The October meeting was called to order at 6:30 p.m. by Chair Houston-Torrence.

AGENDA

Special Note: ACRB staff has made every effort to capture comments as stated by each speaker; however, in some instance the words may have been inaudible and therefore, unable to transcribe verbatim. In such cases, staff attempted to capture, at best, the essences of the statement.

ROLL CALL

(The ACRB consist of thirteen board members.)

ACTIVE MEMBERS PRESENT

CECILIA HOUSTON-TORRENCE, Board Chair (League of Women Voters)
SHUNTAY PITRE, Vice Chair (Urban League of Greater Atlanta)
TRACEE MCDANIEL, Secretary (Office of the Mayor)

TRUDY BOYCE (City Council President’s Office)
JAMES HARDY (APAB, NPU Group A-F)
KEITH HASSON (Atlanta Bar Association)
GLORIA HAWKINS-WYNN (Atlanta City Council)

MICHAEL HOPKINS (APAB, NPU Group M-Z)
TAMARA ORANGE (GA Coalition for the Peoples Agenda)
BARBARA WARD-GROVES (APAB, NPU Group M-R)
SHERRY WILLIAMS (APAB, NPU Group G-L) (6:44pm arrival)

ACTIVE MEMBERS ABSENT

No members absent

VACANT BOARD SEATS

Gate City Bar Association (Six (6) months)
Atlanta Business League (one (1) year and three (3) months)
ACRB STAFF & CITY EMPLOYEES ATTENDEES

SAMUEL LEE REID, Executive Director (Reid); MYOLA SMITH, Project Manager (Smith); SHEENA ROBERTSON, Investigation Manager (Investigator Robertson); BRIAN FLEMING, Investigator, Senior (Investigator Fleming); MELISA REESE, Administrative Assistant (Reese); STEVEN PARKER, COA Law Department, (Attorney Parker), MAJOR C. TYUS (Maj. Tyus), Atlanta Police Department, Office of Professional Standards; LIEUTENANT BRYAN PADEN (Lt. Paden), Atlanta Police Department, Office of Professional Standards

APPROVAL OF MINUTES FOR AUGUST 2018

Hopkins moved to approve the minutes. McDaniel seconded. Hearing no further discussion, the motion was unanimously approved by Piture, McDaniel, Orange, Hawkins-Wynn, Cecilia Houston-Torrence and Ward-Groves, Boyce, Hardy, Hasson, Hopkins.

POLLING OF THE AUDIENCE FOR CASE INFORMATION

The Chair opened the floor for additional information from the public with regards to the cases on the agenda. No new information was presented from the audience for the board to further consider.

EXECUTIVE DIRECTOR'S REPORT

The Board received a comprehensive Executive Director Report in advance of the meeting. Reid highlighted the following information taken from the report:

A. New Board Members
   Executive Director Reid welcome the newest members to the board: James Hardy, appointed by the Atlanta Planning and Advisory Board, NPU Group A-F; Trudy Boyce, appointed by Council President Felicia Moore, and Keith Hasson, appointed by the Atlanta Bar Association.

B. Introduction of New City Partners
   New commander for the Atlanta Police Department Office of Professional Standards (OPS), Major Carven Tyru. Major Tyru has been with the department for 25 years.

   Newly assigned to the ACRB, City Attorney, Steven Parker. Attorney Parker has been practicing law for 12 years.

C. Staffing Update
   The City’s Human Resources Department screened applicants who applied for the two investigation positions. A few applicants pre-selected by HR have been interviewed. Staff is now in the process of finalizing the process and hope to have a decision soon.

D. Reminders:
   1. Reports to Appointing Entities
      Please stay in touch with your appointing entity and continue reporting ACRB information frequently to them.

   2. Board Member Outreach
      Please contact the office when you plan or recently participated in community outreach. You should email Lynn Garrett, Executive Administrative Assistant, with your participation details.
Discussion…

1. (Houston-Torrence) How often are we to report to the entity? Is that stated how many times per year we have to report?

2. (Reid) We like it quarterly. If you want to report more frequently that’s good. I know like APAB has someone who goes to the monthly Saturday meeting and just give a report on what the board is doing. It doesn’t have to be anything extensive. Also, we’re kicking off our three-part series interacting with a police quiz and it’s going to be online. I have the quiz for each board member to take and pass in at the end of the meeting. It is only ten questions. They are good tips for interacting with the police. We will provide the answers at the next board meeting.

3. (Hawkins) This is based on something in the training manual or you just...

4. (Reid) From your knowledge. How you would respond to any situation if you had an interaction. We’re going from where you are because it’s all about our proactive approach to the work that we do in educating the community about interacting with the police.

INTAKE REPORT FOR AUGUST & SEPTEMBER

Investigation Manager Robertson reported that for the month of August & September 2018. The ACRB received four (4) complaints for the month of August and nineteenth (19) for the month of September.

AUGUST INTAKE REPORT:

A. COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS

The ACRB staff is seeking approval to possibly dismiss one (1) of the four (4) complaints. It should be noted that the proper referrals were given to those citizens whose complaints fell outside of ACRB’s jurisdiction.

The following is a list of the complaints that are being recommended for dismissal and the reason for the recommendation:

Dismissal Complaints:

ACRB Case No. 18-081 – Harassment
The Complainant alleged that APD officers are harassing him by following him on numerous occasions. He stated that the officer did not make any verbal or physical contact with him. The Complainant could not provide any specific dates and times as to when these alleged acts occurred, nor could he provide any identifying information about the officers. Therefore, recommend dismissal for lack of information.

Awaiting Signed Complaints:

ACRB Case No. 18-082 – False Arrest
The Complainant alleged that on August 10, 2018, he was falsely arrested by APD officers. Awaiting the Complaint’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.

Signed Complaints:

1. ACRB Case No. 18-079 – False Arrest & Rude Behavior
The Complainant alleged that on July 27, 2018, he was falsely arrested by Atlanta Police Department officers. He further alleged that the officer(s) were rude and unprofessional during
the arrest. Recommend investigation as an Appropriate Action Required and Conduct complaint.

2. ACRB Case No. 18-080 – Rude Behavior
The Complainant alleged that on August 1, 2018, an APD officer spoke to him in a rude and unprofessional manner. Recommend investigation as a Conduct complaint.

Complaint for Reconsideration:

ACRB Case No. 18-083 – Sexual Assault
At the August Board meeting, the Complainant’s complaint came before the board, and the board voted to investigate her false arrest allegations against the APD officers (ACRB 18-079). However, after further review of her complaint, it was determined that the Complainant also alleged that on May 6, 2018, she was sexually assaulted by some unidentified Atlanta Correction officers while she was being detained at Grady Hospital, but the complaint is vague and additional information is needed.

Preliminary investigation revealed that the Complainant is currently hospitalized, and her release date is unknown. We are unable to obtain a statement from her currently. Therefore, it is recommended that the investigation into her complaint (Abuse of Authority) allegation be suspended pending further information from the Complainant.

SEPTEMBER INTAKE REPORT

COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS
The ACRB staff is seeking approval to possibly dismiss eight (8) of the nineteen (19) complaints. It should be noted that the proper referrals were given to those citizens whose complaints fell outside of ACRB’s jurisdiction.

Dismissal Complaints:

1. ACRB Case No. 18-084 – False Arrest
The Complainant alleged that in 2006, he was falsely arrested by Atlanta Police Department officers. The incident occurred over 180 days from the date the Complainant filed his complaint. Therefore, recommend dismissal because the complaint is time barred.

2. ACRB Case No. 18-085 – False Arrest
The Complainant alleged that in October 2017, he was falsely arrested by APD officers. The incident occurred over 180 days from the date the Complainant filed his complaint. Therefore, recommend dismissal because the complaint is time barred.

3. ACRB Case No. 18-086 – Inadequate Service
The Complainant alleged that a South Fulton County Police officer failed to provide adequate services. Recommend dismissal for lack of jurisdiction.

4. ACRB Case No. 18-087 – Unknown
The Complainant filed an online complaint with the ACRB against an APD officer, however, the complaint lack details.
The ACRB contacted the Complainant to obtain more information about his complaint. He stated that he is no longer interested in pursuing the matter and did not provide any further information. Therefore, recommend dismissal for lack of information.

5. ACRB Case No. 18-089 – False Arrest & Excessive Force
The Complainant alleged that on August 18, 2018, she was falsely arrested by APD. She further alleged that she was assaulted by Fulton County Correction officers while at the jail.
Preliminary investigation revealed that the Complainant was arrested by the Roswell Police Department. The ACRB does not have jurisdiction to investigate allegations against Roswell Police officers and Fulton County Correction officers. Therefore, recommend dismissal.

6. **ACRB Case No. 18-090 – False Arrest**
   The Complainant filed an online complaint alleging that on January 7, 2018, he was falsely arrested by APD officers. The incident occurred over 180 days from the date the Complainant filed his complaint. Therefore, recommend dismissal because the complaint is time barred.

7. **ACRB Case No. 18-094 – Wrongful Parole Revocation**
   The Complainant alleged that his parole was wrongfully revoked. Recommend dismissal for lack of jurisdiction.

8. **ACRB Case No. 18-101 – False Arrest**
   The Complainant alleged that in 1987, he was falsely arrested by APD officers. The incident occurred over 180 days from the date the Complainant filed his complaint.

**Awaiting Signed Complaints:**

1. **ACRB Case No. 18-092 – Inappropriate Behavior**
   The Complainant alleged that on September 19, 2018, while at the APD’s Central Record Department retrieving an accident report, three unknown females, whom he believes were APD officer, engaged in inappropriate conduct when they looked at the report and began laughing. Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Conduct complaint. If not, then recommend dismissal.

2. **ACRB Case No. 18-093 – Excessive Force**
   The Complainant alleged that in September of 2018, her son was physically assaulted by an APD officer.
   Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Excessive Force complaint. If not, then recommend dismissal.

3. **ACRB Case No. 18-096 – Abuse of Authority**
   The Complainant alleged that on or about September 19, 2018, a retired APD officer, who was wearing his APD uniform, abused his authority when he intervened in a dispute involving he and his landlord.
   Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Abuse of Authority complaint. If not, then recommend dismissal.

4. **ACRB Case No. 18-097 – False Arrest**
   The Complainant alleged that on August 22, 2018, he was falsely arrested by APD officers.
   Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.

5. **ACRB Case No. 18-098 – Excessive Force**
   The Complainant alleged that on August 23rd and 24th of 2018, he was physically assaulted by Atlanta Correction officers while at the Atlanta Detention Center.
Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Excessive Force complaint. If not, then recommend dismissal.

6. ACRB Case No. 18-099 – Car Improperly Towed
The Complainant alleged that on September 5, 2018, an APD officer improperly had her vehicle towed.
Awaiting the Complaint’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.

Signed Complaints:

1. ACRB Case No. 18-088 – Abuse of Authority
The Complainant alleged that on August 8th and September 7th of 2018, APD officers abused their authority when they made him leave his residence without cause.
Recommend investigation as an Abused of Authority complaint.

2. ACRB Case No. 18-091 – Harassment
The Complainant filed an online complaint with the ACRB alleging that on September 17, 2018, during a traffic stop, an APD officer harassed him when he threatened to cite him for additional traffic violations, aside from the violation he was initially stopped and cited for.
Recommend investigation as an Harassment.

3. ACRB Case No. 18-095 – Inadequate Investigation
The Complainant alleged that the APD’s Office of Professional Standards (OPS) failed to conduct a fair and impartial investigation into her complaint related to the officer that responded to a traffic accident involving her and another motorist that occurred on April 30, 2018.
Recommend investigation as an Appropriate Action Required complaint.

4. ACRB Case No. 18-100 – False Arrest & Excessive Force
The Complainant filed an online complaint alleging that on September 12, 2018, he and an APD officer, who was off-duty at the time, got into a physical altercation and the officer threatened to shoot and handcuff him. The incident occurred in Lawrenceville Georgia.
The ACRB staff is still assessing the complaint to determine if it is within ACRB’s jurisdiction. If so, will investigate as an Appropriate Action Required & Excessive Force complaint. If not, recommend dismissal.

5. ACRB Case No. 18-102 – False Arrest & Misplaced Property
The Complainant filed an online complaint alleging that on September 12, 2018, she was falsely arrested by APD officers. She further alleged that when she went to the Property Unit to retrieve her belongings, some of the items were missing.
Recommend investigation as an Appropriate Action Required complaint.

Complaint for Reconsideration:

ACRB Case No. 18-080 – Abuse of Authority & Rudeness
In August, the Complainant filed an online complaint with the ACRB alleging that on August 1, 2018, while at a store located on James Brawley Drive and Cameron Madison Alexander Blvd, an APD officer, who he named as “Baudiuex” told him to leave the location and not to return for no reason. He further alleges that the officer was rude to him.
Preliminary investigation revealed that the APD does not have an Officer Baudiuex on their employment roster. The ACRB has made numerous attempts to reach the
Complainant to obtain additional information pertaining to his complaint without success. Therefore, due to the lack of details in the complaint, coupled with the unavailability of the Complainant, the ACRB is unable to move forward with the investigation and recommends dismissal for lack of information.

B. BOARD VOTES ON INTAKE REPORT

Williams moved to accept the Intake Reports for August and September. McDaniel seconded. Hearing no further discussion, the motion was unanimously approved by Pitre, Orange, Hawkins-Wynn, Houston-Torrence, Ward-Groves, Hopkins, Boyce, Hardy and Hasson.

OLD BUSINESS

No business to discuss.

COMPLAINTS REVIEW:

ACRB CASE NO 17-160

MULTI-ALLEGATIONS SUMMARY
The Complainant alleged that on December 13, 2017, Atlanta Police Officer Eddie Santiago failed to take appropriate action when he: (1) determined to not pursue further investigation of her complaint, (2) failed to complete a police report documenting her assault claim, and (3) indicated an intent to touch her inappropriately.

A. ALLEGATION #1 - APPROPRIATE ACTION REQUIRED
The Complainant’s allegation that Officer Santiago failed to take appropriate action when he determined to not pursue further investigation of her complaint.

The ACRB staff recommends that the allegation of Appropriate Action Required against Officer Eddie Santiago be assigned a finding of Not Sustained (the investigation established that there is insufficient evidence to establish that the alleged acts occurred).

BOARD VOTES ON ALLEGATION #1:
Williams moved to accept staff’s recommendation to assign a finding of Not Sustained for allegation #1 of Appropriate Action Required against Officer Santiago. Hopkins seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, McDaniel, Orange and Houston-Torrence with one opposed vote (Hawkins-Wynn) and three abstentions (Boyce, Hardy and Hasson… new board members who did not have access to review complaint report prior to meeting).

B. ALLEGATION #2 - APPROPRIATE ACTION REQUIRED
The Complainant’s allegation that Officer Santiago failed to take appropriate action by not completing a report documenting her assault claim.

The ACRB staff recommends that the allegation of Appropriate Action against Officer Eddie Santiago be assigned a finding of Not Sustained (the investigation established that there is insufficient evidence to establish that the alleged acts occurred).

BOARD VOTES ON ALLEGATION #2:
Williams moved to accept staff’s recommendation to assign a finding of Not Sustained for allegation #2 of Appropriate Action Required against Officer Santiago. Hopkins seconded. Hearing no further
discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Orange and Houston-Torrence with one opposed vote (Hawkins-Wynn and McDaniel) and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

Comment:
(Hawkins) Under issue #2, All she was asking for was to have a police report filed. She asked for a ride to the train station as well as to have a police report filed. And it appears that under SOP 3060.4.1.6…not clear in the fact then that’s one of those instances where a report is mandated. Under 12 cases not to be documented for future reference. It just appeared she’s not asking to file charges. That she wanted some documentation which may help facilitate a warrant, maybe help facilitate a restraining order but she did not complete the report. And, again, it was clear that she was not filing, but she wanted to make a record. She repeated several times I’d like to have a report. She repeated it to the investigator and she repeated it when she made her complaint.

C. ALLEGATION #3 - CONDUCT
The Complainant’s claim that Officer Santiago inappropriately attempted to touch her.

The ACRB staff recommends that the allegation of Conduct against Officer Eddie Santiago be assigned a finding of Not Sustained (the investigation established that there is insufficient evidence to establish that the officer committed the alleged acts).

Comments:
1. (Hawkins) Apparently there was discussion of the officer giving courtesy ride. However, it appears that if the officer does opt to give to the female a courtesy ride that SOP 3020.4.5.1 (4) clearly lays out what must occur. The first of what has to occur is that the officer has to get consent. So, the officer has to explain the process. I think the failure here was in training. He failed to explain the process to the Complainant and so because of this failure, he breached right away… page 14 says that he has the discretion to provide courtesy. Now anytime there’s a female riding in the officer’s car apparently there is a process. However, nevertheless there’s still a process for the patting down of a female. First of all, in this courtesy ride it appears under SOP.3024.5.1 it is within the officer’s discretion. Secondly, that the officer has to get consent from this individual and then there’s a process. The very first part of that process is to tell the individual what it is that he is about to do and how it is that he is about to do it. Uh I think what the record shows is there was a failure in his training that speaking to the individual particularly to tell her that I need to pat you down. “This is what I’m going to do. I’m going to take the outside of my hand. I’m going to run it along your clothes.” She consented by opening her jacket, but it was the manner without giving her any background. So, I feel that there was a failure in training in this regard.

2. (Williams) The officer does have discretion and it talks about SOP being silent on certain part of this and when these SOP’s were done, Georgia didn’t have the gun laws that it has, and she did have on a jacket. She did open it up. He did use discretion. They also talked about that when they interviewed the sergeant, so moving forward, I’m sure that will be addressed. I concur with you that he could have explained it better but that was addressed in the additional recommendations and we can make additional recommendations also.

3. (Houston-Torrence) I believe that is covered in the additional recommendations offered by staff.

4. (Ward-Groves) I believe where it says persons who are under arrest…since this was like a courtesy, it kind of falls in the grey area. Is that the reason why you gave the recommendation?

5. (Robertson) Yes, exactly.

6. (McDaniel) Before we move forward, there is clear indication that there may be some more training required. Are we recommending that he receives training on the pat down…SOP pat down?

7. (Robertson) The recommendation is for the APD training. The entire department…transporting passengers…policy to include that information that we talked about in pat downs.
8. (McDaniel) Just for clarification, we’re not able to recommend for this case because the majority ruled to accept the staff’s recommendation.

9. (Orange) I don’t think there would be a need for them to recommend any kind of additional training for this officer. We’ve already said we’re going to sustain because at the time that this was done or that he did the pat down, there was nothing in the SOP that specifically stated he was in error with his actions. What we are asking is that for the future, if this situation comes up again with another officer, that we have something added into the SOP that would be specifically spelled out. We’re not saying that he did anything wrong, but according to the policy, he really didn’t. All we’re saying is because the complaint arose out of this and there is nothing in writing, that says he was right. Nothing says that he was wrong. We just want something concrete for future reference. That’s all we are doing.

BOARD VOTES ON ALLEGATION #3 – CONDUCT

Hopkins moved to accept staff’s recommendation to assign a finding of **Not Sustained** for allegation of **Conduct** against Officer Santiago. Ward-Groves seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, McDaniel, Orange, Houston-Torrence, Williams with one opposed vote (Hawkins-Wynn) and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

D. ADDITIONAL RECOMMENDATIONS

Sergeant Warren Pickard indicated that The Academy might look to an officer to “explain how it rose to the level.” that he thought a courtesy rider needed to be frisked. But clarified that if an officer has a blanket safety pat down policy (that anyone entering their squad car must be frisked for weapons) to uphold his own physical dignity, then The Academy might need to “evaluate” the rules if they cause unnecessary “issues with citizens.”

Given the issue that arose from this encounter, the Board may want to recommend to the APD the following:

1. Training requirements regarding civilian passengers in police vehicle (courtesy rides) be reduced to written instruction and that **APD.SOP.3087** (Civilian Passengers in Police Vehicle) be amended to reflect such instruction.

2. Officers be required to expressly obtain voluntary consent after explaining how and to what extent the rider will be patted down.

**BOARD VOTES ON ADDITIONAL RECOMMENDATIONS:**

Williams moved to accept staff’s additional recommendation. Pitre seconded. Hearing no further discussion, the vote was call and the motion was approved by Ward-Groves, McDaniel, Orange, Hopkins, Houston-Torrence, Hawkins-Wynn with three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

ACRB CASE NO 18-031

MULTI-ALLEGATIONS SUMMARY
The Complainant alleged that on March 19, 2018, Atlanta Police Officer Michael Monheim committed the following acts:

1. Failed to complete a report;
2. Failed to provide his supervisor’s name;
3. Refused his request to contact a supervisor;
4. Failed to provide his name and badge number; and
5. Was rude and aggressive towards him.

A. **ALLEGATION #1- APPROPRIATE ACTION REQUIRED**

The Complainant’s alleged that Officer Monheim failed to complete a report.
The ACRB staff recommends that the allegation of **Appropriate Action Required**, against Officer Michael Monheim be assigned a finding of **Sustained** (investigation established that there is sufficient evidence that the officers committed the alleged acts of misconduct).

**BOARD VOTES ON ALLEGATION #1**
McDaniel moved to accept staff’s recommendation to assign a finding of **Sustained** for allegation of **Appropriate Action Required** against Officer Monheim. Hawkins-Wynn seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Williams, Hopkins, Orange, Houston-Torrence and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

B. **ALLEGATION #2 – APPROPRIATE ACTION REQUIRED**
The Complainant alleged that Officer Monheim failed to provide his supervisor’s name.

The ACRB staff recommends that the allegation of **Appropriate Action Required**, against Officer Michael Monheim be assigned a finding of **Unfounded** (the investigation established that the officer did not commit the alleged acts of misconduct).

**BOARD VOTES ON ALLEGATION #2**
McDaniel moved to accept staff’s recommendation to assign a finding of **Unfounded** for allegation #2 of **Appropriate Action Required** against Officer Monheim. Orange seconded.

**Discussion:**
1. (Hawkins) Did you confirm that his supervisor was Sergeant Kramer?
2. (Robertson) Yes.
3. (Pitre) This again, is when body-worn cameras really work. We needed to see that

Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Williams, Hopkins, Orange, Houston-Torrence, Hawkins-Wynn and three (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

C. **ALLEGATION #3 APPROPRIATE ACTION REQUIRED**
The ACRB staff recommends that the allegation of **Appropriate Action Required** against Officer Monheim be assigned a finding of **Unfounded** (the investigation established that the officer did not commit the alleged acts of misconduct).

**BOARD VOTES ON ALLEGATION #3**
Pitre moved to accept staff’s recommendation to assign a finding of **Unfounded** for allegation #3 of **Appropriate Action Required** against Officer Monheim. Hopkins seconded. Hearing no further discussion, the vote was call and the motion was approved by Ward-Groves, Williams, McDaniel, Orange, Houston-Torrence, Hawkins-Wynn and three abstentions ((Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

D. **ALLEGATION #4 - FAILURE TO PROVIDE IDENTIFICATION**
The ACRB staff recommends that the allegation of **Failure to Provide Identification**, against Officer Monheim be assigned a finding of **Unfounded** (the investigation established that the officer did not commit the alleged acts of misconduct).

**BOARD VOTES ON ALLEGATION #4**
McDaniel moved to accept staff’s recommendation to assign a finding of **Unfounded** for allegation of **Failure to Provide Identification** against Officer Monheim. Williams seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Hopkins, Orange,
Houston-Torrence, Hawkins-Wynn and three abstentions ((Hardy, Boyce & Hasson…new board
members who did not have access to review complaint report prior to meeting).

E. ALLEGATION #5 - CONDUCT
The ACRB staff recommends that the allegation of Conduct against Officer Monheim be assigned a
finding of Unfounded (the investigation established that the officer did not commit the alleged acts of
misconduct).

BOARD VOTES ON ALLEGATION #5 - CONDUCT
Hopkins moved to accept staff’s recommendation to assign a finding of Unfounded for allegation of
Conduct against Officer Monheim. Pitre seconded.

Discussion…
1. (Hawkins) Under SOP.2010 4.1.3, he was not truthful. I believe that’s what that specific
section states truthfulness. He told him that, there was no form that he could give him. That he
needed to go to the insurance company and that there was nothing he could do when it turned
out...as he was a little more persistent, there are forms that they’re required to keep in the
vehicle and they’re called Georgia Uniform Property Forms and that form requires that the
officer signs off on it.
2. (McDaniel) This isn’t about the form, it is about whether he was acting inappropriately.
3. (Orange) The way that I was reading it was, the gentleman asked for a report, an incident
report and the officer explained to him that this is private property. There would be no formal
incident/accident report because no crime was committed, and nobody was hurt. Am I
understanding that point?
4. (Robertson) Yes.
5. (Orange) Okay, so therefore, because that was the type of report that the man was asking for, I
don’t think the officer was not being truthful. I think he was just telling him, I can’t give you
that kind of report and he went to the car and he gave him that document that he had in the car.
The only thing he didn’t do is fill out the driver’s information, but he filled everything else out. I
don’t see where he was being untruthful about the situation.

Hearing no further discussion, the vote was call and the motion was approved by Ward-Groves,
Williams, McDaniel, Orange, Houston-Torrence with one opposed vote (Hawkins-Wynn) and three
abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review
complaint report prior to meeting).

F. BOARD VOTES ON OFFICER DISCIPLINE FOR SUSTAINED ALLEGATION
(Allegation: Failure to Complete a Report)

Officer Information and Professional Standards History:
Officer Monheim has been employed by the Atlanta Police Department since January 11, 2005. He has
no complaints within the last five years. The discipline for Violation of Department SOP, Category A –
is an oral or written reprimand.

Pitre moved to recommend that Officer Monheim receive oral reprimand. McDaniel seconded.
Hearing not further discussion, the vote was call and the motion was approved by Ward-Groves,
Williams, Hopkins, Orange, Houston-Torrence with one opposed vote (Hawkins-Wynn) and three
abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review
complaint report prior to meeting).

ACRB CASE NO 18-040

MULTI-ALLEGATION SUMMARY
The Complainant alleged that on March 12, 2018, while at an unknown bar on Moreland Avenue, Atlanta Police Officer Cagava Cooper did the following:

1. failure to assist him with a “lockout;”
2. drinking while on duty; and
3. rudeness to him

A. ALLEGATION #1 – APPROPRIATE ACTION REQUIRED
   “FAILURE TO ASSIST WITH A LOCKOUT”

The ACRB staff recommends that the allegation of Appropriate Action Required against Officer Cooper be assigned a finding of Unfounded (the investigation established that the officer did not commit the alleged acts of misconduct).

BOARD VOTES ON ALLEGATION #1
McDaniel moved to accept staff’s recommendation to assign a finding of Unfounded for allegation of Appropriate Action Required against Officer Cooper. Williams seconded.

Discussion…
1. (Hawkins) I really didn’t follow this… was she not on duty....
2. (Robertson) Well first the Complainant filed an online complaint. We had to get his complaint. First, it’s vague, said an unknown bar on Moreland Avenue. The complainant never responded to the emails, phone calls or letters, so what bar was she at? Based on the evidence that we obtained, she was patrolling in certain areas. In speaking with her she didn't even know who he was. She had no idea who this person was. She doesn’t remember anybody asking or approaching her about a lock-out.

Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Hopkins, Orange, Houston-Torrence with one opposed vote (Hawkins-Wynn) and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

B. ALLEGATION #2- VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES “DRINKING WHILE ON DUTY”

The ACRB staff recommends that the allegation of Violation of Departments Standard Operating Procedures, specifically APD.SOP.2010, Section 4.2.14(1), against Officer Cooper be assigned a finding of Unfounded (the investigation established that the officer did not commit the alleged acts of misconduct).

BOARD VOTES ON ALLEGATION #2
Pitre moved to accept staff’s recommendation to assign a finding of Unfounded for allegation of Violation of Department Standards Operating Procedures against Officer Cooper. McDaniel seconded. Hearing no further discussion, the vote was call and the motion was approved by Ward-Groves, Williams, Hopkins, Orange, Houston-Torrence with one opposed (Hawkins-Wynn) and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

C. ALLEGATION #3 - CONDUCT

The ACRB staff recommends that the allegation of Conduct against Officer Cooper be assigned a finding of Unfounded (the investigation established that the officer did not commit the alleged acts of misconduct).

BOARD VOTES ON ALLEGATION #3
Hopkins moved to accept staff’s recommendation to assign a finding of Unfounded for allegation of Conduct against Officer Cooper. McDaniel seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Ward-Groves, Williams, Orange, Houston-Torrence with one opposed vote (Hawkins-Wynn) and three abstentions (Hardy, Boyce & Hasson…new board members who did not have access to review complaint report prior to meeting).

NEW BUSINESS

Reid reminded the board members (as noted in ED Report) that starting in January 2019, investigations for board monthly review will only be distributed through the Board Member Website Portal. This is to help the City to move to a greener operation and reduce the costs of supplies.

Chair Houston-Torrence stated that she and several board members (McDaniel, Orange and Hawkins-Wynn) attended the NACOLE Conference in St. Petersburg, Florida, September 30th – Oct 4th. Members who attend will make a full report on the conference at the December meeting.

Hawkins-Wynn noted that during the conference, they learned that there were different models for civilian oversight, and she hopes to share information about the models to the board at a future board meeting.

Williams reminded everyone how important it is to vote in this upcoming election. Early voting is underway (October 15 -November 2, 2018). She also reminded everyone that October is Breast Cancer Awareness month.

Chair Houston-Torrence shared with the board members a manual titled, “Misconduct Complaints and Investigation” that was purchased at the NACOLE Conference. She recommended that board members check out the book through the ACRB office to learn more about misconduct complaints and investigations.

Smith reminded board members that they are obligated by law to attend, at least three community outreach activities. “We are about to do our report for the year-end, and it is important to provide the office staff with information on the events that you attended for 2018 so that the report is complete, and everyone receives the proper credit.”

PUBLIC COMMENTS:
(Special Note: ACRB staff has made every effort to capture comments as stated by each speaker; however, in some instance the words may have been inaudible and therefore, unable to transcribe verbatim. In such cases, staff attempted to capture, at best, the essences of the statement.)

Jamida Orange:
Ms. Orange suggested to the board if public comments could come before new business on the agenda. Ms. Orange also requested that board members keep their comments limited to the same amount of time for public speaking (3 minutes).
*Chair Houston-Torrence noted that the board will take her suggestions into consideration.

ADJOURNMENT

No further business. The meeting adjourned at 7:43 P.M.

ACRB Minutes for October 11, 2018 were approved: November 8, 2018

Tracee McDaniel, Board Secretary

Transcribed: LG/MS