *citizens, officers, organizations, churches* and everyone we may potentially touch. We are working on brochures, quarterly newsletters, citizen tip cards and displays which you may have already seen and other things. Another thing I am planning on doing is sending a personal letter of introduction to the community and to organizations. I think this is a good lead into me making personal calls to individuals and organizations. A part of the work that we do is for people to see what we do and that we have integrity, and to see this and know this, they have to know who they are dealing with and that means knowing me personally but also knowing the Board which is why we are going to have all the training that we talked about. The community needs to know us, see us and feel comfortable about coming to us. The police department needs to know us, see us and know that we are good at what we do so that they can take our recommendations seriously.”

Concluding his outreach report, **Reid** noted that Ms. Walker was able to get the ACRB involved in the Festival of Lights—English Avenue/Vine City area festival. A parade will kick-off the event starting Saturday morning, October 13th at 9:00 a.m. and end with an old school dance contest with gifts and prizes. Board members are encouraged to participate if their schedules permit.

Reid also reported on a poster awareness campaign for the colleges and high school. He indicated that the campaign is in its final stage of development. “The posters will go out to schools to make students aware of who we are and how they can contact us.”

Following his report, **Reid** entertained questions from the board.

1. **C. Johnson** proposed that he look into a hip-hop event being held on October 27 and consider participation. She said, “October 27 is National Hip-Hop Day. This involves a lot of voter information for that age group but the event starts at 9:00 a.m. in Woodruff Park. I don’t know who the contacts are but this is opportunity to do outreach to a different group of people who are most affected by police officers. This is a Saturday event and it is also the same day that you can go and vote.”
2. **Williams** also announced that Black Entertainment Television (BET) was currently holding a gathering for the same age group in the downtown area.

Reid indicated that he would look into both events.

B. NACOLE ATTENDEES

Reid congratulated members attending the conference. Each attendee received an outline of the conference seminars and workshops and each person is being asked to gather information and report back to the Board on specific sessions they were asked to attend at the conference.

Chair Bartels also thanked the attendees and asked them to be mindful of the fact that they would be representing the Board. **Williams** stated, “At past conferences, I tried to attend all of the workshops; however, since there is a delegation going this time, we should be able to cover the entire conference schedule.”

Responding to **R. Johnson’s** question about who was attending, **Chair Bartels** said, “We definitely wanted to send Mr. **Harrison** because he is a member of the Executive Committee. Other than him, there were four other members who expressed an interest. I believe at the time, we were told two additional

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folks could attend. I thought the only fair way of deciding was to draw names and after waiting to see exactly who was interested, everybody's name went into a hat. Mr. *Harrison* was the first choice because he is the Vice Chair and everyone else name went into a hat. The attendees are *Harrison, Price* and *Williams*.

C. TRAINING PLAN

A copy of the training plan was included in the board packet for this month. *Reid* stressed the importance of the plan. He stated, "I know it is an aggressive plan, but we need to make good steps and strives in getting this training behind us so that we can tackle the other important work that we need to do."

Referring to the list of training, *Reid* noted that some parts of the plan include training that will be covered at NACOLE in San Diego.

He also talked about how to get organizations involved in our training. *Reid* said, "There are a lot of different groups out there doing things with the community and I think it would be good for us to invite one or two of those groups in and maybe once or twice a year, a different group could talk about or train the Board on what they do and we can see if there is some connection that we can work on. I think this will be beneficial for us, as well as, the organization."

Regarding the NACOLE training, *Williams* indicated that each registered attendee will receive a flash drive downloaded with presentations of the seminars. He said, "For every session, whatever the subject, the presentations will have been placed on a memory stick and given to the attendees. If for some reason, a guest speaker didn't submit their presentation by the deadline, if you have your memory stick with, you can ask the speaker, at the end of the meeting, to give you a copy of his presentation. All you have to do is stick your memory stick into his laptop and the presentation is downloaded to the memory stick. So just about all of the subjects are covered and much more and downloaded on the memory stick." *Reid* agreed with *Williams*; however, he said, "Not only do we want the materials but we also want to know what you got out of the conference and we want you to share your experience."

D. EXECUTIVE DIRECTOR RECEPTION

Reid reported that there will be an Executive Director Reception, October 30th. He said, "If you are able to attend that will be great. The reception will take place starting at 1:30 p.m. to 3:00 p.m. outside of Committee Room One right before the Public Safety Committee Meeting starts at 3:15 p.m. This will be a great time for board members to come and meet other people in the city. Our brochures and materials will be displayed regarding the things we have done so far and what our plans are in the future. It is important that we put a good face out there because we will be visiting Public Safety on a regular basis presenting reports and studies and other things to show everyone what we can do. Food will be served."

INTAKE REPORT FOR SEPTEMBER 2012

Investigator Robertson reported on the number of complaints received for the month of July 2012. *Robertson* reported that a total of eight (8) complaints were received for the month and they are listed as follows:

Complaint Number: **12-43, William Gaffney** alleging **False Arrest**

Staff recommends dismissal because the incident occurred over a year ago and is beyond the 180 day limitation period imposed by City Ordinance.

Complaint Number: **12-44, Richard Lynn** alleging **Excessive Force**

Staff recommends dismissal because the allegation is against an employee of the Fulton County Jail and is outside the Board's jurisdiction.

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Complaint Number: **12-45, David McDaniel** alleging **Excessive Force**

Staff recommends dismissal because the incident occurred over a year ago and is beyond the 180 day limitation period imposed by City Ordinance.

Complaint Number: **12-46, Vernon Spear** alleging **False Arrest**

Staff recommends dismissal because the incident occurred over a year ago and is beyond the 180 day limitation period imposed by City Ordinance.

Complaint Number: **12-47, Juwanzo Simmons-Bey** alleging **False Arrest and Excessive Force**

Staff recommends investigation as an Excessive Force and possibly, a False Arrest complaint. The investigation into the False Arrest allegation will depend on the outcome of the criminal case; therefore, staff is also recommending suspension of the investigation pending the adjudication of the criminal case.

Complaint Number: **12-48, Allan King** alleging **Failure to Investigate**

Staff recommends dismissal because the allegation is outside the Board's jurisdiction.

Complaint Number: **12-49, Sabrina Palmer** alleging **Improper Traffic Citation and Racial Discrimination**

Staff recommends dismissal because the allegation is outside the Board's jurisdiction.

Complaint Number: **12-50, Clifford Pitts** alleging **Excessive Force and False Arrest**

Preliminary investigation revealed that Mr. Pitts' case is pending adjudication in the Fulton County Superior Court; therefore, staff is also recommending suspension of the investigation pending the adjudication of the criminal case.

Total ACRB Complaints received from January 2012 to September 2012 is 50.

Discussion...

1. Regarding complaint #12-49, **Bartels** suggested that staff look into the status of the ticket. He said, "If the ticket has been paid or she enters a plea then we can dismiss it. If it is still pending then maybe we should just suspend the investigation until the ticket is resolved."

Regarding Ms. Palmer's allegation, **Harrison** moved for the staff to look into the status of the ticket and if it has been paid or if she enters a plea, then the complaints can be dismissed. However, if the ticket is still pending then, the investigation should be suspended until the ticket is resolved. **Williams** seconded the motion. The **Chair** called for the vote, and the motion was approved unanimously.

Discussion resumes...

2. **Bozarth** indicated that of the complaints, he noticed that three of the eight were over the 180 limitation. He asked, "Is there some reason why we getting complaints about incidents a long time ago? Are people just finding out about us? Can you explain why we would have three out of eight complaints over 180 days?"
3. **Robertson** responded, "One of the three is an inmate at the county jail, so I am assuming he is hearing about us there because we are getting a lot of letters from inmates at the county jail. As far as the other two, I really can't say without us looking into it further and doing some research."
4. **Reid** said, "Staff recognizes this concern and that is one of the issues that we hope will be resolved when we do more community outreach. In the past, our outreach as been spotty at best and now people are learning about the ACRB by word of mouth or by luck or chance. We want to change that so that people who have an issue or have a concern can contact us within 180 days. We will be communicating to citizens that you only have six months to file a complaint and we will explain why we only have six months."

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5. **Robertson** added, "Also, with False Arrest complaints, a lot of them wait until the case has been resolved and then they come to us and file a complaint and a lot of time, it is over 180 days. I explained to them that if they would have come in before, we would have been able to suspend their case preventing it from being time barred. Unfortunately, this is the kind of information that they didn't have before hand. It happens a lot when it comes to the False Arrest complaints."
6. **Bartels**, "I think that can be part of community outreach saying that in order for us to investigate, the case needs to be resolved, but the case does not have to be resolved to file."

The **Chair** entertained a motion. It was moved by **Williams** accept the Intake Report as modified. **C. Johnson** seconded the motion. Hearing no further discussion, the vote was called and the motion was passed unanimously.

REVIEW OF CASES:

A. COMPLAINT #11-74, ABRAHAM MALOBE ALLEGING EXCESSIVE FORCE AND FALSE IMPRISONMENT

Chair Bartels summarized the complaint indicating that Abraham Malobe alleged that Atlanta Police Officer Lonnie Character used excessive force and falsely imprisoned him during an incident that occurred on August 9, 2012 at Mr. Malobe's residence.

The floor was open for discussion.

Discussion...

1. **Williams** voiced concern regarding the number of officers involved. He said, "This is just like the Kathryn Johnson case because there are just too many officers on one person and the question is why. The other question is why just one officer is being cited when there are so many other officers present and a supervisor. Eight officers plus a Sergeant and only one is cited. Why?"
2. **Bartels** replied, "I think that is a valid point but I believe the staff's recommendation was based on the fact that the other officers were acting at that officer's direction. I think it is an issue for the Board to consider. Whether that absolves them of any responsibility or whether in a situation like this they should be held accountable for the issue of breaking into a home with weapons drawn is an appropriate way to handle the code enforcement issue."
3. **Bozarth** stated, "Maybe APD can help me with this, but there is a large cast of characters arriving for this situation and part of this is the Code Enforcement which is in one part of the organization and the arresting authority is elsewhere. I believe we made some major reorganization of that in 2012 and this occurred in 2011. One thing I observed and noted is apparently, Officer Character was expected to maintain all the data relative to all properties within his zone that were supposedly closed and there was confusion between the two reporting systems. I believe we recommended sustaining the complaint so it will be investigated if we support that recommendation but I just maybe, would like to understand if some of the reorganization that we have undergone, around this, will be addressed."
4. **Major Dancy** (APD-OPS) responded, "I think clearly the reorganization is going to address that. I believe starting January of this year, they (Code Enforcement) will move under the umbrella of the police department. Now they can report directly to Major Williams who reports to Chief Turner. We have had a partnership with them in the past, but now as compared to last year, they will be working specifically under APD's directions."
5. **R. Johnson** asked for clarity. "There are two list and supposedly one was updated by Code Enforcement and one that the officer had which wasn't privy to Code Enforcement at the time. I just want to make sure that I understood that."
6. **Bartels** agreed that was the case and to further clarify, he said, "In terms of whether we can vote to sustain or not sustain a complaint against an APD staff person, I think we only have to make that

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decision about two people, Officer Lonnie Character, the officer involved in this and the other is Sergeant Jacqueline Gwinn-Villaroel. These are the only two officers. Sgt. James Postell was at the scene also but he is not Officer Character's supervisor and second, from the report, he (Postell) arrived after the entry had already been made, so I do not see how we can make any recommendation regarding Sgt. Postell. In terms of what we do, we are just focusing in on Officer Character and Sgt. Villaroel.

7. **R. Johnson** asked, "Now that Code Enforcement is part of APD, in the event that there may not be an actual APD officer on site when something happens in the abuse of authority that they have ascertained after emerging with APD, do we have the ability to investigate those complaints from people as well?"
8. **Reid** responded, "As I understand the ordinance, we only have jurisdiction over sworn officers." Reid then asked Mayor Dancy if all the individuals working under Code Enforcement were sworn officers.
9. **Major Dancy** replied, "No sir, some are and some are not."
10. **Robertson** added, "I had indicated in the report that although you don't have jurisdiction over Code Enforcement, you as a Board, can recommend that the Law Department conduct an investigation into that department to see if there is any wrong doing on their part."

Following the discussion, the following motions were made:

- **False Imprisonment Allegation:** It was moved by **Bozarth** to accept the staff recommendation to **sustain** the complaint of False Imprisonment as alleged by Abraham Malobe against Officer Character. **Williams** seconded the motion. Hearing no objection, the motion was approved unanimously.
- **Excessive Force Allegation:** It was moved by **Bozarth** to accept the staff recommendation to **sustain** the complaint of Excessive Force as alleged by Abraham Malobe against Officer Character. **Williams** seconded the motion. Hearing no objection, the motion was approved unanimously.

Supervisory Issue: Before the motion, **Reid** suggested that the Board remand the issue back to the staff so that staff can look further into what standard the ACRB should hold or like to see supervisors held to and to do more research as it relates to how to handle supervisory issues. "By doing this, we can move forward with a clear statement of what we will be looking at when we are talking about supervisors. If we want to effect change, dealing with supervisors is a very important issue and this is where we can have some immediate change."

- Following **Reid's** statement, **R. Johnson** moved to accept **Reid's** recommendation to remand the issue of 'how to handle supervisory issues' back to the staff for more research and to develop a statement going forward. The motion was seconded by **Williams**. Hearing no further discussion, the motion was approved by all.

Discipline Phase for Sustained Allegations

Investigator **Robertson** reported that Officer Character, at this point in his tenure with APD, has no sustained complaints in his disciplinary history.

The following motions were made:

- **Excessive Force:** It was moved by **Williams** to recommend 15 days suspension. Hearing no second, the motion failed.
- **Excessive Force Second Motion:** It was moved by **R. Johnson** to recommend seven (7) days suspension against Officer Character for use of Excessive Force. **Morris** seconded. Hearing no discussion, the vote was called and the second motion failed.

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- **Excessive Force Third Motion:** It was moved by **Harrison** to recommend nine (9) days suspension against Officer Character for use of Excessive Force. **Lee** seconded. Hearing no discussion, the vote was called and the motion was approved with two Ney votes (**R. Johnson and Bozarth**).
- **False Imprisonment Allegation:** It was moved by **R. Johnson** to recommend a Written Reprimand with 4th Amendment refresher training against Officer Character for use of False Imprisonment. **Williams** seconded. Hearing no discussion, the vote was called and the motion was approved.
- Regarding the **Quality of Life Officer:** It was moved by **Lee** to accept staff's recommendation that Atlanta Police Department develop written policies and procedures governing the duties and responsibilities of the Quality of Life Officer. The motion was seconded by **Williams**. Hearing no discussion, the motion was approved.
- It was moved by **C. Johnson** to further recommend that the Board refer this matter to the City's Law Department to ascertain whether or not the Code Enforcement Unit played a role as to culpability. The motion was seconded by **Lee**. Hearing no further discussion, the motion was approved with one Ney vote (**Bozarth**).

B. COMPLAINT #11-75, ABERA GEBRU ALLEGING FALSE ARREST AND ABUSIVE LANGUAGE

Chair Bartels summarized the complaint filed by Abera Gebru alleging that Atlanta Police Officers David Matteson and William Kellner falsely arrested him and used abusive Language towards him during an incident that occurred on October 14, 2011 at 255 Auburn Avenue.

Before the discussion, the **Chair** noted that the Board has been advised by the staff that the two officers in this case have already been discipline. Officer Matteson has been terminated due to truthfulness and Officer Kellner received a written reprimand for violating work rules related to false arrest. However, even in situations where an officer has been terminated, normally, in cases like this, the Board would still send a recommendation saying that if this officer had not been terminated, this would be our recommendation.

Discussion...

1. For clarity, **Bartels** noted that both officers were charged with false arrest and abusive language; however, only one was terminated and the other was given a written reprimand.
2. Investigator **Robertson** indicated that Officer Matteson was terminated because of truthfulness. "He told APD one story and ACRB another. Matteson was also charged with the same offense as Kellner, and like Kellner, Matteson also received a written reprimand; however, as I stated the termination was due to truthfulness."
3. **Bartels** stated, "If I recall correctly, Officer Kellner also gave inconsistent accounts. Do we know why he was not terminated? He actually wrote the report that said Mr. Gebru was drinking. Kellner told staff that he did not see him drinking but he told APS that he could not remember."
4. **C. Johnson** asked if interviews with officers are under sworn oath. **Robertson** replied, "No it is not sworn, but it is recorded."
5. **Williams** asked, "What is the difference between truthfulness and lying?"
6. **Bartels** answered, "Clearly there is none."

Following the discussion, the **Chair** called for a motion and the following were made:

- **Abusive Language Allegation / Officer Kellner:** It was moved by **Bozarth** to accept staff's recommendation to **not sustain** the allegation. The motion was seconded by **Morris**. Hearing no discussion, the vote was called and the second motion failed.

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- **Abusive Language Allegation / Officer Matteson:** It was moved by **C. Johnson** to accept staff recommendation to **not sustain** the allegation. The motion was seconded by **Bozarth**. Hearing no discussion, the vote was called and the motion was approved with two Ney votes (**Williams** and **R. Johnson**).
- **False Arrest Allegation / Officer Kellner:** It was moved by **Williams** to accept staff recommendation to **sustain** the allegation. The motion was seconded by **Lee**. Hearing no discussion, the vote was called and the motion was approved unanimously.
- **False Arrest Allegation / Officer Matteson:** It was moved by **Williams** to accept staff recommendation to **sustain** the allegation. The motion was seconded by **C. Johnson**. Hearing no discussion, the vote was called and the motion was approved unanimously.

Discipline Phase for Sustained Allegation of False Arrest

Robertson reported that based on Officers Kellner and Matteson's disciplinary history this is a Category A violation.

The following motions were made:

- **Discipline for False Arrest / Officer Kellner:** It was moved by **R. Johnson** to recommend that a written reprimand be issued to Officer Kellner supplemented with pro-active corrective training. **Morris** seconded. Hearing no discussion, the vote was called and the motion was approved with one Ney vote (**Bartels**).
- **Discipline for False Arrest / Officer Matteson:** Although Officer Matteson is no longer employed, the Board moved forward with a discipline recommendation. It was moved by **R. Johnson** to recommend that a written reprimand be issued to Officer Matteson supplemented with pro-active corrective training. **Morris** seconded. Hearing no discussion, the vote was called and the motion was approved with one Ney vote (**Bartels**).

C. **COMPLAINT #12-01, KEITH GLOVER ALLEGATION OF FALSE ARREST**

Chair Bartels summarized the complaint indicating that Keith Glover alleged that Atlanta Police Officer Andrae Warren falsely arrested him during an incident that occurred on January 6, 2012 at his residence located at 513 Atwood Street.

Before the motion and discussion, the **Chair** indicated that Officer Warren has been discipline by OPS. He received an oral reprimand. The staff recommends that the allegation of False Arrest against Officer Warren be **sustained**.

It was moved by **Harrison** to accept staff recommendation to **sustain** the allegation of False Arrest against Officer Warren. The motion was seconded by **Williams**. Hearing no discussion, the vote was called and the motion was approved unanimously.

Discipline Phase for Sustained Allegation of False Arrest

Regarding Officer Warren's disciplinary history, **Robertson** reported that he has three complaints filed against him. One complaint was sustained and the other two complaints are pending. **Robertson** indicated that she does not know what the two complaints are about because the file was not available to her for review. Per APD's grid, this is a Category A violation with a penalty of an oral or written reprimand.

The following motion was made:

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Discipline for False Arrest / Officer Warren: It was moved by *Williams* to recommend that Officer Warren receive a Written Reprimand for a sustained allegation of False Arrest. *Bozarth* seconded. Hearing no discussion, the vote was called and the motion was approved unanimously.

D. COMPLAINT #12-03, CARTER MCLAUGHLIN ALLEGATION OF EXCESSIVE FORCE AND ABUSIVE LANGUAGE

Chair Bartels summarized the complaint indicating that Carter McLaughlin alleged that Atlanta Police Officer Darrell L. Williams (retired) subjected him to excessive force and abusive language during an incident that occurred on February 12, 2012 at the Atlanta Public Safety Headquarters located at 226 Peachtree Street, S.W.

The staff recommends that the allegation of Excessive Force and Abusive Language against Officer Williams be assigned as **not sustained**.

Following a brief discussion, the Chair opened the floor for motions.

- *False Arrest Excessive Force / Officer D.L. Williams:* It was moved by *Morris* to accept staff recommendation to **not sustain** the allegation. The motion was seconded by *R. Johnson*. Hearing no discussion, the vote was called and the motion was approved unanimously.
- *Abusive Language Allegation / Officer D.L. Williams:* It was moved by *Bozarth* to accept staff recommendation to **not sustain** the allegation. The motion was seconded by *Harrison*. Hearing no discussion, the vote was called and the motion was approved with one Ney vote (*Williams*).

E. COMPLAINT #12-06, ROBERT LEE ALLEGATION OF FALSE IMPRISONMENT

Chair Bartels summarized the complaint indicating that Robert Lee alleged that Atlanta Police Officers Germaine Dearlove, Joshua Carney, Casey Freeman and Katherine Rambler falsely imprisoned him during an incident that occurred on April 13, 2012 at 310 Auburn Avenue.

The staff recommends that the allegation against Officers Germaine Dearlove, Joshua Carney, Casey Freeman and Katherine Rambler be assigned **not sustained**.

Following a brief discussion, the *Chair* opened the floor for a motion.

It was moved by *Harrison* to accept staff recommendation to **not sustain** the allegation of False Imprisonment against Officers Germaine Dearlove, Joshua Carney, Casey Freeman and Katherine Rambler. The motion was seconded by *R. Johnson*. Hearing no discussion, the vote was called and the motion was approved with one Ney vote (*Williams*).

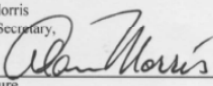
PUBLIC COMMENTS

Chair Bartels opened the floor for public comments; however, no one signed up to speak.

ADJOURNMENT

Chair Bartels entertained a motion to adjourn. *Williams* moved to adjourn the meeting. The meeting adjourned at 8:52 p.m.

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Approved as to form and content,
Alan Morris
Board Secretary,

Signature
December 13, 2012