

OPS Complaint File Closeout Report

OPS Control Number 16-1-0518-VA Date Investigation Received 7-23-12

Date Investigation Returned _____ Date Investigation Closed 10-19-12

Accused Employee off Melvin Potter R/S B/M Unique ID 6603

Accused Employee's Assignment F-2 2-3 EW
DIVISION SECTION WATCH

Investigative Disposition	Rule #1	Rule#2	Rule#3	Rule#4	Rule#5
Rule Number(s)	4-7-7				
Disciplinary Action	6-1				
Modified Action	WK				
Disciplinary Category	B				
Date of Action	10-13-14				

Waiver Yes No CVSA Yes No SAA Yes No Reimbursement Payment Yes No

Special conditions and or agreements _____

Accused Employee _____ R/S _____ Unique ID _____

Accused Employee's Assignment _____
DIVISION SECTION WATCH

Investigative Disposition	Rule #1	Rule#2	Rule#3	Rule#4	Rule#5
Rule Number(s)					
Disciplinary Action					
Modified Action					
Disciplinary Category					
Date of Action					

Waiver Yes No CVSA Yes No SAA Yes No Reimbursement Payment Yes No

Special conditions and or agreements _____

Form Completed by _____



MEMORANDUM

TO: Major J. B. Durant
FROM: Deputy Chief E. Shields *ES*
DATE: October 19, 2016
RE: OPS FILE #16-I-0518-VA (Officer Melvin Potter)

I have reviewed the listed file and taken the following actions:

Concur with Section Commander:
Did not concur with Section Commander:
Recommended Discipline Modified:

My recommendation is as follows:

Disciplinary:

Oral Admonishment Work Rule(s):

Written Reprimand Work Rule(s): 4.4.4 *ES*

Suspension Number of Days:
Work Rule(s):

Non-Disciplinary:

Not Sustained Work Rule(s):

Exonerated Work Rule(s):

Exceptionally Closed Work Rule(s):

Unfounded Work Rule(s):



DO NOT REMOVE THIS DOCUMENT FROM FILE

MEMORANDUM

TO: Major J. L. Glazier
FROM: Deputy Chief E. Shields *ESV*
DATE: October 6, 2016
RE: **OPS COMPLAINT INVESTIGATION #16-I-0518-VA**

Please make the following update(s) to the attached OPS Complaint Investigation #16-I-0518-VA involving Officer Melvin Potter:

1. The adverse action for this filed was modified. Please complete the Appeal Waiver to show the new disciplinary action taken and have all involved parties sign the form.
2. The written reprimand needs to be reissued by a lieutenant or higher.
3. A Letter of Written Reprimand needs to be included in the file.
4. Remove the Record of Counseling from the file that was issued to Officer Potter on 10/5/16 by Sergeant Mercado (last page).

The file will need to be returned to the FOD/Administrative Office with the completed action by **Friday, October 14, 2016.**

If you have any questions in regard to this information, please feel free to contact Sergeant M. Fuller at (404) 546-7786.

ES/mmf



DO NOT REMOVE THIS DOCUMENT FROM FILE

MEMORANDUM

TO: Major J. L. Glazier

FROM: Deputy Chief E. Shields *ES*

DATE: September 12, 2016

RE: **OPS COMPLAINT INVESTIGATION #16-I-0518-VA**

Attached is OPS Complaint Investigation #16-I-0518-VA involving Officer Melvin Potter. Please have the appropriate supervisor issue the adverse action to Officer Potter for Work Rule 4.4.4 (Operation of City Vehicles).

The file will need to be returned to the FOD/Administrative Office with the completed action by **Tuesday, September 27, 2016.**

If you have any questions in regard to this information, please feel free to contact Sergeant M. Fuller at (404) 546-7786.

ES/mmf



MEMORANDUM

TO: Major J. B. Durant

FROM: Deputy Chief E. Shields *ES*

DATE: August 25, 2016

RE: OPS COMPLAINT INVESTIGATION #16-I-0518-VA

Attached is OPS Complaint Investigation #16-I-0518-VA involving Officer Melvin Potter. This file includes adverse discipline and requires the N.P.A.A. and N.F.A.A. to be prepared for a 1-day suspension for Officer Potter.

If you have any questions in regard to this information, please feel free to contact Sergeant M. Fuller at (404) 546-7786.

ES/mm



Atlanta Police Department

MEMORANDUM

TO: Deputy Chief Erika Shields

FROM: Major Jonathan Durant

DATE: September 2, 2016

RE: Chain-of-Command Review OPS File: # **16-I-0518-VA**

ATTENTION: Expedite Response, Return Complaint File by September 16, 2016.

This complaint of alleged misconduct on the part of **Officer Melvin Potter** has been investigated by this office. Sufficient facts were gathered and evidence collected to **Sustain** the allegation(s). Command is required to review and complete all sections of the Notice of Proposed Adverse Action (NPAA) and the Notice of Final Adverse Action (NFAA).

Please expedite your review and have the complaint file returned to the Office of Professional Standards on or before the date indicated above. Please keep in mind that APD.SOP. 2020 § Disciplinary Process requires the following:

All citizen complaints, regardless of the nature of the complaint, shall be investigated and adjudicated within one hundred and eighty (180) days of the complaint. Failure to timely resolve citizen complaints may result in disciplinary action.

Should you have any questions or concerns, please contact me directly.

Thank you.

Date Stamp the Appropriate Block

Delivered to Division	Delivered to Section	Returned to Division	Returned to OPS



City of Atlanta Internal Correspondence

Atlanta Police Department

MEMORANDUM

TO: Major J. Glazier

FROM: Major J. B. Durant

DATE: August 1, 2016


RE: Command Investigation of OPS Complaint File: 16-I-0518-VA
Officer Melvin Potter

ATTENTION: Pursuant to the Disciplinary Manual, section 4.2.2(5), the file should Be completed and returned on August 22, 2016.

It is the policy of the Atlanta Police Department that an allegation(s) of misconduct be investigated. Therefore, this OPS complaint file is assigned to your division for that investigation. An investigation is not complete until the file is reviewed by the chain of command and the commander of OPS. If additional time is needed to complete the investigation, the investigating supervisor must request an extension in writing.

Please expedite your investigation and return the file to OPS on or before the date indicated above. If you have any questions about this file, please contact Lieutenant J. Webb at 404-658-6830.

Date Stamp the Appropriate Block

Delivered to Division	Delivered to Section	Returned to Division	Returned to OPS
			RECEIVED OCT 25 2016 OFFICE OF PROFESSIONAL STANDARDS

ATLANTA POLICE DEPARTMENT DISCIPLINARY COMPLAINT FOLDER INDEX

EMPLOYEE NAME: Melvin Potter

OPS CONTROL #: 16-I-0518-VA

Item No.	Item	Number of Pages	Initials	Date
1	Disciplinary Complaint Folder Index	1	MWM	8/4/2016
2	Supervisor Complaint Checklist	1	MWM	8/4/2016
3	Preliminary Complaint Form	1	MWM	8/4/2016
4	Written Notice of Allegations	1	MWM	8/4/2016
5	Awareness Statement	1	MWM	8/4/2016
6	Employee Statement (Potter)	3	MWM	8/4/2016
7	Memorandum About Speed & Witness (Potter)	1	JMR	8/18/16
8	Awareness Statement (Copeland)	1	JMR	8/18/16
9	Employee Statement (Copeland)	2	JMR	8/18/16
10	Accident Investigation Summary	1	MWM	8/4/2016
11	Accident Memo	1	MWM	8/4/2016
12	Significant Incident	1	MWM	8/4/2016
13	Copy of Traffic Accident Report	2	MWM	8/4/2016
14	Copy of Damage To Property Report	2	MWM	8/4/2016
15	Investigation Disposition Form	1	MWM	8/4/2016
16	WatchGuard Memo	1	MWM	8/4/2016
17	Employee Discipline Worksheet	1	MWM	8/4/2016
18	Photographs	N/A	MWM	8/4/2016
19	<i>Letter of Written Reprimand.</i>	<i>1</i>	<i>C.M</i>	<i>10/13/16</i>

P.1.1.1

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: Potter, Melvin

OPS CONTROL #: 16-I-0518-VA

INVESTIGATIVE FOLDER

- 1. Disciplinary Complaint Folder Index
- 2. Supervisor Complaint Investigation Checklist
- 3. Preliminary Complaint Form (For all formal complaints)
- 4. Citizen Statements (Where applicable)
- 5. Employee Statements
- 6. Complaint Investigation Disposition Form (Command Investigations) OR
Complaint Transmittal Summary Memorandum (OPS Investigations)
- 7. Any Supporting Documentation (See below list)

<input checked="" type="checkbox"/>	Offense Report	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input type="checkbox"/>	Video Tape/Audio Tape
<input type="checkbox"/>	Other	<input type="checkbox"/>	Other

Sgt. M. McEckron

Investigation Completed By

Date Completed

DETERMINE DISCIPLINARY ACTION

- 8. Disciplinary Worksheet (Filled out by supervisor)

NON-ADVERSE ACTION

- 9. Oral Admonishment given to (Employee) _____ by _____
(Supervisor) _____ for rule _____ on _____
 - 10. Written Reprimand given to (Employee) _____ by _____
(Supervisor) Lt. C. Myers M. Potter
for rule 4.4.4 on 10/5/16
- I have received a copy of this form _____ on 10/13/16
(Employee Name) (u.e)

ADVERSE DISCIPLINARY ACTION

- 11. Notice of Proposed Adverse Action (NPAA) issued _____ (Date) _____
- 12. Extension of time form (When applicable) _____
- 13. Notice of Final Adverse Action (NFAA) issued _____ (Date) _____
NFAA issued by (Name) _____

PROACTIVE CORRECTIVE ACTION

- 14. Memorandum on Corrective Action (If applicable, includes counseling)
- 15. Training given on _____ for _____
- 16. Other _____

P - 2-1-1

ATLANTA POLICE DEPARTMENT PRELIMINARY COMPLAINT FORM

<input type="checkbox"/> OPS INVESTIGATION	<input checked="" type="checkbox"/> COMMAND INVESTIGATION	COMPLAINT NUMBER 162051961	OPS CONTROL NUMBER 16-I-0518-VA
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="4">DATE & TIME COMPLAINT RECEIVED</th> <th colspan="4">DATE OF INCIDENT</th> </tr> <tr> <td>MO</td><td>DAY</td><td>YR.</td><td>TIME</td> <td>MO</td><td>DAY</td><td>YR.</td><td>TIME</td> </tr> <tr> <td>July</td><td>23</td><td>2016</td><td>1829</td> <td>July</td><td>23</td><td>2016</td><td>1859</td> </tr> </table>	DATE & TIME COMPLAINT RECEIVED				DATE OF INCIDENT				MO	DAY	YR.	TIME	MO	DAY	YR.	TIME	July	23	2016	1829	July	23	2016	1859	ADDRESS OF OCCURRENCE 402 Pryor St SW
DATE & TIME COMPLAINT RECEIVED				DATE OF INCIDENT																					
MO	DAY	YR.	TIME	MO	DAY	YR.	TIME																		
July	23	2016	1829	July	23	2016	1859																		

<p style="text-align: center; font-weight: bold; font-size: 1.2em;">BRIEFLY DESCRIBE ALLEGATIONS</p> <p>It is alleged that Ofc Potter was involved in an at-fault single vehicle traffic accident in violation of Work Rule 4.4.4-Operation of Motor Vehicle.</p>	<p>AUDIO AND VIDEO TAPES THAT ARE PART OF THIS FILE</p> <p>VIDEO TAPES OF INTERVIEWS <input type="checkbox"/> AUDIO TAPES OF 911 RADIO <input type="checkbox"/> OTHER TAPES <input type="checkbox"/></p>
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COMPLAINANT INFORMATION

USE "C" FOR COMPLAINANT, USE "P" FOR PARENT OR GUARDIAN, USE "W" FOR WITNESS, USE "S" FOR SUPERVISOR

CODE	NAME (LAST, FIRST, MI)	RACE	SEX	DOB	
S	McEckron, M.	W	M		
RESIDENT ADDRESS		HOME PHONE	BUSINESS PHONE		
880 Cherokee Ave SE		[REDACTED]			
DESCRIBE INJURIES		HOSPITAL TAKEN TO	PHOTO ID #	SUSPECT WEAPON	WEAPON SERIAL #

ACCUSED #1 NAME (LAST, FIRST, MI)	RANK	RACE	SEX	DOB	DOE	4 DIGIT ID NO
Potter, M	Ofc	B	M			6603

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	OFF DUTY	DUTY STATUS	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY	WEAPON SERIAL #	# SHOTS
F.O.D.	Z3	E/W	X								
DESCRIBE INJURIES			HOSPITAL TAKEN TO			PHOTO ID. NO.			TYPE OF DRUG TEST		

ACCUSED #2 NAME (LAST, FIRST, MI)	RANK	RACE	SEX	DOB	DOE	4 DIGIT ID NO

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	OFF DUTY	DUTY STATUS	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY	WEAPONS SERIAL #	# SHOTS
DESCRIBE INJURIES			HOSPITAL TAKEN TO			PHOTO ID. NO.			TYPE OF DRUG TEST		

ACCUSED #3 NAME (LAST, FIRST, MI)	RANK	RACE	SEX	DOB	DOE	4 DIGIT ID NO

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	OFF DUTY	DUTY STATUS	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY	WEAPONS SERIAL #	# SHOTS
DESCRIBE INJURIES			HOSPITAL TAKEN TO			PHOTO ID. NO.			TYPE OF DRUG TEST		

SUPERVISOR RECEIVING COMPLAINT	INVESTIGATOR ASSIGNED	DATE ASSIGNED	DATE COMPLETE
Sgt. M. McEckron		7/23/16	

ATLANTA POLICE DEPARTMENT

Written Notice of Allegations

Employee: Potter, Melvin

APD ID # 6603

OPS#: 16-I-0518-VA

Allegation: (Type Allegation and Work Rule #)
4.4.4-Vehicle Accident

According to APD.SOP.2020 your responsibilities, restrictions, and rights as an employee are:

3.4 Employee Responsibilities

All employees must answer questions and/or make available any relevant materials or sworn statements concerning an investigation of employee misconduct when directed to do so by a disciplinary authority or duly appointed investigator. Employees will provide all relevant information and materials and answer all questions honestly, completely, and to the best of their ability. **An employee's refusal to cooperate and provide sworn statements, answers, or relevant materials during an authorized administrative investigation will result in disciplinary action, up to and including dismissal.**

Any employee reporting for duty under the influence of any substance such as prescription medications, alcohol, over the counter medications, or other substances that, while legal, may adversely affect the judgment or performance of that employee during duty hours, must notify his or her immediate supervisor prior to commencing work.

3.5 Employee Restrictions

Except as authorized, in an investigation into employee misconduct, employees may not:

Interfere with the complaint investigation in any manner

Independently participate in the investigation

Be present during any investigative contact with a complainant or with witness involved in the investigation

Contact the complainant or witness concerning the allegations; or

Discuss the existence or facts of a complaint with anyone except designated Department authorities conducting the investigation.

This restriction will not be construed to prohibit an employee from discussing any aspects of a complaint with his or her attorney or other representative, or to prevent his or her attorney from developing information for his or her defense.

3.6 Employee Rights

All employees have the right to have an attorney or other representative present during questioning in an administrative investigation. However, any employee who is either an accused employee or a witness in a complaint investigation may not act in the capacity of representative for any other employee being questioned as an accused or witness in that complaint investigation.

An employee's representative shall be allowed to consult with the employee, and to object to questions, but shall not delay or interfere with the questioning process. Any objections to the form or content of the questions will be noted, but the employee shall still be required to answer fully and completely any and all questions presented during the investigation. An employee cannot delay questioning for more than three hours beyond the time he or she was given notice to appear for the questioning.

The employee being questioned as the accused will be issued the Written Notice of Allegations form (Form APD 848), which includes, but is not limited to a written statement of the allegation(s) and the employee's rights and responsibilities relative to the investigation against him/her prior to any questioning.

All employees who are subject to any form of discipline, whether non-adverse or adverse action, will be given written documentation of the disciplinary action taken. This written documentation must state the work rule which applies to the disciplinary action taken, information and/or documentation supporting the alleged work rule violation, and the disciplinary action that was taken. Employees must sign the written documentation stating that they have been notified of the disciplinary action taken. The employee's signature does not constitute an admission of guilt or wrongdoing, it serves only as receipt of the written documentation of disciplinary action and notification of the same.

The employee against whom a complaint has been filed may review the investigative folder upon completion of that investigation. The OPS commander will designate the area where the folder is to be reviewed and establish rules governing the review of the folder.

If the employee is being questioned as a suspect in a criminal investigation, the employee will be afforded complete Miranda Rights.

Administrative statements made by employees and evidence gained as a result of such statements shall not be used against the employee in criminal proceedings involving the employee except in cases of perjury.

I have received a copy of the allegation(s) and my rights and responsibilities relative to the investigation against me as the accused prior to any questioning.


Employee Signature/Date

Witness/Date



ATLANTA POLICE DEPARTMENT
Awareness Statement: Truthfulness

OPS Complaint # 16-1-0518-VA

This statement form will be completed for every employee, accused or witness, in its entirety by the interviewer, and will be signed by the employee, prior to obtaining a statement for any allegation being investigated by the investigating authority.

I am aware that I will be **dismissed** for a Sustained violation of **APD.SOP.2010, "Employee Work Rule" 4.1.03 (Truthfulness)** which reads:

"Employees will be truthful in their written and spoken words at all times."

Do you understand this statement? Yes No

Potter, Melvin
(Employee's Printed Name)


(Employee's Signature)

7/25/16 | 3:15P
(Date/Time)

Sgt. M. McEckron
(Interviewer's Printed Name)


(Interviewer's Signature)

7/25/16 1515 hrs
(Date/Time)

(Witness Representative's Printed Name)

(Witness/Representative's Signature)

(Date/Time)

P-5-1-1

ATLANTA POLICE DEPARTMENT EMPLOYEE STATEMENT

EMPLOYEE:

OPS # 16-I-0518-VA

EMPLOYEE NAME (LAST, FIRST, MI) Potter, Melvin			CLASSIFICATION Officer	POSITION NUMBER 37645	DATE & TIME OF STATEMENT 7/25/16 1523		
RACE B	SEX M	DOB [REDACTED]	DATE OF EMPLOYMENT 1/29/2015	4 DIGIT ID NO. 6603	DIVISION FOD	SECTION Zone 3	WATCH Eve
Investigator's Name I am Sergeant Michael McEckron of the Atlanta Police Department You are being questioned as a						TYPE STATUS Accused	

in an official investigation by the Department. Also present is: REPRESENTATIVES NAME:
None

All employees must answer questions and make available relevant materials or sworn statements concerning an investigation of allegations of employee misconduct when directed to do so by a disciplinary authority or duly appointed investigator. Employees may obtain representation but cannot delay questioning for more than three hours beyond the time he or she was notified of the questioning. Except as authorized or required, an employee shall not interfere with nor contact persons involved in an internal investigation nor disclose or discuss with anyone except the designated Departmental authority the existence or facts of an internal investigation. This restriction will not be construed to prohibit an employee from discussing any aspect of the investigation with his or her representative. Administrative statements made by employees and evidence gained by reasons of such statements may not be used against the employee in criminal proceedings involving the employee except in cases of perjury.

Q: Were you working for the city on July 23, 2016?

A: Yes.

Q: What was your assignment on that date?

A: 3303

Q: Were you involved in a vehicle accident at 402 Pryor St SW?

A: Yes.

Q: Please advise how the accident occurred.

A: While responding to a request to assist 3314 in making an arrest on his traffic stop, I made a left turn into the parking lot of 402 Pryor St. While making the turn I misjudged my clearance and hit a pole stationed at the entrance of the parking lot.

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



EMPLOYEE SIGNATURE

Sworn and subscribed to me this 25 day of July in the year 2016

Melvin Potter

PRINT EMPLOYEE NAME

NOTARY PUBLIC

P - 6 - 1 - 3

ATLANTA POLICE DEPARTMENT
EMPLOYEE STATEMENT

EMPLOYEE:

OPS # 16-I-0518-VA

Q: Were there any other occupants in your vehicle at the time of this accident?

A: Yes.

Q: Were there any witnesses to this accident?

A: Yes.

Q: Were there any reported injuries as a result of this accident?

A: No.

Q: Did you have anything in your system at the time of this accident which would impair your driving abilities?

A: No.

Q: Do you normally wear contacts or glasses when operating a motorized vehicle?

A: No.

Q: Describe the lighting conditions at the time of this accident.

A: Clear. Daylight

Q: Were there any defects to the patrol car at the time of this accident which would impair your driving?

A: No.

Q: Do you have anything you would like to add to your statement?

A: No.

Q: Have you answered all the questions truthfully and to the best of your knowledge?

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



EMPLOYEE SIGNATURE

Sworn and subscribed to me this 25 day of July in the year 2016



PRINT EMPLOYEE NAME

NOTARY PUBLIC

P - 6 - 2 - 3

ATLANTA POLICE DEPARTMENT
EMPLOYEE STATEMENT

EMPLOYEE:

OPS # 16 - I - 0518 - VA

A: Yes.

Q: Should it become necessary in this investigation you may be directed to submit to a computer voice stress analysis exam, will you submit?

A: Yes.

END OF STATEMENT

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



EMPLOYEE SIGNATURE

Sworn and subscribed to me this 25 day of July in the year 2016

Melvin Potter

PRINT EMPLOYEE NAME

NOTARY PUBLIC

P - 6 - 3 - 3



MEMORANDUM

TO: Sergeant J. Ryan
FROM: Officer M. Potter
DATE: 8/18/2016
RE: OPS 16-I-0518-VA

There was no posted speed limit in the parking lot of the location. At the time of the accident I was traveling at about 5 mph. Officer N. Copeland was both the passenger and the witness of this accident.

A handwritten signature in blue ink, appearing to read "Melvin Potter", written over a horizontal line.

Ofc. Melvin Potter

c:

P. 7-1-1



ATLANTA POLICE DEPARTMENT
Awareness Statement: Truthfulness

OPS Complaint # 16-I-0518-VA

This statement form will be completed for every employee, accused or witness, in its entirety by the interviewer, and will be signed by the employee, prior to obtaining a statement for any allegation being investigated by the investigating authority.

I am aware that I will be **dismissed** for a Sustained violation of **APD.SOP.2010, "Employee Work Rule" 4.1.03 (Truthfulness)** which reads:

"Employees will be truthful in their written and spoken words at all times."

Do you understand this statement? Yes No

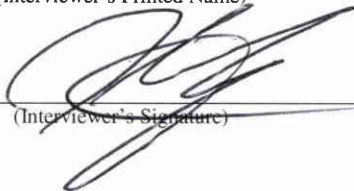
Ofc. Nickolus Copeland
(Employee's Printed Name)



(Employee's Signature)

8-18-16 6:00p.m.
(Date/Time)

Sgt. J. Ryan
(Interviewer's Printed Name)



(Interviewer's Signature)

8/18/2016 1800 hrs.
(Date/Time)

(Witness Representative's Printed Name)

(Witness/Representative's Signature)

(Date/Time)

ATLANTA POLICE DEPARTMENT EMPLOYEE STATEMENT

EMPLOYEE:

OPS #

EMPLOYEE NAME (LAST, FIRST, MI) COPELAND, Nickolus S.			CLASSIFICATION Officer	POSITION NUMBER 38384	DATE & TIME OF STATEMENT 8/18/16 1758		
RACE B	SEX M	DOB [REDACTED]	DATE OF EMPLOYMENT 7/16/15	4 DIGIT ID NO. 6723	DIVISION FOD	SECTION Zone 3	WATCH Eve
Investigator's Name I am Sergeant Jason Ryan of the Atlanta Police Department						Type Status You are being questioned as a Witness	

in an official investigation by the Department. Also present is: REPRESENTATIVES NAME:
None

All employees must answer questions and make available relevant materials or sworn statements concerning an investigation of allegations of employee misconduct when directed to do so by a disciplinary authority or duly appointed investigator. Employees may obtain representation but cannot delay questioning for more than three hours beyond the time he or she was notified of the questioning. Except as authorized or required, an employee shall not interfere with nor contact persons involved in an internal investigation nor disclose or discuss with anyone except the designated Departmental authority the existence or facts of an internal investigation. This restriction will not be construed to prohibit an employee from discussing any aspect of the investigation with his or her representative. Administrative statements made by employees and evidence gained by reasons of such statements may not be used against the employee in criminal proceedings involving the employee except in cases of perjury.

Q: Were you working for the city on July 23, 2016?

A: Yes

Q: What was your assignment on that date?

A: 3303

Q: Were you a passenger in vehicle 29982, driven by Officer Potter on that date?

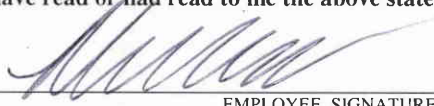
A: Yes

Q: While riding as a passenger in vehicle number 29982 were you involved in a vehicle accident?

A: Yes

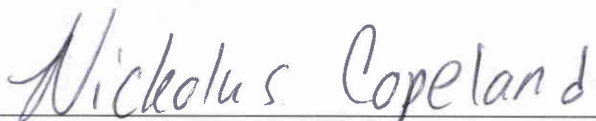
Q: Please advise how you witnessed the accident occur.

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



EMPLOYEE SIGNATURE

Sworn and subscribed to me this 18th day of August in the year 2016



PRINT EMPLOYEE NAME

NOTARY PUBLIC

P - 9 - 1 - 2

**ATLANTA POLICE DEPARTMENT
EMPLOYEE STATEMENT**

EMPLOYEE:

OPS #

Responding to assist an officer call at 204 Pyrro St. when Ofc. Potter (Driver) struck a yellow pole that caused damage to the left side of the vehicle which made the vehicle inoperable.

Q: Were there any reported injuries as a result of this accident?

A: No

Q: Do you have anything you would like to add to your statement?

A: No

Q: Have you answered all the questions truthfully and to the best of your knowledge?

A: Yes

Q: Should it become necessary in this investigation you may be directed to submit to a computer voice stress analysis exam, will you submit?

A: Yes

END OF STATEMENT

I have read or had read to me the above statement and I swear or affirm that it is true to the best of my knowledge and belief.



EMPLOYEE SIGNATURE

Sworn and subscribed to me this 18th day of August in the year 2016



PRINT EMPLOYEE NAME

NOTARY PUBLIC

P - 9 - 2 - 2

ATLANTA POLICE DEPARTMENT Supervisor's Accident Investigation Summary

Employee's name: Potter, Melvin		Rank or title Officer		ID no. 6603
Division/section/unit/watch F.O.D. Zone 3 E/W			Assign no. 3303	
Time in assignment 3 months	Date of employment 1/29/2015	Probationary status <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
City vehicle no. 29982	Accident date 7/23/2016	Time 1829 hrs		
Accident location 402 Pryor St SW			Incident no. 162051961	
Name of accident responding officer Agenor			Assignment no. 3304	
Name of accident responding supervisor Sgt. McEckron				

The supervisor must complete the following reports, when appropriate (check those that are attached):

- Supervisor's Accident Investigation Summary (Form APD 705)
- Accident Report
- Incident report on injury to officer, damage to City property, etc.
- Copy of workers comp package
- Pursuit report package (see APD.SOP.3050 "Pursuit Policy")
- OPS package (see Disciplinary Manual) OPS Control Number 16-I-0518-VA
- AVAIL - history, if vehicle is equipped
- Watchguard video of incident
- Citizen Statement (APD FORM 824) *(completed on scene -hand written)*
- Video from the Video Integration Center Yes No

If no Watchguard video, or AVAIL history provide explanation:

Investigating Supervisors Summary of Accident: *(Include a narrative summary of what the employee was doing prior to and at the time of the accident; a detailed analysis of the accident; amount of damage; and contributing factors.)* While responding to a traffic stop to assist 3314, Ofc Potter entered the rear parking lot of 402 Pryor St SW and struck a pole. Vehicle number 29982 received damage to the driver side of the vehicle.

Investigating Supervisor and Section Commander Signatures:

Investigating Supervisors Signature:

M. Potter

Date

8/4/16

Section Commanders Signature:

Major John

Date

8/22/16



CITY OF ATLANTA

Kasim Reed
Mayor

226 Peachtree Street, SW
Atlanta, Georgia 30303
(404) 546-6900

Atlanta Police Department
George N. Turner
Chief of Police

MEMORANDUM

TO: Lt. Myers

FROM: Sgt. McEckron

DATE: 7/25/2016

SUBJECT: Ofc. Potter Vehicle Accident

Please be advised that Ofc Potter was involved in a single vehicle accident on Saturday July 23, 2016 at 402 Pryor St SW. Ofc Potter struck a pole while pulling into the parking lot of the location. The case number is 162051961 and the accident was handled by Ofc Agenor. Ofc Potter was operating vehicle number 29982 and the incident occurred at 1829 hrs.

P-11-1-1

ATLANTA POLICE DEPARTMENT

Significant Event Report

Division: FOD
Date: 7/23/2016

Unit: Zone 3
Time: 1829 Hrs

Location: 402 Pryor St SW
Complaint No.: 162051961

Beat: 303 Signal: 41P
Reporting Supervisor: Sgt. McEckron

Victim
Victim's Name: N/A
Date of Birth: _____

Victim's Address: _____
Gender: _____ Race: _____

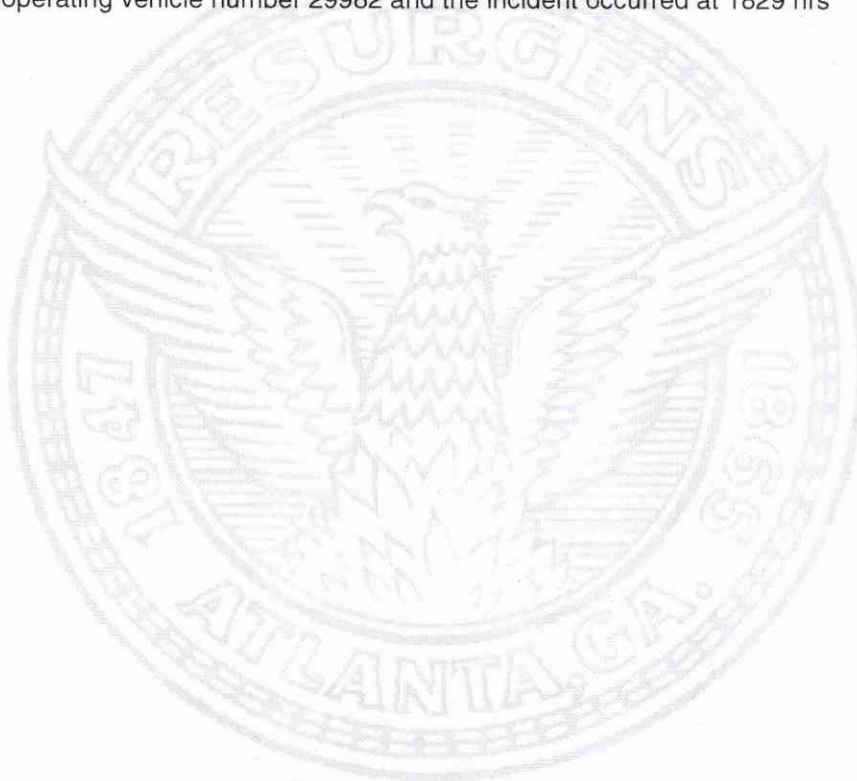
Suspect
Suspect's Name: N/A
Date of Birth: _____

Suspect's Address: _____
Gender: _____ Race: _____

Other Unit Notification: 3394

Narrative

Ofc Potter was involved in a single vehicle accident on Saturday July 23, 2016 at 402 Pryor St SW. Ofc Potter struck a pole while pulling into the parking lot of the location. The case number is 162051961 and the accident was handled by Ofc Agenor. Ofc Potter was operating vehicle number 29982 and the incident occurred at 1829 hrs



Signature: _____
[Handwritten Signature]

Date: 8/18/2016

ATLANTA POLICE DEPARTMENT
Traffic Accident Report
Incident #: 162051961-00

Telephone in use:
Oversized vehicle:
Visibility obscured by:

----- Vehicle Summary -----

Veh #: 1	License #: GV11594
State: GEORGIA	Year: 2008
Make: FORD	Model: CROWN VICTORIA
Insurance Company: EXEMPT FROM INSURANCE	Insurance Policy #: UNKNOWN
Policyholder Name: EXEMPT FROM INSURANCE	Insurance Company #:
Registered Owner: CITY OF ATLANTA	
Owner Address: 23 CLAIRE DR, ATLANTA, GA 30315	

----- Involved Parties Summary -----

Unit #: 1	Rec Type: DRIVER
Name: POTTER, MELVIN	DOB: 1/1/1900
Driver's License #:	

Unit #: 1	Rec Type: PASSENGER
Name: COPELAND, NICKOLUS	DOB: 1/1/1900
Driver's License #:	

----- Narrative -----

On Saturday July 23, 2016 at approximately 1829hrs. while operating Atlanta Police car # 32396 I was dispatched to 402 Pryor Road to assist Unit 3314 regarding a police involved accident with no injuries. Driver of vehicle # 1 advised while en route to meet with Unit 3314 in an attempt to make entrance to the parking lot driver # 1 advised he struck a pole. All parties refused medical attention. Sgt. McEckron was notified and ID Unit Technician Wood # 7346 processed the scene.

I have nothing further to report at the moment.

ATLANTA POLICE DEPARTMENT
Offense Report
INCIDENT NUMBER: 162051961-00

*** THIS REPORT INCLUDES RECORDS STILL IN WORKFLOW ***

----- INCIDENT INFORMATION -----

Report Date: 07/23/2016 Time: 18:29
Reporting Officer: 6603 (POTTER)
Officer Making Rpt: 6603 (POTTER)
Occur/Earliest Date / Time: 07/23/2016 18:29
Location: 204 PRYOR ST SW, ATLANTA, GA 30303
Latest Poss Date / Time: 07/23/2016 18:30
Assoc Offense #:
RD: 303 Beat: 303 Shift: E
Zone: 03
Damaged Amount: Stolen Amount: Stolen Amount:
Disposition: Dispo Date:

----- OFFENSES -----

Offense: 2902 (DAMAGE TO PROP PRIVATE)
GCIC: 2902 Att/Comp: C UCR: 1400 Vacant Prop: 0

----- OTHER INVOLVED PARTIES -----

Driver #1

Name: POTTER, MELVIN
Juvenile?: NO
Home Address: 880 CHEROKEE AVE, ATLANTA, GA 30315
SSN: DOB: Sex: Race:
Hgt: Wgt: Hair: BLK Eye: BRO
Driver's License: State:
Emp Address:

--- Home Contact ---
HOME # (404) 624-0674

Passenger #2

Name: COPELAND, NICKOLUS
Juvenile?: NO
Home Address: 880 CHEROKEE AVE, ATLANTA, GA 30315
SSN: DOB: Sex: Race:
Hgt: Wgt: Hair: BLK Eye: BRO
Driver's License: State:
Emp Address:

--- Home Contact ---
HOME # (404) 624-0674

----- PROPERTY -----

P-14-1-2

Printed By: 4472
Printed Date: 08/01/2016

PAGE:2

ATLANTA POLICE DEPARTMENT
Offense Report
INCIDENT NUMBER: 162051961-00

*** THIS REPORT INCLUDES RECORDS STILL IN WORKFLOW ***

Damaged #1

Property Tag #:

Rec Type: DAMAGED

UCR Type: MISCELLANEOUS

Brand:

Description: RIGHT SIDE OF CITY VEHICLE

Quantity: 1

Owner Applied Number:

Rep/Evid/Found Date: 7/23/2016 18:29

Recover/Found Date:

Property Type: OTHER

Model:

Serial #:

Damaged Value:

TOTAL VALUE STOLEN: \$0
TOTAL VALUE RECOVERED: \$0

INCIDENT NARRATIVE

On 07/23/2016 I Officer M. Potter unit 3303 was dispatched to a meet officer call at 204 Pryor St Sw to help out unit 3314 make an arrest on a traffic stop. Upon my arrival on the scene I began to make a left turn into the parking lot of the location, at some point ding making the left hand turn I misjudged the clearance room I had between the vehicle and a pole that sits right at the entrance of the parking lot. The left side of my vehicle then made contact with the pole causing damage to the vehicle (29923).

OFFENSE REPORT REVIEWED BY POTTER, MELVIN ON 7/31/2016 10:15:44 PM

OFFENSE REPORT APPROVED BY

P-14-2-2

**ATLANTA POLICE DEPARTMENT
INVESTIGATION DISPOSITION FORM**

EMPLOYEE: Potter, Melvin

OPS CONTROL #: 16-I-0518-VA

I. FINDING OF FACT: (LIST FACTS IN SIMPLE SENTENCES; DO NOT INCLUDE DISCIPLINARY ACTION RECOMMENDATIONS.)

-Ofc Potter was operating vehicle 29982 on July 23, 2016
 -Ofc Potter struck a pole with the driver side of the vehicle while pulling into the parking lot of 402 Pryor St SW.
 -Vehicle 29982 received extensive damage to the entire driver side and front left wheel.

II. PROCEDURE, POLICY OR TRAINING RECOMMENDATIONS: (DO NOT RECOMMEND DISCIPLINARY ACTION)

III. INVESTIGATIVE DISPOSITION (INDICATE RECOMMENDED DISPOSITION FOR EACH WORK RULE)

RULE <u>4.4.4</u>	SUSTAINED <input checked="" type="checkbox"/>	NOT SUSTAINED <input type="checkbox"/>	EXONERATED <input type="checkbox"/>	UNFOUNDED <input type="checkbox"/>	EXCEPTIONALLY CLOSED <input type="checkbox"/>
RULE _____	SUSTAINED <input type="checkbox"/>	NOT SUSTAINED <input type="checkbox"/>	EXONERATED <input type="checkbox"/>	UNFOUNDED <input type="checkbox"/>	EXCEPTIONALLY CLOSED <input type="checkbox"/>
RULE _____	SUSTAINED <input type="checkbox"/>	NOT SUSTAINED <input type="checkbox"/>	EXONERATED <input type="checkbox"/>	UNFOUNDED <input type="checkbox"/>	EXCEPTIONALLY CLOSED <input type="checkbox"/>
RULE _____	SUSTAINED <input type="checkbox"/>	NOT SUSTAINED <input type="checkbox"/>	EXONERATED <input type="checkbox"/>	UNFOUNDED <input type="checkbox"/>	EXCEPTIONALLY CLOSED <input type="checkbox"/>

IV. REVIEWING SIGNATURES (DOES NOT INDICATE AGREEMENT)

Sgt. McEckron [Signature] 8/4/16

INVESTIGATING SUPERVISOR DATE

LT. Clint Myers [Signature] 8/9/16

UNIT COMMANDER DATE

 ASSISTANT SECTION COMMANDER DATE

Major John [Signature] 8/22/16

SECTION COMMANDER DATE



CITY OF ATLANTA

Kasim Reed
Mayor

226 Peachtree Street, SW
Atlanta, Georgia 30303
(404) 546-6900

Atlanta Police Department
George N. Turner
Chief of Police

MEMORANDUM

TO: Lt. Myers

FROM: Sgt. McEckron

DATE: July 25, 2016

SUBJECT: Watch Guard Video

Please be advised that Ofc. Potter's patrol car (29982) was not equipped with a Watch Guard Video camera at the time of his accident on July 23, 2016. As a result, there is no video footage of the incident.

P-18-1-1

**ATLANTA POLICE DEPARTMENT
EMPLOYEE DISCIPLINE WORKSHEET**

Employee: MELVIN POTTER

OPS Control 16-I-0518-VA

Date: 8/2/16

Employee Disciplinary History: Charges with Active Reckoning Period			History by: SPO. G. A. CONE		Step #1 Sustained Violations		Step #2 Adjusted Category	Step #4 Recommended Action
OPS Control #	Rule	Final Cat.	Final Action	Date of Action	Rule	Rule Category		
NO DISCIPLINARY					4.4.4	B	B	51
HISTORY WITHIN								
AN ACTIVE								
RECKONING PERIOD.								

Supervisor Completing Worksheet

Sgt. McEckron
Typed Name & Title of Supervisor

[Signature] 8/4/16
Signature & Date

Unit Commander (*Commanders who do not concur must fill out a separate worksheet*)

I concur Do not concur With the recommended discipline.

Lt. Clint Myers
Typed Name & Title of Unit Commander

[Signature] 8/9/16
Signature & Date

Assistant Section Commander (*Commanders who do not concur must fill out a separate worksheet*)

I concur Do not concur With the recommended discipline.

Typed Name & Title of Asst. Commander

Signature & Date

Section Commander (*Commanders who do not concur must fill out a separate worksheet*)

I concur Do not concur With the recommended discipline.

Major J. Glazier
Typed Name & Title of Section Commander

[Signature] 8/22/16
Signature & Date

Division Commander (*Commanders who do not concur must fill out a separate worksheet*)

I concur Do not concur With the recommended discipline.

Deputy Chief E. Shields
Typed Name & Title of Division Commander

[Signature] 8-27-2016
Signature & Date

WADE FORD INC.

Trade With Wade
3860 S COBB DR SE, SMYRNA, GA 30080
Phone: (770) 436-2200
FAX: (770) 333-5906

Workfile ID: f60ef791
Federal ID: 58-1544317

Preliminary Estimate

Customer: CITY OF ATLANTA 29982

Job Number:

Written By: Rusty Walker

Insured: CITY OF ATLANTA 29982 Policy #: Claim #:
Type of Loss: Other Date of Loss: Days to Repair: 0
Point of Impact:

Owner: CITY OF ATLANTA 29982
Inspection Location: WADE FORD INC.
3860 S COBB DR SE
SMYRNA, GA 30080
Repair Facility
(770) 436-2200 Day
Insurance Company:

VEHICLE

2008 FORD CROWN VICTORIA POLICE 4D SED 8-4.6L-FI

VIN: 2FAHP71V48X112322 Interior Color: Mileage In: Vehicle Out:
License: Exterior Color: Mileage Out:
State: GA Production Date: Condition: Job #:

TRANSMISSION

Automatic Transmission
Overdrive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks

Power Mirrors

Power Driver Seat

DECOR

Dual Mirrors
Body Side Moldings

CONVENIENCE

Air Conditioning
Tilt Wheel

Rear Defogger

RADIO

AM Radio
FM Radio
Stereo
Search/Seek

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)
4 Wheel Disc Brakes

SEATS

Cloth Seats
Bucket Seats

PAINT

Clear Coat Paint

P-18-1-4

Preliminary Estimate

Customer: CITY OF ATLANTA 29982

Job Number:

2008 FORD CROWN VICTORIA POLICE 4D SED 8-4.6L-FI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		FRONT BUMPER					
2		O/H bumper assy				2.7	
3	*	Rpr Bumper cover				<u>2.0</u>	2.8
4		Add for Clear Coat					1.1
5		FENDER					
6	Repl	LT Fender	7W7Z16006A	1	381.87	2.6	2.8
7		Add for Edging					0.5
8		Add for Clear Coat					0.1
9	Repl	LT Fender liner	6W7Z16055B	1	76.25	0.6	
10	**	Repl A/M FRT FENDER DECALS		1	155.90 X	1.0	
11		WHEELS					
12	Repl	LT/Front Wheel, steel 17x7.5	7W7Z1007C	1	158.44 m	0.3	0.5
13		FRONT SUSPENSION					
14		O/H frt susp lt				m 3.5	M
15	Repl	LT Hub & bearing	7W1Z1104A	1	254.78 m	Incl.	M
16	Repl	LT Upper cntrl arm	6W1Z3085B	1	132.73 m	Incl.	M
17	Repl	LT Lower cntrl arm heavy duty	6W7Z3079B	1	440.85 m	Incl.	M
18	Repl	LT Strut standard	7W7Z18124D	1	123.23 m	Incl.	M
19	Repl	LT Stabilizer link	6W1Z5K484AA	1	72.95 m	Incl.	M
20	Repl	LT Upper insulator	5W1Z5415AA	1	156.30		
21	Repl	LT Upper mount	8W7Z18183A	1	62.73	Incl.	
22	Repl	LT Knuckle	5W1Z3K186A	1	374.72 m	Incl.	M
23	#	Repl LT FRONT KNUCKLE		1			
24	#	Subl FIRESTONE FIRE HAWK		1	386.00 X		
25	#	Subl MOUNT BAL		1	18.95		
26		STEERING GEAR & LINKAGE					
27	Repl	LT Outer tie rod	6W1Z3A130B	1	82.30 m	0.5	M
28		FRONT DOOR					
29	Repl	LT Door shell w/o keyless entry	5W7Z5420125CA	1	1,568.62	5.9	3.2
30		Overlap Major Adj. Panel					-0.4
31	Repl	LT Body side mldg 3 1/4" wide molding primed	5W7Z5420879APTM	1	162.37	0.5	0.6
32		Overlap Minor Panel					-0.2
33	**	Repl A/M FRT DOOR DECALS		1	175.80 X	1.0	
34	Repl	LT Handle, outside black	6W7Z5422405DA	1	85.17	Incl.	0.3
35		REAR DOOR					
36	Repl	LT Door shell w/o long wheelbase	3W7Z5424631AA	1	1,276.73	5.0	3.2
37		Overlap Major Adj. Panel					-0.4
38	Repl	LT Body side mldg w/o long wheelbase 3 1/4" mldg	5W7Z5425557APTM	1	130.53	0.5	0.6
39		Overlap Minor Panel					-0.2
40	Repl	LT Handle, outside black	6W7Z5426605AB	1	77.40	Incl.	0.3
41	**	Repl A/M REAR DOOR DECALS		1	40.00 X	0.5	

P-18-2-4

Preliminary Estimate

Customer: CITY OF ATLANTA 29982

Job Number:

2008 FORD CROWN VICTORIA POLICE 4D SED 8-4.6L-FI

42 QUARTER PANEL										
43	*	Rpr	LT Quarter panel w/o antenna hole					5.0	2.6	
44			Overlap Major Adj. Panel						-0.4	
45			Add for Edging						0.3	
46			Add for Clear Coat						0.1	
47			Add for Lock Pillar						0.5	
48			Clear Coat						2.5	
49		R&I	Fuel door all					0.3		
50	**	Repl	A/M REAR QUARTER PANEL DECALS	1	210.00	X		1.0		
51 REAR LAMPS										
52		R&I	LT Tail lamp assy solid red black molding					0.6		
53 REAR BUMPER										
54		Repl	Bumper cover	6W7Z17K835APTM	1	509.03		1.7	3.2	
55			Add for Clear Coat						1.3	
56	#	Subl	4 WHEEL ALIGNMENT		1	59.95	X			
57	#		Cover Car		1	5.00		0.3		
58	#		Flex Additive		1	8.00				
59	**	Repl	A/M REAR BUMPER DECALS		1	30.00		0.5		
60	#		POSSIBLE FRAME DAMAGE		1					
61			OTHER CHARGES							
62	#		Towing		1	55.00				
					SUBTOTALS			7,271.60	36.0	24.9

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			6,188.95
Parts Discount	\$ 6,127.00	-20.0 %	-1,225.40
Body Labor	32.0 hrs @	\$ 40.00 /hr	1,280.00
Paint Labor	24.9 hrs @	\$ 40.00 /hr	996.00
Mechanical Labor	4.0 hrs @	\$ 75.00 /hr	300.00
Paint Supplies	24.9 hrs @	\$ 28.00 /hr	697.20
Miscellaneous			1,027.65
Other Charges			55.00
Subtotal			9,319.40
Grand Total			9,319.40
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			9,319.40

P-10-3-4

Preliminary Estimate

Customer: CITY OF ATLANTA 29982

Job Number:

2008 FORD CROWN VICTORIA POLICE 4D SED 8-4.6L-FI

WE ARE NOT RESPONSIBLE FOR LOST OR STOLEN ARTICLES LEFT IN YOUR AUTOMOBILE. THIS ESTIMATE IS BASED ON OUR INSPECTION AND DOES NOT COVER ADDITIONAL PARTS OR LABOR WHICH MAY BE FOUND AFTER THE WORK HAS BEEN STARTED, PARTS PRICES ARE SUBJECT TO CHANGE WITHOUT NOTICE. THIS ESTIMATE IS FOR IMMEDIATE ACCEPTANCE, THANK YOU.....

NOTICE TO THIRD PARTY CLAIMANTS: Failure to use the insurance proceeds in accordance with a security agreement between you and a lienholder, if any, may be a violation of Code Section 16-8-4 of the O.C.G.A. If you have any questions, contact your lending institution.

THIS ESTIMATE HAS BEEN PREPARED BASED ON THE USE OF AFTERMARKET CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THE AFTER MARKET CRASH PARTS USED IN THE PREPARATION OF THIS ESTIMATE ARE WARRANTED BY THE MANUFACTURER OR DISTRIBUTOR OF SUCH PARTS RATHER THAN THE MANUFACTURER OF YOUR VEHICLE.

ATLANTA POLICE DEPARTMENT LETTER OF WRITTEN REPRIMAND

EMPLOYEE NAME (LAST, FIRST, MI) Potter, Melvin	4 DIGIT ID NO 6603	OPS CONTROL # 16-I-0518-VA
---	-----------------------	-------------------------------

An investigation was conducted where evidence was gathered to sustain a violation of employee work rule 4.4.4 entitled: Operation of City Vehicles

Upon review of this official complaint, as well as your performance and disciplinary history, I have concluded that a Letter of Reprimand is sufficient and appropriate to address and remedy this situation.

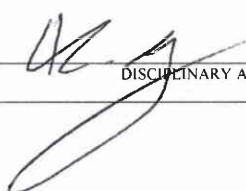
Therefore, you are hereby reprimanded for:

Ofc Potter caused a vehicle accident while driving a marked patrol car that resulted in \$9,319.00 in damages.

4.4.4 Operation of City Vehicles or Vehicles used for law enforcement purposes

1. Atlanta Police Department personnel shall operate all city vehicles and vehicles used for law enforcement purposes in such a manner as to avoid injury to persons or damage to property at all times.
2. Atlanta Police Department personnel shall park all city vehicles and vehicles used for law enforcement purposes in such a manner as to cause the least interference with traffic flow without compromising their safety.

This Letter of Reprimand will serve to place you on notice that a future violation of a similar nature will result in more severe disciplinary action.

 DISCIPLINARY AUTHORITY	<u>10/13/16</u> DATE
---	-------------------------

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**ATLANTA POLICE DEPARTMENT
NOTICE OF PROPOSED ADVERSE ACTION (NPAA)
OPS CONTROL #: 16-I-0518-VA**

NAME (LAST, FIRST, MI) POTTER, MELVIN		4 DIGIT ID 6603	POSITION #	CLASSIFICATION OFF	DIVISION FOD	SECTION Z-3	WATCH EW
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.16.257	DISTRIBUTION 7	EMERGENCY ACTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

XXX Suspension without pay for <u>1</u> working day.	Date NPAA Issued <u>10/5/16</u>
Suspension without pay pending adjudication of criminal charges.	
Demotion from _____ to _____	Effective Date of Action
Dismissal	
* Other _____	

NARRATIVE (Reasons for Adverse/Emergency Action)

The specific disciplinary action proposed for each Departmental work rule or other violation you are charged with is as follows:

RULE VIOLATION

DISCIPLINARY ACTION

4.4.4
(Operation of City Vehicles)

1 Day Suspension

See attached page(s) for the specifics of the violation(s).

TO EMPLOYEE: If you choose to respond to this notice, you have a right to one or both of the following:

1. You may make a written response which must be received by the Disciplinary Authority named below by on 10/5/16 a 3:00 p.m.
2. You may appear personally before the Disciplinary Authority named below on 10/5/16 at 3:00 p.m. At his/her office to present an oral and/or written response. You may have a representative with you at this meeting. Prior to the time set for your meeting with the Disciplinary Authority you may request to reschedule the appointment by calling him or her at: 404-444-1228

The granting of such a request is at the discretion of the disciplinary authority.

Mayor J. Glazier

TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)

Jeff 2 Man 10/5/16

DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE

[Signature] 10/5/16

EMPLOYEE SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)

[Signature]

WITNESS SIGNATURE AND DATE

P - - -

**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION**

**NOTICE OF PROPOSED
ADVERSE ACTION**

OPS CONTROL #: 16-I-0518-VA

NAME (LAST, FIRST, MI) POTTER, MELVIN	4 DIGIT ID 6603	POSITION #	CLASSIFICATION OFC.
--	--------------------	------------	------------------------

NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.4.4 of the Employee Work Rules of this Department. Said Rule states:

Operation of City Vehicles or Vehicles used for law enforcement purposes

1. Atlanta Police Department personnel shall operate all city vehicles and vehicles used for law enforcement purposes in such a manner as to avoid injury to persons or damage to property at all times.
2. Atlanta Police Department personnel shall park all city vehicles and vehicles used for law enforcement purposes in such a manner as to cause the least interference with traffic flow without compromising their safety.

SPECIFICALLY: On or about July 23, 2016, while operating city vehicle #29982, you made a left turn into the parking lot of 402 Pryor Street. In the process of turning, you misjudged your clearance and struck a pole positioned at the entrance of the parking lot. The cost to repair city vehicle # 29982 is estimated at \$ \$9,319.40.

YOUR ACTIONS AS DESCRIBED ABOVE ARE IN VIOLATION OF SAID LISTED WORK RULE (S).

<p><i>Major J. Glazier</i> _____ TITLE AND NAME OF DISCIPLINARY AUTHORITY</p>	<p><i>John 21th 10/5/16</i> _____ DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p>
<p><i>[Signature]</i> 10/5/16 _____ EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY/not agreement with action)</p>	<p>_____ WITNESS SIGNATURE AND DATE</p>

**ATLANTA POLICE DEPARTMENT
NOTICE OF FINAL ADVERSE ACTION (NFAA)
OPS CONTROL #: 16-I-0518-VA**

NAME (LAST, FIRST, MI) POTTER, MELVIN		4 DIGIT ID 6603	POSITION #	CLASSIFICATION OFF	DIVISION FOD	SECTION Z-3	WATCH EW
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.16.257	DISTRIBUTION 7	EMERGENCY ACTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

NOTICE OF PROPOSED ADVERSE ACTION (N.P.A.A.) ISSUED ON:

Did employee respond to NPAA? YES NO If yes WRITTEN RESPONSE PERSONAL RESPONSE DATE RESPONDED _____

Summary of Employee Response: TOOK RESPONSIBILITY FOR ACCIDENT. HE STATES HE MISJUDGED THE CIRCUMSTANCE. THIS IS HIS FIRST ACCIDENT.

FINAL ADVERSE ACTION: *If an emergency action state the nature of the emergency below in the Narrative.*

Suspension without pay for _____ working days.
 Suspension without pay pending adjudication of criminal charges. YES NO
 Demotion from _____ to _____
 Dismissal.
 Other _____

Was the Notice of Proposed Adverse Action Modified? YES NO
 Date NPAA Issued: 10/5/16
 Effective Date of Action: _____

NARRATIVE (Reasons for Adverse/Emergency Action)

The specific disciplinary decision for each Departmental work rule or other violation you were charged with follows below:

RULE VIOLATION	DISCIPLINARY ACTION
----------------	---------------------

**4.4.4
(Operation of City Vehicles)**

WRITTEN REPRIMAND

See attached page(s) for the specifics of the violation(s).

TO EMPLOYEE: Pursuant to Labor Management Relations Ordinance Section 114-547, you may appeal any adverse action taken in this matter to the City of Atlanta Civil Service Board by completing the Civil Service Appeal form and submitting it to the Bureau of Labor Relations.

Major J. Glazier
TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)

J. H. [Signature] 10/5/16
DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE

[Signature] 10/5/16
EMPLOYEE SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)

WITNESS SIGNATURE AND DATE

P - - - - -

ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION

NOTICE OF FINAL
ADVERSE ACTION

OPS CONTROL #: 16-I-0518-VA

NAME (LAST, FIRST, MI)	4 DIGIT ID	POSITION #	CLASSIFICATION
POTTER, MELVIN	6603		OFC.

NARRATIVE (REASONS FOR EMERGENCY ACTION)



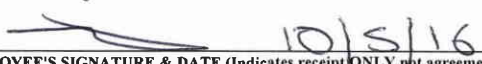
GENERALLY: You are charged with violating Rule 4.4.4 of the Employee Work Rules of this Department. Said Rule states:

Operation of City Vehicles or Vehicles used for law enforcement purposes

1. Atlanta Police Department personnel shall operate all city vehicles and vehicles used for law enforcement purposes in such a manner as to avoid injury to persons or damage to property at all times.
2. Atlanta Police Department personnel shall park all city vehicles and vehicles used for law enforcement purposes in such a manner as to cause the least interference with traffic flow without compromising their safety.

SPECIFICALLY: On or about July 23, 2016, while operating city vehicle #29982, you made a left turn into the parking lot of 402 Pryor Street. In the process of turning, you misjudged your clearance and struck a pole positioned at the entrance of the parking lot. The cost to repair city vehicle # 29982 is estimated at \$ \$9,319.40.

YOUR ACTIONS AS DESCRIBED ABOVE ARE IN VIOLATION OF SAID LISTED WORK RULE (S).

 _____ TITLE AND NAME OF DISCIPLINARY AUTHORITY	 _____ DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE
 _____ EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)	_____ WITNESS SIGNATURE AND DATE

Form APD-834 revised 1/1/2000

**ATLANTA POLICE DEPARTMENT
APPEAL WAIVER**

I, Melvin Potter accept full responsibility for violation of the following employee work or other rule(s) or ordinance(s): 4.4.4

Of the Atlanta Police Department or City of Atlanta, as outlined in Office of Professional Standards Complaint File Number 16-I-0518-VA. I concur with the disciplinary action of:

Written Reprimand

imposed by the Atlanta Police Department in my disciplinary case. With this my concurrence, I voluntarily, without coercion or duress, waive any and all of the right(s) I may have to appeal the above described disciplinary action taken in this case, either to the Civil Service Board of the City of Atlanta, or by way of administrative grievance, or by use of any other administrative or judicial remedy that may be available to me.

EMPLOYEE AND WITNESS SIGNATURES	
 EMPLOYEE SIGNATURE	<u>10/13/16</u> DATE
 WITNESS SIGNATURE	<u>10/13/16</u> DATE

APPROVED BY DISCIPLINARY AUTHORITY	
 DISCIPLINARY AUTHORITY SIGNATURE AND TITLE	<u>10/14/16</u> DATE

P - _____ - _____ - _____

ORDER OF EXTENSION OF TIME
FOR FURTHER INVESTIGATION AND/OR CONSIDERATION

RE:

Pursuant to the Labor-Management Relations Ordinance, I am extending the prescribed time period for further investigation and/or proper consideration of an Proposed Adverse Action involving _____.
Name of Employee

This extension of time shall not exceed ten (10) days. Accordingly, the proposed effective date of the Adverse Action shall be extended to _____.

Date _____

Signature of Disciplinary Authority
or Designee



Atlanta Police Department

MEMORANDUM

TO: Officer Melvin Potter
FROM: Major J. B. Durant
DATE: November 14, 2016
RE: Disposition OPS Complaint File: 16-I-0518-VA

An investigation has been completed into the complaint filed against you alleging misconduct. The complaint has been closed as indicated below:

- Exonerated - your conduct was determined to be justified, lawful and Proper in the complaint
- Not-Sustained - the investigation did not develop sufficient information to prove or disprove the allegation stated in the complaint
- Sustained - the investigation did develop sufficient information to prove the allegation stated in the complaint 4.4.4 OPERATION OF CITY VEHICLES USED FOR LE PURPOSES
- Unfounded - the allegation was without factual basis

JBD/kdm

cc: File