



July 19, 2011

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

RE: Complaint of Jeremiah Ervin #11-13

Dear Chief Turner:

The Atlanta Citizen Review Board (“ACRB”) completed its investigation and adjudication of the complaint that was filed by Jeremiah Ervin alleging excessive force by members of the Atlanta and Marta Police Departments. The complaint was investigated by Investigator Sheena Robertson.

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Kasim Reed

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Mr. Ervin wrote a letter to the Board dated February 28, 2011, stating that he was currently incarcerated and was the subject of excessive force by members of the Marta Police Department and the Atlanta Police Department on February 2, 2011. He said that he was arrested on a warrant after a foot pursuit. He was “tasered” and taken to the ground and claims that officers ripped off his clothing and forced his face into the concrete and kicked him. Two of his teeth were shattered and then he was picked up off the ground and slammed back on the ground and was smacked by a Marta police officer. He said he was knocked to the ground and was held there by an officer who had a knee on his back. He said an officer smacked him with handcuffs and he lost two more teeth. He was transported to Grady Emergency Room and was treated before he was taken to the Fulton County Jail. He claimed that he believed that members of the Atlanta Police Department were involved in his arrest because he saw Atlanta Police vehicles in the area.

The investigation focused on whether there were any Atlanta Police officers involved in this arrest or use of force. The daily activity reports for officers working on that day in Zone 5 were obtained. There was no indication they responded to this incident. The radio transmissions for Zone 5 were also reviewed and there was no indication that any Zone officer responded to the scene of the arrest. The reports from Marta Police do not indicate that the Atlanta Police were involved in this incident. Additionally, according to Captain Joseph Spillane, no Atlanta officers assisted Marta Police with the apprehension of Mr. Ervin.

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Given the above evidence, the Atlanta Citizen Review Board voted unanimously to assign a finding of **Unfounded** to this allegation.

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,



Joy Morrissey,
Board Chair

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