ATLANTA CITIZEN REVIEW BOARD
MINUTES OF THE APRIL BOARD MEETING
Dunbar Recreation Center
477 Windsor Street, SW
Atlanta, Georgia 30312
May 9, 2019
6:30 p.m.

The board meeting for the month of May was called to order at 6:31 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)
JAMES HARDY (APAB, NPU Group A-F)
SHERRY WILLIAMS (APAB, NPU Group G-L)
GLORIA HAWKINS WYNN (Atlanta City Council)
BARBARA WARD GROVES (APAB, NPU Group M-R)

ACTIVE MEMBERS ABSENT
MICHAEL HOPKINS (APAB, NPU Group M-Z)
KEITH HASSON (Atlanta Bar Association)
SHUNTAY PITRE (Urban League of Greater Atlanta)

VACANT BOARD SEATS
Gate City Bar Association (one (1) year and one (1) month)
Atlanta Business League (one (1) year and ten (10) 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); CHARLES CURRY, Public Information Officer (Curry); REGINAL MCCLENDON, COA Law Department, (Attorney McClendon); MAJOR ANDREW SENZER, (New Major of Zone 3), APD Field Operations Division; CAPTAIN CARLOS PEEK, Zone 3, APD Field Operations Division; LIEUTENANT BRYAN Paden (Lt. Paden), APD, Office of Professional Standards
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.

APPROVAL OF MINUTES FOR APRIL 11, 2019

_Hawkins-Wynn_ moved to approve the minutes. _McDaniel_ seconded. Hearing no discussion, the vote was called, and the motion was approved by _Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce_. Motion carried.

APPROVAL OF MINUTES FOR SPECIAL CALL MEETING, APRIL 25, 2019

_McDaniel_ moved to approve the minutes. _Hardy_ seconded. Hearing no discussion, the vote was called, and the motion was approved by _Orange, McDaniel, Hardy, Williams, Groves, Boyce_. _Wynn_ abstained indicating that she did not attend the Special Call Meeting. Motion carried.

POLLING OF THE AUDIENCE

The _Chair_ opened the floor to receive additional information from the public regarding the cases on the agenda. There was no new information presented from the audience for the board to consider, therefore, the _Chair_ continued with the agenda.

EXECUTIVE DIRECTOR’S REPORT

The Board received a written comprehensive report from _Director Reid_ in advance of the meeting. _Reid_ highlighted the following information from the report:

**ACRB 2018 Reports**

The 2018 ACRB Annual Report and Community Survey Report was provided at the May Board Meeting. _Reid_ will also briefly review the reports and answer in questions pertaining to the reports at the June meeting. All feedback is appreciated.

**APD Ride-a-longs**

Please remember, if you have not participated in an APD police ride-a-long, please schedule a date.

**NACOLE Conference**

The NACOLE conference is in Detroit from September 22-26. We are anticipating sending two board members to the conference.

**Ivory Lee Young, Jr. Outreach Award**

We are kicking off a new award called the “Ivory Lee Young, Jr. Outreach Award” to be given to the board member who shows a commitment to Outreach by helping staff connect with more people out in the communities. The award recipient will have facilitated a connection for at least two community outreach opportunities and those opportunities will have been completed through a KYR training or presentation within the calendar year. The opportunities may include, but are not limited to, schools, social organizations, family gatherings, neighborhood events, and churches. The group size does not
matter...any organization that you know of that will allow us to make a presentation on Know Your Rights Training, the agency’s work, or an awareness-building event. We are committed to serving from one to however many come.

The Board member does not have to attend the outreach event to qualify; however, the arrangement of the outreach event does not count toward the Board member’s three community outreach activity annual requirement, unless the Board member attends the event.

The first award will be given at December 2019 Board Meeting. The award was named after Mr. Young based on his work with the ACRB. He was one of the founders and sponsors of the original legislation establishing the ACRB. He also worked with us sponsor the legislation in 2016.

**Suspending July Board Meeting**

During the months of March and April, two Special Call Meetings were held to review additional cases. The meetings were in addition to the regular board meetings. Given the additional meetings, the Board has now caught up with the backlog of cases.

It was moved by Groves to suspend meeting in July and resume meeting in August. Hardy seconded. Hearing no further discussion, the vote was called. The motion was approved unanimously (*Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce*).

**INTAKE REPORT**

*Investigations Manager Robertson* reported that for the month of April 2019, the ACRB received 13 complaints. The details of the complaints are listed below:

A. **COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS**

1. **ACRB COMPLAINT NO. 19-029**  
   *Allegation: False Arrest*  
The male complainant alleged that on March 29, 2019, he was falsely arrested by APD officers. Preliminary investigation revealed that the Complainant plead Nolo Contendere to the charge stemming from this incident. Therefore, **recommend dismissal for lack of merit**.

2. **ACRB COMPLAINT NO. 19-030**  
   *Allegation: Excessive Force*  
The male complainant alleged that on March 23, 2019, an APD officer used excessive force when he grabbed him by the neck without provocation. **Recommend investigation as an Excessive Force complaint**.

3. **ACRB COMPLAINT NO. 19-031**  
   *Allegation: Failure to Complete an Accident Report*  
The female complainant alleged that on or about January 31, 2019, the APD officer who responded to a traffic accident involving her and another motorist failed to do an accident report. Preliminary investigation revealed that the involved officer did complete a report on the same day of the incident. Therefore, **recommend dismissal for lack of merit**.

4. **ACRB COMPLAINT NO. 19-032**  
   *Allegation: Mistreatment*  
The male complainant alleged that on April 5, 2019, he was mistreated by officers employed by the Fulton County Sheriff’s Department. **Recommend dismissal for lack of jurisdiction**.

5. **ACRB COMPLAINT NO. 19-033**
**Allegation: False Arrest**
The male complainant alleged that in 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.

6. ACRB COMPLAINT NO. 19-034  
**Allegation: Failure to Take Action**
The male Complainant alleged that on April 6, 2019, APD officers failed to act when they responded to his residence related to a disturbance.  
**Recommend investigation as an Appropriate Action Required complaint.**

7. ACRB COMPLAINT NO. 19-035  
**Allegation: Failure to Take Action**
The female Complainant alleged that on April 6, 2019, APD officers failed to act when they responded to her residence related to a disturbance.  
**Recommend investigation as an Appropriate Action Required complaint.**

8. ACRB COMPLAINT NO. 19-036  
**Allegation: False Arrest**
The male Complainant alleged that in 2007, 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.

9. ACRB COMPLAINT NO. 19-037  
**Allegation: Failure to Take Action and Abusive Language**
The female Complainant alleged that on October 1, 2017, APD officers failed to take action when they responded to her residency related to a domestic dispute. She further alleged that one of the officers insulted her when he called her “crazy” and told her he has no time for her nonsense. The incident occurred over 180 days from the date the Complainant filed her complaint. Therefore, recommend dismissal because the complaint is time barred.

10. ACRB COMPLAINT NO. 19-038  
**Allegation: Harassment**
The male Complainant alleged that he is being harassed daily by APD officers. The Complainant was subsequently contacted to obtain more information pertaining to his complaint; however, he was unable to provide any specific details related to an incident or subject officer(s). Therefore, recommend dismissal for lack of information.

11. ACRB COMPLAINT NO. 19-039  
**Allegation: Inaccurate Report & False Arrest**
The male Complainant alleged that on November 18, 2018, he was involved in a physical dispute at a night club and the responding APD officer failed to complete an accurate and detailed report. He further alleged that he was subsequently falsely arrested.  
**Recommend investigation of an Appropriate Action Required complaint.**

12. ACRB COMPLAINT NO. 19-040  
**Allegation: Excessive Force**
The male Complainant alleged that on April 26, 2019, while sitting in the park and playing cards, APD officers grabbed him out of his car, threw him to the ground and threatened to tase him. Awaiting the Complainant’s signed complaint. If the complaint is received within the next few weeks and has merit, then recommend investigation as an Excessive Force complaint. If not, then recommend dismissal.
13. ACRB COMPLAINT NO. 19-041

**Allegation: Unlawful Stop & Detainment**

The male Complainant alleged that on August 22, 2018, he was unlawfully stop and cited by a Stone Mountain Police Officer. **Recommend dismissal for lack of jurisdiction.**

**Special Note: Dismissed Complaints and Complaints Outside ACRB’s Jurisdiction:**

It is noted that the proper referrals were given to those citizens whose complaints fall within this category.

B. RECONSIDERATION OF COMPLAINT:

ACRB Complaint No. 18-135

**Allegation: Rude Behavior**

In December 2018, a male Complainant filed a complaint alleging that while at the Hartsfield-Jackson International Airport, an APD officer yelled at him.

The ACRB has made numerous attempts to identify the subject officer related to this complaint without success. The assigned investigator obtained and reviewed the photographs of the officers that patrol the area in question and none of them met the casual description of the officer that committed the alleged act. Thus, due to the Complainant’s inability to provide any additional descriptive information related to the subject officer’s identity, combined with the other two non-APD entities that also patrol the Airport, the ACRB is unable to move forward with the investigation and **recommends that the complaint be dismissed for lack of information.**

C. BOARD VOTES ON INTAKE REPORT

*Williams* moved to accept the Intake Report for March 2019. *McDaniel* seconded. Hearing no discussion, the vote was called, and the motion was approved unanimously by *Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce.*

CASE REVIEWS FOR THE MONTH

ACRB CASE NO. 18-070

*(Investigated by Tonya Richardson)*

The female Complainant alleged that on July 9, 2018, APD Officer Steve Dadeah falsely arrested her and engaged in excessive force when the handcuffs were applied too tight. The Complainant further alleged that her personal property was not placed into APD’s Property Control Unit.

A. **ALLEGATION #1 – APPROPRIATE ACTION REQUIRED, PART-1**

**Issue:** The Complainant’s allegation of False Arrest

The ACRB staff recommends that the **Appropriate Action Required** allegation regarding **False Arrest** against Officer Steve Dadeah be assigned a finding of "Exonerated" *(the investigation revealed the alleged act(s) occurred but were justified, legal or properly within Department policy).*

**BOARD VOTES ON STAFF RECOMMENDATION TO EXONERATE THE OFFICER**

*Boyce* moved to accept staff’s recommendation. *Orange* seconded. Following a brief discussion, the vote was called, and the motion was approved unanimously by *Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce.*
B. **ALLEGATION #2 – APPROPRIATE ACTION REQUIRED, PART-2**  
**Issue:** The Complainant’s allegation that Officer Dadeah failed to put her vehicle’s key remote into Property.

The ACRB staff recommends that the **Appropriate Action Required** allegation against Officer Steve Dadeah, related to this issue be assigned a finding of “Unfounded” (*the investigation proved the alleged act(s) did not occur*).

**BOARD VOTES ON STAFF RECOMMENDATION TO EXONERATE THE OFFICER**  
**Groves** moved to accept staff’s recommendation to Sustain the allegation against the officer. **Hawkins-Wynn** seconded. Hearing no discussion, the vote was called, and the motion was unanimously approved by **Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce**.

C. **ALLEGATION #3 – EXCESSIVE FORCE**  
**Issue:** The Complainant’s allegation that Officer Dadeah applied the handcuffs too tight.

The ACRB staff recommends that the **Excessive Force** allegation against Officer Steve Dadeah be assigned a finding of “Not Sustained” (*the investigation failed to prove or disprove that the alleged acts occurred*).

**BOARD VOTES ON STAFF RECOMMENDATION TO EXONERATE THE OFFICER**  
**Boyce** moved to accept staff’s recommendation to Sustain the allegation against the officer. **Williams** seconded. Hearing no discussion, the vote was called, and the motion was unanimously approved by **Orange, McDaniel, Wynn, Hardy, Williams, Groves, Boyce**.

D. **ALLEGATION #4 - VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES**  
The ACRB staff recommends that the allegation of **Violation of Department Standard Operating Procedures** related to this issue against Officer Steve Dadeah and Officer Travis Quick 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 SUSTAIN THE COMPLAINT**  
**McDaniel** moved to accept staff’s recommendation to Sustain the allegation against the officer. **Williams** seconded. Following the discussion, the vote was called, and the motion was approved by **Orange, McDaniel, Wynn, Hardy, Williams, Groves**. Two members voted against, **Hardy and Boyce**. Motion carried.

E. **DISCIPLINE ON SUSTAINED VOTE AGAINST OFFICERS**

1. **Officer Steve Dadeah Disciplinary History:** Officer Dadeah has been with the Department since December 2015. He has had one (1) complaint filed in the past five years. The penalty for this action is a category “A.”

**BOARD RECOMMENDS DISCIPLINE AGAINST OFFICER DADEAH**  
**Williams** moved to recommend that Officer Dadeah receive an Oral Admonishment. **McDaniel** seconded. Following the discussion, the vote was called, and the motion was approved by **Orange, McDaniel, Wynn, Williams, and Groves**. One member, **Boyce**, voted against. **Hardy** abstained without explanation. Motion carried.

2. **Officer Travis Quick Disciplinary History:** Officer Quick has been with the Department since June 2016. The officer has had two complaints filed against him in the past five years. Both were vehicle complaints. The penalty for this action is a category “A.”
BOARD RECOMMENDS DISCIPLINE AGAINST OFFICER QUICK

Wynn moved to recommend that Officer Quick receive an Oral Admonishment. Groves seconded. Following the discussion, the vote was called, and the motion was approved by Orange, McDaniel, Wynn, Williams, and Groves. One member, Boyce, voted against. Hardy abstained without explanation. Motion carried.

ACRB CASE NO. 18-103
(Investigated by Tonya Richardson)

The Male Complainant alleged that on October 3, 2018, Retired Atlanta Police Officer Channie Pettway disrespected him by calling him a “boy” as he walked through the security check point at the Atlanta Municipal Court.

A. ALLEGATION OF CONDUCT
The ACRB staff recommends that the allegation of Conduct against Officer Channie Pettway be assigned a finding of “Sustained” (the investigation established by a preponderance of the evidence that the officer committed the alleged acts of misconduct).

BOARD VOTES ON STAFF RECOMMENDATION
Wynn moved to accept staff’s recommendation of “Sustained.” McDaniel seconded. Following a lengthy discussion, the vote was called, and the motion was approved by Orange, McDaniel, Williams, Wynn. Two members voted against (Williams and Boyce) and Hardy abstained without explanation.

B. OFFICER DISCIPLINARY HISTORY AND BOARD RECOMMENDATION
As reported by Investigator Richardson, Officer Channie Pettway is a retired officer. She has been retired since 2011. Currently, she is a member of the Retired Reserve Officer Program. She has been in the program 2012. Her disciplinary history is no longer recorded in APD; however, Reserved Officers are subjected to the progressive disciplinary process that is consistent with active APD members. She still falls under the discipline matrix should the board decide to use it and it would be considered a category “A”.

BOARD RECOMMENDS DISCIPLINE AGAINST OFFICER PETTWAY
Orange moved to recommend that Officer Pettway receive an Oral Admonishment. Williams seconded. Hearing no further discussion, the vote was called, and the motion was approved by Orange, McDaniel, Wynn, Williams, and Groves. One member, Boyce, voted against. Hardy abstained indicating that he had previously worked with the officer’s supervisor. Motion carried.

** For the Record as Requested by Hawkins-Wynn:
“I would like the record to reflect that every time the issue of the BWC arise, it should be reflected in the record.”

ACRB CASE NO. 18-126
(Investigated by Ronald Jackson)

A Male Complainants alleged that on November 26, 2018, Atlanta Police Officer Charles Phillips, unlawfully stopped and detained him. The Complainant further alleged that Officer Phillips illegally searched him.

A. ALLEGATION #1 - FALSE IMPRISONMENT
The ACRB staff recommends that the allegation of False Imprisonment against Officer Charles Phillips be assigned a finding of Exonerated (the investigation established that the alleged act(s) occurred but were justified, legal or properly with Department policy).
BOARD VOTES ON STAFF RECOMMENDATION

Boyce moved to accept staff’s recommendation of “Exonerated.” Hardy seconded. Hearing no further discussion, the vote was called, and the motion was approved by Orange, Hardy, Groves, Boyce. Three members voted against: Williams, McDaniel, Wynn. Motion carried.

B. ALLEGATION #2 - APPROPRIATE ACTION REQUIRED AGAINST OFFICER CHARLES PHILLIPS
The ACRB staff recommends that the allegation of Appropriate Action Required against Officer Phillips as it pertains to the illegal search claim, 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 REGARDING THE ILLEGAL SEARCH CLAIM:
Wynn moved to accept staff’s recommendation of “Sustained.” Orange seconded. Following the discussion, the vote was called, and the motion was approved by Orange, McDaniel, Wynn, Williams, Groves. Two members voted against: Boyce and Hardy. Motion carried.

C. OFFICER PHILLIPS DICIPLINE RELATED TO THE SUSTAINED VOTE
According to Investigator Jackson, Officer Phillips has had one complaint in the past five years. The penalty for this complaint is a category “A”.

BOARD VOTES ON DICIPLINE AGAINST OFFICER PHILLIPS:
Hawkins-Wynn moved recommend an oral admonishment as discipline against Officer Phillips. McDaniel seconded. Hearing no further discussion, the vote was called, and the motion was approved by Orange, McDaniel, Wynn, Williams, Groves. Two members voted against: Boyce and Hardy. Motion carried.

ACRB CASE NO. 18-131
(Investigated by Ronald Jackson)

The Complainant alleged that on November 30, 2018, Retired Atlanta Police Lieutenant Robert Lynn, was rude and unprofessional towards him when he yelled at him.

The Complainant further alleged that Lieutenant Lynn directed abusive language towards him when he said, “What are you going to do, kick my ass?”

A. ALLEGATION #1 – APPROPRIATE ACTION REQUIRED RELATED TO CONDUCT
The ACRB staff recommends that the allegation of Appropriate Action Required against Lieutenant Robert Lynn as it relates to Conduct be assigned a finding of “Not Sustained” (the investigation failed to prove or disprove that the alleged act(s) occurred).

BOARD VOTES ON STAFF RECOMMENDATION:
Orange moved to accept staff’s recommendation as it pertains to this issue. Hardy seconded. Hearing no further discussion, the vote was called, and the motion was approved by Orange, Wynn, Williams, Groves, Boyce and Hardy. One member (McDaniel) abstained without explanation. Motion carried.

B. ALLEGATION #2 – ABUSIVE LANGUAGE
The ACRB staff recommends that the allegation of Abusive Language against Lieutenant Robert Lynn be assigned a finding of “Not Sustained” (the investigation failed to prove or disprove that the alleged act(s) occurred).
BOARD VOTES ON STAFF RECOMMENDATION:
Williams moved to accept staff’s recommendation as it pertains to this issue. Wynn seconded. Hearing no further discussion, the vote was called, and the motion was approved by Orange, Hardy, Williams, Boyce, Wynn. One member, McDaniel, abstained. The motion carried.

PUBLIC COMMENTS

Two people signed up to make comments:

1st Speaker: Alfred Garner
Mr. Garner indicated that he works in NPU-V addressing acts of violence, primarily gun violence. “We collaborate with Major Senzer making sure that we touching those residents who fall through the cracks when acts of violence take place…that means, we want to make sure they are in a good place with their mental health because we know that when gun shots are happening, Trauma is also happening…they see the violence, they hear the guns and they are traumatized and shaken up. We provide a safe place to discuss these feelings throughout NPU-V. One of those places is at the Metropolitan Library, another is Dunbar Elementary, and Barack and Michelle Obama Academy to name a few. We also have events in the community to reclaim the space where violence takes place offering yoga, other exercise, and healing circles. This Saturday, we are having a community clean up here and engage in some self-care practice. I have some flyers regarding our event that I can give you tonight. Thank you.”

2nd Speaker: Jamida Orange
I apologize Madam Chair for interrupting your discussion earlier in the meeting, but I want you to always remember that you all sometimes can go off on a side bar for a good 45 minutes to an hour and that is not fair to the people and the public. So, if you, the board, want to bring up something, new business is fine, but we sit here and listen to you all and I would appreciate that same courtesy that we give you as we sit and listen to you. To not give us that same attention, is just as rude to us as one of the officers who we complain about.

OLD BUSINESS

None.

NEW BUSINESS

• The Chair indicated that she has been working with staff securing an ACRB table at the Jazz Festival approximately two weeks away. “We are working on this because we want to have a presence at the annual festival. I am hoping that as a board member, you can come out and sign up to work a shift manning the table and talking to the hundreds of thousands of people who will be there. While you are working, we want you to wear your ACRB T-shirt. Watch your email for more detail information.
• (Sherry Williams) “May is Senior Month, the Mayor’s Office of Constituent Services and Georgia Power is hosting an Aging Well Expose on May 14 from 9:30 a.m. to 1:30 p.m. Location for the expose is the former Turner Field. This is a free event.
• Fulton County is also hosing a Senior Information Day, May 30th at the four senior centers. Call your Fulton County Commissioners for more information.
• In remembrance of well-known civil rights leader and public servant, Ms. Emma Darnell, the Chair asked everyone to observe a moment of silence in honor of Ms. Emma Darnell.

ADOURNMENT

It was moved by Williams to adjourn the meeting. Wynn seconded. The meeting adjourned at 7:37 p.m.