The Atlanta Citizen Review Board (ACRB) meeting for the month of September was called to order at 6:30 p.m. by Chair Cecilia 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 (Georgia 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)
MICHAEL HOPKINS (APAB, NPU Group S-Z.)

SHUNTAY PITRE (Urban League of Greater Atlanta)
GLORIA HAWKINS WYNN (Atlanta City Council)
SHERRY WILLIAMS (APAB, NPU Group G-L) Arrived @6:41 p.m.

ACTIVE MEMBERS ABSENT
KEITH HASSON (Atlanta Bar Association)
(Absent with Notification)

VACANT BOARD SEATS
Gate City Bar Association (One (1) year and four (4) month)
Atlanta Business League (Two (2) years and one (1) month)

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); RONALD JACKSON, Investigator, Senior (Inv. Jackson); CHARLES CURRY, Public Information Officer (Curry); ADRIENNE GILLIS, Administrative Assistant, (Gillis); LIEUTENANT BRYAN PADEN (Lt. Paden), APD, Office of Professional Standards, LIEUTENANT SCOTT JIMENEZ (Lt. Jimenez),
APD, Office of Professional Standards; MAJOR CARVEN TYUS (Mag. Tyus) APD, Office of Professional Standards; STEVEN PARKER (Attorney Parker) City Attorney and;

Special Notes:
- 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.
- It should also be noted that when the Board votes on an issue, the Chair does not vote unless there is a tie vote.

APPROVAL OF MINUTES FOR AUGUST 8, 2019 BOARD MEETING

Hawkins-Wynn moved to approve the minutes. Hardy seconded. Hearing no discussion, the vote was called, and the motion was approved unanimously by: Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Hawkins-Wynn.

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:

- **Staff Introductions**
  - Former Office of Professional Standards Representative Captain Bryan Paden introduced his replacement Lieutenant Scott Jimenez. Capt. Paden expressed his gratitude for being able to work with the Board. “I really appreciate each and every one of you very much.” “You will be in great hands with my replacement, Lieutenant Jimenez.” Lieutenant Jimenez indicated that he is looking forward to working with Director Reid and the Board.” Chair Torrence thanked Capt. Paden for his service.
  - Assistant City Attorney Steven Parker has resigned his position with the City. He introduced his temporary replacement, Attorney Kimberly Carlisle. Ms. Carlisle indicated that the assignment to the ACRB was indeed temporary and that the Law Department has plans to identify a permanent replacement.
  - Mr. Reid also introduced ACRB’s newest staff member, Ms. Adrienne Gillis. Ms. Gillis was hired August 22nd as an Administrative Assistant, Senior.

- **Community Board Meeting**
  The next community board meeting will be held at the American Intercontinental University, located on Peachtree & Dunwoody Road. The 3rd and last meeting this year out in the community. Reid said, “The school has graciously offered the Board a tour of their facility and the Criminal Justice Program. The tour will start at 6:00 p.m. and the Board meeting will start at the normal time, 6:30 p.m.

- **Additional Board Meeting October**
  Director Reid indicated that an additional meeting will be needed in October. The reason for an additional meeting is to prevent an overload of cases in December since December’s meeting includes the Christmas Dinner celebration. Tentative dates for an additional meeting are October 23rd or October 30th. At least five (5) board members are needed to respond with their date of availability.
• **Reports**
  Please send the staff a copy of the reports that you sending to your appointing entities for the stats at the end of the year.

• **Civilian Oversight Modules**
  Over the next month or two, Reid announced that he would like the Board to go over two, ten-minute modules on how to review cases and the definitions of the terms we use to review the cases.

*Special Note:* The Chair noted for the record, the arrival of Sherry Williams (6:40 p.m.)

**INTAKE REPORT FOR THE MONTH OF AUGUST**

Investigation Manager Robertson reported that for the month of August 2019, the ACRB received nine (9) complaints. The details of the complaints and staff recommendations are listed below.

A. **COMPLAINT DISMISSALS**

1. **ACRB COMPLAINT NO. 19-094**
   *Allegation: False Arrest & Excessive Force*
   The male complainant alleged that in May 2019, he was falsely arrested by Atlanta Police Department ("APD") officers for Driving Under the Influence ("DUI") and Failure to Obey Traffic Control Devices. He further alleged that during the arrest, the officers engaged in excessive force. Preliminary investigation revealed that the arrest in question occurred on January 6, 2019 and the male complainant plead guilty to said charges (complaint was filed on August 1, 2019). 
   **Staff recommend dismissal because complaint is time barred.**

2. **ACRB COMPLAINT NO. 19-096**
   *Allegation: Cruel and Inhumane Treatment*
   The male complaint alleged that during his recent incarceration at Fulton County Jail, he experienced cruel and inhumane treatment from correction officers. 
   **Staff recommends dismissal for lack of jurisdiction.**

3. **ACRB COMPLAINT NO. 19-097**
   *Allegation: Refused to Take Report*
   The male complainant alleged that on August 6, 2019, he went to APD Headquarters to file a report because he was a victim of identity theft and a sergeant refused to take his report and referred him to another precinct. Preliminary investigation revealed that the officers at APD Headquarters are members of the Atlanta Retired Police Reserve ("ARPR") Program and are not responsible for taking police reports unless an incident occur at that location. The ARPR officers directed to provide the citizen with the appropriate zone precinct to file a report. Given these facts, the officer did not engage in any misconduct and violate any APD policies.
   **Staff recommends dismissal for lack of merit.**

4. **ACRB COMPLAINT NO. 19-098**
   *Allegation: Illegal Entry*
   The female complainant alleged that College Park Police officers unlawfully entered her residence. 
   **Staff recommends dismissal for lack of jurisdiction.**

5. **ACRB COMPLAINT NO. 19-101**
   *Allegation: Discrimination*
   The male complainant alleged that on August 21, 2019, while sitting in traffic on Interstate 85 South, he observed a white male APD officer allow several white motorists to violate the HOV
lane restrictions and not a black motorist who was stopped and cited. The male complainant could not provide any other identifying information on the stopped vehicle. **Staff recommends dismissal for lack of information.**

Special Note: *Dismissed Complainants 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. **AWAITING SIGNED COMPLAINTS (2 out of 9 Complaints)**

1. **ACRB COMPLAINT NO. 19-099**  
   Allegation: **Harassment**  
   The female complainant alleged that an APD officer has been harassing her and her children since June 20, 2019. Awaiting her signed complaint. If the complaint is received within the next few weeks and has merit, then staff recommends investigation as an Harassment complaint.

2. **ACRB COMPLAINT NO. 19-102**  
   Allegation: **Failure to Assist**  
   The female complaint, who is the Project Director for the Crime Victims Advocacy Council, alleged that the APD has failed to assist her unidentified female client, who is a victim of abuse by her boyfriend. Awaiting the unidentified female complainant signed complaint. If the complaint is received within the next few weeks and has merit, then staff recommends investigation as an Appropriate Action Required complaint.

C. **COMPLAINTS THAT ARE SIGNED (2 OUT OF 9)**

1. **ACRB COMPLAINT NO. 19-095**  
   Allegation: **Inadequate Report**  
   The male complainant alleged that on July 22, 2019, the APD officer that responded to his residence pertaining to his 911 burglary call made an inaccurate and false report.  
   **Staff recommends investigation as Appropriate Action Required complaint.**

2. **ACRB COMPLAINT NO. 19-100**  
   Allegation: **Inappropriate Touching**  
   The male complainant alleged that on August 8, 2019, during a pedestrian stop, an APD officer inappropriately grabbed his genitals during a pat down of his person.  
   **Staff recommends investigation as a Conduct complaint.**

D. **COMPLAINTS FOR RECONSIDERATION**

1. **ACRB COMPLAINT NO. 19-076**  
   Allegation: **Inadequate Report**  
   On July 2, 2019, a male complainant filed a complaint alleging that on June 25, 2019, when he called the Zone 4 Precinct to request a welfare check on his 24-year-old son, who resides with his stepfather, two (2) APD officers failed to assist him.  
   Preliminary investigation revealed, via audio recording of the male complainant call to the precinct, that the APD officer did not violate any APD policies. Throughout their phone conversation, the APD officer was courteous and professional towards the male complainant and tried to assist him by providing him with the appropriate zone precinct (as well as the address) that could handle his issue. However, the male complainant became frustrated and told the officer he would handle it himself and ended the call. Furthermore, Zone 4’s Roll Call Assignment Sheets for the day in question revealed that a certain APD officer was not listed as working in that zone during the time stated. Therefore, **staff recommends dismissal for lack of merit.**
2. **ACRB COMPLAINT NO. 18-083**
   **Allegation: Abuse of Authority**
   On July 23, 2018, a female complainant filed an online complaint alleging that on May 9, 2018, she was “sexually assaulted” by Grady Hospital Personnel, Atlanta Police and Atlanta Corrections officers.

   Her complaint lack pertinent details and she has refused to provide the ACRB is unable to move forward with the investigation and therefore, **staff recommends dismissal for lack of information.**

   *McDaniel* moved to accept the Intake Report for August. *Hopkins* seconded. Hearing no further discussion, the vote was called, and the motion was unanimously approved by all members present: *Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

**CASE REVIEWS FOR THE MONTH**

**ACRB CASE NO. 18-028**
*(Investigator Brian Fleming)*

The male and female complainant alleged that on March 14, 2018, Detective Jacob Fletcher and Sergeants Willie Adams, Charles Ayeni, Robert Bailey, Roland Thomas and Neil Welch conducted an illegal search of their residence and damaged their residence while conducting the search.

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

   **Issue:** Did Detective Jacob Fletcher and Sergeants Willie Adams, Charles Ayeni, Robert Bailey, Roland Thomas, and Neil Welch conduct and illegal search of the male and female complainant’s residence?

   The ACRB staff recommends that the allegation of Appropriate Action Required, as it pertains to this issue, against **Detective Jacob Fletcher,** and **Sergeants Willie Adams, Charles Ayeni, Robert Bailey, Roland Thomas** and **Neil Welch** be assigned a finding of “Exonerated” *(the investigation established that the alleged act(s) occurred but were justified, legal or properly within Department policy).*

   **BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “EXONERATED”**

   *Boyce* moved to accept the staff’s recommendation of “Exonerated.” *Hopkins* seconded. Hearing no further discussion, the vote was called, and the motion was unanimously approved by all members present: *Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

B. **ALLEGATION OF APPROPRIATE ACTION REQUIRED #2**

   **Issue:** Did Detective Jacob Fletcher and Sergeants Willie Adams, Charles Ayeni, Robert Bailey, Roland Thomas and Neil Welch cause unnecessary damage to the male and female complainant’s residence while executing a search of their residence?

   The ACRB staff recommends that the allegation of Appropriate Action Required, as it relates to this issue, against **Detective Jacob Fletcher** and **Sergeants Willie Adams, Charles Ayeni, Robert Bailey, Roland Thomas** and **Neil Welch** be assigned a finding of “Exonerated” *(the investigation established that the alleged act(s) occurred but were justified, legal or properly within Department policy).*
BOARD VOTES ON STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “EXONERATED”

Hardy moved to accept the staff’s recommendation of “Exonerated.” Pitre seconded. Following a brief discussion, the vote was called, and the motion was approved by: Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy. One vote against from Williams. Hawkins-Wynn did not participate in the vote, opting instead to abstain without explanation. The motion carried.

C. ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES

The investigation determined that Sgt. Adams failed to complete an After-Action Debriefing Report as per APD. SOP.4043, Section 4.4.8. Therefore, the ACRB Staff recommends that the allegation of Violation of Department Standard Operating Procedures against Sgt. Willie Adams 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 OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “SUSTAINED

McDaniel moved to accept the staff’s recommendation of “Sustained.” Hopkins seconded. Hearing no further discussion, the vote was called, and the motion was unanimously approved by all members present: Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Wynn, Williams.

D. ADDITIONAL RECOMMENDATIONS

1. The Board would like the APD to investigate why the SWAT team photographs of the damage to the complaints’ residence are of poor quality?

2. Ensure that the SWAT team takes clear photographs when documenting damage that is subsequent to their execution of search warrants.

BOARD VOTES ON STAFF’S ADDITIONAL RECOMMENDATIONS

Hardy moved to accept the staff’s additional recommendations. Hawkins-Wynn seconded. Hearing no further discussion, the vote was called, and the motion was unanimously approved by all members present: Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Wynn, Williams.

OFFICERS DISCIPLINARY HISTORY AND BOARD VOTE ON DISCIPLINE PERTAINING TO ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES

Investigator Brian Fleming reported that upon review of Sergeant Willie Adams disciplinary history, the Sustained allegation against him, fall under Category A. Sgt. Adams has been employed with APD for 28 years. There are no complaints against him for the past five years.

Hawkins-Wynn moved to recommend Oral Admonishment against Sergeant Willie Adams. McDaniel seconds. Hearing no further discussion, the vote was called, and the motion was unanimously approved by all members present: Orange, McDaniel, Boyce, Hopkins, Ward-Groves, Pitre, Hardy, Wynn, Williams.

ACRB CASE NO. 18-034

(Investigator Brian Fleming)

The male complainant alleged that on March 17, 2018, Officers Matthew Coffin, James Dimaso and Toney Chambers unlawfully evicted him from his apartment, falsely arrested, and allowed his landlord to remove, discard and take possession of some of his belongings from his apartment.
He further alleged that Officer Chambers used excessive force against him when he pointed his gun at his head and slammed him face-first against a wall.

He also alleged that Officer Chambers behaved inappropriately in that he repeatedly told him to “Shut Up” during the incident.

A. ALLEGATION OF APPROPRIATE ACTION REQUIRED #1

**Issue:** Did Officers Matthew Coffin, James Dimaso and Toney Chambers unlawfully enter and evict Wilhy Harpo from his apartment?

The ACRB staff recommends that the allegation of Appropriate Action Required against Officers Matthew Coffin, James Dimaso and Toney Chambers related to this issue be assigned a finding of “Unfounded” (the investigation proved that the alleged act(s) did not occur).

**BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “UNFOUNDED”**

*Williams* moved to accept staff’s recommendation of “Unfounded.” *Ward-Groves* seconded. Following a brief discussion, the vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

*Hopkins* chose not to vote opting to abstain without explanation. Motion carried.

B. ALLEGATION OF APPROPRIATE ACTION REQUIRED #2

**Issue:** Did Officers Matthew Coffin, James Dimaso and Toney Chambers falsely arrest the male complainant for Criminal Trespass?

The ACRB staff recommends that the allegation of Appropriate Action Required against Officers Matthew Coffin, James Dimaso and Toney Chambers related to this issue be assigned a finding of “Exonerated” (the investigation proved that the alleged act(s) occurred but were justified, legal or properly with Department policy).

**BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “EXONERATED”**

*Boyce* moved to accept staff’s recommendation of “Exonerated.” *Williams* seconded. Hearing no further discussion, the vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

*Hopkins* chose not to vote opting instead to abstain without explanation. Motion carried.

C. ALLEGATION OF APPROPRIATE ACTION REQUIRED #3

**Issue:** Did Officers Matthew Coffin, James Dimaso and Toney Chambers allow the male complainant’s landlord to remove, discard and take possession of his belongings from his apartment?

The ACRB Staff recommends that the allegation of Appropriate Action Required related to this issue against Officers Matthew Coffin, James Dimaso and Toney Chambers be assigned a finding of “Unfounded” (the investigation proved that the alleged act(s) did not occur).

**BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “UNFOUNDED”**

*Pitre* moved to accept staff’s recommendation of “Unfounded.” *Boyce* seconded. Hearing no further discussion, the vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

*Hopkins* chose not to vote opting to abstain without explanation. Motion carried.
D. ALLEGATION OF EXCESSIVE FORCE

*Issue:* Did Officer Chambers’ use of excessive force against the male complainant in that he pointed his gun at his head and slammed him face-first against a wall?

The ACRB staff recommends that the allegation of **Excessive Force** against **Officer Toney Chambers** be assigned a finding of “**Sustained**” (the investigation established by a preponderance of evidence that the officer committed the alleged act(s) of misconduct).

**BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “SUSTAINED”**

*Orange* moved to accept staff’s recommendation of “**Sustained.**” *Hawkins-Wynn* seconded. Hearing no further discussion, the vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

*Hopkins* chose not to participate in the vote opting to abstain without explanation. Motion carried.

E. ALLEGATION OF ABUSIVE LANGUAGE

*Issue:* Did Officer Chambers use abusive language towards the male complainant in that he repeatedly told him to “**Shut up**” during the incident?

The ACRB staff recommends that the allegation of **Abusive Language** against **Officer Toney Chambers** be assigned a finding of “**Sustained**” (the investigation established by a preponderance of evidence that the officer committed the alleged act(s) of misconduct).

**BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “SUSTAINED”**

*Ward-Groves* moved to accept staff’s recommendation of “**Sustained.**” *McDaniel* seconded. Following a brief discussion, the vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams.*

*Hopkins* chose not to participate in the vote opting to abstain without explanation. Motion carried.

**OFFICERS DISCIPLINARY HISTORY AND BOARD VOTE ON DISCIPLINE PERTAINING TO ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES**

*Investigator Brian Fleming* reported that upon review of Officer Toney Chambers disciplinary history, he has been on the force for (3) three years and has had (4) four complaints. (2) Two of the complaints were vehicle accidents and (2) two were citizen complaints. (1) One was “**Sustained**” for failure to complete an incident report in a timely manner and failure to operate his body warn camera. (1) One was “**Exonerated**” which is the case you have before you for allegations of property damage and excessive force.

The **Sustained Excessive Force** allegation falls under a **Category C** (discipline range - **four to fifteen days or demotion, corrective action training, psychological evaluation, mandated substance abuse program**) and **Sustained** allegation of **Abusive Language** falls under a **Category A** violation.

**BOARD VOTES ON THE “SUSTAINED” ALLEGATION OF EXCESSIVE FORCE**

*Williams* moved to recommend training on the use of Excessive Force. *McDaniel* seconded.

Following a discussion, *Williams* amended her motion to include psychological counseling and training on the use of Excessive Force. *Pitre* seconded. The vote was called, and the motion was approved by *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Williams.*

*Hopkins* and *Wynn*, chose not to participate in the vote opting instead to abstain without explanation. Motion carried.

**BOARD VOTES ON THE “SUSTAINED” ALLEGATION OF ABUSIVE LANGUAGE**

*Pitre* moved to recommend an oral admonishment. *McDaniel* seconded. Hearing no discussion, the vote was called, and the motion was approved by all *Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams, Hopkins.*
F. ADDITIONAL RECOMMENDATION

The Board may want to recommend to the APD to investigate why a supervisor was not dispatched to the incident location as requested by the male complainant and Officer Chambers.

BOARD VOTES ON THE ADDITIONAL RECOMMENDATION

_Hardy_ moved to accept the additional recommendations as proposed by staff. _Williams_ seconded. Hearing no discussion, the vote was called, and the motion was approved by _Orange, McDaniel, Boyce, Ward-Groves, Pitre, Hardy, Wynn, Williams_. _Hopkins_ chose not to participate in the vote opting instead to abstain without explanation. Motion carried.

ACRB CASE NO. 18-074
_(Investigator Ronald Jackson)_

The male complainant alleged that on July 12, 2018, while at Mozley Park, Officer Gustavo Marin, unlawfully detained him and searched his vehicle.

A. ALLEGATION OF FALSE IMPRISONMENT

_Issue:_ The male complainant alleged that Officer Marin unlawfully detained him while he parked in his vehicle in a city park.

The ACRB staff recommends that the allegation of _False Imprisonment_ against _Officer Gustavo Marin_ be assigned a finding of “Sustained” (the investigation established by a preponderance of the evidence the officer committed the alleged act(s) of misconduct).

BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “SUSTAINED”

_McDaniel_ moved to accept staff’s recommendation of “Sustained.” _Hopkins_ seconded. Following a very lengthy discussion, the vote was called, and the motion was approved by _Orange, McDaniel, Ward-Groves, Pitre, Wynn, Williams_. Three members: _Boyce, Hardy, Hopkins_ voted against. Motion carried.

B. ALLEGATION OF APPROPRIATE ACTION REQUIRED

_Issue:_ The male complainant alleged that the alleged that Officer Marin unlawfully searched his vehicle.

The ACRB staff recommends that the allegation of _Appropriate Action Required_ against _Officer Gustavo Marin_ 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 OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “SUSTAINED”

_Hawkins-Wynn_ moved to accept staff’s recommendation of “Sustained.” _McDaniel_ seconded. Following a no discussion, the vote was called, and the motion was approved by _Orange, McDaniel, Ward-Groves, Pitre, Wynn, Williams_. Three members: _Boyce, Hardy, Hopkins_ voted against. Motion carried.

C. OFFICERS DISCIPLINARY HISTORY AND BOARD VOTE ON DISCIPLINE PERTAINING TO ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES

_Investigator Jackson_ reported that upon review of Officer Gustavo Marin disciplinary history, he has been on the APD force for six years. Within the last five years, Officer Marin has had ten complaints: six are
vehicle complaints, one firearm complaint and three citizen complaints. Both sustained complaints fall under a category A discipline.

BOARD VOTES ON “SUSTAINED” FALSE IMPRISONMENT ALLEGATION AND SUSTAINED” APPROPRIATE ACTION REQUIRED ALLEGATION

Orange moved to recommend an oral admonishment. Hardy seconded. Hearing no discussion, the vote was called, and the motion was approved by Orange, McDaniel, Ward-Groves, Pitre, Wynn, Williams Hardy, Hopkins. One member, Boyce, voted against. Motion carried.

ACRB CASE NO. 18-111
(Investigator Ronald Jackson)

The male complainant alleged that on October 18, 2018, while sitting outside a store awaiting repairs on his car, he was falsely arrested by Officer Danny Padron. He further alleged that, while at the Zone 6 Precinct, Officer Padron illegally strip searched him.

A. ALLEGATION OF APPROPRIATE ACTION REQUIRED #1

Issue: The male complainant alleged the Officer Padron falsely arrested him,

The ACRB staff recommends that allegation of Appropriate Action Required against Officer Danny Padron related to the false arrest claim be assigned a finding of “Exonerated” (the investigation established the alleged act(s) occurred but were justified, legal or properly with Department policy).

BOARD VOTES ON STAFF’S RECOMMENDATION TO FIND THE ALLEGATION “EXONERATED”

Hardy moved to accept staff’s recommendation to Exonerate. Williams seconded. Following a discussion, the vote was called, and the motion was approved by Orange, McDaniel, Ward-Groves, Pitre, Williams Hardy, Boyce, Hopkins. One member, Wynn, voted against. Motion carried.

B. ALLEGATION OF APPROPRIATE ACTION REQUIRED #2

Issue: The male complainant alleged that Officer Padron illegally stripped searched him at the precinct.

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

BOARD VOTES OF STAFF RECOMMENDATIONS TO FIND THE ALLEGATION “UNFOUNDED”

Boyce moved to accept staff’s recommendation to assign the alligation Unfounded. Hardy seconded. Following a discussion, the vote was called, and the motion was approved by all: Orange, McDaniel, Ward-Groves, Pitre, Wynn, Williams Hardy, Hopkins. Boyce. Motion carried.

PUBLIC COMMENTS
/Public comments are limited to two (2) minutes/

One person signed up to make a comment.
Jamida Orange:
“The Martin Luther King March is on January 20, 2019 and I hope to see you all there. Also, the facility, the CWA Union Hall on Hill Street, where we are holding the Planning Meeting for the march, has invited the ACRB to hold one of your Community Board meetings at the hall. I know it will not be anytime soon, we have already established that, but hopefully that is something you can do next year.

OLD BUSINESS

No discussion.

NEW BUSINESS

Boyce: Indicated that she would like to see some training on what constitutes an arrest versus being detained. She made the recommendation based on the earlier discussion. The Chair and the ED agreed and indicated that training was being planned.

Hawkins-Wynn: Regarding the dozen letters received from the APD Chief giving feedback to the board decisions, recommends in the training sessions for the board to review the letters as a group and try to reference back to those cases to see where there was corroboration from the Chief.

Houston-Torrence: “Barbara, Michael, Lee and I will be traveling to the National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference in Detroit. We will be away for about five days and we will do our best to represent the City of Atlanta as appropriately as we possibly can.

The Chair also asked everyone to take a moment of silence to recognize the passing of Civil Rights icon, Mrs. Juanita Abernathy who passed away. The body honored the request.

Williams: Next month is breast cancer awareness month. Williams encourages everyone to wear pink and everyone to get early detection testing done.

ADJOURNMENT

It was moved by Hawkins-Wynn to adjourn the meeting. The meeting adjourned at 7:50p.m.