



Received by:

MLR 12/21/16

C I T Y O F A T L A N T A

Kasim Reed
Mayor

226 Peachtree Street, SW
Atlanta, Georgia 30303
(404) 546-6900

Atlanta Police Department
George N. Turner
Chief of Police

December 16, 2016

Ms. Sherry Williams
Atlanta Citizen Review Board
City Hall Tower, Suite 9100
55 Trinity Avenue, SW
Atlanta, Georgia 30303

RE: 15-124 Complaint of Samantha Leroy

Dear Ms. Williams:

I am in receipt of the Atlanta Citizen Review Board's letter pertaining to the complaint of Samantha Leroy, recommending that the allegations of false arrest and false imprisonment be sustained against Officer Arkeda Collins and Officer Terrence Whitten.

The Office of Professional Standards has concluded its investigation and it has determined, from evidence, to not sustain Officer Arkeda Collins for the Atlanta Police Department work rule 4.1.1 Appropriate Action Required.

In review of the file, evidence states that Officer Arkeda Collins and Terrence Whitten did observe Ms. Leroy and her male companion in the park with their dogs off leash and they were issued a warning. Later, the officers while on patrol encountered the same individuals in the park with their dogs unleashed, which is a violation of the city ordinance and they were issued citations. The encounter appeared to be at minimal, and only long enough to complete the citations. The video issued by Ms. Leroy does not show the events that led up to the second encounter with Ms. Leroy in which she was previously warned and does not support the allegation that she was unlawfully detained. Based on the officer's report and account of the incident, probable cause did exist during each encounter. The investigation also states that Officer Collins can be heard stating that she had spoken to her supervisor about the incident and that issuing a citation is acceptable and approved. Officer Collins explained in her OPS statement that she made this statement in an effort to keep the parties involved from becoming combative. The video, submitted by Ms. Leroy, indicates Ms. Leroy speaking to the officer in a condescending tone and laughing while Officer Collins attempted to handle the situation. It appears, that Officer Collins made an effort to deescalate the situation and in her

report she documented the confrontational behavior during the encounter. Officer Collins maintains that a previous discussion amongst the unit supervisors and officers indicating that an initial warning for park violations prior to issuing a citation would be sufficient unless further violations were committed. It was confirmed by Sgt. Andry; although, he did not speak with Officer Collins about this particular incident, it is common knowledge throughout the unit to issue warnings prior to citing an individual, however if the individual fails to comply, citations should be issued. This investigation revealed that there was no basis for the charge of truthfulness against either officer, due to the circumstances and opposition Officers met during this encounter. The Office of Professional Standards also determined that Officer T. Whitten did not have any significant involvement with the parties involved and did not come to the conclusion that he violated any departmental work rules.

Having assessed the Atlanta Citizens Review Board and the Department's investigative findings regarding this matter, I reject the findings of the Atlanta Citizens Review Board.

Major J. Durant, Commander of the Office of Professional Standards, can be contacted at (404) 546-5945, if you have any concerns regarding this complaint.

Sincerely,

A handwritten signature in blue ink, appearing to read "George N. Turner".

George N. Turner
Chief of Police

GNT/jw