The regular board meeting for the month of March was called to order at 6:30 p.m. by Chair Torrence.

AGENDA

ROLL CALL
(The ACRB consist of thirteen board members.)

ACTIVE MEMBERS PRESENT

CECILIA HOUSTON TORRENCE, Board Chair (League of Women Voters)
TAMARA ORANGE, Vice Chair (GA Coalition for the Peoples Agenda)
TRACEE MCDANIEL, Secretary (Office of the Mayor)
TRUDY BOYCE (City Council President’s Office)
BARBARA WARD GROVES (APAB, NPU Group M-R)
JAMES HARDY (APAB, NPU Group A-F)
KEITH HASSON (Atlanta Bar Association)
MICHAELE HOPKINS (APAB, NPU Group M-Z)
SHERRY WILLIAMS (APAB, NPU Group G-L) (Arrived 6:39 pm)
GLORIA HAWKINS WYNN (Atlanta City Council)

ACTIVE MEMBERS ABSENT

SHUNTAY PITRE (Urban League of Greater Atlanta)

VACANT BOARD SEATS

Gate City Bar Association (Eleven (11) months)
Atlanta Business League (one (1) year and eight (8) months)

ACRB STAFF & CITY EMPLOYEES ATTENDEES

SAMUEL LEE REID, Executive Director(Reid); SHEENA ROBERTSON, Investigation Manager (Investigator Robertson); MYOLA SMITH, Project Manager & Transcriber (Smith); BRIAN FLEMING, Investigator, Senior (Inv. Fleming); TONYA RICHARDSON, Investigator, Senior (Inv. Richardson ); RONALD JACKSON, Investigator, Senior (Inv. Jackson); MELISA REESE, Community Affairs Assistant
APPROVAL OF MINUTES FOR FEBRUARY 14, 2019

Hardy moved to approve the minutes. Wynn seconded. Hearing no discussion, the vote was called, and the motion was unanimously approved by Orange, Torrence, Groves, Boyce, Hardy, Hasson, Hopkins, McDaniel, Wynn.

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 consider.

EXECUTIVE DIRECTOR’S REPORT

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

- **APD Training**
  The Board will have training on April 6th from 9:00 a.m. to 1:00 p.m. at the Police Training Academy, 180 Southside Industrial Pkwy, Atlanta, 30354. All members are expected to attend. This is an official training.

- **Online Training**
  The online training is also official training. The information pertained in the videos will be helpful with understanding ACRB’s work. Board Members who watch the video and take the quiz will receive a training stipend. Reid thanked McDaniel and offered congratulations for being the first member to complete the quiz.

- **Additional Case Review Dates**
  The Board will meet two additional times over the next couple of months. These meetings are in addition to the regular monthly meetings. The purpose of the meetings is to hear additional cases. These meetings are subject to the Open Meeting requirements and a quorum of five (5) is needed to hold the meetings. The first meeting, referred to as a Special Call Meeting, will be Wednesday, March 27, 2019 and the second Call Meeting will be Thursday, April 25, 2019.

  Reid indicated that he received confirmation from five members for April’s meeting and six for March. “Hopefully everyone who has committed to attending the additional meetings can make it, but, if anyone needs a substitute, please, support your fellow board members and fill in as you need to.”

- **Financial Disclosures**
  The deadline to file Financial Disclosures without penalty is April 1, 2019.
INTAKE REPORT FOR FEBRUARY 2019

Investigation Manager Robertson reported that for the month of February 2019, the ACRB received ten (10) complaints.

A. COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS
The ACRB is seeking approval to dismiss three (3) of the ten complaints. It should be noted that the proper referrals were given to those citizens who complaints fell outside of ACRB’s jurisdiction.

Dismissal Recommendations:

1. ACRB Case No. 19-016 – Unprofessional Conduct & Abusive Language
   The Complainant alleged that on February 6, 2019, while at the Fulton county State Court, a Fulton County Sergeant was rude and used abusive language towards him and his wife.
   Recommend dismissal for lack of jurisdiction.

2. ACRB Case No. 19-020 - Other
   The Complainant, who is incarcerated at the Corcoran State Prison in California, contacted the ACRB office for help with getting him transferred to a prison located in Georgia.
   Recommend dismissal for lack of jurisdiction.

3. ACRB Case No. 19-021 - Harassment
   The Complainant alleged that the APD is harassing him but did not have any details/information to substantiate his claim.
   Recommend dismissal due to the lack of details in the Complainant’s complaint, inability to provide any information to assist with the investigation.

Awaiting Signed Complaints:

1. ACRB Case No. 19-014 – Insensitive & Failure to Complete a Report
   The Complainant alleged that on February 4, 2019, three APD officers failed to take his concerns seriously and did not complete a report.
   *Awaiting signed complaint and if received within the next few weeks and has merit then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.*

2. ACRB Case No. 19-015 – False Arrest
   The Complainant alleged that on January 5, 2019, she was falsely arrested by an APD officer.
   *Awaiting signed complaint and if received within the next few weeks and has merit then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.*

3. ACRB Case No. 19-019 – Unprofessional Conduct
   The Complainant alleged that on February 19, 2019, an APD officer who was directing traffic, yelled at her.
   *Awaiting signed complaint and if received within the next few weeks and has merit then recommend investigation as a Conduct complaint. If not, then recommend dismissal.*

Signed Complaints:

1. ACRB Case No. 19-017 – Inappropriate Conduct
   The Complainant alleged that on February 2, 2019, during a traffic stop, an APD officer failed to explain to her why she was being issued a citation and threatened to arrest her when she refused to sign it. She further alleged when she asked the officer to speak to his supervisor, the officer became very annoyed, pulled out his handcuffs and told her she would be placed under arrest.
   Recommend investigation as a Conduct and Appropriate Action Required complaint.
2. ACRB Case No. 19-018 – False Arrest
   The Complainant alleged that on February 1, 2019, he was falsely arrested by an APD officer. Recommend investigation as an Appropriate Action Required complaint.

3. ACRB Case No. 19-022 – Inadequate Service
   The Complainant alleged that on February 24, 2019, she called 911 pertaining to a domestic dispute at her residence and the responding APD officers failed to take any action. Recommend investigation as an Appropriate Action Required complaint.

4. ACRB Case No. 19-023 – False Arrest and Excessive Force
   The Complainant alleged that on October 27, 2018, he was falsely arrested by APD officers. The Complainant further alleges that the officers used excessive force to effect the arrest when they twisted his wrist and pushed him against a patrol car. Recommend investigation as an Appropriate Action Required complaint.

B. BOARD VOTES ON INTAKE REPORT
   Groves moves to accept the Intake Report for February. Hardy seconded. Hearing no discussion, the vote was called, and the motion was approved by all (Orange, Torrence, Groves, Boyce, Hardy, Hasson, Hopkins, McDaniel, Wynn).

OLD BUSINESS
No Old Business to discuss.

CASE REVIEWS FOR THE MONTH

ACRB CASE NO 17-111
(Investigated by ACRB Investigator Brian Fleming)

The Complainant alleged that on August 17, 2017, while at the Lenox Mall, Atlanta Police Officer Melvin Mitchell acted inappropriately towards him when he: 1) yelled at him during the encounter; 2) falsely represented to him that there were no surveillance video of the confrontation he was involved in, and 3) refused to let him speak to Officer Tariq Ali when Officer Ali responded. It is noted that upon further review, Office Ali is also named as a subject officer in this complaint due to his failure to record his encounter with the Complainant.

A. ALLEGATION OF CONDUCT AGAINST OFFICER MELVIN MITCHELL
   Officer Mitchell is accused of yelled at the Complainant during their encounter.

   **ACRB Staff recommendation.**
   The allegation of conduct against Officer Melvin Mitchell be assigned a finding of Unfounded (the investigation proved that the alleged act(s) did not occur).

   **BOARD VOTES ON ALLEGATION OF CONDUCT AGAINST OFFICER MITCHELL**
   It was moved by Hardy to accept staff recommendation of Unfounded. Wynn seconded. Hearing no discussion, the vote was called and approved by Orange, Torrence, Groves, Hardy, Hasson, McDaniel, Wynn. Boyce and Hopkins opting to abstain and not vote. Motion carried.

B. ALLEGATION OF APPROPRIATE ACTION REQUIRED AGAINST OFF. MITCHELL (PART-I)
   Complainant alleged that Officer Mitchell falsely represented to him that there was no video footage that captured the incident involving the Complainant and his alleged assailant.
ACRB Staff Recommendation:
The allegation of appropriate action required as it relates to this issue against Officer Melvin Mitchell be assigned a finding of Unfounded (the investigation proved that the alleged act(s) did not occur).

BOARD VOTES ON ALLEGATION OF APPROPRIATE ACTION REQUIRED AGAINST OFFICER MITCHELL (Part-1)
It was moved by McDaniel to accept staff recommendation of Unfounded against Officer Mitchell as it relates to this issue. Orange seconded. Hearing no discussion, the vote was called and approved by Orange, Torrence, Groves, Hardy, Hasson, McDaniel, Wynn, Williams. Boyce and Hopkins opting to abstain without explanation and did not vote. Motion carried.

Special Note: The Chair noted the arrival of Sherry Williams at 6:39 p.m.

C. ALLEGATION OF APPROPRIATE ACTION REQUIRED AGAINST OFFICER MITCHELL (Part-2)
Complainant alleged that Officer Mitchell refused to allow him to speak with Officer Ali when he (Ali) responded to the scene.

ACRB Staff Recommendation:
The allegation of appropriate action required as it relates to this issue against Officer Melvin Mitchell be assigned a finding of Unfounded (the investigation proved that the alleged act(s) did not occur).

BOARD VOTES ON ALLEGATION OF APPROPRIATE ACTION REQUIRED AGAINST OFFICER MITCHELL (Part-2)
It was moved by Hasson to accept staff recommendation of Unfounded against Officer Mitchell as it relates to this issue. Hardy seconded. Hearing no discussion, the vote was called and approved by Orange, Torrence, Groves, Hardy, Hasson, McDaniel, Wynn, Williams. Boyce and Hopkins opting to abstain and not vote. Motion carried.

D. ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES (SOP) AGAINST OFFICER TARIQ ALI
The investigation determined that Officer Tariq Ali was assigned a Body Worn Camera (BWC) at the time of the incident but failed to activate it during his encounter with the Complainant.

ACRB Staff Recommendation:
The allegation of Violation of Department SOP’s, specifically, APD.SOP.3133 as it relates to this issue against Officer Tariq Ali be assigned a finding of “Sustained” (the investigation established by a preponderance of the evidence that the officer committed the alleged act(s) of misconduct).

BOARD VOTES ON ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES (SOP) AGAINST OFFICER TARIQ ALI
It was moved by McDaniel to accept staff recommendation of “Sustained” against Officer Mitchell as it relates to this issue. Orange seconded. Following a discussion comment, the vote was called and approved by Orange, Torrence, Groves, Hardy, Hasson, McDaniel, Wynn, Williams. Boyce and Hopkins opting to abstain without explanation and decided not vote. Motion carried.

E. BOARD VOTES ON DISCIPLINE FOR THE SUSTAINED ALLEGATION AGAINST OFFICER TARIQ ALI
Investigator Fleming reported on Officer Ali’s Disciplinary History. Officer Ali was employed with APD, from August 2008 to June 2018; however, he is no longer an officer. He resigned in June of last year. This incident happened nine months prior to his resignation. He had one complaint against him within the last five years, which was a body arms discharge.
Discussion...
1. **(Orange)** With him (Officer Ali) no longer being a part of the department, we still need to recommend discipline?
2. **(Investigator Fleming)** The board’s recommendation would become part of his record. The discipline for this allegation is a category “A.”

Chair Torrence will entertain a motion for disciplinary action.

It was moved by **McDaniel** to recommend a written reprimand and Body-worn Camera (BWC) training. **Orange** seconded. Hearing no further discussion, the vote was called, and the motion was approved by **Orange, Torrence, Groves, Hardy, Hasson, McDaniel, Wynn, Williams. Boyce** and **Hopkins** opting to abstain and not vote. The motion carried.

**ACRB CASE #17-144**
(Investigated by Sheena Robertson)

The female Complainant alleged that on November 3, 2017, Atlanta Police Officer Annie Williams falsely arrested her for refusing to sign a traffic citation. The Complainant further alleged that Officer Barsolino LeConte engaged in excessive force when he: 1) slammed her against the rear of the patrol car, and pushed her inside the said vehicle, and 2) pepper sprayed her.

A. **ALLEGATION OF APPROPRIATE ACTION REQUIRED RELATED TO FALSE ARREST AGAINST OFFICER ANNIE WILLIAMS**

**ACRB staff recommendation:**

The allegation of appropriate action required relating to the false arrest claim against Officer Annie Williams be assigned a finding of “Exonerated” (the investigation established that the alleged act occurred, but was justified, legal, or proper within department policy).

**BOARD VOTES ON STAFF RECOMMENDATION TO EXONERATE ALLEGATION AGAINST OFFICER ANNIE WILLIAMS**

It was moved by **Orange** moved to accept staff’s recommendation. **McDaniel** seconded.

Discussion...
1. **(Wynn)** Yes, I believe the evidence supports failure under both the statute as well as the SOP. Officer Williams was required to advise the complainant that it was not an admission of guilt, that signing was simply notice, recorded notice that she knew her court date. The BWC presents evidence of that not happening. In the report there’s no mention anywhere in the entire record of the complainant being told that it’s not an admission of guilt. This entire thing was a travesty...this woman winds up unconscious and then in ICU for on a very minor traffic jam.
2. **(McDaniel)** I agree with you that this is very serious; however, according to the body-worn camera footage, the Complainant refused to sign the citation because she, according to her, she almost had an accident. The probable cause was the fact that she was almost in an accident.
3. **(Wynn)** Again, under the statute, she was not properly advised, and because she wasn’t properly advised, I would say that the stop... arrest itself was improper.
4. **(Orange)** Whether she was trying to avoid one accident, she came over into the lane of the officer’s vehicle and she did not use her turn signal. I’m completely understanding your point; however, what I’m saying is the arrest was lawful because she broke the law.
5. **(Wynn)** No. The stop was lawful, but the execution of the arrest was unlawful because it wasn’t done in accordance with the SOP or the statute.
6. **(Hasson)** Just as a point of clarification. If a citizen commits a traffic violation and they can be arrested based on commission from the traffic violation, but then there’s a standard operating procedure that requires a supervisor, to justify an arrest based on refusal to sign, it would seem to me that if our finding is that you could be arrested based on having committed the underlying traffic violation, it renders the standard operating procedure meaningless.
7. (Wynn) I disagree. The statute clearly under OCGA says that the officer shall advise, it’s not discretionary, they shall advise, and that’s the failure here, there was never any advising the complainant that her signature was not an admission of guilt.

Chair Torrence calls for the vote following the discussion.

It has been moved and properly seconded to accept staff’s recommendation of “Exonerated” on the Appropriate Action Required allegation as it pertains to False Arrest. The vote was called and approved by Orange, Torrence, Groves, Hardy, McDaniel, Williams. Two opposed (Wynn and Hasson) and two did not vote, Boyce and Hopkins opted to abstain and not vote. The motion carried with six out of 10 votes.

B. ALLEGATION OF EXCESSIVE FORCE AGAINST OFFICER BARSOLINO LECONTE (Part-1)

ACRB staff recommendation:
The ACRB staff recommends that the allegation of Excessive Force related to claim that Officer Barsolino LeConte slammed her against the rear of the patrol car and pushed her inside the car, be assigned a finding of “Exonerated” (the investigation established that the alleged act occurred, but was justified, legal, or proper within department policy).

BOARD VOTES ON STAFF RECOMMENDATION TO EXONERATE ALLEGATION AGAINST OFFICER BARSOLINO LECONTE (Part-1)

It was moved by Orange to accept staff’s recommendation of “Exonerated” on the allegation of excessive force related to claim that Officer Barsolino LeConte slammed the Complainant against the rear of the patrol car and pushed her inside. Williams seconded. Following a comment there was no further discussion. The vote was called, and the motion was approved by Orange, Torrence, Groves, Hardy, McDaniel, Williams. Two opposed (Wynn and Hasson) and two did not vote (Boyce and Hopkins opted to abstain and not vote). The motion carried with six out of 10 votes.

C. ALLEGATION OF EXCESSIVE FORCE AGAINST OFFICER BARSOLINO LECONTE AS IT RELATES THE PEPPER SPRAY (Part-2)

ACRB staff recommendation:
The ACRB staff recommends that the allegation of Excessive Force related to this claim against Officer Barsolino LeConte that he peppered sprayed the Complainant be assigned a finding of “Sustained” (the investigation established by a preponderance of the evidence that the officer committed the alleged act(s) of misconduct).

BOARD VOTES ON STAFF RECOMMENDATION TO SUSTAINED ALLEGATION OF EXCESSIVE FORCE AGAINST OFFICER BARSOLINO LECONTE AS IT RELATES TO THE PEPPER SPRAY (Part-2)

It was moved by McDaniel moved to accept staff’s recommendation to “Sustain” the allegation of Excessive Force against Officer Barsolino LeConte as it relates to the officer pepper spraying the Complainant. Groves seconded.

Discussion...

1. (Williams) I just want to add that this is a prime example that the body-worn camera shows what happened, it’s not ‘he said, she said.’ All officers need to have them on, and they need to wear them and turn them on at the appropriate time so there’s clear evidence.

2. (Wynn) I think it depicted how unreasonable the behavior was. She became unconscious and went into ICU for three days as a result of that pepper spray.

3. (McDaniel) That’s what I was saying…it was very excessive force.

4. (Wynn) I think the term I heard last month was egregious, and I agree it was egregious force.
5. (McDaniel) At the time of the incident, did the patrol car have a camera/dash camera?
6. (Investigator Robertson) The vehicles that they utilize don’t have dash cams in use.
7. (McDaniel) Okay, so none of the zone vehicles or just some of them?
8. (Robertson) Just the ones they utilize at that precinct don’t have them.

Following the discussion, the vote was called, and the motion was approved by Orange, Torrence, Groves, Hardy, McDaniel, Williams, Wynn, and Hasson. Boyce and Hopkins opted to abstain without explanation and not vote. The motion carried.

D. BOARD VOTES ON DISCIPLINE AGAINST OFFICER LECONTE REGARDING THE SUSTAINED VOTE RELATED TO THE USE OF PEPPER SPRAY.
Robertson reported that APD had also investigated this complaint, and they finished around the same time as ACRB. Like the Board, they “Sustained” the allegation for the pepper spray, and he was given a four-day suspension. Based on his disciplinary history, that was within the Category ‘C’ range. If the Board agrees with the ACRB staff recommendation and with the penalty imposed by APD, then the Board can just make a statement that you agree with the penalty that he received. However, if the Board feels that it was too much or should have been more, then the Board can recommend something more.

Discussion...
1. (Wynn) What is his disciplinary history.
2. (Robertson) Regarding his disciplinary history, within the past five years, he received five complaints. One was a vehicle accident and two were excessive force which one of them was not sustained and the other was sustained. The other two involved appropriate action required and one of the two was exonerated. The complaint is a category C and the APD suspended him for four (4) days for the same complaint.
3. (McDaniel) And we could add on to that, if we feel, which I, I agree with Ms. Hawkins that it was egregious for him to pepper spray her and then close the door and walk away. So, I would recommend an additional four-day suspension instead of demotion, training, and probably psychological intervention because for him to do that in the state that she was in, he could have caused more harm to her than her spending the three days in ICU.
4. (Robertson) Well, let me just interject that they will not do an additional penalty because he’s already been penalized. However, you can add for the record if you disagree, and indicate that he should have gotten more and what that penalty should have been.
5. (Groves) I think in looking at this case, and even though what he did was egregious, sometimes you have to look at the actions of the person that’s being arrested and some of the comments that were made were really, really...well you had to have your mind together not to react.
6. (McDaniel) I agree, which is why, um, I think that officers are held to a higher standard. She was in a, a rough situation, she already asked to take her, her medication...

Hearing no further discussion, for the record McDaniel moved to recommend an additional four-day suspension, SOP training related to public sensitivity, and psychological intervention because the officer could have caused more harm to the Complainant than what happened in this instance. Wynn seconded. Chair Torrence called for the vote. The motion was approved by McDaniel, Hasson, Wynn. Opposing votes: Orange, Williams, Groves, Hardy. Boyce and Hopkins opted to abstain and not vote. Motion failed.

Orange moved to accept the City of Atlanta’s public punitive recommendation meaning that the Board is aware that the APD also sustained this allegation against Officer LeConte and imposed a four (4)-day suspension which the Board agrees is an appropriate penalty. Hardy seconded. No further discussion, the vote was called. The motion was approved by Orange, Torrence, Groves, Hardy, McDaniel, Williams, Wynn, Hasson. Boyce and Hopkins did not vote instead opted to abstain without explanation. Motion carried.
ACRB CASE NO. 18-003  
(Investigator Brian Fleming)

Summary: The female Complainant alleged that on January 11, 2018, Atlanta Police Officer Eugene Idlett acted inappropriately during the arrest of her juvenile son when he: 1) refused to show her a copy of her son’s arrest warrant before taking him into custody, 2) escorted her son to the patrol car barefoot and was aggressive while serving the arrest warrant.

Special Note: For the purpose of disclosure, Wynn indicated that the officer involved (Officer Idlett) is a family member by marriage. (Smith) Noted for the record.

A. ALLEGATION #1, APPROPRIATE ACTION REQUIRED
The Complainant alleged that Officer Idlett refused to show her confirmation of her son’s warrant.

The ACRB Staff Recommendation:
The allegation of appropriate action required as it pertains to this issue against Officer Eugene Idlett be assigned a finding of “Exonerated” (the investigation established that the alleged act occurred, but was justified, legal, or proper within department policy).

BOARD VOTES ON ALLEGATION #1 – APPROPRIATE ACTION REQUIRED AGAINST OFFICER EUGENE IDLETT
Orange moved to accept staff’s recommendation. Hasson seconded.

Discussion...
1. (McDaniel) I just have a question about presenting a warrant at the time of the arrest. They had, an electronic copy of the warrant but, the Complainant didn’t see a copy or the electronic copy at the time of the arrest after she requested it. She made the request before the arrest. What is the common procedure when someone has a warrant? Are they supposed to have a physical copy, so the person can see it if it’s requested or is an electronic copy okay?
2. (Fleming) I don’t want to speak on it because I’m not an attorney and I’m not AP officer, but let me just say, from this investigation, um, it did show that she did see the warrant. We looked at different SOPs and it’s silent. I guess to use the word, so for purposes of this, because it is silent, we looked at it, and she did admit that she did see the warrant.
3. (McDaniel) But that was after her son’s arrest and that is my challenge with this.
4. (Orange) According to the FBI, GBI when an agency enters the warrant on The National Crime Information Center (NCIC), that agency is responsible for maintaining the original warrant, and if their warrant department has that warrant in their possession, they must keep it. They can’t give the original to an officer to, go and serve it, but if it’s maintained on their national system, the only thing they’ll do is print out something that will say, “Yes, this person has an active warrant.” That’s all it’s going to say. It will not be the physical or actual warrant that the public will see.
5. (Wynn) Is there a requirement that the defendant / accused be shown a copy of the warrant? Is there a legal requirement?
6. (Fleming) I will defer to the attorneys.
7. (Hasson) The answer is no. There’s no legal requirement that someone be shown a copy of the arrest warrant.

No further discussion, the Chair called for the vote. The motion to accept staff’s recommendation of “Exonerated” on the Appropriate Action Required was approved by Groves, Orange, Hasson, Hardy, Torrence, Williams, Wynn. The motion carried with one opposing vote from McDaniel. Boyce and Hopkins did not vote and instead opted to abstain without explanation.
B. ALLEGATION #2, APPROPRIATE ACTION REQUIRED
The Complainant alleged that Officer Idlett acted inappropriately when escorting her son to the patrol car barefoot.

The ACRB Staff Recommendation:
The allegation of appropriate action required as it relates to this issue against Officer Eugene Idlett be assigned a finding of “Exonerated” (the investigation established that the alleged act occurred, but was justified, legal, or proper within the department policy).

BOARD VOTES ON ALLEGATION #2, APPROPRIATE ACTION REQUIRED
It was moved by Williams and seconded by Hardy to accept staff’s recommendation to “Exonerate” Officer Idlett of the allegation that he inappropriately escorted her son to the patrol car barefoot. The vote was called and approved by Groves, Orange, Hasson, Hardy, Williams, Wynn, Torrence. Motion carried. Hopkins and Boyce did not vote instead decided to abstain without explanation.

C. ALLEGATION #3 – ALLEGATION OF CONDUCT RELATED TO OFFICER IDLETT AGGRESSIVENESS WHILE SERVING THE ARREST WARRANT
The ACRB Staff Recommendation:
The allegation of Conduct against Officer Eugene Idlett be assigned a finding of “Unfounded” (the investigation established that the alleged act(s) did not occur, or the accursed officer was not involved in the alleged act(s) which may have occurred).

BOARD VOTES ON ALLEGATION #3, CONDUCT
It was moved by Hardy and seconded by McDaniel to accept staff’s recommendation. Following a brief discussion, the vote was called. The motion was approved by Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Williams. The motion carried with Boyce and Hopkins not voting opting to abstain without explanation.

ACRB CASE NO. 18-010
(Investigation Manager Robertson)

The male Complainant alleged that on November 26, 2017, while at Lost Dog Tavern, Atlanta Police Officer Gerald Jackson engaged in excessive force when he was hit and struck in the face, causing his left eye to hemorrhage.

It is noted that on further review, Officer Carl Dorsman was also named a subject in the complaint based on his failure to activate his body-worn camera when he arrived at the scene to assist Officer Jackson.

A. ALLEGATION #1 – EXCESSIVE FORCE

The ACRB staff recommendation:
The allegation of excessive force against Officer Gerald Jackson be assigned a finding of “Not Sustained” (the investigation failed to prove or disprove that the alleged act occurred).

BOARD VOTES ON EXCESSIVE FORCE ALLEGATION AGAINST OFFICER GERALD JACKSON
Orange moved to accept staff’s recommendation. Hardy seconded.

Discussion...
1. (Wynn) I had some problems with this. This was a young Asian guy 5’8” 160 pounds, but more than anything, the record seemed to reflect that he was three times the legal limit, and the report basically said a person with that limit or somewhere between 0.15 and 0.130 that not only are they confused, they’re impaired balance and, it just seems like based on this and his alcohol level, to me, it
appeared that it was undue force to some extent. My position was I felt like, what he wound up with, dislocated eye that, and the extent that he was inebriated, or his blood alcohol was so high, that maybe the officer’s adrenaline started running and then he just got a little carried away.

2. (Orange) He says that he blacked out before he left home. But that’s telling you how inebriated he was and depending on how much alcohol you can consume, you don’t know what kind of drunk he may be.

3. (Wynn) That’s true; but I don’t know if a little thin Asian guy…I know that that doesn’t necessarily indicate how forceful he was, but it just seems to me that his size and the fact that he doesn’t recall anything about the event.

4. (McDaniel) So, he should have stayed home if that’s the case. And according to the investigative report, he was being aggressive inside the venue.

5. (Torrence) And I think we all, we all could agree, depending on the person, the body type and everything, we can’t always predict how a person might react.

6. (Orange) They didn’t know his blood range until they got to the hospital and did the blood alcohol test on him. It’s not like they were in their vehicles and they had the breathalyzer with them. They were working at a bar, he had been put out of the bar next door because he had been acting out and there was no way for an officer to know his blood alcohol level is three times the legal limit.

7. (McDaniel) We don’t have any evidence or any proof of what happened with, him (Complainant) between the time that he left his apartment and his encounter with the officer. He could have been aggressive with someone else or gotten into a fight with someone else. We don’t know that.

Following the discussion, the vote was called. The motion to accept staff recommendation of “Not Sustained” Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Williams, Wynn. The motion carried with Boyce and Hopkins not voting opting to abstain without explanation.

B. ALLEGATION #2 – VIOLATION OF DEPT. STANDARD OPERATING PROCEDURES AGAINST OFFICER JACKSON (Part-1)

The APD records show that Officer Jackson’s extra job permit to work at the Lost Dog Tavern, the incident location had expired on October 31, 2017 (26 days prior to the incident), which was acknowledged by Officer Jackson at his ACRB interview.

ACRB Staff Recommendation:
The allegation of violation of department standard operating procedures, specifically APD.SOP.2060, section 4.1.1, against Gerald, Officer Gerald Jackson, be assigned a finding of “Sustained” (the investigation established by the preponderance of the evidence that the officer committed the alleged act of misconduct).

BOARD VOTES ON ALLEGATION #2 - VIOLATION OF DEPT. STANDARD OPERATING PROCEDURES AS (Part-1)

Wynn moved to accept staff’s recommendation to “Sustain” the allegation as it relates to violation of the Department’s SOP. Hardy seconded. Following a brief discussion, the vote was called. The motion was approved by Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Wynn, Williams. The motion carried with Boyce and Hopkins not voting opting instead to abstain without explanation.

C. ALLEGATION #3 - VIOLATION OF DEPT. STANDARD OPERATING PROCEDURES ALLEGED AGAINST OFFICER CARNOILD DORMOND (Part-2)

It was determined that the investigation that Officer Carl Dorsman, the officer who assisted Officer Jackson with the Complainant’s detainment, failed to activate and place in record mode his body-worn camera upon his arrival on the scene.

ACRB Staff Recommends:
The allegation of violation of department SOP, specifically APD.SOP.3133, section 4.3.2, against Officer Carl Dorsman be assigned a finding of “Sustained” (the investigation established by preponderance of the evidence that the officer committed the alleged act of misconduct).
BOARD VOTES ON STAFF RECOMMENDATION TO SUSTAIN THE COMPLAINT AGAINST OFFICER CARL DORMAN RELATED TO VIOLATION OF DEPT. SOP

McDaniel moves to accept staff’s recommendation. Orange seconded. Following a few comments, the vote was called. The motion was approved by Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Wynn, Williams. The motion carried with Boyce and Hopkins not voting opting instead to abstain without explanation.

D. BOARD VOTES ON SUSTAINED ALLEGATION AGAINST OFFICER GERALD JACKSON

Officer Jackson has been on the force since September 24, 2015. He has two open cases, one is an excessive force complaint and the other is a performance to directive. Unfortunately, I wasn’t able to review those files because it is still open, but this will be a Category A discipline.

It was moved by Orange to recommend a written reprimand against Officer Jackson as it relates to this issue. McDaniel seconded. Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Wynn, Williams. The motion carried with Boyce and Hopkins not voting opting instead to abstain without explanation.

E. BOARD VOTES ON SUSTAINED ALLEGATION AGAINST OFFICER CARNOLD DORISMOND

Officer Dorismond has been on the force since December 2, 2015. He has four complaints, two of them are still open. He had a previous complaint where he failed to activate his body-worn camera, but that was a year and a half ago, so it falls outside of the reprimand period, and well, he did get a written reprimand for that, but because it was over a year and a half ago, it would still be a Category A, if you use the disciplinary grid.

It was moved by Hardy to recommend that Officer Dorismond receive a written reprimand and Body Worn Camera (BWC) training. against Officer Jackson as it relates to this issue. McDaniel seconded. Groves, Orange, Hardy, Torrence, McDaniel, Hasson, Wynn, Williams. The motion carried with Boyce and Hopkins not voting opting instead to abstain without explanation.

NEW BUSINESS

No new business to discuss.

PUBLIC COMMENTS

First Speaker: Ms. Carol Corbin

First, I’d like to thank all of you for your time, your decision making, and your recommendation. I appreciate you and I’m very grateful. You have a difficult position. You must determine what’s going to go on, not only in the life of a patrol officer, but also on the other side, and I understand being on the other side because I was on the other side. I’m a retired police officer from the City of Pittsburgh. I retired in 1990. I’ll be 75 years old, we didn’t have body cameras. Matter of fact, when I retired, I still had a Smith and Wesson revolver. The problem is police brutality, but also, you don’t have any link between the police and citizens, community. We walked beats. When I was a rookie, my first arrest was about 10 people in a shooting gallery by myself. I didn’t have to beat up anyone. We knew who the people were. We knew the people in our community. Do they have beats in this city? Do they have community police stations? The police have a hard job. What happened has happened. I don’t hold any animosity against Officer LeConte (referring to the case reviewed tonight) but he was wrong. I did have some words to say, but I never spit on them, and I never fought with them. I don’t fight with people with guns. But you have a problem here, and the problem is training,

Community policing is vital. Police have got to know who’s in their community. When you know the young people, when you know the people in the neighborhood, in your zone, it makes it a lot easier. I thank
all of you, because you made some great points. I don’t want to see any police officer fired. We need our police, but training, training, training, and community cohesion.

Second Speaker: **Ms. Jamida Orange**
I want to say, please don’t move public comments to the end of the agenda. A couple other people besides myself, feels like it gives us a voice, so please don’t put us back at the end. Also, I appreciate, the video, the electronics.

Third Speaker: **Mr. Will Chandler**
Mr. Chandler left before speaking.

Fourth Speaker: **Mr. Jimmy Moore**
I didn’t put my name on the list, but I wanted to make a quick comment. I was invited by Ms. Hawkins-Wynn. I was supposed to go to the ERB Hearing but it got cancelled and we passed each other. I didn’t plan to be here the whole time, but it’s been very interesting. I just wanted to make some quick comments as a, a regular, you know, everyday person, who lives in the city. Just speaking specifically to, not just for Atlanta but just pretty much across board. You know, in, in this country, there is a big issue with the public and their interactions with police. I think that it’s very important that we all be open minded to at least some degree of need for there to be change. I really appreciate the Board, and the need for open discussion leading to change. But we also must have an appetite for change. There must be an appetite for the need for police to be held accountable for their actions. I think the most important rule for human interaction should be, “Treat others as you would like to be treated.”

**(Chair Torrence)** Thank you all for your comments.

**OTHER COMMENTS AND ANNOUNCEMENTS:**
**(Chair Torrence)** This a reminder that the dates, for the additional meetings to review some additional cases will be Wednesday, March 27 at 6:30 p.m. and Thursday, April 25th. Please, if you signed up, make sure that you’re there so that we have a quorum to conduct the business of the board. Also, I am shooting off at the e-mail reminding you to get your community outreach in, and I’m sure you all did that?

**(Williams)** I want to thank everyone for your prayers. I was not here last month because my brother was in ICU with flu, pneumonia, and fluid on both lungs, and the people in the ER told him if he would have come into the hospital sooner, he would not be in such bad shape, he was septic. So, thank you for all your prayers. The second thing I wanted to mention is that on Tuesday, the mayor is having a Town Hall meeting and it is the second of three, she had one in Buckhead on February 28, so this one is on Tuesday center and since they are expecting a huge crowd, it has been moved to the United Methodist Church, on Cascade Road. It starts at 6:30 p.m. but if you want a seat, you probably need to be there at 5:30 p.m. These complaints that we are discussing tonight, this meeting can be a place whereby you can get the Mayor to hear about the problems…just like the public comments here. This is your time to go out and talk to your elected officials.

Also, I have a flier for everybody. I think you know there’s another meeting tonight. They are in the process of revamping the Neighborhood Planning Unit (NPU) system. This is just the discussion stage, but we need to stay on top of this issue if the NPU’s are to retain their power and integrity.

**ADJOURNMENT**

It was moved by Williams and seconded by Hardy to adjourn. The meeting adjourned at 7:51 p.m.