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August 14, 2018

Chief Erika Shields  
City of Atlanta Police Department  
226 Peachtree Street, S.W.  
Atlanta, Georgia 30303

RE: Complaint of Antonio Kendrick, ACRB File #16-034

Dear Chief Shields:

Please be advised that the Atlanta Citizen Review Board (ACRB) has concluded its investigation and adjudication of the complaint filed by Antonio Kendrick alleging that on December 29, 2015, Atlanta Police Officers Calvin Roberson (Unique ID #7095), Gustavo Marin (Unique ID #7114) and Sgt. John Miller (Unique ID #4946); (1) falsely arrested him during a traffic stop; (2) towed his vehicle instead of allowing his wife to pick it up; (3) “Joy rode” with him at dangerously high speeds for over an hour while transporting him to jail; (4) inappropriately threatened to tase him on two separate occasions; and (5) handcuffed him so tightly and for such a prolonged period that he required medical attention.

The Board determined the following:

1. The **Appropriate Action Required** allegation, as it relates to claim #1 (false arrest), against Officers Roberson, Marin and Sgt. Miller be assigned a finding of **Exonerated**.
2. The **Appropriate Action Required** allegation, as it relates to claim #2 (tow issue), against Officer Roberson be assigned a finding of **Exonerated**.
3. The **Appropriate Action Required** allegation, as it relates to claim #3 (Joy riding & driving recklessly), against Officer Marin be assigned a finding of **Sustained** as he admitted that he may have driven a little fast and **recommends a Written Reprimand as penalty**. However, assigned a finding of **Not Sustained** against Officer Roberson.
4. The **Excessive Force** allegation, as it relates to claim #4 (threat of the use of taser on the 1<sup>st</sup> occasion), against Sgt. Miller be assigned a finding of **Sustained** and **recommends, as penalty, a Written Reprimand and Training on the proper and appropriate use of the Taser**. However, the Board recommends a finding of **Not Sustained** against Sgt. Miller pertaining to the 2<sup>nd</sup> threat on the use of the taser.
5. The **Excessive Force** allegation, as it relates to claim #5 (tight handcuffs) against Officers Roberson and Marin be assigned a finding of **Not Sustained**.

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The Board also recommends the following:

1. The APD remind its officers of the nature of their position, which requires them to compassionately engage with members of the public in varying degrees of emotional and physical crisis.
2. The APD clarify acts inclusive of the “use of force” and adopt a definition which adequately addresses a range of harms that may become excessive, gratuitous or abusive in nature.

The file is available for review upon request. 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 the Ordinance 07-0-0141).

Sincerely,

A handwritten signature in black ink that reads "Cecilia Houston-Torrence". The signature is written in a cursive, flowing style.

Cecilia Houston-Torrence  
Board Chair

Mayor Keisha Lance-Bottoms  
Council President Felicia Moore  
Members of the Atlanta City Council  
ACRB Members  
Executive Director Lee Reid