

OPS Complaint File Closeout Report

OPS Control Number: 21I0271CR Date Investigation Received: 06/30/2021

Date Investigation Completed: _____ Date Investigation Adjudicated: 10/12/2022

Accused Employee: MELVIN POTTER R/S: BLACK/MALE Unique ID: 6603

Accused Employee's Assignment: CSD APEX _____
 DIVISION SECTION WATCH

Investigative Disposition:

	<i>Work Rule #1</i>	<i>Work Rule #2</i>	<i>Work Rule #3</i>	<i>Work Rule #4</i>	<i>Work Rule #5</i>
<i>Rule Number(s):</i>	1.04	1.05			
<i>Disciplinary Action:</i>	S-16	S-5			
<i>Modified Action:</i>					
<i>Disciplinary Category:</i>	D	C			
<i>Date of Action:</i>	10/12/2022	10/12/2022			

Vaiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: _____

Accused Employee: _____ R/S: / Unique ID: _____

Accused Employee's Assignment: _____
 DIVISION SECTION WATCH

Investigative Disposition:

	<i>Work Rule #1</i>	<i>Work Rule #2</i>	<i>Work Rule #3</i>	<i>Work Rule #4</i>	<i>Work Rule #5</i>
<i>Rule Number(s):</i>					
<i>Disciplinary Action:</i>					
<i>Modified Action:</i>					
<i>Disciplinary Category:</i>					
<i>Date of Action:</i>					

Vaiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: _____

Form Completed by: _____ Date: _____

**ATLANTA POLICE DEPARTMENT
NOTICE OF FINAL ADVERSE ACTION (NFAA)
OPS CONTROL # 21-I-0271-CR**

NAME (LAST, FIRST, MI) POTTER, MELVIN		4 DIGIT ID 6603	POSITION #	CLASSIFICATION OFC	DIVISION CSD	SECTION APEX	WATCH
EMPLOYER STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.21.140	DISTRIBUTION 7	EMERGENCY ACTION* YES <input checked="" type="checkbox"/> NO <input 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 7/14/21

Summary of Employee Response

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 Was the Notice of Proposed Adverse Action Modified? YES NO Date NPAA Issued 7/14/21

Demotion from _____ to _____

Dismissal.

~~XXX~~ Other Administrative Assignment Effective Date of Action 7/15/21

NARRATIVE (Reasons for Adverse/Emergency Action)

On June 28, 2021, you were arrested by the Coweta County Sheriff's Department and charged with Failure to Maintain Lane (40-4-48) and Failure to Maintain lane (40-6-391) (A) (1).

Pursuant to the City of Atlanta Labor-Management Relations Code Sections 114-529, 530 and 532 you are to remain suspended with pay until N/A, 2021, and you will be suspended without pay effective N/A 2021, pending the disposition of the above criminal charges.

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.

<p align="center">Assistant Chief T. Coyt</p> <p>TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)</p> <p><u>X</u> _____</p> <p>EMPLOYEE SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)</p>	<p align="center"><u>[Signature]</u> <u>7/09/2021</u></p> <p>DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p> <p><u>[Signature]</u> <u>7/14/21</u></p> <p>WITNESS SIGNATURE AND DATE</p>
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**ATLANTA POLICE DEPARTMENT
NOTICE OF FINAL ADVERSE ACTION (NFAA)
OPS CONTROL #: 21-I-0271-CR**

NAME (LAST, FIRST, MI) Potter, Melvin		4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer	DIVISION CID	SECTION VIC	WATCH
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.22.214	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 **10-4-22**

Summary of Employee Response: Employee accepts full responsibility

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

~~XXX~~ Suspension without pay for 21 working days. Was the Notice of Proposed Adverse Action Modified? YES NO Date NPAA Issued **9-28-22**

_____ Suspension without pay pending adjudication of criminal charges. YES NO

_____ Demotion from _____ to _____

_____ Dismissal. Effective Date of Action **10-12-22**

_____ Other _____

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
Work Rule 4.1.5 Obey the Law	5 Day Suspension
Work Rule 4.1.4 Conduct	16 Day Suspension

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.

<u>Assistant Chief C. Tyus</u>	<u>A/C C Tyus</u> 10-04-22
TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)	DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE
<u>[Signature]</u>	<u>[Signature]</u> 10-4-22
EMPLOYEE SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)	WITNESS SIGNATURE AND DATE

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**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION**

NOTICE OF FINAL ADVERSE ACTION

OPS CONTROL #: 21-I-0271-CR

NAME (LAST, FIRST, MI) Potter, Melvin	4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer
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NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.1.4 of the Employee Work Rules of this Department. Said Rules states:

Conduct

Employees shall not act in an official or private capacity in a manner that shall bring discredit upon the Department or themselves.

Specifically: On June 28, 2021, at I-85 Southbound and Poplar Rd, Newnan, Georgia you brought discredit upon the Department and yourself when you were pulled over by the Newnan Police Department for failure to maintain lane and ultimately arrested for DUI. During the traffic stop you refused to submit to a Field Sobriety Test and to give a sample of your breath in a preliminary breath test (PBT) device. You also, refused to give a sample of your blood after you were read the Georgia implied consent notice over 21. A search warrant was secured for a sample of your blood and it was found you had a blood alcohol concentration of .123.

Your actions as described above are a violation of said listed work rule.

<p><i>Assistant Chief C. Tyus</i> TITLE AND NAME OF DISCIPLINARY AUTHORITY</p>	<p><i>A/C C Tyus 10-04-22</i> DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p>
<p><i>[Signature]</i> EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action) Form APD-834 revised 1/1/2000</p>	<p><i>[Signature] 10-4-22</i> WITNESS SIGNATURE AND DATE</p>

P- _____ - _____ - _____

Original to OPS; photocopy: to employee; to employee's supervisor; to Personnel and Human Resources; to Personnel Section (2) & to Chief of Police

**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION**

NOTICE OF FINAL ADVERSE ACTION

OPS CONTROL #: 21-I-0271-CR

NAME (LAST, FIRST, MI) Potter, Melvin	4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer
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NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.1.5 of the Employee Work Rules of this Department. Said Rules states:

Obey the Law

Employees shall uphold the Constitutions of the United States and the State of Georgia, obey all applicable federal, state, and local laws, and comply with all applicable court decisions and orders of the courts.

Specifically: On April 7, 2022, in Coweta County State Court you pled guilty to DUI Less Safe and was placed on probation for a 12-month period. Also, your Georgia driver's license was suspended.

Your actions as described above are a violation of said listed work rule.

<p><i>Assistant Chief C. Tyus</i> TITLE AND NAME OF DISCIPLINARY AUTHORITY</p>	<p><i>AIC C Tyus 10-04-22</i> DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p>
<p><i>[Signature]</i> EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action) Form APD-834 revised 1/1/2000</p>	<p><i>[Signature] 10-4-22</i> WITNESS SIGNATURE AND DATE</p>

P- _____ - _____ - _____

Original to OPS; photocopy: to employee; to employee's supervisor; to Personnel and Human Resources; to Personnel Section (2) & to Chief of Police

**ATLANTA POLICE DEPARTMENT
NOTICE OF PROPOSED ADVERSE ACTION (NPAA)
OPS CONTROL #: 21-I-0271-CR**

NAME (LAST, FIRST, MI) Potter, Melvin		4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer	DIVISION CID	SECTION VIC	WATCH
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.22.214	DISTRIBUTION 7	EMERGENCY ACTION* YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

<input checked="" type="checkbox"/> XXX Suspension without pay for <u>21</u> working days.	Date NPAA Issued 9-28-22
<input type="checkbox"/> Suspension without pay pending adjudication of criminal charges.	
<input type="checkbox"/> Demotion from _____ to _____	
<input type="checkbox"/> Dismissal	Effective Date of Action 10-12-22
<input type="checkbox"/> 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
Work Rule 4.1.5 Obey the Law	5 DAY SUSPENSION
Work Rule 4.1.4 Conduct	16 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:

- You may make a written response which must be received by the Disciplinary Authority named below by on 10/4/22 at 2 pm
- You may appear personally before the Disciplinary Authority named below on 10/4/22 at 2 pm 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: 404-546-5945

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

<u>Assistant Chief C. Tyus</u>	<u>AIC C Tyus</u> <u>09-28-22</u>
TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)	DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE
<u>[Signature]</u>	<u>[Signature]</u>

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

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**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION**

NOTICE OF PROPOSED ADVERSE ACTION OPS CONTROL #: 21-I-0271-CR

NAME (LAST, FIRST, MI) Potter, Melvin	4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer
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NARRATIVE (REASONS FOR EMERGENCY ACTION)



GENERALLY: You are charged with violating Rule 4.1.5 of the Employee Work Rules of this Department. Said Rules states:

Obey the Law

Employees shall uphold the Constitutions of the United States and the State of Georgia, obey all applicable federal, state, and local laws, and comply with all applicable court decisions and orders of the courts.

Specifically: On April 7, 2022, in Coweta County State Court you pled guilty to DUI Less Safe and was placed on probation for a 12-month period. Also, your Georgia driver's license was suspended.

Your actions as described above are a violation of said listed work rule.

<u>Assistant Chief C. Tyus</u> <small>TITLE AND NAME OF DISCIPLINARY AUTHORITY</small>	<u>A/C C Tyus 09-28-22</u> <small>DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</small>
 <small>EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)</small>	 <small>WITNESS SIGNATURE AND DATE</small>

Form APD-834 revised 1/1/2000

P - _____ - _____ - _____

Original to OPS; photocopy: to employee; to employee's supervisor; to Personnel and Human Resources; to Personnel Section (2) & to Chief of Police

**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION
NOTICE OF PROPOSED ADVERSE ACTION OPS CONTROL #: 21-I-0271-CR**

NAME (LAST, FIRST, MI) Potter, Melvin	4 DIGIT ID 6603	POSITION # 37645	CLASSIFICATION Officer
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NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.1.4 of the Employee Work Rules of this Department. Said Rules states:

Conduct

Employees shall not act in an official or private capacity in a manner that shall bring discredit upon the Department or themselves.

Specifically: On June 28, 2021, at I-85 Southbound and Poplar Rd, Newnan, Georgia you brought discredit upon the Department and yourself when you were pulled over by the Newnan Police Department for failure to maintain lane and ultimately arrested for DUI. During the traffic stop you refused to submit to a Field Sobriety Test and to give a sample of your breath in a preliminary breath test (PBT) device. You also, refused to give a sample of your blood after you were read the Georgia implied consent notice over 21. A search warrant was secured for a sample of your blood and it was found you had a blood alcohol concentration of .123.

Your actions as described above are a violation of said listed work rule.

<u>Assistant Chief C. Tyus</u> <small>TITLE AND NAME OF DISCIPLINARY AUTHORITY</small>	<u>AIC C Tyus 09-28-22</u> <small>DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</small>
<u>[Signature]</u> <small>EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)</small>	<u>[Signature]</u> <small>WITNESS SIGNATURE AND DATE</small>

Form APD-834 revised 1/1/2000

P - _____ - _____ - _____

Original to OPS; photocopy: to employee; to employee's supervisor; to Personnel and Human Resources; to Personnel Section (2) & to Chief of Police



CITY OF ATLANTA

Keisha Lance Bottoms
Mayor

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

Atlanta Police Department
Rodney Bryant
Chief of Police

MEMORANDUM

TO: AC C. Tyus

FROM: DC T. Peek

DATE: September 21, 2022

SUBJECT: OPS Complaint #21-I-0271-CR; Off. M. Porter

Attached please find OPS Complaint Investigation #21-I-0271-CR involving **Officer Melvin Porter**. I concur with the recommended discipline for the sustained charge(s). In accordance with APD.SOP.2020, Section 4.7.1(b), I am forwarding this OPS investigation for your review and recommendation.

Officer Melvin Porter:

<u>Work Rule</u>	<u>Recommendation</u>	<u>Concur</u>	<u>Don Not Concur</u>
4.1.5 Obey the Law	S-5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.1.4 Conduct	S-16	<input checked="" type="checkbox"/>	<input type="checkbox"/>

AC C Tyus
Carven Tyus, Assistant Chief of Police, Interim

09-22-22
Date



City of Atlanta

Internal Correspondence

Atlanta Police Department

MEMORANDUM

TO: Major S. Zygaj (TIATINS /VCIS Commander)

FROM: Deputy Chief Carven Tyus (CSD Commander)
Sgt. Sabrins R. Smith (Admin Sgt. to D.C. Tyus)

DATE: July 11, 2022

RE: **OPS COMPLAINT INVESTIGATION # 21-10271-CR. (OFC. Melvin Potter)**

Greetings,

Can you please review this package and start preparing the discipline for this File? Thank you.

Deputy Chief C. N. Tyus /SRS



Atlanta Police Department

MEMORANDUM

TO: Deputy Chief C. Tyus

FROM: Major T. Williams

DATE: June 29, 2022

RE: Chain-of-Command Review OPS File: # 21-I-0271-CR

ATTENTION: Expedite Response, Return Complaint File by July 20, 2022

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 Employee Discipline Worksheet and have the employees sign for the listed discipline.





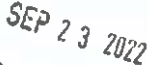

Please expedite your review and have the complaint file returned to the Office of Professional Standards on or before the date indicated above. Please keep in mind that APD.SOP. 2020 § Disciplinary Process requires the following:

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
  	  		



Atlanta Police Department
Office of Professional Standards Internal Affairs Unit

OPS File #	21-I-0271-CR
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The Department requires an investigation into the allegation that Officer Melvin Potter was arrested by Coweta County Sheriffs Department for Driving While Intoxicated after a Traffic Stop on 06.28.21.

An investigation of the allegations of this complaint, and any other allegations which arose during the investigation, has been completed.

Summary of Complaint: On June 28, 2021, the Office of Professional Standards was contacted by Coweta County Sheriffs Department after they conducted a traffic stop at 0310 hrs on a vehicle traveling at a high rate of speed and failing to maintain its lane on I-85SB. When interviewed by OPS, Officer Potter advised that on that night he had consumed 2 long islands iced tea alcoholic beverages but that he was considered the Designated Driver for he and his group of friends. Officer Potter told the arresting officer that he did not have anything to drink, and he refused field sobriety tests, causing his drivers license to be suspended. Officer Potter initially advised Deputy Marich that he was driving home, but he was on I-85SB, and he lived in Atlanta and was driving in the opposite direction. Officer Potter's license was suspended and he was denied a permit to drive himself to and from work.

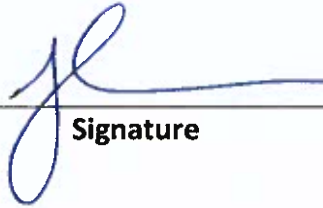
RECOMMENDED INVESTIGATIVE DISPOSITION:

Of the Complaint against:	Officer	Melvin Potter
RULE	4.1.5 Obey the Law (CALEA 6th ed. Standards 1.1.1 and 1.1.2) 1. Employees shall uphold the Constitutions of the United States and the State of Georgia, obey all applicable federal, state, and local laws, and comply with all applicable court decisions and orders of the courts.	
Recommended Disposition	Sustained	
Supporting Facts: Officer Potter pled guilty to DUI Less Safe and placed on probation for a 12-month period and his license in suspended. Officer Potter refused Field Sobriety Tests. Deputy Marich completed a Search Warrant, and a blood test was conducted. The results showed that Officer Potter's blood alcohol level at the time of the test was .123, the results were processed by the GBI.		
RULE	4.1.4 Conduct 1. Employees shall not act in an official or private capacity in a manner that shall bring discredit upon the Department or themselves.	
Recommended Disposition	Sustained	
Supporting Facts: Officer Potter's behavior that led to his arrest for DUI and Failure to Maintain Lane showed that his behavior was contrary to the Conduct work rule. His arrest and guilty plea bring discredit upon himself and the department as he presented himself as an Atlanta Police Officer upon his vehicle being stopped by Deputy Marich.		

Internal Affairs Unit Lieutenant

Lieutenant Justina Collins

Rank and Name



Signature

06/01/2022

Date

Internal Affairs Unit Commander

I concur

I do not concur

With the recommended disposition of this investigation.

Major Theosie Williams Jr.

Rank and Name



Signature

8 JUNE 2022

Date

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: Melvin Potter

OPS CONTROL #: 21-I-0271-CR

INVESTIGATIVE FOLDER

- | | | | |
|-------------------------------------|---|-------------------------------------|-----------------------|
| <input checked="" type="checkbox"/> | 1. Disciplinary Complaint Folder Index | | |
| <input checked="" type="checkbox"/> | 2. Supervisor Complaint Investigation Checklist | | |
| <input checked="" type="checkbox"/> | 3. Preliminary Complaint Form (For all formal complaints) | | |
| <input type="checkbox"/> | 4. Citizen Statements (Where applicable) | | |
| <input checked="" type="checkbox"/> | 5. Employee Statements | | |
| <input type="checkbox"/> | 6. Complaint Investigation Disposition Form (Command Investigations) OR | | |
| <input checked="" type="checkbox"/> | Complaint Transmittal Summary Memorandum (OPS Investigations) | | |
| <input checked="" type="checkbox"/> | 7. Any Supporting Documentation (See below list) | | |
| <input checked="" type="checkbox"/> | Offense Report | <input checked="" type="checkbox"/> | Lab Results |
| <input type="checkbox"/> | Accident Report | <input type="checkbox"/> | Photos |
| <input type="checkbox"/> | Medical Release | <input checked="" type="checkbox"/> | Video Tape/Audio Tape |
| <input checked="" type="checkbox"/> | Other | <input type="checkbox"/> | Other |

A. Nixon

3/15/22

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) _____ for rule _____ on _____

I have received a copy of this form. _____ on _____
(Employee Name) (Date)

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 _____

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ATLANTA POLICE DEPARTMENT PRELIMINARY COMPLAINT FORM

OPS INVESTIGATION

COMMAND INVESTIGATION

COMPLAINT NUMBER **2106001099**

OPS CONTROL NUMBER **21I0271CR**

DATE & TIME COMPLAINT RECEIVED				DATE OF INCIDENT				ADDRESS OF OCCURRENCE			
MO	DAY	YR.	TIME	MO	DAY	YR.	TIME				
	06/30/2021		09:49		06/28/2021		02:35	I85SB@POPLAR RD NEWNAN GA			

BRIEFLY DESCRIBE ALLEGATIONS

AUDIO AND VIDEO TAPES THAT ARE PART OF THIS FILE		
VIDEO TAPES OF INTERVIEWS	AUDIO TAPES OF 911 RADIO	OTHER TAPES
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

THE DEPARTMENT REQUESTS AN INVESTIGATION INTO THE ALLEGATION THAT OFFICER MELVIN POTTER WAS ARRESTED BY COWETA COUNTY POLICE FOR DUI AFTER A TRAFFIC STOP ON 6/28/2021.

APD.SOP.2010/4.1.4 Conduct
APD.SOP.2010/4.1.5 Obey the Law

"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
C	APD,			
RESIDENT ADDRESS		HOME PHONE	CELL PHONE	

DESCRIBE INJURIES	HOSPITAL TAKEN TO	PHOTO ID #	SUSPECT WEAPON	WEAPON SERIAL #

BIASED BASED INCIDENT DESCRIPTION	TYPE OF BIASED ALLEGATION			
	AGE	RACE	SEXUAL ORIENTATION	GENDER
				CLASS

ACCUSED #1 NAME (LAST, FIRST, MI)	RANK	RACE	SEX	DOB	DOE	4 DIGIT ID NO
POTTER, MELVIN	OFF	BLK	MALE			6603

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	DUTY STATUS OFF DUTY	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY WEAPONS SERIAL #	# SHOTS
CSD	APEX			X					

DESCRIBE INJURIES	HOSPITAL TAKEN TO	PHOTO ID NO.	TYPE OF DRUG TEST
NONE			

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

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	DUTY STATUS OFF DUTY	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY WEAPONS SERIAL #	# SHOTS

DESCRIBE INJURIESF	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	DUTY STATUS OFF DUTY	TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY WEAPON SERIAL #	# SHOTS

DESCRIBE INJURIES	HOSPITAL TAKEN TO	PHOTO ID NUMBER	TYPE OF DRUG TEST

SUPERVISOR RECEIVING COMPLAINT	INVESTIGATOR ASSIGNED	DATE ASSIGNED	DATE COMPLETE
SGT. W. DEAN	Investigator Arthur Nixon	06/30/2021	



**TO: LIEUTENANT J. COLLINS
OFFICE OF PROFESSIONAL STANDARDS
INTERNAL AFFAIRS UNIT**

- I. COMPLAINT CONTROL NUMBER: 21-I-0271-CR
- a. Date of complaint: June 30, 2021
 - b. Date of occurrence: June 28, 2021
 - c. Complaint APD.SOP.2010/4.1.4
APD.SOP.2010/4.1.5
 - d. Complainant: Atlanta Police Department
 - e. Accused: Officer Melvin Potter
 - f. Witness(es): Deputy Josh Marich

II. INVESTIGATIVE SUMMARY:

- a. Complaint allegation:

The Department requests an investigation into the allegation that Officer Melvin Potter was arrested by Coweta County Sheriff's Department for Driving Under the Influence after a traffic stop on June 28, 2021.

The Office of Professional Standards was made aware of the arrest of Officer Melvin Potter on June 28, 2021 at approximately 0310hrs. Officer Potter was operating his personal vehicle and was traveling southbound on I-85 in Coweta County. Deputy Josh Marich observed Officer Potter traveling (possibly) more than 100mph while also not maintaining the lane he was traveling in. This was the probable cause that led to the traffic stop.

Accused employee's response:

Officer Melvin Potter

Officer Potter stated that he was coming from the Buckhead/Dunwoody area prior to being pulled over by the Coweta County Sheriff's Department.

PC 4-1-4

Regarding if he was alone when he left the area

Officer Potter stated, "no".

Regarding how long he in the Buckhead/Dunwoody area

Officer Potter stated that he and his friends went to watch an Atlanta Hawks basketball game that was broadcast around 7pm. Officer Potter watched the game in the Buckhead/Dunwoody area at an establishment called Big Sky Buckhead Bar and Restaurant.

Regarding if Officer Potter had any alcoholic drinks while he was at Big Sky Buckhead Bar and Restaurant

Officer Potter stated that he had two Long Island Ice Teas.

Regarding why Officer Potter told the Coweta County Sheriff's Deputy that he did not have anything to drink

Officer Potter stated, "I just got a vibration from him that he was, like, on, I don't know, just that he was pursuing me real heavy and I'm just like, I'm fine. I'm good. You know, cause he was just implying that I was drunk, pretty much".

Regarding if Officer Potter believes he has a drinking problem that he may need some help with

Officer Potter stated, "not at all".

Regarding the prescription pills that were underneath the driver's seat that had the name, "Ashley Holland" on the bottle

Officer Potter stated that Ashley Holland is his girlfriend

Officer Potter was asked if he used any of the pills

Officer Potter stated "Mm-mm" (no).

After concluding the interview, Officer Potter wanted to add the following:

Officer Potter stated that he and his friends went to Big Sky Buckhead Bar and Restaurant and then went to another lounge that was in the area...the Red Door Tavern. It was close enough to walk there so they stayed another hour or two in there. Officer Potter did not have any drinks in the lounge because he was the DD (designated driver) for the evening.

When they left, he gave one of his friends a ride to Dunwoody (going north). After dropping him off, he was headed back south because his girlfriend lives the opposite way. While enroute to her house, his phone died, and he did not have access to gps. As a

result, he missed his exit and while he was trying to get to the next exit, that is when he was pulled over.

Officer Potter ended the interview by taking full responsibility for what happened. "I should have never, um, put myself in that situation for him to be able to..."

b. Physical evidence:

The Blood Alcohol Report made available by the Georgia Bureau of Investigations with Officer Potter's drug/alcohol results.

Officer Potter's blood alcohol level was 0.123. A check for drugs was not performed due to his alcohol level.

c. Investigative findings:

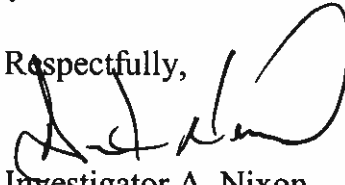
This investigation finds that

- Officer Potter was pulled over by a sheriff's deputy with the Coweta Sheriff's Department at 0235hrs on June 28, 2021.
- Officer Potter did refuse to perform a Field Sobriety Test and refused to take a preliminary breath test (PBT).
- Officer Potter did tell Deputy Marich that he did not have anything to drink.
- Georgia Implied Consent was read to Officer Potter (to which he refused).
- Deputy Marich did secure a search warrant (#21-SW-000244) for blood from Officer Potter to be tested.
- The Coweta Fire Department responded to the jail to complete the blood kit to be turned over to the GBI.
- The results of this test concluded that Officer Potter's blood alcohol level was 0.123.
- Supervisors of the Atlanta Police Office of Professional Standards responded to the Coweta County jail with a Caduceus phlebotomist where a blood and urine sample was obtained per Atlanta Police SOP. The results of this collection tested positive for alcohol resulting .01
- Officer Potter was cited for Failure to Maintain Lane 40-6-48 and DUI Alcohol-Less Safe 40-6-39(a)(1)
- Officer Potter pled guilty to DUI Alcohol-Less Safe

- Officer Potter advised me that he was denied a permit that would allow him to drive to and from work.
- Officer Potter is on probation for 12 months. He is not to consume alcohol or drugs while on probation. He must also submit to random drug/alcohol tests.
- As of today's date, (May 3, 2022), Officer Potter's driver's license is suspended (see P-9-1-2)

This file is being submitted for your review and recommendations.

Respectfully,



Investigator A. Nixon
Internal Affairs Unit
Office of Professional Standards



City of Atlanta
Atlanta Police Department

Internal Correspondence
Office of Professional Standards
Internal Affairs Unit

OPS SIGNIFICANT EVENT MEMORANDUM – AUTHORIZED READERS ONLY

TO: Major Maurice Bates. – *Commander, OPS*
FROM: Sergeant Z. Kramer – *OPS, Internal Affairs & Integrity Units*
DATE: 28 June 2021
RE: *OPS Relief of Duty of Atlanta Police Officer Melvin Potter*

INCIDENT DATA:

DATE: 28 June 2021
TIME: 0235 (Approximately)
LOCATION: I-85 SB / Poplar Road – Newnan, Ga
CASE NUMBER: 2106001099 – Coweta County SO
OPS CONTROL NUMBER: 21-I-0271-CR

ATLANTA POLICE EMPLOYEE(S) INVOLVED:

NAME: Officer Melvin B. Potter
UNIQUE ID: 6603
ASSIGNMENT: APEX
PHONE NUMBER: [REDACTED]
HOME ADDRESS: 360 Pharr Road NE, Apt. 425, Atlanta, Ga 30305
DUTY STATUS: At home with pay pending OPS contact
INJURIES SUSTAINED: NA
WEAPON USED: NA
ROUNDS FIRED: NA
SUPERVISOR(S) ON SCENE: Lt. Justina Collins, Sgt. Zachary Kramer
I.D. TECHNICIAN(S): NA
DATE OF RELIEF OF DUTY (IF APPLICABLE): 28 June 2021

EVENT SUMMARY:

On the 28th of June 2021, at approximately 0310 hours, Atlanta Police OPS was made aware of the arrest of an Atlanta Police Officer – Melvin Potter – for DUI by the Coweta County (Ga.) Sheriff's Office. The traffic stop that led to the arrest was initiated at approximately 0235 hours. It was learned via Deputy J. Marich that Officer Potter, who was off-duty at the time, and operating his personal vehicle, was operating such southbound on Interstate 85 in Coweta

P - 5 - 1 - 2

County. The deputy observed Officer Potter (alone in the vehicle) operating at a speed of approximately 100 miles-per-hour, while simultaneously failing to maintain his lane. This was first observed in the area of I-85 southbound near Poplar Road. The stop itself ultimately occurred just prior to the Coweta/Meriwether County line. Deputy Marich stated that Officer Potter told him that he lived in Atlanta, and that he was heading home after having just dropped someone off in Coweta County. However, as stated, Officer Potter was operating southbound, away from Atlanta.

According to Deputy Marich, Officer Potter refused Standardized Field Sobriety evaluations, and also refused the Implied Consent chemical testing of his breath, after such was requested post-arrest. Thus, the deputy obtained a Search Warrant for the officer's blood, which was executed without incident. The arrest was otherwise not remarkable.

Deputy Marich advised an odor of marijuana was emitting from, specifically, the wallet of the officer; however, no marijuana was located.

Lieutenant Justina Collins and myself facilitated the necessary Relief of Duty process; driving a Caduceus phlebotomist to the Coweta County Jail, where a blood and urine sample was obtained, in accordance with City of Atlanta Ordinance and departmental SOP.

Relevant APD-issued items will be placed for safekeeping into the OPS safe, and we are awaiting the arrival of additional equipment to our office, which Officer Potter stated he would provide promptly, upon his release. The employee understands that he is currently in a paid, yet non-working role, awaiting direct contact from OPS.

NOTHING FOLLOWS IN THIS DOCUMENT

P - 5 - 2 - 2



ATLANTA POLICE DEPARTMENT
Awareness Statement: Truthfulness

OPS Complaint # 21-I-0271-CR

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

Melvin Potter
(Employee's Printed Name)

[Signature]
(Employee's Signature)

2/18/21
(Date/Time)

Art Nixon
(Interviewer's Printed Name)

[Signature]
(Interviewer's Signature)

2/18/21
(Date/Time)

(Witness Representative's Printed Name)

(Witness/Representative's Signature)

(Date/Time)

P-6-1-10

ATLANTA POLICE DEPARTMENT
Written Notice of Allegations

Employee: Melvin Potterl

OPS#: 21-I-0271-CR

The Department requests an investigation into the allegation that Officer Melvin Potter was arrested by the Coweta County Police Dept for Driving Under the Influence after a traffic stop on June 28, 2021.

APD.SOP.2010/4.1.4

APD.SOP.2010/4.1.5

According to APD.SOP.2020 Section 3.4, your responsibilities as an employee are:

- 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.

According to APD.SOP.2020 Section 3.6, your rights as an employee are:

- 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.
- All employees will be issued a written statement (Form APD 848) of the allegations 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.

[Signature] 2/18/21

Employee Signature/Date

[Signature] 2/18/21

Witness/Date

Q-6-2-10

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INTERVIEW WITH OFC. MELVIN POTTER

Q=Det. Art Nixon

A=Ofc. Melvin Potter

Q: I'm investigator Art Nixon with the Office of Professional Standards Internal Affairs Unit and primary investigator in this investigation as referenced in OPS Control Number 21-I-0271-CR. Today is Friday, February 18, 2022 and the time is 2:12 pm. When responding to questions, please make verbal responses to all questions. Be advised that this statement and any recordings are subject to open records. Officer Potter, can you please state and spell your name for the record?

A: Melvin Potter, M-E-L-V-I-N P-O-T-T-E-R.

Q: Thank you. What is your date of hire?

A: 1-29-15.

Q: Hm. Your four-digit unique ID?

A: 6603.

Q: Do you have a representative present today?

A: No.

Q: Do you acknowledge that you have read and signed the Written Notice of Allegations and the Awareness Statement?

A: Yes.

Q: Do you have any questions regarding either of those two?

A: No.

P-6-3-10

43 Q: Do you acknowledge that you may be dismissed for a sustained violation of
44 APD SOP 2010 Employee Work Rule 4.1.3 Truthfulness, which reads
45 employees will be truthful in their written and spoken words at all times?
46
47 A: Yes.
48
49 Q: What is your current assignment?
50
51 A: A- uh, Titans.
52
53 Q: (Titus)?
54
55 A: Titans.
56
57 Q: Titans. That's right.
58
59 A: Yeah Ti- Titans.
60
61 Q: And how long have you been in that assignment?
62
63 A: A little over a year.
64
65 Q: Okay. Officer Potter, you've been instructed to offer a statement regarding this
66 investigation and for the purpose of this interview are here as an accused. This
67 has to do with the, uh, traffic stop that was made, uh, on you, uh, on - last
68 year. Um, can you tell me, uh, where were you prior to getting in your car
69 before the traffic stop was made?
70
71 A: I was coming from Buckhead Dunwoody.
72
73 Q: Okay - okay. Were you alone or by yourself or...
74
75 A: When I got pulled over?
76
77 Q: N- no. Were you alone when you left the Buckhead Dunwoody area?
78
79 A: No.
80
81 Q: Okay. And how long were you there in the Buckhead Dunwoody area?
82
83 A: Mmm, that's tough to say. Uh, we went out. Me and my friend - me and two
84 friends went out and we, uh, went to watch the Hawks game.

P-6-4-10

85
86 Q: Okay.
87
88 A: So I guess that came on about 7:00 or so usually.
89
90 Q: So you were in Buckhead - oh - it was - you were i- we- went to the Hawks
91 game then you went out to Buckhead?
92
93 A: No I watched it in Buckhead.
94
95 Q: Oh okay.
96
97 A: I got...
98
99 Q: Gotcha. Okay.
100
101 A: Yeah.
102
103 Q: Okay.
104
105 A: Mm-hm.
106
107 Q: So - so you watched the game in Buckhead?
108
109 A: Mm-hm.
110
111 Q: Okay. Gotcha. Um, I think - did you tell the officer that you were at the
112 Hawks game?
113
114 A: Yeah, I told him I was watching it.
115
116 Q: Oh, that you were watching it?
117
118 A: Mm-hm.
119
120 Q: Okay. Gotcha. Okay. And where specifically were you at in Buckhead?
121
122 A: Uh, (Big Blue Sky) or something like that.
123
124 Q: Okay.
125
126 A: Big Sky - (Blue) something. I forget the name of it.

P-6-5-10

127
128 Q: And while there, did you have any drinks - alcoholic drinks?
129
130 A: Mm-hm.
131
132 Q: Okay. How many'd you have?
133
134 A: I had two Long Islands.
135
136 Q: Two Long Island?
137
138 A: Mm-hm.
139
140 Q: Teas?
141
142 A: Mm-hm.
143
144 Q: Okay. When you got pulled over by the officer, you told him you didn't have
145 anything to drink. Why'd you tell him that?
146
147 A: I just got a vibration from him that he was, like, on, I don't know, just that he
148 was pursuing me real heavy and I'm just like, "I'm fine. I'm good." You know,
149 'cause he was just implying that I was drunk, pretty much.
150
151 Q: Okay. Now I ask this, uh, wh- when - when we do have these type of, um,
152 interviews, we ask this question. Do you think you have a drinking problem
153 that you need some help with?
154
155 A: Not at all.
156
157 Q: No?
158
159 A: Mm-mm.
160
161 Q: Okay. There was a bottle of prescription pills underneath the front driver's seat
162 prescribed to someone named (Ashley Holland). Um, the pills were also
163 labeled "may cause drowsiness". H- do you know (Ashley Holland)?
164
165 A: Yeah, it was my girlfriend.
166
167 Q: Okay. All right. S- and so you weren't using the pills?
168

P-6-6-10

169 A: Mm-mm.
170
171 Q: Okay. Have you ever been pulled over for suspicion of DUI before?
172
173 A: Never.
174
175 Q: Okay.
176
177 A: Mm-mm.
178
179 Q: Okay. So to summarize this interview, you were at Big Sky - some s- uh,
180 sports bar, um, s- I think it's a sports bar up in, uh, Buckhead. You were
181 watching the game. Uh, had a couple of Long Island iced teas. Uh, got in the
182 car. Now when you left the club - when you left the bar, somebody was with
183 you in the car that you dropped off?
184
185 A: Mm-hm.
186
187 Q: Okay. So - 'cause you were alone when you got pulled over, right? Okay.
188
189 A: Yeah.
190
191 Q: So, you get on the expressway, you get pulled over by Coweta Cou- Coweta
192 Police Department. Uh, and that's when everything starts off. Okay. All right.
193 So you were at the club, at the bars, had two Long Island iced teas, got pulled
194 over.
195
196 A: Mm-hm.
197
198 Q: Okay. And you don't think you have a drinking problem that you don't need
199 any help with? Okay.
200
201 A: No.
202
203 Q: Well we, um, you know, if that was the case, we offer it.
204
205 A: (Unintelligible).
206
207 Q: You know? Okay. All right. Have you been honest in making your statement
208 today?
209
210 A: Mm-hm.

JD-6-7-10

211
212 Q: Be advised that should become necessary in this investigation, you may be
213 directed to submit to a Computer Voice Stress Analysis Exam per APD
214 SOP 3120. Do you acknowledge this official notification?
215
216 A: Mm-hm. Yes.
217
218 Q: Okay. With that being said, do you have anything you wish to add?
219
220 A: Uh, no, you guys didn't - I thought you guys wanted the whole story. Just had
221 specific questions.
222
223 Q: Yeah. Well, what is the whole story?
224
225 A: Uh, we went to that Big Sky place and then after that, we went to, like, uh,
226 one of those other lounges up there. I think it was, like, Red Door Tavern or
227 something. Something - I can't even give you a name. It was, like, it was close
228 to Big Sky though.
229
230 Q: Right.
231
232 A: Um, close enough to walk. So we walked there. Spent another, I don't know,
233 maybe hour or two in there.
234
235 Q: Mm-hm.
236
237 A: Um, I didn't have any drinks in there because I was the DD that - that day.
238
239 Q: Right.
240
241 A: So, I was just having a good time listening to music, kicking it with my
242 friends. And, um, then we left, and then I gave my one friend a ride to - he
243 lives in Dunwoody. So we went north and then I was going back south. And I
244 was down there because (Ashley) lives down there. So I was on my way to
245 her. My phone died. My phone - my GPS - missed my exit and that's - I'm
246 trying to find the next exit to get off and, you know, loop around. And that's
247 when he got behind me. Everything just happened.
248
249 Q: I gotcha.
250
251 A: Uh, so, yeah, that's what I was doing down there in the first place, 'cause I
252 knew he had - he was real suspicious of, like, "Well why does your license

P-6-8-10

253 say, um, Buckhead and you in," um, he's like, "Why are you down here?" And
254 I'm like, "I'm on the way to my girl's house." He just - I don't know if he didn't
255 believe me or what or he just thought I was really just daydreaming driving
256 type thing.
257
258 Q: Mm-hm.
259
260 A: And I'm like, "No. I'm down here on purpose. I'm not - going to my girl's
261 house." So I just - I don't know. He even - he said I smell like, um, he said my
262 wallet smelled like weed and my shoes smell like weed. And then he - he also
263 I- found some Delsym in my car, too.
264
265 Q: Some what?
266
267 A: Delsym. It's, like, cough syrup.
268
269 Q: Oh, okay.
270
271 A: So, I didn't think, you know, he just was implying that I was probably
272 smoking weed, doing, um...
273
274 Q: You said Delsym?
275
276 A: Yeah.
277
278 Q: Yeah - yeah - I know what tha- yeah. The cough syrup.
279
280 A: And...
281
282 Q: Yeah.
283
284 A: And I'm, you know, I just read the report and I'm like, "What in the world?"
285 You know? I don't know. He was just trying to paint it like I was just doing all
286 type of crazy stuff driving. And that's why I was down there in the first place,
287 'cause I didn't know, like, where I was type of thing.
288
289 Q: Right.
290
291 A: And so he was trying to - he was trying to paint that. So - but, you know, you
292 guys tested me for drugs and all that stuff and...
293
294 Q: Yeah.

P-6-9-10

295

296 A:

297

298

299

300 Q:

301

But I - I just wanted to say that I have - take full responsibility for what happened. I should never, um, put myself in that situation for him to be able to...

All right then. With that being said, that'll conclude this interview. The time is 2:21 pm.

P-6-10-10

Official Report



Division of Forensic Sciences
Georgia Bureau of Investigation
State of Georgia

Headquarters
DOFS Case #: 2021-1023821
Report Date: 08/05/2021

Cleveland Miles
Deputy Director

ANAB Accredited ISO/IEC 17025
Testing Laboratory



Requested Service: Blood Alcohol

Agency: Coweta Co. Sheriff's Office
Agency Ref#: 2106001099
Requested by: J. Marich

Case Individuals:

Subject: Melvin B Potter

Evidence:

On 07/13/2021, the laboratory received the following evidence from the Coweta Co. Sheriff's Office via Lockbox.

2021-1023821-001 Sealed alcohol collection kit containing two tube(s) containing blood identified as collected from Melvin B Potter

Results and Conclusions:

Subm#: 001

- 1) Ethyl Alcohol Result by Gas Chromatography: 0.123 (+/- 0.006) grams per 100 mL
Check for drugs was not performed due to alcohol level.

Measurement Uncertainty:

Estimations of measurement uncertainty for ethyl alcohol, methyl alcohol, isopropyl alcohol and acetone concentrations are reported at a coverage probability of 99%.

Only those items discussed in the results above were analyzed for this report. The above represents the interpretations/opinions of the undersigned analyst. Unless noted above, evidence analyzed in this report will be returned to the submitting agency. Biological evidence (body fluids and tissues) and proof determination evidence will be destroyed after one year. This report may not be reproduced except in full without written permission of the laboratory.

Technical notes and data supporting the conclusions and findings in this report are maintained within the laboratory case records.

This case may contain evidence that must be preserved in accordance with O.C.G.A. § 17-5-56.

Kasey Wilson

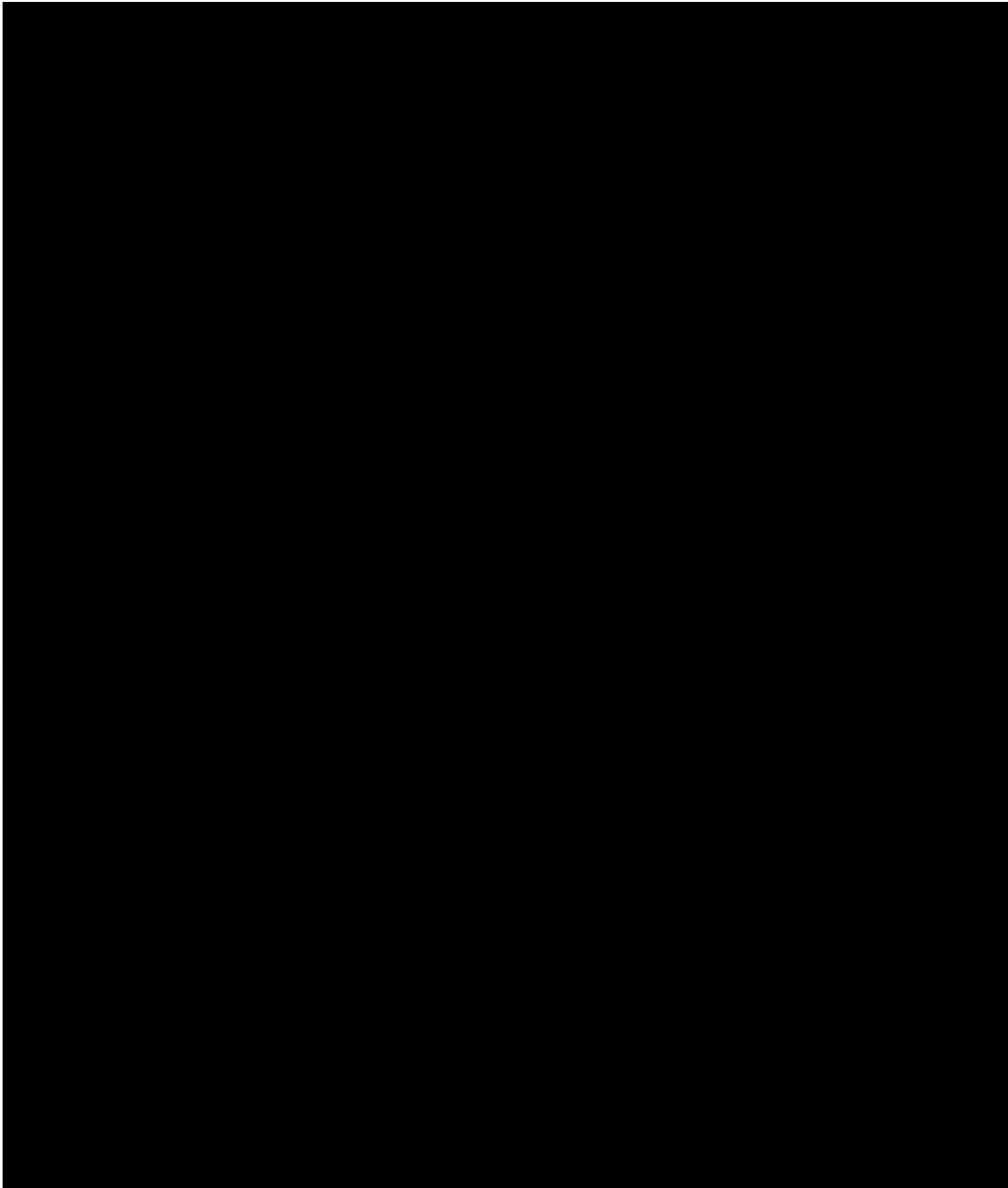
Kasey Wilson
Forensic Toxicologist
404-270-8233
Kasey.Wilson@gbi.ga.gov

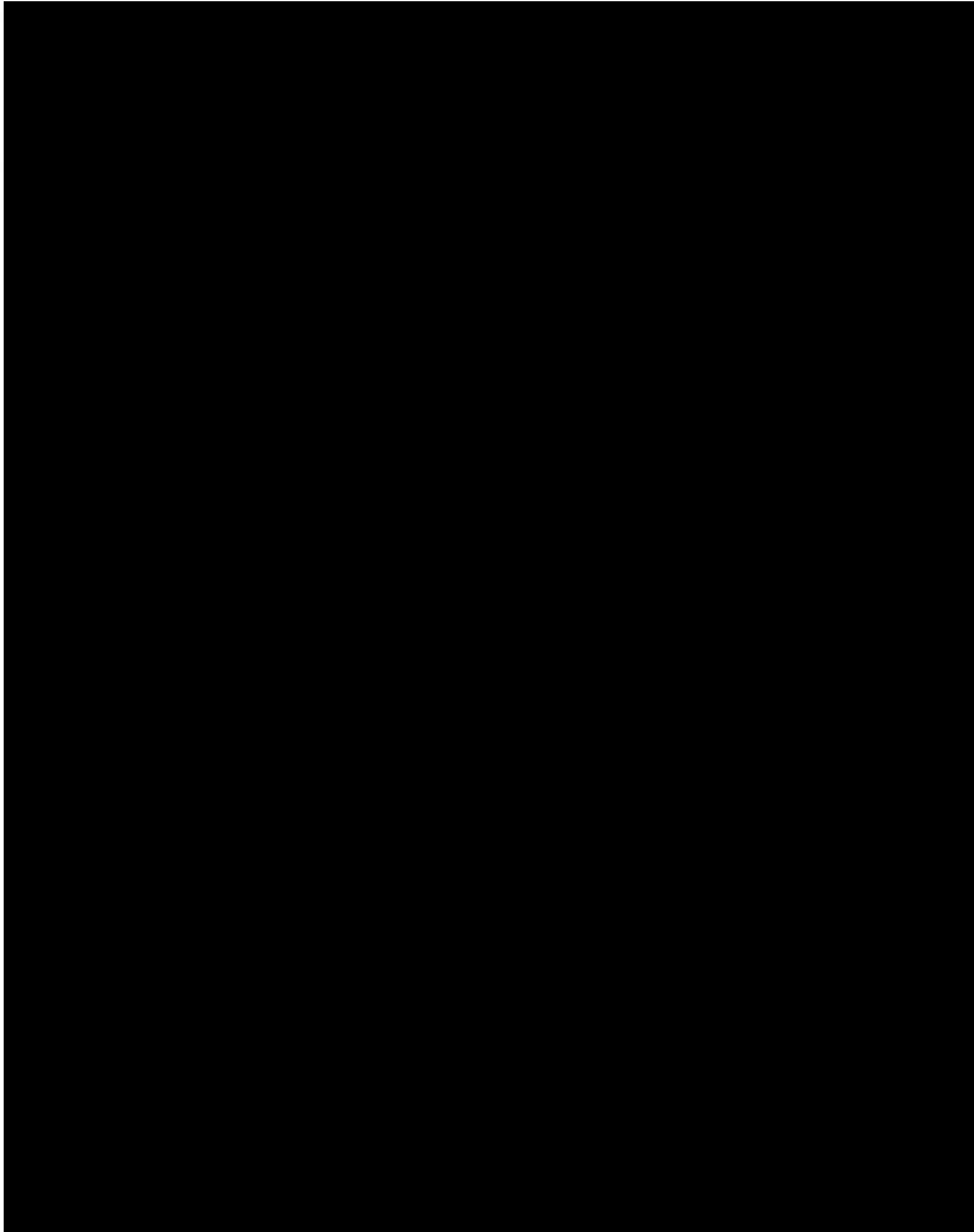
Related Agencies:

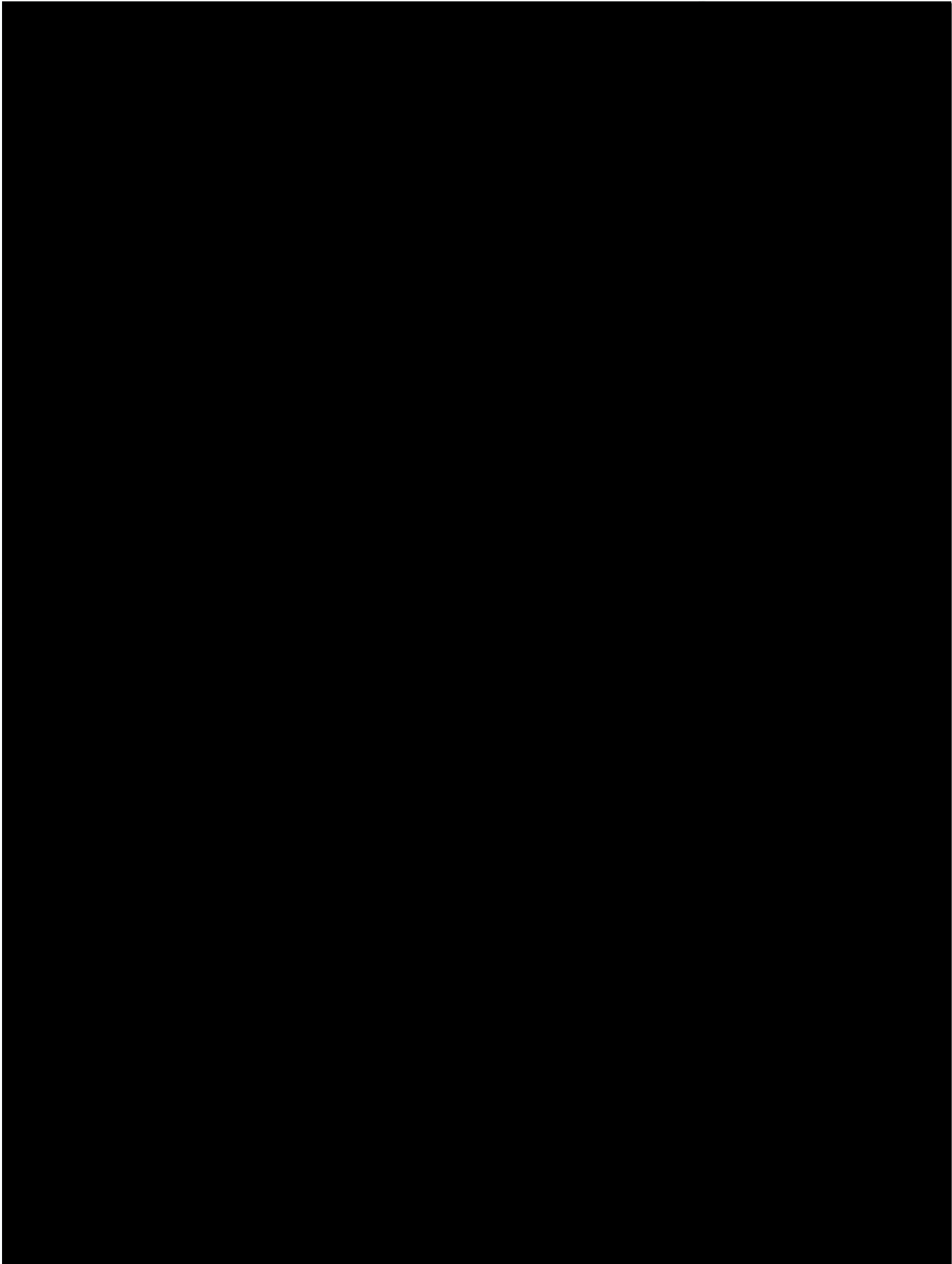
Coweta Judicial Circuit
Coweta Co. District Attorney
Coweta Co. Solicitor's Office

P-7-1-1

End of Official Report







ATTACH
DRIVER LICENSE
HERE

GEORGIA DEPARTMENT OF DRIVER SERVICES
ALS UNIT / P.O. BOX 80447 / CONYERS, GEORGIA 30013

REPORT OF THE ARRESTING OFFICER: ADMINISTRATIVE LICENSE SUSPENSION AND IMPLIED CONSENT

TYPE OR PRINT CLEARLY (IN INK) ALL REQUESTED INFORMATION

INCIDENT DATA

INCIDENT DATE: MM/DD/YR 06/28/21	INCIDENT TIME 0235 AM PM	COUNTY OF OCCURRENCE: COWETA	DUI CITATION NUMBER E0050612	COMMERCIAL VEHICLE: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	HAZARDOUS MATERIALS PRESENT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	-----------------------------------	---------------------------------	---------------------------------	--	---

DRIVER DATA

NAME: LAST POTTER FIRST MELVIN MIDDLE BERNARD			DATE OF BIRTH: MM/DD/YY [REDACTED]			
CURRENT ADDRESS (STREET, CITY, STATE, ZIP CODE): [REDACTED]						
DRIVERS LICENSE NUMBER: 059617676	STATE OF ISSUE: GA	LICENSE CLASS: C	LICENSE RESTRICTIONS	HEIGHT: 507	WEIGHT: 155	SEX: <input checked="" type="checkbox"/> MALE <input type="checkbox"/> FEMALE

ARRESTING OFFICER DATA AND TEST DATA

ARRESTING OFFICER'S NAME LAST MARICH FIRST JOSH MIDDLE M			AO TELEPHONE NO.	AO'S PRECINCT, ZONE OR POST ASSIGNMENT:	
NAME OF LAW ENFORCEMENT AGENCY REPRESENTED BY ARRESTING OFFICER: COWETA COUNTY SHERIFF OFFICE				BADGE NUMBER 097	
LAW ENFORCEMENT AGENCY MAILING ADDRESS (STREET, CITY, AND ZIP CODE): 500 GREYSON TRAIL NEWNAN GA 30263				AGENCY'S ORI # 0380000	
TEST RESULTS: GRAMS	INSTRUMENT SERIAL NUMBER	OPERATOR NAME:		OPERATOR PERMIT NO	

This arresting officer states that at the date and time noted above, having reasonable grounds to believe that the driver had been driving or in actual physical control of a moving vehicle while under the influence of alcohol or a controlled substance, I lawfully arrested the driver for violating O.C.G.A. 40-6-391, or the driver was involved in a motor vehicle accident or collision that resulted in serious injury or fatality, and after I informed the driver of his/her implied consent rights and the consequence of submitting or refusing to submit to such test the driver was asked to submit to state administered chemical testing as required by law and:

- The driver refused to submit to the designated state administered chemical testing, or
- Chemical test results indicated an alcohol concentration of 0.08 grams or more, or
- The driver was under the age of 21 and the chemical tests results indicated an alcohol concentration of 0.02 grams or more, or
- The driver was operating a moving commercial motor vehicle and the chemical tests results indicated an alcohol concentration of .04 grams or more

Arresting Officer's Signature

Report Date

6/28/21

SERVICE OF REPORT AND NOTICE OF LICENSE SUSPENSION

You are hereby personally served with notice that your driver's license and/or your privilege to operate a motor vehicle in the State of Georgia will be suspended for a period to be determined by the Department of Driver Services due to your blood alcohol test results or refusal to submit to testing. If you refused chemical testing the period of suspension is one (1) year. The suspension of your driver's license/driving privilege will begin on the 46th day following the serve date listed above. If you wish to appeal the suspension of your driver's license/driving privilege, **INSTRUCTIONS ARE ON THE BACK OF THE DRIVER'S COPY OF THIS FORM.**

Signature of Arresting Officer:

Serve Date

6/28/21

Signature of Driver:

Serve Date

TEMPORARY DRIVING PERMIT

Georgia law requires the Arresting Officer to seize your driver's license if you have been arrested for allegedly driving under the influence in violation of O.C.G.A. 40-6-391. The Driver's copy of this form will serve as a valid temporary driving permit for a period of forty-five (45) days from the serve date above if signed below. A temporary driving permit will not be issued to you if your driver's license or privilege is suspended, cancelled or revoked or driver is unlicensed.

NOTE TO OFFICER: The reason for non-issuance of this permit must be stated on this form and the driver must receive a copy of this "Notice" to meet the requirements as stated in O.C.G.A. 40-5-67.1. THIS TEMPORARY DRIVING PERMIT **MUST** BE ISSUED IF THE DRIVER'S LICENSE WAS VALID AT THE TIME OF ARREST.

- No Is the driver eligible for a temporary driving permit? If No, state the reason _____
- No License surrendered? If No, state the reason _____
- No Is the surrendered license attached in the upper left corner of the DDS copy of this report? _____
- No Is the surrendered license a Habitual Violator Probationary license? _____

SIGN TO VALIDATE TEMPORARY DRIVING PERMIT

Signature of Officer

P-9-2-2
Driver's Copy

INCIDENT/INVESTIGATION REPORT

I N C I D E N T D A T A	Agency Name Coweta County Sheriff's Office			Case# 2106001099		
	ORI GA 0380000			Date / Time Reported 06/28/2021 02:35 Mon		
	Location of Incident 42 185 S, Newnan GA 30263			Gang Relat NO	Premise Type Highway/road/alley/st	Zone/Tract Z3
				Last Known Secure 06/28/2021 02:35 Mon		
			At Found 06/28/2021 02:35 Mon			
#1	Crime Incident(s) Dui Alcohol-less Safe 40-6-391(A)(1)	(Com) M	Weapon / Tools			Activity
			Entry	Exit	Security	
#2	Crime Incident Failure To Maintain Lane 40-6-48	(Com) M	Weapon / Tools			Activity
			Entry	Exit	Security	
#3	Crime Incident	()	Weapon / Tools			Activity
			Entry	Exit	Security	

V I C T I M	MO		# of Victims 1		Type: SOCIETY/PUBLIC	Injury:			Domestic: NO			
	V1		Victim/Business Name (Last, First, Middle) State Of Georgia			Victim of Crime # 1,2	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
	Home Address						Home Phone					
	Employer Name/Address						Business Phone			Mobile Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN					

O T H E R S	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim)											
	Type: INDIVIDUAL(NON LE)											
	FI		Name (Last, First, Middle) BROWN, RAY THOMAS			Victim of Crime #	DOB Age 54	Race W	Sex M	Relationship To Offender	Resident Status Resident	Military Branch/Status
	Home Address 1936 S HIGHWAY 100 BOWDON, GA 301082821						Home Phone					
	Employer Name/Address Coweta County Fire (PARAMEDIC)						Business Phone			Mobile Phone		

I N V O L V E D	Type:												Injury:		
	Code	Name (Last, First, Middle)			Victim of Crime #	DOB Age	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status				
	Home Address						Home Phone								
	Employer Name/Address						Business Phone			Mobile Phone					

P R O P E R T Y	1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown ("OJ" = Recovered for Other Jurisdiction)											
	VI #	Code	Status Fm/To	Value	OJ	QTY	Property Description			Make/Model		Serial Number
	1	77	EVID	\$0.00		1	GBI BLOOD KIT					
		02	1	\$0.00		1	2016	CFG2074	GA	428	WBA3N7C50GK226775	

Officer/ID#	MARICH, J. (PAT, DEP) (500636)			Supervisor	CURTIS, J. (PAT, DEP) (500224)		
Invest ID#	(0)			Case Status	06/30/2021		

Status	Complainant Signature	Case Disposition:	Page 1
--------	-----------------------	-------------------	--------

INCIDENT/INVESTIGATION REPORT

Coweta County Sheriff's Office

Case # 2106001099

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers
NASH, S. (500540), MCCUSKER, C.A. (500417)

Suspect Hate / Bias Motivated: NONE (NO BIAS)

NARRATIVE

P-10-2-8

REPORTING OFFICER NARRATIVE

Coweta County Sheriff's Office

Victim Society	Offense DUI ALCOHOL-LESS SAFE	OCA 2106001099 Date / Time Reported Mon 06/28/2021 02:35
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 6/28/2021, at 0235 hours, I initiated a traffic stop on S 185 mile marker 43 on a red BMW for failure to maintain lane.

P-10-3-8

Incident Report Suspect List

Coweta County Sheriff's Office

OCA: 2106001099

1 Name (Last, First, Middle) <i>POTTER, MELVIN BERNARD</i>		Also Known As				Home Address <div style="background-color: black; width: 100%; height: 40px;"></div>				
Business Address <i>ATLANTA POLICE DEPARTMENT, POLICE OFFICER</i>										
DOB <div style="background-color: black; width: 100%; height: 15px;"></div>	Age <i>27</i>	Race <i>B</i>	Sex <i>M</i>	Eth <i>N</i>	Hgt <i>507</i>	Wgt <i>155</i>	Hair <i>BLK</i>	Eye <i>BRO</i>	Skin	Driver's License / State. <i>059617676 GA</i>
Scars, Marks, Tattoos, or other distinguishing features <i>TATT LFOR ARM / WOLF; TATT RFOR ARM / KING W/ CROWN</i>										
Reported Suspect Detail		Suspect Age		Race	Sex	Eth	Height		Weight	SSN
Weapon, Type	Feature	Make		Model		Color	Caliber	Dir of Travel Mode of Travel		
Veh Yr/Make/Model		Drs	Style		Color	Lic/St		VIN		

Notes

Physical Char

*Facial Hair, Moustache
Hair Length, Shaved
Physical Build, Average*

P-10-4-8

Incident Report Related Vehicle List

Coweta County Sheriff's Office

OCA: 2106001099

1	Veh Yr/Make/Model <i>2016, 428</i>	Style <i>2S</i>	Color	Lic/Lis <i>CFG2074 GA 2021</i>	VIN <i>WBA3N7C50GK226775</i>
	IBR Status <i>None</i>	Date <i>06/28/2021</i>	Location <i>42 185 S, NEWNAN GA</i>		
	Condition	Value <i>\$0.00</i>	Offense Code <i>90D</i>	Jurisdiction <i>Locally</i>	State # NIC #
	Name (Last, First, Middle) <i>* No name *</i>		Also Known As		Home Address
	Business Address				
	DOB	Age	Race	Sex	Hgt
					Wgt
	Scars, Marks, Tattoos, or other distinguishing features				

Notes

P-10-5-8

Incident Report Related Property List

Coweta County Sheriff's Office

OCA: 2106001099

1	Property Description GBI BLOOD KIT	Make	Model	Caliber
	Color	Serial No.	Value 50.00	Qty 1.000
	Status Evidence	Date 06/28/2021	NIC #	State #
	Name (Last, First, Middle) * No name *		DOB	Age
	Jurisdiction Locally		Local #	OAN
	Race		Sex	

Notes

P-10-6-R

Coweta County Sheriff's Office

OCA: 2106001099

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: CLEARED BY ARREST

Case Ming Status: CLEARED BY ARREST

Occurred: 06/28/2021

Offense: DUI ALCOHOL-LESS SAFE

Investigator: MARICH, J. (500636)

Date / Time: 06/28/2021 06:37:55, Monday

Supervisor: CURTIS, J. (500224)

Supervisor Review Date / Time: 06/28/2021 08:42:52, Monday

Contact:

Reference: Case Activity

On 6/28/2021, at 0235 hours, I was stationary on the southbound on ramp to I85 at mile marker 44. I observed a red BMW 428 (GA#CFG2074) pass at a high rate of speed which I visually estimated to be 100mph. At that time, I entered onto I85 SB in an attempt to catch up and pace the vehicle's speed.

While catching up to the vehicle near mile marker 42, I observed it pass another vehicle in the right lane and then change lanes back in front of the vehicle without using a signal. I then observed the vehicle fail to maintain when it appeared to drive down the lane divider line of the number 2 and number 3 lane. Based on the unsafe driving I observed, I immediately activated my emergency and initiated a traffic stop.

I approached the vehicle on the passenger side and made contact with the driver and only occupant, Melvin Potter. I identified myself and immediately detected the very strong odor of alcohol inside the vehicle. I also noted a firearm sitting on the passenger seat of the vehicle. He advised me that he had not had anything to drink. I asked him why he was driving so fast and he told me he was trying to go home. While talking to Melvin, I continued to smell the strong odor of alcohol and noted that his eyes were very red. I requested his driver's license and he provided this to me along with an Atlanta Police Department Police Officer ID.

I returned to my patrol car, muted my body camera, and contacted Senior Deputy Harris. I then returned to the passenger side of the vehicle. I noted that I could no longer see the firearm which I had previously seen in the passenger seat and that there was now a green sweatshirt covering this area which appeared to say Atlanta Police on it. Still smelling the odor of alcohol, I again asked Melvin how much alcohol he had consumed. Melvin was very hard to hear and he indicated to me that he had not had anything to drink. He told me had left an Atlanta Hawks game and was on his way back home in Fulton County.

Concerned about his ability to drive safely, I asked him if he would be willing to blow on a PBT so that I could avoid much further delay and hopefully send him on his way. He responded by pointing to his sweatshirt in the passenger seat and telling me that "we are on the same team". No longer comfortable with discussing the situation with Melvin while I could no longer see his firearm, I requested that he exit the vehicle and requested a backup officer.

Melvin exited the vehicle and I continued to smell the odor of alcohol coming from him. He advised that I possibly smelled it because of his friend which he had just dropped off. I again asked him if he would be willing to blow on a PBT to confirm there was no presence of alcohol and he refused. I advised him there was no problem with that and once my backup officer arrived, I could conduct field sobriety exercises to determine that he was safe to drive.

Upon the arrival of backup, I asked Melvin if he would be willing to let me to conduct SFST and check his eyes. He

Q-10-7-8

Investigator Signature

Supervisor Signature

Coweta County Sheriff's Office

OCA: 2106001099

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *CLEARED BY ARREST*

Case Mng Status: *CLEARED BY ARREST*

Occurred: *06/28/2021*

Offense: *DUI ALCOHOL-LESS SAFE*

Investigator: *MARICH, J. (500636)*

Date / Time: *06/28/2021 06:37:55, Monday*

Supervisor: *CURTIS, J. (500224)*

Supervisor Review Date / Time: *06/28/2021 08:42:52, Monday*

Contact:

Reference: *Case Activity*

advised me that he was "straight and I don't really like light in my eyes." Melvin again told me that he had dropped someone off and when I asked him where he told me that his friend gave him the directions and he did not know where or what city it was. I continued to smell the strong odor of alcohol coming from Melvin while he was talking to me. I explained this to him again and he then advised me that there was a black hoodie in his car and his friend spilled shots in his cupholder and he used it to clean it up which might be the source of the alcohol odor I was smelling. I asked him one more time if he would be willing to do voluntary field sobriety exercises to check his level of impairment and he refused.

At that time, based on the evidence and my observations up to this point, I advised Melvin that he was under arrest for driving under the influence. I placed Melvin in handcuffs behind his back which I checked for a proper fit. He was searched incident to arrest and placed in the cleared backseat of my patrol car. I read Implied Consent - Over 21 requesting his blood and Melvin asked me to read it again. I read it again and requested his blood. Melvin said something that I could not hear or understand and I asked him "what?" and he said "nah, I am all right, I am not." and he refused to submit blood under implied consent.

At that time, the next list wrecker was requested and Parker's Wrecker was dispatched. D/S Nash completed an inventory of the vehicle which contained the firearm and multiple pieces of equipment and uniforms for Atlanta Police Department. I transported Melvin to Coweta County Jail without incident. He was turned over to jail staff along with his property. It was noted by myself and jail staff that Melvin's shoes and wallet had the strong odor of marijuana on them but no illegal drugs were located.

I submitted an affidavit for a search warrant for blood (Warrant #21-SW-000244) which was approved and signed by Judge Stripling. At that time, I requested Coweta County Fire Department to respond to the jail to complete the GBI blood kit. Paramedic Ray Brown arrived on scene and completed the blood draw. Atlanta Police Department was also advised of the incident.

Melvin was issued citations for Failure to Maintain and DUI - Less Safe. Copies of these citations were placed in his property. Due to his refusal to implied consent, I completed a DDS 1205 form which was submitted along with his Georgia driver's license. Melvin was served this form and a copy was placed in his property. The completed GBI blood draw kit was completed and submitted into evidence along with an evidence voucher. Nothing further at this time. BWC was active.

Deputy Marich 097

P-10-8-8

Investigator Signature

Supervisor Signature

**ATLANTA POLICE DEPARTMENT
OFFICE OF PROFESSIONAL STANDARDS
RELIEF FROM DUTY**

OPS CONTROL #: TBD

TO: Rank/Name/Unique ID: Officer Melvin Potter U0203
 FROM: Sgt. Z Krumer, OPS - Internal Affairs and Integrity Units
 DATE: 06/28/2021
 RE: Relief From Duty Notice

You are hereby relieved from duty with pay effective immediately for the following reason(s):
 (Give specific reason(s); also, state any conditions and restrictions concerning the suspension with pay. Include the restriction prohibiting all extra job employment.)

REASON: Employee was arrested for suspicion on DUI

CONDITION: You will provide a home telephone number and any pager number where you may be reached. You will make yourself available for interview Monday through Friday from 0900 to 1700. Should you be away from your listed home phone number for more than two (2) hours during this time, you will contact and advise Lt. Collins or Sgt. Dean of the Office of Professional Standards via 404-546-5945 where you can be reached. If he or she is unavailable, you will then advise any supervisor at OPS of the information. **You are forbidden to work any extra jobs or overtime during your relief of duty. You are also forbidden from carrying any personal weapons or second weapons on duty.**

EMPLOYEE TELEPHONE NO. [REDACTED] PAGER: _____

This notice acknowledges receipt of the following Departmental property relinquished by you: (List inventory and description of property; include serial number of weapons, badge number, etc.)		
ITEM NO.	DESCRIPTION (Include model & serial number, if applicable)	QUANTITY
1	Issued Glock 9 mm (serial# - _____)	
2	Magazines	pending
3	Live Rounds	pending
4	City Badge (# _____)	pending
5	Atlanta PD Credentials (# <u>6603</u>)	pending
6	Swipe Card	1

[Signature]
AFFECTED EMPLOYEE'S
SIGNATURE

6/28/21 5:31G
DATE/TIME

[Signature]
WITNESS SIGNATURE

28 June 2021
DATE/TIME

0531

P - 11 - 1 - 3



MEMORANDUM

TO: Major Maurice Bates, OPS Commander
FROM: Sgt Kramer, OPS Supervisor
DATE: 06/28/2021
RE: SUBSTANCE ABUSE ANALYSIS REQUEST FOR:
Melvin Potter

Complaint Control Number: #TBD

- Authority:** Under the provisions of Chapter 114, Article VI, Division 4, Section 571(c) of the Code of Ordinances of the City of Atlanta entitled "Substance Abuse Policy" documented circumstances exist that indicate a reasonable suspicion to believe that Melvin Potter, assigned to APEX, may be under the influence of one or more substances, is suffering from substance abuse, or in violation of the City of Atlanta, State of Georgia and/or departmental directives, rules or regulations regarding the use, possession and/or sale of any such substances.
- Justification of Objective Facts:** Employee was arrested for suspicion of DWI
- Recommendation:** Melvin Potter be required to submit to a Substance Abuse Analysis.

APPROVED: Maj. M. Bates 06/28/2021
Major Maurice Bates Date
Commander, OPS

[Signature] 5/28/21
Affected Employee Signature Date
(Indicates Receipt Only Not Agreement With Action)

P-11-2-3



MEMORANDUM

TO: OFC. Melvin Potter
FROM: Major Maurice Bates
DATE: 06/28/2021
RE: Substance Abuse Analysis Notification: Melvin Potter #66603
Complaint Control Number: #TBD

You are the subject of an Internal Investigation which includes a set of objective facts which provides a reasonable suspicion to order you to undergo a Substance Abuse Analysis Test.

1. Under the provisions of Chapter 114, Article VI, Division 4, Section 572(a) of the Code of Ordinances of the City of Atlanta entitled "**Substance Abuse Policy**", you are hereby ordered to submit to a Substance Abuse Analysis. The following will apply:
 - a. *You must remain under the direct physical observation of the investigator from OPS until you enter the private area where the specimen is collected.*
 - b. *You will be interviewed by a medical technician to establish the use of any drug currently being taken under medical supervision, or your use of any other medication being taken, both prescription or non-prescription.*
 - c. *You may have a representative or attorney present during the specimen collection procedure and you will be allowed up to two hours to make these arrangements after being presented this memorandum, if you so desire.*
 - d. *Prior to submitting to this analysis, you have a right to explain your behavior. This behavior is described in Paragraph 2 of the memorandum entitled: Substance Abuse Analysis Request. Further, you have a right to have a representative present during this explanation.*
 - e. *If you do not provide a specimen within two and one-half hours after being presented this memorandum, you will be considered to have refused.*
2. You will be notified in person or by certified mail of the results of this test. If you test **positive**, you may request additional test of a portion of your original specimen, at the department's expense, provided that said test be conducted within fourteen days of notification.
3. You are reminded that refusal to submit to testing may result in disciplinary action up to and including dismissal in accordance with departmental directives, rules and regulations, and the Code of Ordinances for the City of Atlanta.

P-11-3-3

I certify that I have read this notification and received the original copy.

Employee Signature

6/28/21 5:31a
Date Time

Witness

28 June 2021 05:31
Date Time

Reed, LaShunda

From: Kramer, Zachary <zkramer@AtlantaGa.Gov>
Sent: Thursday, July 8, 2021 11:48 AM
To: ccsoopenrecords
Subject: Atlanta Police Records Request

RECEIVED BY

JUL 08 2021

RECORDS CLERK

Greetings:

I am requesting the arrest/incident report documenting the arrest of Melvin Potter (DOB: [REDACTED]) for DUI on 28 June 2021. The case number is 2106001099. He works as an APD officer, and the report is needed for an APD investigation.

I was told I would be receiving the report via email several days ago, but I have not received such yet. Any help would be appreciated.

Respectfully,
-Zach

Sergeant Z. Kramer
Atlanta Police Department
Office of Professional Standards – Internal Affairs & Integrity Units
950 Joseph E. Lowery Boulevard NW, Suite 16
Atlanta, Ga 30318 - USA
Office Phone: (404) 546-5945 ext. 72012
Fax Number: (404) 658-6430
Email (preferred contact method): zkramer@atlantaga.gov



WARNING: This email originated outside of the Coweta County Email System. DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

P-12-1-1

Dockets

Welcome to the new do feature provided by the office of Coweta County State Court Clerk - She Echols.

View case dockets by enterin case number, party's name, & CSE number. Once found, click the '+' buttcr the left of the case number to docket.

[Need Help? Click here instructions](#)

[New Search](#)

Court Officials and Attorneys Login Here

User Name

Password

Remember My User Name

Log In

Version 5.1.1.1

Please fill in the last name (required) and at least one additional search value

Last Name **potter**

Date of Birth

Driver License#

Citation#

Warrant#

Case#

Search **Clear**

Please click the **+** / **-** buttons to the left of the results to expand/collapse case details

	Case #	Defendant	Judge	Status	Filing	Court Date
-	21CR3342-1	POTTER, MELVIN BERNARD	SEAY VANPATTEN POULAKOS	CL	9/10/2021	4/7/2022

Charges

Charge #	Violation code	Offense	Offense Date	Disposed On	Disposition Method	Disposition Stage	Arrest Date	Felony/Misdemeanor
1	40-6-391(A)(5)	DRIVING UNDER THE INFLUENCE (PER SE)	6/28/2021	4/7/2022	MERGED	P		M
2	40-6-391(A)(1)	DRIVING UNDER THE INFLUENCE (LESS SAFE) (ALCOHOL)	6/28/2021	4/7/2022	GUILTY PLEA	P		M

Attorneys

Name	Represents
WARD, STEVEN	D
WISENBAKER, SANDY	SG

Proceedings/Events



Date	Court Date	Type	Image
6/28/2021		BOND	View
9/10/2021		ACCUSATION AND CITATION FILED	View
10/14/2021		ENTRY OF APPEARANCE	View
10/27/2021	10/27/2021 09:00AM	ART ARRAIGNMENT TRAFFIC	No Image
1/26/2022	01/26/2022 09:00AM	ATC ARRAIGNMENT TRAFFIC CONTINUED	No Image
4/7/2022		CASE DISPOSED-GUILTY, \$1284 FINE, 12 MO PROB MAIL-IN, 24 HRS JAIL TS, 5 DCS AT NON-PROFIT, R/R W/120 DAYS, CONSUME NO ALC/DRUGS ON PROB. SUBMIT TO RANDOM DRUG SCREENS, D/A EVAL AND NEC TRMT, STATES REC, ACK OF RIGHTS, WAIVER	View
4/7/2022	04/07/2022 01:30PM	ATC ARRAIGNMENT TRAFFIC CONTINUED	No Image
4/11/2022		PROBATION ORDER	View

-	21CR3342-2	POTTER, MELVIN BERNARD	SEAY VANPATTEN POULAKOS	CL	9/10/2021	1/26/2022
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Charges

Charge #	Violation code	Offense	Offense Date	Disposed On	Disposition Method	Disposition Stage	Arrest Date	Felony/Misdemeanor
		FAILURE						

7-13-1-2

Please click the  /  buttons to the left of the results to expand/collapse case details

Case #	Defendant	Judge	Status	Filing
 21CR3342-1	POTTER, MELVIN BERNARD	SEAY VANPATTEN POULAKOS	CL	9/10/2021

Charges


Charge #	Violation code	Offense	Offense Date	Disposed On	Disposition Method	Disposition Stage	Arrest
1	40-6-391(A)(5)	DRIVING UNDER THE INFLUENCE (PER SE)	6/28/2021	4/7/2022	MERGED	P	
2	40-6-391(A)(1)	DRIVING UNDER THE INFLUENCE (LESS SAFE) (ALCOHOL)	6/28/2021	4/7/2022	GUILTY PLEA	P	

Attorneys

Name	Represents
WARD, STEVEN	D
WISEBAKER, SANDY	SG

Proceedings/Events

Date	Court Date	Type
6/28/2021		BOND
9/10/2021		ACCUSATION AND CITATION FILED
10/14/2021		ENTRY OF APPEARANCE
10/27/2021	10/27/2021 09:00AM	ART ARRAIGNMENT TRAFFIC
1/26/2022	01/26/2022 09:00AM	ATC ARRAIGNMENT TRAFFIC CONTINUED
4/7/2022		CASE DISPOSED-GUILTY. \$1284 FINE. 12 MO PROB MAIL-IN. 24 HRS JAIL TS. 5 DCS AT NON-PROFIT. R R W 120 DAYS. CONSUME NO A SUBMIT TO RANDOM DRUG SCREENS. D'A EVAL AND NEC TRMT. STATES REC. ACK OF RIGHTS. WAIVER
4/7/2022	04/07/2022 01:30PM	ATC ARRAIGNMENT TRAFFIC CONTINUED
4/11/2022		PROBATION ORDER

Case #	Defendant	Judge	Status	Filing
 21CR3342-2	POTTER, MELVIN BERNARD	SEAY VANPATTEN POULAKOS	CL	9/10/2021

Charges

Charge #	Violation code	Offense	Offense Date	Disposed On	Disposition Method	Disposition Stage	Arrest
1	40-6-48	FAILURE TO MAINTAIN LANE	6/28/2021	4/7/2022	NOLO PLEA CONVICTION	P	

Attorneys

Name	Represents
WARD, STEVEN	D
WISEBAKER, SANDY	SG

Proceedings/Events

Date	Court Date	Type
9/10/2021		CITATION FILED
10/27/2021	10/27/2021 09:00AM	ART ARRAIGNMENT TRAFFIC
1/26/2022	01/26/2022 09:00AM	ATC ARRAIGNMENT TRAFFIC CONTINUED
4/7/2022		DISPOSITION-NOLO. \$117 FINE. 12 MO PROB. CONCURRENT WITH CT 2. MAIL-IN. SUPERVISED PROB NOT PAY ONLY
4/7/2022	04/07/2022 01:30PM	ARC ARRAIGNMENT CONTINUED

P-13-2-2

ATLANTA POLICE DEPARTMENT EMPLOYEE DISCIPLINE WORKSHEET

Employee: **Melvin Potter**

OPS Control# **21-I-0271-CR**

Date: **6/29/22**

Employee Disciplinary History: Charges with Active Reckoning Period			History by: <i>GAC</i> 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					4.1.5	C		S-5
ACTION WITHIN					4.1.4	D		S-16
AN ACTIVE								
RECKONING PERIOD								

Supervisor Completing Worksheet

Lieutenant Neil Welch
Typed Name & Title of Supervisor

LT Welch 7/29/22
Signature & Date

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

I concur Do not concur With the recommended discipline.

Lieutenant Neil Welch
Typed Name & Title of Unit Commander

LT Welch 7/29/22
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.

MAJOR Stephen Zygas
Typed Name & Title of Asst. Commander

Steph Zygas 8/1/22
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 Stephen Zygas
Typed Name & Title of Section Commander

Steph Zygas 8/1/22
Signature & Date

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

I concur Do not concur With the recommended discipline.

DIC Timothy D Peep
Typed Name & Title of Division Commander

DIC Peep 8-24-2022
Signature & Date



Atlanta Police Department

MEMORANDUM

TO: Officer Melvin Potter
FROM: Major Carlo Peek
DATE: March 22, 2023
RE: Disposition OPS Complaint File: 21-I-0271-CR

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 with regards to employee
- Not-Sustained - the investigation did not develop sufficient information to prove or disprove the allegation stated in the complaint with regards to employee
- Sustained - the investigation did develop sufficient information to prove the allegation stated in the complaint with regards to employee
Work Rule 4.1.4 CONDUCT; 4.1.5 OBEY THE LAW
- Unfounded - the allegation was without factual basis

CP/se
cc: File