



## ATLANTA CITIZEN REVIEW BOARD

### MINUTES OF THE LAST MEETING

SEPTEMBER 9, 2010, 6:30 PM

55 TRINITY AVENUE, S.W., COMMITTEE ROOM TWO, ATLANTA, GEORGIA 30303

### ROLL CALL

#### Members Present

CHARIS JOHNSON (*Johnson*)  
OWEN MONTAGUE (*Montague*)  
ALAN MORRIS (*Morris*)  
JOY MORRISSEY (*Chair/Morrissey*)  
SHARESE SHIELDS (*Shields*)  
MACEO WILLIAMS (*Williams*)

#### Members Absent

RODERICK EDMOND (*Edmond*)  
BARBARA HUBBARD (*Hubbard*)

#### Three Vacant Appointments to the Board

*Atlanta Bar Association*  
*Atlanta City Council President's Office*  
*NPU: M - R*

### STAFF ATTENDEES

MARC ADDINGTON, Investigator (*Addington*); CRISTINA BEAMUD, Executive Director (*Director/Beamud*); SHEENA ROBERTSON, Investigator (*Robertson*); MYOLA SMITH, Administrative Analyst (*Smith/Recorder*)

**Guest Attendees:** Lt. Sharonne Steed, Office of Professional Standards, Atlanta Police Department

### MEETING CALLED TO ORDER:

*Chair Morrissey* officiated the meeting calling it to order at 6:45 p.m. The *Chair* welcomed citizens and guests and asked each Board member to introduce themselves and identify the entity that appointed them to the Board.

## A G E N D A

### APPROVAL OF MNUTES OF THE LAST MEETING:

The *Chair* asked if there were any corrections to the minutes. *Morris* noted two corrections:

- Page 8: Item C-27. Last word should be *point*.
- Page 12: Item D-4. Second line should read *exercised*.

Hearing the corrections, it was moved by *Montague* to approve the Minutes for August 12, 2010 with the noted corrections. *Morris* seconded. No further discussion. The motion was approved.

## ACTION ITEMS:

### CONSIDERATION OF INVESTIGATION 10-07 – COMPLAINT OF DOMICE IRVING

The *Chair* directed members to Agenda Item III and to *Director Beamud* memo dated September 8, 2010 summarizing the investigation of Complaint #10-07.

#### A. SUMMARY OF COMPLAINT

*Investigator Robertson* provided an oral summary. She stated that a False Arrest complaint was filed with ACRB by Domic Irving, a 46 year old African American male. The arrest occurred on September 29, 2009 at 855 Coleman Street. The arresting officer was Detective Andrew Silberman. Prior to Irving's arrest, Det. Silberman had been investigating illegal drug activity at 855 Coleman for several weeks during the month of September, 2009. Based on that investigation, he obtained a search warrant for the residence on September 23<sup>rd</sup> authorizing APD to enter and search the residence for illegal drugs. The warrant however, did not identify a particular individual as the subject of the investigation. On the day of the incident, Det. Silberman, along with eleven (11) APD officers executed the search warrant at 855 Coleman Street. When they arrived, Mr. Irving was on the front porch and he was the only individual present. Irving was detained outside while the officers entered and searched the residence. Cocaine and Marijuana were found in the residence and Irving was placed under arrest and charged with possession of cocaine with intent to distribute and possession of marijuana. Subsequently, Irving spent 1½ months in jail until he was released on bond November 17, 2009.

#### B. WHAT THE INVESTIGATION REVEALED

*Robertson* reported that interviews were conducted with Irving and eight (8) officers that were part of the entry team which included Det. Silberman. Irving said that he did not live there. He was hired by the homeowner to mow the lawn but the owner was not home when he arrived. He was waiting on the porch when the officers arrived. He expressed this to the officers.

Interviews were conducted with the eight entry team officers and they acknowledged that when they arrived at the residence, Irving was on the front porch. Detective Silberman said illegal drugs were found in the residence and there was sufficient evidence indicating that Irving had access to the residence...a key to the burglar bar door of the residence was found on his person, as well as, a pill that matched a pill he found in the bedroom and his backpack was found in the kitchen."

Irving alleges that four of the officers, whom he was only able to identify as being Caucasian, recognized him from a prior incident that occurred approximately three (3) years ago and said words to the effect of "Isn't that the guy who beat us on that weapon charge? Let's take his ass to jail and see if he beats this one." Out of the eight officers interviewed, four of them were Caucasian and they all stated that they did not know Irving prior to this incident. Det. Silberman also stated that Irving was not a suspect during this investigation and he did not know him prior to the incident. A review of APD's arrest records, dating back to 2006, indicates they are no records of Irving being previously arrested by any of the aforementioned officers."

Irving's counsel filed a motion to suppress on the grounds that the arrest and search was illegal. The motion was granted and the charge of intent to distribute marijuana. The judge held that it was unreasonable to arrest and search Irving who was merely standing on the porch of the residence. The intent to distribute cocaine charge was also dismissed resulting in a dismissal of his case."

C. STAFF RECOMMENDATION

Regarding Complaint #10-07, the staff recommended that the allegation of False Arrest against Det. Silberman be 'sustained.'

*Discussion...*

1. **Chair Morrissey** opened the discussion by reading the definition of False Arrest as defined by the ACRB as "arrest by police officer of the wrong person without probable cause to believe a crime has been committed or without a warrant." Regarding reasonable suspicion "an arrest is seizure under the United States Constitution when made without probable cause is a violation of the Fourth Amendment. **Chair Morrissey** said, "In this case, the evidence seems to indicate that Det. Silberman possessed reasonable suspicion to stop and detain Mr. Irving; however, he lacked probable cause to arrest him. The mere fact that he was sitting on the porch did not give Silberman probable cause to arrest him." The **Chair** then entertained a motion.
2. **Shields** asked if Det. Silberman was the only arresting officer out of the eight officers. **Robertson** answered, "Yes. He was the lead detective and he made the decision to arrest Irving."
3. **Morris** asked, "Did the Complainant have a valid driver license with another address listed?" **Robertson** answered that she was not aware if he did or not.

D. BOARD VOTE REGARDING STAFF RECOMMENDATION

At the conclusion of the discussion, regarding Complaint #10-07 / Domic Irving, it was moved by **Shields** that the Board accept the recommendation of the staff as sustained to the False Arrest against Det. Silberman. **Williams** seconded the motion. No further discussion. The motion was approved

E. DISCIPLINE RECOMMENDATION

After the vote to **sustain** was adopted, **Chair Morrissey** turned the discussion to recommending discipline.

*Discussion...*

1. **Shields** asked if the staff had possession of the officer's disciplinary record. **Robertson** stated, "Silberman has been employed with APD since December 2001. Two (2) OPS complaints filed against him since his employment: A written reprimand for violating APD work rule 4.04, Operation of a City Vehicle (12/28/2004) and another false arrest complaint by a female, (02/06/2006). In the complaint, she stated that Silberman and another officer arrested her for merely sitting on the porch. The Complaint was not sustained.
2. To answer **Williams** question regarding how OPS or the ACRB has handled cases like this in the past, **Robertson** indicated that the board normally would follow the APD Disciplinary grid. "Looking at the APD grid and the two complaints against the officer, since his employment, the 2004 complaint falls outside the five year reckoning period; with that in mind, this would be considered a Category B offense and the penalty ranges from a written reprimand to a three-day suspension."
3. **Shields** stated that in light of the prior allegation that was found not sustained by OPS, but involved another false arrest, as a Board, I suggest we recommend something more severe than a reprimand. I would be in favor of a one-day suspension.
4. **Montague** stated, "Given the officers that we have been dealing with the past six to eight months who had a list of 10, 15 or 20 items on record and this officer has had two, I would tend to agree that a one day suspension would be sufficient."

With no further comments, **Shields** moved that the Board recommend to the Chief of Police that Det. Silberman be disciplined with a one day suspension for this false arrest complaint. **Williams** seconded the motion. Motion was approved.

**CONSIDERATION OF INVESTIGATIONS #09-34; 10-08; 10-09; 10-10; 10-11; 10-12; 10-13; 10-14; 10-15 / OF EAGLE BAR PATRONS**

The *Chair* directed members to Agenda Item IV and *Director Beamud's* memo dated September 3, 2010 regarding the investigation of complaints made by patrons of the Eagle Bar.

A. SUMMARY OF COMPLAINT

*Investigator Addington* gave an oral summary of the Eagle Bar Patrons' remaining complaints. "This investigation corresponds to the remainder of the complaints in the matter of the incident that occurred on September 10, 2009 at the Eagle Bar by the following patrons: Thomas Fast/Case #09-34;, Mathew Presley/Case #10-08; Thomas Hayes/Case #10-09; *Jeffery Calhoun/Case #10-10*; Benjamin Cheaves/Case #10-11; John Curran/Case #10-12;, Brian Hughes/Case #10-13; Robert Treutel/Case# 10-14; Mark Danak/Case #10-15.

"There were two other individuals who expressed an interest in filing a complaint; however, these individuals did not present a signed complaint form to the staff as required by city ordinance. They are: *Garrett McLendon and Chris Daniels*. Their statements were considered as witness testimony."

"Another individual, *Kenneth Keck*, contacted ARCB but did not wish to make a formal complaint but did want to make a statement regarding the activity that he witness at the Eagle Bar that evening."

It should be noted there were twenty-four officers identified as being involved in the raid at the Atlanta Eagle Bar. They are:

- |                                |                              |
|--------------------------------|------------------------------|
| Sgt. John Brock                | Sgt. Willie Adams III        |
| Sgt. Kelley Collier            | Officer Melonie Mague        |
| Officer Robert Godwin          | Officer Stallone Davis       |
| Investigator Bennie E. Bridges | Officer Jeremy Edwards       |
| Officer Dimitri Jacques        | Officer Dione Merideth       |
| Officer James Menzoian         | Officer Cayenne Mayes        |
| Officer Christopher Dowd       | Officer Craig Condon         |
| Investigator Herman Glass      | Investigator Timothy McClain |
| Officer Brandon Jackson        | Officer Marlon Noble         |
| Officer Stephanie Upton        | Officer William Porter       |
| Officer William B. Walters     | Officer Vincente Marcano     |
| Officer Darnell Perry          | Officer Jared Watkins        |

B. WHAT THE INVESTIGATION REVEALED

*Addington* reported that on September 10, 2009, members of the City of Atlanta, Police Department Vice Squad and Red Dog Unit entered into the Atlanta Eagle Bar at approximately 11:00 p.m. "Upon their arrival of the Bar, they ordered all of the occupants of the bar, including the employees and patrons, to get on floor. They were then either searched and or patted down by officers for weapons or contraband. Subsequently, all of the patrons' identification was secured by police officers where they were checked for outstanding warrants. Interviews with the officers, various complainants and transcripts, confirmed these circumstances. Once they were searched and ID's were secured and checked for warrants, their identifications were returned and they were allowed to leave the bar. All of the complainants were consistent in their testimony that some officers were heard using various types of abusive language ranging from profanity to homophobic language to racial slurs that were derogatory in nature."

*Addington* added that interviews indicated that complainants were forcibly detained on the floor for time periods of approximately 20 minutes to one hour and were searched and ID's checked. Evidence also indicates that none of the complainants were suspected of committing a criminal violation. The actions of the officers are in direct conflict with APD Standard Operating Procedure 3020. Search and Seizure Section 4.3.3. that outlines police-citizen encounters. All of the officers present at the bar indicated during individual interviews that they had either direct or indirect contact with the patrons of the bar on the evening of September 10, 2009. It was also established that the complainants were not free to move or leave the bar. It is reasonable to assume that all of the officers who were present at the bar have a responsibility to understand the restrictions imposed on their authority to investigate and detain citizens or their lack thereof, as recognized under the Fourth Amendment. Regarding the allegation of abusive language, APD SOP work rules 4.2.02 states, "*Courtesy states that Employees will be civil, orderly and courteous to the public, co-workers and supervisors and should not use coarse, insensitive, abusive, violent, or profane language.*" The officers who were interviewed and also present at the raid, disputed allegations they engaged in any form of abusive language. Assigning fault was complicated by the fact that the reporting complainants are unable to identify any individual officer as being responsible for the abusive language.

#### C. STAFF RECOMMENDATION

*Addington* concluded with the staff's recommendation. Regarding the allegation of false imprisonment, he said, "Based on the information obtained during the investigation, the ACRB staff recommends that the allegation of false imprisonment be "sustained" against all of the involved officers."

Regarding the alleged abusive language, he said, "Based on information obtained during the course of the investigation, there is sufficient evidence to indicate officers used abusive language on the evening of September 10, 2009. However, there is insufficient evidence to identify the officer(s) who committed these offenses. Therefore, the staff recommends that the allegation of abusive language be "not sustained."

#### *Questions and Discussion...*

1. Following *Addington*'s summary, *Williams* asked for further clarity about the not sustained recommendation. *Addington* stated that the 'not sustained' recommendation regarding abusive language was recommended because it was impossible to identify which person engaged in the behavior and therefore, they could not assign blame.
2. *Shields* stated, "At the last board meeting, we considered two complaints of two other Eagle Bar patrons. We moved that the allegation of abusive language be sustained with respect to one of the complaints. I think we were focusing on taking some sort of disciplinary action and making some sort of recommendation against the supervisor in charge of the raid. I bring this up to remind the Board that we voted and we need to steer our focus in that regard. I appreciate the staff's very thorough investigation and it does pose a problem when you don't have specific officers that can be identified, but certainly we know who the supervisor is. I encourage the Board to consider whether or not disciplinary action against the person in charge is appropriate and not against everyone."
3. The *Chair* agreed.
4. To clarify an issue, *Shields* asked *Addington* if it was correct that there were no weapons or contraband found. *Addington* stated that was correct. *Shields* then asked, "In the interviews with the officers, did anyone allege that there had been reports of weapons or suspicion of wrong doing? *Addington* stated, "In the report, there were only two incidents that involved one of the officers. One officer alleged he was groped in the groin area, and several of the other officers said that they saw individuals inside the bar engage in sexual activity. However, none of the individuals that were allegedly involved in this alleged behavior were identified.

5. **Morris** asked **Addington**, if he knew if OPS ever investigated this case and if so, what was the recommendation? **Addington** stated that OPS has completed the investigation but they were waiting for supervisory approvals.

D. BOARD VOTE REGARDING STAFF RECOMMENDATION – FALSE IMPRISONMENT ALLEGATION

False Imprisonment Allegation Vote: **Johnson** moved that the Board accept the recommendation of the staff to sustain the false imprisonment allegation regarding the incident on September 10, 2010 at the Atlanta Eagle Bar. **Morris** seconded the motion. No discussion. The motion was approved unanimously.

E. RECOMMENDATION FOR DISCIPLINE

Following the unanimous vote, the Board focused on a recommendation for discipline.

*Discussion...*

1. **Shields** asked about APD's grid. **Beamud** stated, "This is a Category B offense and it would depend on what the Board cared to impose upon each of the officers. The spread would be a written reprimand up to and including three (3) day suspension. We may want to consider this as part of our study as to what would be the appropriate discipline in addition to the other issues. But the spread is a written reprimand and or up to three days suspension."
2. **Shields** said, "I appreciate Ms. **Beamud** pointing that out because at our last meeting, we voted to hold in abeyance our specific recommendations pending further work to be done by the staff. I think it would be appropriate to do the same with these as well."
3. **Johnson** agreed, "We would not necessarily want to do a mass disciplinary action of 24 officers. I think the study would be a more appropriate vehicle to follow."
4. The **Chair** stated, "We tried to go along with APD's grid that they use. Looking at grid, we have a possibility of a written reprimand up to three day suspension. In my personal opinion that is not enough. We made a decision last time to take a different route and this time, put together a study. "
5. Supporting the discussion and as a reminder, **Williams** read a statement by **Edmonds** from the minutes of last month's meeting, "**Edmond** moved for the Board to hold abeyance all specific recommendations pending further investigations to be done by the staff regarding specific policy violations and any other matters that may have been done that under the control of the supervisor of the operation."

No further discussion, the **Chair** entertained a motion. **Shields** moved to hold in abeyance our decision for recommendation for discipline until we have further study from the Board. **Williams** seconded.

*Questions...*

1. **Montague**, "What is the objective of the study and possible outcomes? What are some examples?"
2. **Beamud** stated, "There are of things that the Board can study; but I think we were focused on a study to recommend individual discipline that takes in account the different levels of culpability that occurred in this incident and more specifically, to focus on supervisory responsibility."
3. **Shields** added that the Board also discussed including in the study if there were any other policy violations.
4. The **Chair** noted that at that last meeting, she stated that she also wanted to know more about the supervisors who were in charge of the raid...not just the ones who were present but the ones who signed-off on it that are higher up in rank.

No further discussion, the *Chair* call for the vote, and the motion was approved and passed unanimously.

Before moving on to the second half of the staff's recommendation, *Johnson* asked the *Chair* to consider whether or not the Board wants to assign a time expectation on conducting and completing the study. "Do we want to discuss this tonight?"

*Beamud* stated that it is important that we talk about expectations and time at this meeting. "Some of this depends on exactly what the Board wants. This was the conversation from the last time. It is important to frame exactly what it is that you want to study and try to keep it as concise as possible. I heard from the Board that you want to look at supervisory liability and SOPs and I think that can be done in a month or two. However, if you start looking into multiple layers of other things that might have gone on, that of course, will take more time and if you ask for interviews it will take even more time."

*Shields* stated, "We can decide after we talk about the second part of the staff's recommendation regarding the current complaint."

F. BOARD VOTE REGARDING STAFF RECOMMENDATION – ABUSIVE LANGUAGE ALLEGATION

1. *Shields* said, "With respect to the abusive language allegations, in light of what we decided at the last meeting on the allegation of abusive language that the allegation be sustained as to the supervisor in charge. It makes sense to adopt that as well. I believe the staff was amenable to modifying his position to include a sustaining of the allegation as to the supervisor only and not as to all or an individual officer that were at the bar that evening.
2. *Williams* stated that he did not agree with the recommendation. "I don't agree because each of the individuals was a participant. To put it all on one person, is ludicrous. Personally, I agree with the complainants. There was something said and the patrons did not just lie on the floor and invent something. I believe everyone across the board should be disciplined."
3. *Shields*, "At the last meeting, we voted as a Board to sustain the allegation as to the supervisors and I don't think it makes sense for us to undo what we have previously done. We all are disturbed and we are concerned about the fact that were comments that were made that were abusive, inappropriate, and homophobic slurs...but we don't know who said them. You can't hold all the officers accountable but you certainly can hold the supervisor accountable because he is the one to set the tone for that investigation and that was our rationale at last month's board meeting and I believe that was a unanimous vote by the Board."

The *Chair* entertained a motion regarding the allegation of abusive language. *Shields* motion for the Board to sustain the allegation of abusive language as to the supervisors in charge of the raid rather than the individual officers. *Montague* seconded the motion. No further discussion. The motion was approved.

G. RECOMMENDATION FOR DISCIPLINE – ABUSIVE LANGUAGE

*Shields* moved that we hold in abeyance the Board's recommendation for disciplinary action as to the Supervisors function until further study by the staff. *Johnson* seconded.

*Discussion...*

*One comment from Williams stating that there was seventy (70) individuals who's civil rights were impeded and regardless as to who actually said what or whether the supervisors in charge will take full responsibility, the bottom line is you can't treat people this way."*

No further discussion, the motion was approved and passed unanimously.

Following the vote, the *Chair* resumed the discussion regarding the study's timeline.

1. *Beamud* stated, "I heard that you would like the study performed on the potential violations of all SOPs, as well as, supervisory responsibility with regards to this and make recommendations concerning the appropriate discipline in those matters. The *Chair* stated that the *Director's* statement was correct. She also indicated that she would like to see the personnel records of the supervisors involved and to see if we can possibly find out what ranking officer signed off on the incident.
2. *Shields*, "In light of what *Ms. Beamud* indicated earlier would be a reasonable amount of time, I think we can set the time for the study to be completed by November.
3. *Morris*, "I would like for the staff to address, what I fear to be, an element of conspiracy among the police officers to hide or lie about the abusive language. It is clear and obvious to this Board that abusive language took place on that night and to a person and it was denied by all police officers that were involved. "

## **DISCUSSION REGARDING INTAKE AND INVESTIGATION OF COMPLAINTS OF FALSE ARREST OR FALSE IMPRISONMENT WHERE THE PERSON HAS ENTERED A PLEA OR WHERE THERE HAS NOT BEEN A CRIMINAL ADJUDICATION**

*(Item held over from August 12, 2010 Meeting)*

### **A. BOARD DISCUSSION ON POLICY**

The purpose of this discussion is to develop policy to determine if the Board wants to investigate a false arrest or false imprisonment allegation after a person has entered a plea to a criminal charge associated with the arrest. *Beamud* prepared a memo to encourage the Board to address this issue.

Before opening the floor for the discussion, the *Chair* summarized the complaint that led to this discussion. "The ACRB received a complaint from Mr. Cleo Beatty (*Complaint #10-42*). Mr. Beatty was arrested on June 8, 2010 by Officer Sobucinski while he was working on a car that had been lent to him by his friend, Thomas Harris. Mr. Beatty lost the keys and was using a screw driver to start the car and the officers thought that he might be stealing the car. However, Mr. Beatty believes that the officer knew that he was in legal possession of the car because an officer, who was present with Officer Sobucinski, had stopped him for traffic violations twice before. Mr. Beatty asked to speak to a sergeant and he explained his problem and the sergeant shrugged and did not do anything to investigate his claim that he was not trying to steal the car; the car had been loaned to him. The car was impounded and he asked the officer to retrieve his cell phone but the officer would not do that. Mr. Beatty did not have the money to retrieve the car and could not retrieve his cell phone. He was arrested and charged with Unlawfully Entering an Automobile with Intent to Commit a Theft and Criminal Attempt to Commit Theft."

"Mr. Beatty complained that he explained the circumstances regarding the car and alleged that one of the officers knew that he was in lawful possession of the car because the officer had stopped him in the past. He complained that he gave the arresting officer and the sergeant the name of the registered owner and invited them to verify his explanation. The motor vehicle was not reported stolen and was not on the stolen auto database. When the ACRB office received the complaint, they were unaware of the status of the criminal case and did not realize that there was a grand jury indictment. The matter was referred to the Board with a recommendation to investigate the case. However, preliminary investigation revealed that Mr. Beatty had been indicted on June 18, 2010 and had pled guilty to disorderly conduct on June 23, 2010 because he could not afford to remain in custody awaiting trial."

“Similar issues have arisen in the past when complainants have alleged false arrest before the criminal allegations were adjudicated by criminal courts. In those cases, the Board suspended the administrative investigation until after the criminal charges were adjudicated in court. The purpose of the suspension is to allow the criminal process to adjudicate guilt and to avoid acting as an appeals court or as an investigative arm for the public defender. It avoids conflicting results that may undermine the established remedies for adjudicating guilt and or the Board’s credibility.”

The **Chair** then opened the floor for discussion of a policy.

**Discussion...**

1. **Johnson** asked if this was the first complaint of this kind. **Beamud** answered, “To date, we have two complaints of this kind but I am sure, there will be more. We need to find ways to deal with backlog and this is a case where the Board can develop a policy to deal with these types of complaints.
2. **Shields** indicated that she 100% agreed with staff where there is a criminal conviction.
3. **Johnson** stated that when the Board takes on these cases we are sliding a slippery slope. If the complaint has been adjudicated by the court.

**B. BOARD VOTES REGARDING POLICY**

With no further discussion, the **Chair** asked for a motion. **Shields** moved to accept the recommendation of the staff to suspend complaints regarding False Arrest and False Imprisonment Complaints where the Complainant has a criminal conviction related to the arrest. **Johnson** seconded the motion. No discussion. The motion was approved.

**C. BOARD VOTES ON PENDING COMPLAINTS REGARDING NEW POLICY**

Complaint #10-42 / Cleo Beatty: **Montague** moved to accept the staff’s recommendation to **dismiss** the False Arrest Complaint. **Morris** seconded. *No discussion.* The motion was approved.

Complaint #10-32 / False arrest complaint with criminal case still pending: **Johnson** moved to suspend the complaint pending the outcome of the criminal case as recommended by the staff. **Williams** seconded. *No discussion.* The motion was approved.

**ACCEPTANCE OF ANNUAL REPORT FOR 2009**

The **Chair** turned attention to the Annual Report. She thanked the staff for an excellent report and opened the floor for a motion to accept and publish the report.

**Morris** motioned to accept the Annual Report for 2009 and publish. **Montague** seconded. There was no discussion. The motion was approved.

**INTAKE REPORT**

A copy of the Intake Report was included in the handout distributed to the members. **Director Beamud** reported that the office received seven (7) complaints for the month of August:

The complaints are:

- #10-45 / Complainant: Aaliyah Shaheed / Allegation: False Arrest
- #10-46 / Complainant: Tim Reid / Allegation: Racial Discrimination

- #10-47 / Complainant: Darlene L. Harris / Allegation: Sexual Harassment
- #10-48 / Complainant: Valen Martini / Allegation: False Imprisonment
- #10-49 / Complainant: James Hereford / Allegation: False Imprisonment
- #10-50 / Complainant: Hugwitt Davis / Allegation: Excessive Force
- #10-51 / Complainant: Blulette Hector / Allegation: Excessive Force

The *Chair* entertained a motion to accept the *Director's* report. It was moved by *Johnson* to accept the Director's Intake Report. *Montague* seconded. No discussion. The motion was approved.

## EXECUTIVE DIRECTOR'S REPORT

*Director Beamud* reported the following:

### A. NOVEMBER MONTHLY MEETING

*Beamud* announced that the November meeting will be November 4<sup>th</sup> instead of November 11, 2010. The date was changed due to City Hall closing in honor of Veteran's Day.

### B. PUBLIC SAFETY COMMITTEE

*Beamud* stated that she had been asked by the Chair of Public Safety Committee to report on our Annual Report and our intake report at each meeting.

### C. NACOLE CONFERENCE

The NACOLE Conference will be held in Seattle, Washington, September 20 through September 23, 2010. *Beamud* stated, "Myola Smith and I will be attending. I will be participating in two presentations:

- Survival Skills in an Era of Government Budget Cuts
- The First Year is the Hardest: The Challenges of an Oversight Agency's First Year."

### C. BOARD APPOINTMENTS

The candidate nominated by the Atlanta Bar Association, Deborah Butera, has withdrawn from consideration. She accepted a new job in California and will be moving shortly. There has been no further communication from the Atlanta Bar Association regarding a new candidate.

NPU's M-R has nominated Ryan Johnson to serve on the Board. He has been approved by APAB and the City Council is currently considering his appointment. He is the Vice Chair of NPU-O and lives in the Kirkwood neighborhood. He is employed at the Decatur-DeKalb Family YMCA.

It should be noted that Mr. Ryan Johnson was in attendance and the Chair asked him to come to the podium. Mr. Johnson introduced himself and indicated that he was excited about becoming a member of the board and that he eagerly awaits his confirmation by Council to serve his community.

## PUBLIC COMMENTS:

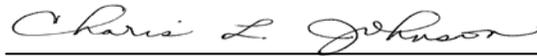
*Chair Morrissey* opened the floor for public comments. There were no public comments.

**ADJOURNMENT:**

Following Public Comments, the *Chair* entertained a motion to adjourn. *Morris* moved to adjourn and *Williams* seconded. The meeting adjourned at 8:35 p.m.

Approved as to form and content,

Charis Johnson  
Board Secretary,

A handwritten signature in cursive script that reads "Charis L. Johnson". The signature is written in black ink and is positioned above a horizontal line.

Signature

Date: 11/04/2010