

OPS Complaint File Closeout Report

OPS Control Number: 23-I-0417-ICD Date Investigation Received: 8-11-2023

Date Investigation Completed: 8-28-2023 Date Investigation Adjudicated: 10-13-2023

Accused Employee: Lamar Jacobs R/S: / Unique ID: 7981

Accused Employee's Assignment: FOD Z1 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

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

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Accused Employee: Maseh Jibri R/S: / Unique ID: 7660

Accused Employee's Assignment: FOD Z1 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

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

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Form Completed by: _____ Date: _____

OPS Complaint File Closeout Report

OPS Control Number: 23-I-0417-ICD Date Investigation Received: 8-11-2023

Date Investigation Completed: 8-28-2023 Date Investigation Adjudicated: 10-13-2023

Accused Employee: Jared White R/S: / Unique ID: 8295

Accused Employee's Assignment: FOD Z1 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

Waiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Accused Employee: Duc Vo R/S: / Unique ID: 7617

Accused Employee's Assignment: FOD Z4 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

Waiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

**ATLANTA POLICE DEPARTMENT
RELIEF FROM DUTY**

OPS CONTROL# TBD

TO: Ofc. Kiran Kimbrough

FROM: Sergeant W. Dean

DATE: September 29, 2023

RE: Relief from Duty Notice

You are hereby suspended from duty with pay effective September 29, 2023 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: (On October 5, 2023, you are scheduled for a Disciplinary Action Session. The Notice of Proposed Adverse Action is Dismissal.


CONDITION: You will provide a home telephone number and cellular telephone 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. J. Collins or Sgt. W. Dean of the Office of Professional Standards where you can be reached. If he or she is unavailable, you will then advise a supervisor at OPS of the information. **You are forbidden to work any extra jobs during your relief of 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
	APD Breast Badge # 7889	
	City ID + Swipe Card	
	Glock 17 AEG6681	


AFFECTED EMPLOYEE'S
SIGNATURE

9-29-23
DATE/TIME


WITNESS SIGNATURE

9-29-23
DATE/TIME

P- _____

**ATLANTA POLICE DEPARTMENT
NOTICE OF FINAL ADVERSE ACTION (NFAA)
OPS CONTROL #: 23-I-0417-ICD**

NAME (LAST, FIRST, MI) KIMBROUGH, KIRAN		4 DIGIT ID 7951	POSITION #	CLASSIFICATION OFC	DIVISION FOD	SECTION Z1	WATCH
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.23.294	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 **9.29.23**

Summary of Employee Response

FINAL ADVERSE ACTION: *If an emergency action states 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 **9-29-23**

Effective Date of Action **10-13-23**

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
(4.2.33) Conformance to Directives	Dismissal

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.

Chief D. B. Schierbaum	[Signature]	10-9-2023
TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)	DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE	
[Signature] 10-9-23	[Signature]	10-9-2023
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 #: 23-I-0417-ICD

NAME (LAST, FIRST, MI) KIMBROUGH, KIRAN	4 DIGIT ID 7951	POSITION #	CLASSIFICATION OFC
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NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.2.33 of the Employee Work Rules of this Department. Said Rules states:

Conformance to Directives

Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.

SPECIFICALLY: On August 10, 2023, you were dispatched and responded to a vehicle accident at Cunningham Place @ Joseph Lowery Blvd. Upon your arrival on the scene, you encountered the two involved parties: Mr. Dontrell Washington and Mr. Johnny Hollman. After a preliminary investigation, you determine that Mr. Hollman was the at fault driver of the vehicle accident. You approached Mr. Hollman to issue a traffic citation. Mr. Hollman expressed that he was not at fault; he refused to sign the citation and requested a supervisor. You explained to Mr. Hollman that the citation was not an admission of guilt, but his refusal would result in his arrest. Shortly thereafter, you attempted to restrain Mr. Hollman and a physical altercation ensued. During your attempt to get Mr. Hollman in custody, you removed your city issued taser and drive stunned him in the right arm. A tow truck driver at the location assisted you in handcuffing Mr. Hollman. Moments later, you observed Mr. Hollman to be unresponsive and notified radio dispatch and requested medical assistance from Grady EMS. Grady EMS arrived on the scene and transported Mr. Hollman to Grady Hospital, where he was pronounced deceased.

The internal investigation revealed that you failed to notify and or request a supervisor to the scene prior to taking Mr. Hollman in custody for refusal to sign a traffic citation. Atlanta Police policy specifically states, "an arrest for refusal to sign a citation must be approved by an on-scene supervisor. The officer will write, Refuse to Sign in the signature space and charge the violator accordingly."

Your actions are contrary to APD.SOP. 4010 Traffic, Section 4.3.7(5) The officer will have the violator sign the citation to only acknowledge receipt of the citation and awareness of the court date. If the violator refuses to sign the citation, the officer will inform the traffic violator that signing the citation is not an admission of guilt and that failure to sign may result in a physical arrest requiring them to post a cash bond to ensure appearance in court (O.C.G.A. 40-13-2.1). A physical arrest for refusal to sign a citation must be approved by an on-scene supervisor. The officer will write, "Refused to Sign" in the signature space and charge the violator accordingly.

<p><i>Chief D. B Schierbaum</i> TITLE AND NAME OF DISCIPLINARY AUTHORITY</p>	<p><i>[Signature]</i> 10-9-2023 DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p>
<p><i>[Signature]</i> 10-9-23 EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)</p>	<p><i>[Signature]</i> 10-9-2023 WITNESS SIGNATURE AND DATE</p>

Form APD-834 revised 1/1/2000

P- _____ - _____ - _____

**ATLANTA POLICE DEPARTMENT
NOTICE OF PROPOSED ADVERSE ACTION (NPAA)
OPS CONTROL #: 23-I-0417-ICD**

NAME (LAST, FIRST, MI) KIMBROUGH, KIRAN		4 DIGIT ID 7951	POSITION #	CLASSIFICATION OFC	DIVISION FOD	SECTION Z1	WATCH
EMPLOYEE STATUS PERMANENT <input checked="" type="checkbox"/> PROBATION <input type="checkbox"/> OTHER <input type="checkbox"/>		PERSONNEL ORDER # APD.PO.23.294	DISTRIBUTION 7	EMERGENCY ACTION? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

_____ Suspension without pay for _____ working days.	Date NPAA Issued 9.29.23
_____ Suspension without pay pending adjudication of criminal charges.	
_____ Demotion from _____ to _____	Effective Date of Action 10.13.23
XXX 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
(4.2.33) Conformance to Directives	DISMISSAL
<i>See attached page(s) for the specifics of the violation(s).</i>	

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 10.5.23 at 12:30 pm
- You may appear personally before the Disciplinary Authority named below on 10.5.23 at 12:30 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: _____

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

<u>Chief D.B. Schierbaum</u>	<u><i>[Signature]</i> 09-29-23</u>
TITLE AND NAME OF DISCIPLINARY AUTHORITY (PRINT OR TYPE NAME)	DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE
<u><i>[Signature]</i> 9/29/23</u>	<u><i>[Signature]</i> 9-29-23</u>
EMPLOYEE SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)	WITNESS SIGNATURE AND DATE

P - - -

**ATLANTA POLICE DEPARTMENT
ADVERSE ACTION CONTINUATION**

NOTICE OF PROPOSED ADVERSE ACTION OPS CONTROL #: 23-I-0417-SOP

NAME (LAST, FIRST, MI) KIMBROUGH, KIRAN	4 DIGIT ID 7951	POSITION #	CLASSIFICATION OFC
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NARRATIVE (REASONS FOR EMERGENCY ACTION)

GENERALLY: You are charged with violating Rule 4.2.33 of the Employee Work Rules of this Department. Said Rules states:

Conformance to Directives

Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.

SPECIFICALLY: On August 10, 2023, you were dispatched and responded to a vehicle accident at Cunningham Place @ Joseph Lowery Blvd. Upon your arrival on the scene, you encountered the two involved parties: Mr. Dontrell Washington and Mr. Johnny Hollman. After a preliminary investigation, you determine that Mr. Hollman was the at fault driver of the vehicle accident. You approached Mr. Hollman to issue a traffic citation. Mr. Hollman expressed that he was not at fault; he refused to sign the citation and requested a supervisor. You explained to Mr. Hollman that the citation was not an admission of guilt, but his refusal would result in his arrest. Shortly thereafter, you attempted to restrain Mr. Hollman and a physical altercation ensued. During your attempt to get Mr. Hollman in custody, you removed your city issued taser and drive stunned him in the right arm. A tow truck driver at the location assisted you in handcuffing Mr. Hollman. Moments later, you observed Mr. Hollman to be unresponsive and notified radio dispatch and requested medical assistance from Grady EMS. Grady EMS arrived on the scene and transported Mr. Hollman to Grady Hospital, where he was pronounced deceased.

The internal investigation revealed that you failed to notify and or request a supervisor to the scene prior to taking Mr. Hollman in custody for refusal to sign a traffic citation. Atlanta Police policy specifically states, "an arrest for refusal to sign a citation must be approved by an on-scene supervisor. The officer will write, Refuse to Sign in the signature space and charge the violator accordingly."

Your actions are contrary to APD.SOP. 4010 Traffic, Section 4.3.7(5) The officer will have the violator sign the citation to only acknowledge receipt of the citation and awareness of the court date. If the violator refuses to sign the citation, the officer will inform the traffic violator that signing the citation is not an admission of guilt and that failure to sign may result in a physical arrest requiring them to post a cash bond to ensure appearance in court (O.C.G.A. 40-13-2.1). A physical arrest for refusal to sign a citation to sign a citation must be approved by an on-scene supervisor. The officer will write, "Refused to Sign" in the signature space and charge the violator accordingly.

<p><u>Chief D.B. Schierbaum</u> TITLE AND NAME OF DISCIPLINARY AUTHORITY</p>	<p><u>[Signature]</u> 09-29-23 DISCIPLINARY AUTHORITY'S SIGNATURE AND DATE</p>
<p>x <u>[Signature]</u> 9-29-23 EMPLOYEE'S SIGNATURE & DATE (Indicates receipt ONLY not agreement with action)</p>	<p><u>[Signature]</u> 9-29-23 WITNESS SIGNATURE AND DATE</p>

Form APD-834 revised 1/1/2000

P- _____ - _____ - _____

Atlanta Police Department

OPS

Officer Disciplinary History

Officer KIRAN KIMBROUGH [7951]

Part I - Personal Information

Name: Officer KIRAN KIMBROUGH

Unique ID #: 7951 Badge No: Hire Dt: 03/18/2021

Division: FOD

Section/Zone: ZONE 1

Unit:

Part II - Discipline History

22I0090SXM Internal

1.04 Conduct 03/09/2022 [] -

22I0149VA Case #: 220551620 Vehicle accident

B: Sep 29, 2022: SUSPENDED Days/hrs suspended: 1 - [Action/discipline completed]

S-3 MODIFIED TO S-1 BY DC SENZER

B: Sep 29, 2022: WRITTEN REPRIMAND - [Action/discipline completed]

2.33-3131

S-3 MODIFIED TO WR

4.04 Operation of City Vehicles 04/26/2022 [B] - SUSTAINED Sep 29, 2022

Related actions taken:

Sep 29, 2022 SUSPENDED
1 days/hrs

2.33 Conformance to Directives 03/13/2023 [B] - SUSTAINED Sep 29, 2022

Related actions taken:

Sep 29, 2022 WRITTEN REPRIMAND

22C0330SOP Case #: 222492397 Citizen complaint

C: Mar 24, 2023: WRITTEN REPRIMAND - [Action/discipline completed]

2.33-3133

S-3 MODIFIED TO WR BY MAJOR R. MOORMAN

A: Mar 24, 2023: ORAL ADMONISHMENT - [Action/discipline completed]

2.02

2.33 Conformance to Directives 09/14/2022 [C] - SUSTAINED Mar 24, 2023

Related actions taken:

Mar 24, 2023 WRITTEN REPRIMAND

2.02 Courtesy 09/14/2022 [A] - SUSTAINED Mar 24, 2023

Related actions taken:

Mar 24, 2023 ORAL ADMONISHMENT

23C0087SOP Case #: 221951076 Citizen complaint

Apr 17, 2023: ORAL ADMONISHMENT - [Action/discipline completed]

2.33 Conformance to Directives 04/20/2023 [A] - SUSTAINED Apr 17, 2023

Related actions taken:

Apr 17, 2023 ORAL ADMONISHMENT

2.21 Submitting Reports 04/20/2023 [A] - SUSTAINED Apr 17, 2023

Related actions taken:

Apr 17, 2023 ORAL ADMONISHMENT

23C0162PE Case #: 230640041 Citizen complaint

Apr 13, 2023: NO ACTION TAKEN - [Action/discipline completed]

2.30 Recovered Property 03/29/2023 [] - EXONERATED Apr 13, 2023

Related actions taken:

Apr 25, 2023 NO ACTION TAKEN

23I0417ICD Case #: 232221937 Use of force

D: Oct 13, 2023: DISMISSED - [Action/discipline completed]

2.50 Maltreatment or Unnecessary Force 08/11/2023 [] - EXONERATED Aug 29, 2023

2.33 Conformance to Directives 08/11/2023 [D] - SUSTAINED Sep 28, 2023

Related actions taken:

Oct 13, 2023 DISMISSED

Printed: Oct 19, 2023 12:42 By: Sergeant Craig Faircloth

OPS Complaint File Closeout Report

OPS Control Number: 23-I-0417-ICD Date Investigation Received: 8-10-2023

Date Investigation Completed: 8-28-2023 Date Investigation Adjudicated: 10-13-2023

Accused Employee: Kiran Kimbrough R/S: B/M Unique ID: 7951

Accused Employee's Assignment: FOD Z1 EVE
 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>	4.2.50	4.2.33			
<i>Disciplinary Action:</i>	Exonerated	Not Sustained			
<i>Modified Action:</i>	N/A	Dismissal			
<i>Disciplinary Category:</i>	N/A	D			
<i>Date of Action:</i>	8-29-2023	10-13-2023			

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

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Accused Employee: Rontarin David R/S: Unique ID: 8250

Accused Employee's Assignment: FOD Z1 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

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

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Form Completed by: _____ Date: _____

OPS Complaint File Closeout Report

OPS Control Number: 23-I-0417-ICD Date Investigation Received: 8-11-2023

Date Investigation Completed: 8-28-2023 Date Investigation Adjudicated: 10-13-2023

Accused Employee: Zaniya Davis R/S: / Unique ID: 8291

Accused Employee's Assignment: SSD Training Academy
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

Waiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Accused Employee: Kerry Giles R/S: / Unique ID: 8244

Accused Employee's Assignment: FOD Z4 M/W
 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>	4.2.33				
<i>Disciplinary Action:</i>	Sustained				
<i>Modified Action:</i>	Not Sustained				
<i>Disciplinary Category:</i>	N/A				
<i>Date of Action:</i>	10-13-2023				

Waiver: YES NO CVSA: YES NO SAA: YES NO

Reimbursement Payment: YES NO

Special Conditions and/or Agreement: N/A

Form Completed by: _____ Date: _____



CITY OF ATLANTA

Andre Dickens
Mayor

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

Atlanta Police Department
Darin Schierbaum
Chief of Police

To: Major Carlo Peek

From: Assistant Chief Carven Tyus

Date: October 13, 2023

Re: OPS file 23-I-0417-ICD

After a careful review of the file and corresponding video of this incident I am disagreeing with the OPS findings of Sustained on the Conformance to Directives 4.2.33 (APD.SOP.3010 Use of Force) for the below listed Officers. I find their actions to be within the prescribed guidelines of our SOP's therefore I recommend a finding of Not Sustained.

Name	Disposition	Rule
Rontarin David	Not Sustained	4.2.33 Conformance to Directives
Zaniya Davis	Not Sustained	4.2.33 Conformance to Directives
Kerry Gilles	Not Sustained	4.2.33 Conformance to Directives
Lamar Jacobs	Not Sustained	4.2.33 Conformance to Directives
Maseh Jibri	Not Sustained	4.2.33 Conformance to Directives
Jared White	Not Sustained	4.2.33 Conformance to Directives
Duc Vo	Not Sustained	4.2.33 Conformance to Directives

**ATLANTA POLICE DEPARTMENT
RELIEF FROM DUTY**

OPS CONTROL# TBD

TO: Ofc. Kiran Kimbrough

FROM: Sergeant W. Dean

DATE: September 29, 2023

RE: Relief from Duty Notice

You are hereby suspended from duty with pay effective September 29, 2023 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: On October 5, 2023, you are scheduled for a Disciplinary Action Session. The Notice of Proposed Adverse Action is Dismissal.

CONDITION: You will provide a home telephone number and cellular telephone 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. J. Collins or Sgt. W. Dean of the Office of Professional Standards where you can be reached. If he or she is unavailable, you will then advise a supervisor at OPS of the information. **You are forbidden to work any extra jobs during your relief of 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
	APD Breast Badge # 7889	
	City ID + Swipe Card	
	Glock 17 AEG L681	


AFFECTED EMPLOYEE'S
SIGNATURE

9.29.23
DATE/TIME


WITNESS SIGNATURE

9.29.23
DATE/TIME

P - _____



CITY OF ATLANTA

Andre Dickens
Mayor

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

Atlanta Police Department
Darin Schierbaum
Chief of Police

MEMORANDUM

TO: Chief D. Schierbaum
FROM: Assistant Chief C. Tyus
DATE: 09/27/2023
SUBJECT: OPS Complaint #23-I-0417-ICD

Attached please find OPS Complaint Investigation #23-I-0417-ICD involving **Officer Kiran Kimbrough**. I have reviewed the file and corresponding video of the above-referenced incident and disagree with OPS's findings. Upon my review, I believe Officer Kimbrough to be in violation of work rule 4.2.33 Conformance to Directives. In accordance with APD.SOP.2020, Section 4.7.1(b), I am forwarding this OPS investigation for your review and recommendation.

Officer Kiran Kimbrough:

<u>Work Rule</u>	<u>Recommendation</u>	<u>Concur</u>	<u>Do Not Concur</u>
4.2.33 Conformance to Directives APD.SOP.4010, 4.3.7(5) Traffic	Dismissal	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DB Schierbaum
Darren Schierbaum, Chief of Police

9-28-2023
Date



CITY OF ATLANTA

**Employee Assistance Program &
Psychological Services**

Internal Correspondence

Office: 404-546-3074

Fax: 404-215-2820

MEMORANDUM

Date: October 18, 2023

To: Deputy Chief Andrew Senzer, Division Commander, Field Operations
Atlanta Police Department

From: Kristy Odom, LPC, CPCS, MAC, CAMSII
EAP/Psychological Services

RE: FURA – 60 Day Follow up – Officer Kiran Kimbrough-APD Zone 1

As required by FURA, I completed an assessment of Officer Kiran Kimbrough who was involved in an incident in which he discharged his weapon (taser) on Friday, August 11, 2023, at the cross section of Joseph Lowery and Cunningham Place that resulted in a fatality. I conducted an initial FURA assessment on August 11, 2023, and Officer Kimbrough presented with an anxious mood and congruent affect. Officer Kimbrough was also present for his follow up session, Friday, August 18, 2023 where he did not present with any significant emotional distress and denied thoughts of wanting to harm himself or others. I met with Officer Kimbrough again on September 13, 2023, where he stated a decrease in his mood and lack of focus while at work due to stress from the outcomes of the incident. Officer Kimbrough stated, “things took a turn for the worse after I returned back to work”. At that time, Officer Kimbrough denied wanting to harm himself or others. Officer Kimbrough was scheduled for a 60-day follow-up on today, however, APD Command informs that Officer Kimbrough has been terminated. PS/EAP will close the FURA as of October 18, 2023.

If you have any questions, please feel free to contact me at (470) 451.8942. Thank you for your cooperation.

Cc: Major Carlo Peak (OPS), Atlanta Police Department
Major Reginald Moorman, Zone 1, Atlanta Police Department
Lt. Erin M. Brown, Zone 1, Atlanta Police Department
Derris Mitchell, Interim Director, EAP/Psychological Services



REPORT OF THE MEDICAL EXAMINER

Fulton County: Medical Examiner
430 Pryor St., SW
Atlanta, Georgia 30312
Office: 404-613-4400
Fax: 404-612-2463
FCMEInformationRequest@fultoncountyga.gov

Case Number: 2023-01753

Name (First): Johnny
(Last): Hollman

Age, Race, Sex: 62 - Black - Male

Cause of Death: Cardiac dysrhythmia due to
Use of conducted energy device in association with
hypertensive and atherosclerotic cardiovascular disease

Other Conditions: Chronic obstructive pulmonary disease; Diabetes
mellitus; Obesity

Manner of Death: Homicide

Medical Examiner: Melissa Sims-Stanley, M.D.

Procedure: Autopsy Saturday, Aug 12, 2023
Melissa Sims-Stanley, M.D.

Print Date: 09/26/2023

**REPORT OF
THE MEDICAL EXAMINER**

2023-01753

Johnny Hollman

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REASON FOR PERFORMING AN EXAMINATION:

Johnny Hollman was a 62-year-old, black male (with a documented medical history of hypertension, chronic obstructive pulmonary disease, and diabetes mellitus) who became involved in a physical confrontation with law enforcement following a minor motor vehicle crash. Body cam video and discussion with GBI Special Agent Keshia Morris confirmed that the officer used a conducted energy device on the decedent. He became unresponsive at the scene and was transported to Grady Memorial Hospital, where he was pronounced dead in the emergency room on 8/11/2023 at 12:57 a.m.

SUMMARY OF FINDINGS:

- I. Use of conducted energy device on the decedent.
- II. Hypertensive cardiovascular disease.
 - A. Cardiomegaly (520 grams; expected heart weight based on height = 327 +/- 40 grams) with concentric left ventricular hypertrophy.
- III. Atherosclerotic cardiovascular disease.
 - A. Marked atherosclerosis of the left main coronary artery.
 - B. Marked two-vessel coronary atherosclerosis.
 - C. Moderate aortic atherosclerosis.
- IV. Chronic obstructive pulmonary disease.
 - A. Chronic bronchitis.
- V. Diabetes mellitus.
- VI. Obesity (Body Mass Index = 37.1 kg/m²).
- VII. Hepatomegaly (2160 grams).
 - A. Chronic passive hepatic congestion.
- VIII. Toxicology results per Axis Laboratories.
 - A. Peripheral blood delta-9 THC level = 20.6 ng/mL.
 - B. Peripheral blood delta-9 Carboxy THC level = 55.6 ng/mL.
 - C. Peripheral blood 11-hydroxy Delta-9 THC level = 3.0 ng/mL.
 - D. Peripheral blood cyclobenzaprine level = 23.0 ng/mL.
 - E. Peripheral blood naproxen level = 10.1 mcg/mL.
- IX. Laboratory results per Grady Memorial Hospital.
 - A. Hemoglobin phenotype = AA.
 - B. Vitreous fluid analysis is within postmortem values.
 - C. Blood hemoglobin A_{1C} level = 7.8%.
- X. Minor blunt force head trauma.
 - A. Facial abrasions.
 - B. Scalp/subgaleal and bilateral temporalis musculature hemorrhages.
- XI. Minor blunt force trauma to the torso and extremities.
 - A. Abrasions and contusions.
 - B. Superficial wound on volar right hand.

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- C. Cutdowns of the posterior torso and extremities reveal less than 10 foci of subcutaneous and superficial musculature hemorrhages (measuring up to 5.8 cm each).
- XII. Minor, miscellaneous injury.
 - A. Lingual hemorrhage.
- XIII. Injuries consistent with resuscitative efforts.
 - A. Soft tissue hemorrhages overlie the left superior horn of the thyroid cartilage and left greater horn of the hyoid bone (both of which are intact) and the thyroid gland.
 - B. Fractures of right anterior ribs #2-6, right anterolateral ribs #1-3, left anterior ribs #2-5, and left anterolateral ribs #2-4 with intercostal musculature hemorrhages.

CAUSE OF DEATH:

Cardiac dysrhythmia due to use of conducted energy device in association with hypertensive and atherosclerotic cardiovascular disease.

OTHER SIGNIFICANT CONDITIONS:

Chronic obstructive pulmonary disease; Diabetes mellitus; Obesity.

MANNER OF DEATH:

Homicide.

OPINION:

It is my opinion that Johnny Hollman died due to cardiac dysrhythmia (abnormal heart rhythm) due to use of a conducted energy device in association with hypertensive and atherosclerotic cardiovascular disease. Review of body cam video and discussion with GBI Special Agent Keshia Morris confirm that a conducted energy device is used as a stun gun during physical confrontation with law enforcement. Based on my review and interpretation of the video, Mr. Hollman is unresponsive from the time that the energy device is deployed. At no time is neck compression used, and based on the angle of the video, compression of the torso is not identified. Chronic obstructive pulmonary disease, diabetes mellitus, and obesity are contributory factors in this death.

The manner of death is classified as homicide.

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DATE, TIME, AND PLACE OF EXAMINATION:

Under the provisions of the Georgia Death Investigation Act, an autopsy is performed in the morgue of the Fulton County Medical Examiner's Center on August 12, 2023.

PRESENTATION, CLOTHING, AND PERSONAL EFFECTS:

The body is received supine in a white plastic disaster bag secured with a red plastic seal numbered 5917288. Attached to the plastic seal is a Fulton County Medical Examiner's Center identification tag with the designation "Johnny Hollman". Body identification also includes an identification tag (identifying the decedent by the stat pack name "Meyersdale 6, Emergency U") with attached string encircling the right great toe.

The body is unclad. Personal effects include an appropriately worn, yellow-metal necklace with a yellow-metal "J" pendant with clear stones. Clothing and additional personal effects are not received with the body. A pair of gray-metal handcuffs (with a cuff encircling the left wrist) is present. These handcuffs are removed at autopsy in accordance with office policy.

DIAGNOSTIC AND THERAPEUTIC DEVICES AND MARKINGS:

1. Supraglottic airway in oral cavity with loose strap.
2. Appropriately positioned cervical collar.
3. Defibrillator pad on the right chest and overlying the left anterolateral costal margin.
4. Automated external defibrillator pad on the central lower chest.
5. Multiple electrocardiogram pads on the anterior torso.
6. Peripheral intravascular line with overlying adhesive on the dorsolateral right wrist.
7. Contusion with associated swelling and puncture site (consistent with prior intravascular line site/attempt) on the left antecubital fossa.
8. Intraosseous line (with overlying taped gauze) on the proximal aspect of the left anteromedial lower leg.

POSTMORTEM X-RAYS:

The postmortem x-ray is reviewed.

POSTMORTEM CHANGES:

The refrigerated body is cool to the touch. Rigor mortis is generalized and fully developed. Violet postmortem lividity is posteriorly distributed except in regions of pressure. The corneas are clouded. The body is well preserved.

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FEATURES OF IDENTIFICATION:

The unembalmed body is that of a black male appearing consistent with the reported age of 62 years, measuring 68 inches in length and weighing 244 pounds. The decedent is well developed and obese, with a body mass index = 37.1 kg/m^2 . The curly, white with interspersed gray-black head hair is in multiple braids measuring 3 inches in length. Facial hair consists of a vertical strip of curly, white-gray-black hair on the central chin (measuring 0.5 inch in length). The irides are brown. The natural teeth are in fair repair; multiple teeth are remotely absent.

Identifying marks and scars are not apparent. Nondescript scars overlie the right knee and distal lower extremities.

EVIDENCE OF ACUTE INJURY:

Minor Blunt Force Head Trauma:

A 0.5 x 0.3 inch, faint pink abrasion and few indistinct, pink abrasions (measuring up to 0.2 inch each) overlie the superomedial right orbital rim. An irregular, 1.1 x 0.5 inch, red abrasion and multiple satellite abrasions (measuring less than 0.1 inch each) span the nasal dorsum (predominantly on the right).

Internal examination reveals right frontotemporal scalp/subgaleal hemorrhages and scattered left temporal scalp/subgaleal and parieto-occipital scalp hemorrhages (measuring up to 4 x 4 cm each). Bilateral temporalis musculature hemorrhages are present. The neurocranium is intact, and the brain is atraumatic.

Minor Blunt Force Trauma to the Torso and Extremities:

A 7 x 3 inch, discontinuous aggregate of confluent and petechial, dark red contusions spans the superolateral left back. A vertically linear, 2.5 x 0.3 inch confluence of similar contusions is on the upper half of the lateral left back. A vertical and curvilinear, 4.8 x 0.3 inch, discontinuous aggregate of petechial and confluent, dark red contusions is on the posterolateral left torso. A 0.9 x 0.6 inch aggregate of similar, faint contusions is on the superomedial right back. An obliquely linear, 0.4 inch, dark abrasion is on the posterior right flank. An approximately 1 x 1 inch aggregate of faint red discoloration vs. contusions is on the superolateral right shoulder. Multiple, irregular red abrasions (measuring up to 0.9 x 0.8 inch each) overlie the right elbow. Indistinct, faint pink contusions span the dorsomedial right forearm. An essentially coronal, 0.7 x 0.2 inch, superficial dark wound is on the volar surface of the lateral right hand.

Multiple irregular, red abrasions (measuring up to 1.3 x 0.5 inch each) overlie and are distal and lateral to the knees. A 1.2 x 0.5 inch, reddish-brown abrasion is on the medial left knee.

Cutdowns of the back, buttocks, upper extremities, and posterior lower extremities reveal:

1. Scattered subcutaneous hemorrhages (up to 3.8 x 0.8 cm each) of the superolateral right back.

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2. A 5.8 x 3.3 cm focus of subcutaneous/superficial musculature hemorrhage of the superolateral left back.
3. Scattered subcutaneous hemorrhages (up to 1.3 cm each) of the posterolateral left torso and lateral left hip.
4. Subcutaneous hemorrhages (up to 3.8 x 2.5 cm each) overlying and distal to the right elbow.
5. Subcutaneous hemorrhage (2 x 2 cm) of the lateral right wrist.
6. A 2.5 x 2.5 cm, discontinuous aggregate of subcutaneous hemorrhages of the superior left shoulder.
7. Three to four subcutaneous hemorrhages (up to 2.5 x 2.5 cm each) of the distal aspect of the dorsal, left upper arm and lateral left elbow.
8. A 3.8 x 2 cm, subcutaneous hemorrhage of the medial left elbow.
9. A 3.8 x 3.8 cm, discontinuous aggregate of subcutaneous hemorrhages of the lateral right knee.

Minor, Miscellaneous Injury:

Bivalving the tongue reveals a 0.4 x 0.2 cm hemorrhage of the distal, right lingual musculature.

Injuries Consistent with Resuscitative Efforts:

Internal examination reveals soft tissue hemorrhages overlie the left superior horn of the thyroid cartilage and left greater horn of the hyoid bone (both of which are intact), as well as the left lobe of the thyroid gland. Right anterior ribs #2-6, right anterolateral ribs #1-3, left anterior ribs #2-5, and left anterolateral ribs #2-4 are fractured with associated intercostal musculature hemorrhages.

EXTERNAL EXAMINATION:

The head is normally formed. The soft tissues of the face and neck are mildly plethoric. The facial bones and mandible are free of palpable fractures. Ocular petechiae of the lower palpebral conjunctivae are present, and facial petechiae are absent. The sclerae are anicteric. The conjunctival blood vessels are congested. The nose is normally formed. The nasal vestibules are clear. The lips, teeth, tongue, gums, and buccal mucosa are unremarkable. The external meati, pinnae, and mastoid regions are unexceptional.

The trachea is in the midline of the neck. The neck is neither crepitant nor excessively mobile. No palpable masses are present.

The chest and back are symmetrical and well developed. The protuberant abdomen is free of palpable organomegaly. An umbilical hernia is present. The spine is straight.

The extremities are symmetrical and well developed. The appendicular skeleton is stable to manipulation. The hands and feet are normally formed. All the digits are present. The fingernails have irregular edges, extend less than 0.2 inch beyond the digit tips, and display focal underlying

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debris. The toenails have irregular edges, do not extend beyond the digit tips, and are variably thickened and discolored.

The penile foreskin is long, and the testes are palpable within the scrotum. The external genitalia, perineum, and anorectal areas are normally formed and atraumatic. The inguinal regions and buttocks are unremarkable.

There is no cervical, axillary, or inguinal lymphadenopathy.

INTERNAL EXAMINATION:

Head:

The scalp is reflected using the standard intermastoidal incision. The calvarium is intact. The dura is intact and free of discoloration and thickening. The base of the skull is examined after stripping the dura and is intact. The leptomeninges are thin and transparent. There is no epidural, subdural, or subarachnoid hemorrhage. The brain weighs 1040 grams. The gyri and sulci are of normal distribution and development. There are no lesions of the cortical gray ribbon, white matter, or deep gray matter structures indicative of natural disease processes. Neither brain swelling nor herniation is noted. The normally distributed blood vessels of the circle of Willis are free of atherosclerosis and aneurysms. The substantia nigra is normally pigmented. The cerebellum, brainstem, upper cervical spinal cord, and ventricular system are normally formed. The cerebrospinal fluid is clear.

Neck:

The skin of the neck is dissected to the angle of the mandible. No airway mucosal edema is present. The hyoid bone and laryngeal cartilages are intact. The epiglottis is neither inflamed nor edematous. No foreign objects are in the airway. The carotid vessels are pliable and patent. The anterior cervical spine and atlanto-occipital joint are stable to manipulation.

Chest and Abdomen:

The skin of the chest and abdomen is reflected using the usual Y-shaped incision. The sternum and chest plate are removed to reveal no abnormal fluid collections in the body cavities. No unusual odors or color changes are noted. Examination of the organs in situ reveals normal organ morphology and relationships. The intact diaphragm is normally formed. The organs are removed using the Virchow technique.

Cardiovascular System:

The heart weighs 520 grams (expected heart weight based on height = 327 +/- 40 grams) and exhibits normal four-chambered anatomy. The hypertrophied right and left ventricular walls are 0.5 cm and 2.0 cm in thickness, respectively. The muscular interventricular septum is 2.0 cm

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thick. The coronary arteries arise from their usual locations and ramify across their respective ventricles. The left main coronary artery is 90% occluded by eccentric yellow plaque. The mid aspect of the left anterior descending coronary artery and proximal aspect of the right coronary artery are each 75% occluded by eccentric yellow plaque. The epicardium, valve leaflets, chordae tendineae, and endocardium are normally formed. The pulmonic valve measures 9.0 cm in circumference at the annulus, and the tricuspid valve measures 12.0 cm in circumference at the annulus. The aortic valve measures 7.5 cm in circumference at the annulus, and the mitral valve measures 10.6 cm in circumference at the annulus. The red-brown myocardium is free of discrete lesions. The aorta and its normally distributed major branches exhibit a moderate degree of atherosclerosis.

Respiratory System:

The trachea, hilar structures, and major vessels are normally formed. The right and left lungs weigh 920 grams and 840 grams, respectively. The pleural surfaces are smooth. There is expression of blood and fluid from the congested and edematous parenchyma upon compression. Neither lung exhibits consolidation, thrombosis, embolism, infarction, or neoplasia.

Gastrointestinal System:

The esophagus is lined by unremarkable, tan-gray mucosa. The gastroesophageal junction is unremarkable. The gastric mucosa is normally rugated, and the stomach contains approximately 400 grams of thick, tan food matter. The small bowel, colon, and rectum are normally formed. The appendix is in the right lower abdominal quadrant.

Hepatobiliary System:

The liver weighs 2160 grams. The intact capsule is of normal thickness. The homogenous, red-brown parenchyma is free of mass lesions. The distended gallbladder contains approximately 40 milliliters of viscous, green-brown bile. The mucosa is unremarkable. No gallstones are present. The pancreas is of normal size, has the usual lobular architecture, and is free of fibrosis, hemorrhage, and fat necrosis.

Urogenital System:

The right and left kidneys weigh 140 grams and 120 grams, respectively. The capsules strip with ease to reveal underlying, smooth, firm, red-brown cortical surfaces. The cut surfaces, including the pyramids, pelves, calyces, and vessels, are unremarkable. The ureters are of normal caliber. There are no lesions of the mucosa, wall, or serosa of the urinary bladder, which contains approximately 60 milliliters of clear yellow urine.

The homogenous, tan-white parenchyma of the enlarged prostate gland displays nodularity. The testes are symmetrical. The light brown parenchyma is unremarkable.

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Reticuloendothelial System:

The spleen weighs 180 grams. The intact capsule is of normal thickness. The cut surface is dark red. The red pulp and white pulp are normally distributed. No focal lesions are present. Regional lymph nodes are unremarkable.

Musculoskeletal System:

The symmetrical skeletal muscles are normally formed.

Endocrine System:

The symmetrical thyroid gland is of normal size. The dark brown parenchyma is free of nodules, hemorrhages, and cysts. The adrenal glands are of normal size and free of hemorrhage and nodularity.

MICROSCOPIC DESCRIPTION:

Cassette Summary:

- A. Left anterior descending coronary artery, left cardiac ventricle, left lung.
- B. Right coronary artery, right cardiac ventricle, right lung.
- C. Spleen, pancreas, liver.
- D. Left lung, left adrenal gland, left kidney.
- E. Cerebrum, cerebellum, right adrenal gland, right kidney.
- F. Thyroid gland, prostate gland.

Cardiovascular System: The left cardiac ventricle shows plexiform interstitial and perivascular fibrosis, predominantly involving the inner one half of the ventricular wall. The left anterior descending coronary arterial section confirms atherosclerotic plaque formation. The right coronary arterial section is fragmented.

Respiratory System: The lungs reveal acute pulmonary congestion and edema. Hypertrophy of the bronchial mucous glands is present, consistent with chronic bronchitis. Bone marrow emboli within the pulmonary vasculature are noted, consistent with resuscitative efforts.

Hepatobiliary System: The liver contains sinusoidal congestion.

Urogenital System: The left renal section displays a subcapsular, wedge-shaped focus of glomerulosclerosis, tubulointerstitial lymphocytic infiltrates and fibrosis, consistent with chronic pyelonephritis. The prostate gland shows nodular glandular and stromal hypertrophy, consistent with benign prostatic hypertrophy.

The remaining histologically unremarkable tissue sections confirm the gross impression.

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OTHER PROCEDURES:

1. Peripheral blood and urine are submitted to Axis Laboratories for toxicologic analysis.
2. Vitreous fluid is submitted to Grady Memorial Hospital for electrolyte analysis and beta-hydroxybutyrate quantitation. Blood is submitted for hemoglobin A_{1C} evaluation and hemoglobin electrophoresis.
3. Two air-dried blood spot cards are retained in this facility.
4. Documentary and identification photographs are obtained.
5. Representative tissue sections are processed to slides in 6 cassettes.
6. Serum and archival tissue samples are retained in this facility.
7. The examined organs are returned to the body cavity.
8. The personal effect is released with the body.
9. Pulled head hair is retained in this facility for the investigating agency.

MSS:lsr

Dictated: 08/12/2023

Transcribed: 08/14/2023

Pathologist:

Melissa Sims Stanley

Melissa Sims-Stanley, M.D.

Date 9/26/2023

Associate Medical Examiner

Reviewed by:

Karen E Sullivan, MD

Karen E. Sullivan, M.D.

Date 9/26/2023

Chief Medical Examiner



Atlanta Police Department
Office of Professional Standards Internal Affairs Unit

OPS File #	23-I-0417-ICD
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The Department requires an investigation into the allegation that Officer Kiran Kimbrough was involved in a physical altercation and drive stunned a combative driver while taking him into custody and the subject later died on 08/10/2023.

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

Summary of Complaint: On August 10, 2023, a vehicle accident occurred at approximately 9:48 PM and Mr. Johnny Hollman and Mr. Dontrell Washington both contact 911 to have an Officer dispatched to their location. Both parties each contacted 911 to check on an estimated time of arrival for an officer and were advised that as soon as an officer was available one would be sent to their location. Officer Kiran Kimbrough was dispatched to the location at 11:58 PM. When Officer Kimbrough arrived on scene he was met by Mr. Hollman who advised that the other driver had hit his 2021 white Chevrolet Silverado while he had a green light to turn left onto Cunningham Pl SW from Joseph Lowery Blvd SW. Mr. Washington approached Officer Kimbrough and advised that he was turning right from Cunningham Pl SW onto Joseph Lowery Blvd SW. Mr. Washington advised while he was still in his lane, Mr. Hollman's vehicle started to enter his lane of travel. Mr. Washington advised he tried hitting his horn to alert Mr. Hollman who was not looking at him, but that Mr. Hollman kept driving and cut the turn too sharp and hit his car. While Officer Kimbrough was taking notes Mr. Hollman and Mr. Washington were arguing with each other at which time Officer Kimbrough advised that the accident had already happened and told Mr. Hollman to go wait in his vehicle. Officer Kimbrough determined that Mr. Hollman was the at fault driver and approached Mr. Hollman to issue a citation. Mr. Hollman advised that he was not at fault because he had a green light, stated he would not sign the citation, and requested a supervisor. Officer Kimbrough advised Mr. Hollman that he would get a supervisor, but that Mr. Hollman needed to sign the citation. Officer Kimbrough advised Mr. Hollman that signing the citation was not an admission of guilt. Mr. Hollman further refused to sign the citation and Officer Kimbrough attempted to detain Mr. Hollman, to which Mr. Hollman actively physically resisted. A physical altercation between Mr. Hollman and Officer Kimbrough occurred until Officer Kimbrough was able to handcuff Mr. Hollman. Officer Kimbrough immediately notified a supervisor of the Use of Force and requested medical attention for Mr. Hollman to respond to the location. Officer Kimbrough disengaged with Mr. Hollman when other responding Officers arrived at the location. Several of those officers noticed that Mr. Hollman did not appear to be breathing or have a pulse, but no further medical attention was rendered to Mr. Hollman until Grady EMS responded to the location. Mr. Hollman was pronounced deceased at Grady Memorial Hospital, at the time of this writing a cause of death has not been provided to the Office of Professional Standards. The Georgia Bureau of Investigations along with Atlanta Police Homicide responded to the scene of the initial traffic collision to investigate. Mr. Hollman's vehicle was impounded from the location and per APD.SOP.4010 Traffic inventoried. The contents of the inventory were documented under APD case number 232221937-1.

RECOMMENDED INVESTIGATIVE DISPOSITION:

Of the Complaint against:	Officer	Kiran Kimbrough
RULE	<p>4.2.50 Maltreatment or Unnecessary Force 1. Employees are expressly prohibited from the unnecessary or unreasonable use of force against any person or property 2. Employees shall only use that force which is reasonable and necessary to affect an arrest, prevent an escape, necessarily restrict the movement of a prisoner, defend himself/herself or another from physical assault, or to accomplish other lawful objectives. The reasonableness inquiry refers to whether the employee’s actions are “objectively reasonable” in light of the facts and circumstances confronting him or her, without regard to their underlying intent or motivation. The “reasonableness” of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split second decisions about the amount of force necessary in a particular situation (Graham v. Connor, 490 U.S. 386 (1989)).</p>	
<p>Recommended Disposition Exonerated</p>		
<p>Supporting Facts: Officer Kimbrough did respond to an accident scene that he was dispatched to on 08.10.23. Officer Kimbrough did conduct an on-scene investigation where he spoke with both parties and determined that the at fault party was Mr. Johnny Hollman. Officer Kimbrough approached Mr. Hollman at his vehicle to issue the citation, at which time Mr. Hollman refused to sign the citation and requested a supervisor. Officer Kimbrough advised the male that he would call a supervisor to the scene, but that Mr. Hollman needed to sign the citation, or his failure would result in Mr. Hollman going to jail. During Officer Kimbrough’s statement to the Office of Professional Standards, he advised he was initially attempting to detain Mr. Hollman when Mr. Hollman “snatched his arm out of my hand. Um, I once again grabbed his wrist, and he snatched it outta my hand again. And the first thing I noticed was that he [Mr. Hollman] was incredibly strong.” Officer Kimbrough further advised that he tried other academy approved tactics to attempt to detain Mr. Hollman but they did not work. Officer Kimbrough advised he was able to get Mr. Hollman to the ground and “I got on top of him in a mounting position, I was sitting on his hips and I got on radio and put up a five nine right away...Once I got that over radio, I, I told the male to gimme his hands and stopped resisting...Um, the male refused.” Officer Kimbrough advised that Mr. Hollman continued failing around and struck him in the lip. Officer Kimbrough advised that Mr. Hollman tried to throw him off or flip him over which Officer Kimbrough believed to be a dangerous situation because he described Mr. Hollman as “much bigger than me.” Officer Kimbrough advised that Mr. Hollman had grabbed his arm and he pulled away from him and “gave him several compliant strikes to the face” and told Mr. Hollman to stop resisting and attempted to place his arm behind his back again. Officer Kimbrough advised he was unable to place Mr. Hollman’s hands behind his back. Officer Kimbrough removed his taser and told him if he did not place his hands behind his back, he would tase him. Officer Kimbrough pointed the lights in a place that Mr. Hollman would be able to see them and then arched his taser in an effort to gain compliance from Mr. Hollman. Officer Kimbrough advised that Mr. Hollman did not respond to his request to put his hands behind his back, so he drive stunned him one time to the right arm. Officer Kimbrough advised that the tow truck driver came to his aide to assist him in hand cuffing Mr. Hollman. Officer Kimbrough saw his right arm go limp and was able to cuff Mr. Hollman behind his back.</p> <p>Officer Kimbrough advised he stood up, took a second to breathe, and re-engaged with Mr. Hollman when he observed that he was not responsive to his directions to roll over. Officer Kimbrough advised that he sat Mr. Hollman up and attempted to check for a pulse but he could not tell if Mr. Hollman had a pulse. Officer Kimbrough advised he notified radio of the use of force and requested Grady to the location because of the use of the taser and because Mr. Hollman appeared to be unresponsive. Officer Kimbrough was advised via radio to do a sternum rub on Mr. Hollman by Lieutenant Brown to see if he could get a response. Officer Kimbrough advised that he stepped back from the situation once other officers arrived on scene but did continue to check with dispatch on the ambulance and he further requested that the Atlanta Fire Department respond to the location. Officer Kimbrough advised that he stepped away from Mr. Hollman because he tasted blood in his own mouth.</p> <p>Officer Kimbrough utilized several de-escalation tactics while interacting with Mr. Hollman. Officer Kimbrough initially advised Mr. Hollman that signing the citation was not an admission of guilt in order to issue the citation in accordance with policy and gave him the option to sign the citation. Officer Kimbrough gave Mr. Hollman several commands to place his hands behind his back when he attempted to detain him, to which Mr. Hollman</p>		

replied “no”. Officer Kimbrough utilized de-escalation tactics taught during CEW training at the Atlanta Police Training Academy and specifically listed in *APD.SOP. 3042 Conducted Energy Weapon(CEW) 4.2 Actions Prior to CEW Deployment (CALEA 6th ed. standard 4.1.4) 4.2.1 De-escalation tactics for the CEW include, but are not limited to: “painting” the suspect with the laser prior to deployment and arcing the CEW upon drawing the CEW from the holster. These de-escalation tactics are meant to gain compliance prior to deployment of the CEW. This policy further reads 4.2.2 An officer’s decision to deploy the CEW shall involve a physical arrest or a situation where the subject is escalating from passive resistance to active resistance. 4.2.3 A CEW deployment is to prevent further escalation of a situation and to minimize injury to the officer, suspect, or a third party. Mr. Hollman’s initial decision to not sign the citation was a form of passive resistance, but his physical refusal to being detained by Officer Kimbrough escalated the situation to active resistance. Per APD.SOP.3042 Conducted Energy Weapon (CEW) 4.3 CEW Utilization Circumstances (CALEA 6th ed. standard 4.1.4) 4.3.1 The subject initiates active physical resistance to defeat an officer’s ability to affect an arrest.*

Officer Kimbrough used defensive tactics to affect the arrest of Mr. Hollman who actively resisted. Officer Kimbrough deployed a tool, which by APD.SOP.3010 Use of Force is defined as *5.5 Less lethal weapon: any weapon or instrument used as a weapon that is not manifestly designed, made, or adapted for the purpose of inflicting death or serious physical injury. These specifically include OC spray, Conducted Energy Weapons (CEW), and expandable batons (ASP).*

Officer Kimbrough did encounter an active physical resistance when he attempted to detain Mr. Hollman. Officer Kimbrough did continue to give verbal commands to Mr. Hollman, to which Mr. Hollman did not comply. Officer Kimbrough used authorized de-escalation techniques that are within APD policy in order to gain Mr. Hollman’s compliance which were not effective. Officer Kimbrough applied the drive stun technique one time to Mr. Hollmans right arm; at which time he was able to secure Mr. Hollman in handcuffs with the assistance of a bystander.

RULE	<p>4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department. <i>(APD.SOP.4010 Traffic 4.3 Traffic Enforcement Actions 4.3.7 Written Citation (CALEA 6 th ed. standard 61.1.2b): A copy of charges (Uniform Traffic Citation, Form APD 008 or department approved electronic format), will be issued to persons who violate state laws or applicable city ordinances. However, the charge does not dictate a physical arrest. 5. The officer will have the violator sign the citation to only acknowledge receipt of citation and awareness of the court date. If the violator refuses to sign the citation, the officer will inform the traffic violator that signing the citation is not an admission of guilt and that failure to sign may result in a physical arrest requiring them to post a cash bond to ensure appearance in court (O.C.G.A. 40-13-2.1). A physical arrest for refusal to sign a citation must be approved by an on-scene supervisor. The officer will write, “Refuse to Sign” in the signature space and charge the violator accordingly.)</i></p>
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Recommended Disposition	Not Sustained
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Supporting Facts: The above policy does not dictate that an officer is unable to detain an individual prior to notifying a supervisor. Furthermore, APD.SOP.3089 Supervisor Notification does not advise that an employee is required by policy to notify a supervisor prior to the detention of a citizen. APD.SOP.3089 Supervisor notification does not specify that arresting a citizen for failure to sign a citation is one of the mandated instances that a supervisor is required to respond to the location. During Officer Kimbrough’s statement to the Office of Professional Standards, he advised he was initially attempting to detain Mr. Hollman and it was his intention to notify the supervisor once he was detained and placed into his vehicle for safety. Prior to Officer Kimbrough attempting to detain Mr. Hollman he did advise Mr. Hollman that signing the citation is not an admission of guilt, but that he will attend court which is in accordance with the above policy and that his failure to sign the citation would result in his arrest.

Of the Complaint against:	Officer	Duc Vo
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RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department. <i>(APD.SOP.3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)</i>
Recommended Disposition	Sustained
<p>Supporting Facts: Officer Duc Vo, who is assigned to Zone 4 Morning Watch, did respond to a help call at the intersection of Joseph Lowry Blvd and Cunningham Pl along with field training Officer Zaniya Davis. Officer Vo advised when he arrived on scene and located Officer Kimbrough, he observed Mr. Hollman sitting on the ground leaning against Officer Kimbrough's legs. Officer Vo indicated he observed blood on Mr. Hollman's face and that Officer Kimbrough advised that the male had refused to sign a citation and resisted when he attempted to handcuff him. Officer Vo advised that Officer Kimbrough stated that the male went to the ground and "the officer punched him a couple of time and then tased him." Officer Vo advised after he was notified of the force, he attempted a sternum rub using his baton and did not get a response. Officer Vo advised that he or another officer at that point confirmed that Mr. Hollman did not have a pulse. Officer Vo stated that he did check for a pulse and was asked why he did not administer CPR to Mr. Hollman, and he advised "It didn't occur to me to do the CPR." Officer Vo advised "Um, the situation, how the, uh, officer described to me and then the situation of the subject that was on the ground. I couldn't remember to do CPR." Officer Vo confirmed during his interview that he was trained by the Atlanta Police Training Academy to do CPR but that he did not think to do it in this case. Officer Vo advised that no other officers provided medical aid once they determined that there was no pulse. Officer Vo's failure to render first aid to the best of his training places him in violation of the above policy.</p>	

Of the Complaint against:	Officer	Jared White
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department. <i>(APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)</i>	
Recommended Disposition	Sustained	
<p>Supporting Facts: Officer Jared White, who is currently in field training, did respond to a help call at the intersection of Joseph Lowery Blvd and Cunningham Pl with Officer Maseh Jibri, who he was riding with on that date. Officer White advised when he arrived on scene, Mr. Johnny Hollman was in handcuffs and sitting up against an officer and described the male as being non-responsive. Officer White advised that while on scene he personally checked Mr. Hollman for a pulse and advised during his statement "No I didn't think he had a pulse." Officer White confirmed he was trained in the Atlanta Police Training Academy how to check for a pulse and perform CPR. Officer White also confirmed during his interview that he advised the other responding officers that he was unable to feel a pulse. Officer White advised that he lifted Mr. Hollman's chin in an effort to open his airway and then stood back. Officer White advised that his training taught him to start CPR if he was unable to locate a pulse on a person, and advised in his statement "I didn't, uh, put him on his back is because he was already handcuffed, and I didn't know how CPR was like worked with handcuffing behind the back 'cause they didn't teach that in the academy. They taught it with the hands on the side." Grady EMS and Atlanta Fire Rescue were immediately started by Officer Kimbrough once the male was in custody. Officer White indicated that he stepped back when Grady arrived on scene. Officer White advised that other than lifting Mr. Hollman's chin he did not provide any other medical aid or assistance. Officer White's acknowledgment that he was unable to feel a pulse requires him to render first aid. Officer White confirmed that he was trained by the Atlanta Police Training Academy that when he does not feel a pulse, he is to administer CPR, which Officer White confirmed he did not do. Officer White's failure to render medical assistance to the best of his training places him in violation of the above policy.</p>		

Of the Complaint against:	Officer	Maseh Jibri
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department. (APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)	
Recommended Disposition Sustained		
Supporting Facts: Officer Maseh Jibri did respond to a help call at the intersection of Joseph Lowery Blvd and Cunningham Pl with field training Officer Jared White. Officer Jibri advised when he arrived, he observed Mr. Hollman in a seated position, leaning up against Officer Kimbrough's legs. Officer Jibri advised that he replaced Officer Kimbrough and Mr. Hollman was then leaning against his legs. Officer Jibri advised he heard bits and pieces of what had happened but was advised that there had been a physical altercation that Officer Jibri did not witness. Officer Jibri advised that other officers also responded to the location, and he was aware that one of those officers checked Mr. Hollman for a pulse and Officer Jibri was advised that there was no pulse felt on Mr. Hollman. Officer Jibri advised that he wasn't sure if he was unable to find a pulse due to the size of Mr. Hollman, and during his interview he was unable to remember how many other officers checked for a pulse and advised they were unable to feel one. Officer Jibri confirmed that he has been trained in CPR at the Atlanta Police Training Academy where if you were unable to find a pulse you would do chest compressions. Officer Jibri advised that he kept the male propped up to keep his airway open. Officer Jibri advised that at some point he was made aware of drugs or alcohol being located in Mr. Hollman's vehicle and he believed he heard that information prior to EMS arriving at the location. Officer Jibri advised he did not render any additional aid to Mr. Hollman than keeping him in an upright position "because I [Officer Jibri] didn't want him to lay on his back flat where he couldn't breathe." Officer Jibri advised that he assisted EMS by removing Mr. Hollman's handcuffs for EMS so they could administer CPR. Officer Jibri advised that the handcuffs were not removed prior to EMS arriving to render aid because he didn't want Mr. Hollman to wake back up and have to re-detain him. Officer Jibri was asked if the male showed any signs of being combative and he advised he did not and Officer Jibri confirmed that the male did not appear to be breathing. Officer Jibri's failure to render aid to the best of his ability to Mr. Hollman when he confirmed he was unable to find a pulse and he did not appear to be breathing places him in violation of the above policy.		

Of the Complaint against:	Officer	Zaniya Davis
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department. (APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)	
Recommended Disposition Sustained		
Supporting Facts: Officer Zaniya Davis, who is currently in field training, responded to a help call at the intersection of Joseph Lowery Blvd and Cunningham Pl with Officer Vo, who she was riding with. Officer Davis advised that when they arrived at the location and located the officer, she observed Mr. Hollman sitting on the ground leaning against the leg of another officer. Officer Davis advised that she stood off to the side and was basically securing the scene. Officer Davis advised that she overheard the involved officer advise that the male had refused to sign the citation and that's when the situation occurred. Officer Davis advised that she did not hear specifics about the situation and that she did not hear that a taser was used. Officer Davis advised that she was approximately 6 to 8 feet away and she did not hear any officer advise that the male did not have a pulse. Officer Davis advised that she did not have an indication that the male was unresponsive, nor did she hear that Mr. Hollman did not have a pulse. Though Officer Davis does not recall the exact statements made, her body worn camera depicts that she was present during the time period that responding officers discovered that Mr. Hollman was unresponsive. Further, Officer Davis speaks to a fellow responding Officer and advise that Officer		

Kimbrough stated that he tried to handcuff Mr. Hollman, Mr. Hollman tried to punch Officer Kimbrough and now he was "like this". At no point does Officer Davis attempt to render aid to the best of her training to Mr. Hollman which places her in violation of the above policy.

Of the Complaint against:	Officer	Kerry Gillis
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.(APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)	
Recommended Disposition	Sustained	
<p>Supporting Facts: Officer Kerry Gilles responded to a help call at Joseph Lowery Blvd and Cunningham Pl while assigned to Zone 4 Morning Watch. Officer Gilles advised that when he arrived he observed other officers at the scene and Mr. Hollman. Officer Gilles advised that he did hear that there was some use of force leading up to the arrest, but he was not present during the incident. Officer Gilles did attempt to ask Mr. Hollman if he was okay. Officer Gilles advised he heard multiple times that the male did not have a pulse but he was not sure if it was because the male was low or if he couldn't feel a pulse because the male was a hefty guy. Officer Gilles advised that he kept calling out to Mr. Hollman and he did not respond, but he never attempted to take Mr. Hollman's pulse himself. Officer Gilles confirmed that he received training on CPR while at the Atlanta Police Training Academy and advised that if someone doesn't have a pulse you should start an Ambulance. Officer Gilles advised during his statement that Grady EMS was already enroute when he arrived at the location. Officer Gilles advised that he did not provide CPR at the time because there was one officer attempting to get a pulse, another doing a sternum rub, and he was attempting to speak to the male to get his attention. Officer Gilles advised he did not think of trying to give the male CPR at the time. Officer Gilles failure to render aid to the best of his training places him in violation of the above policy.</p>		

Of the Complaint against:	Officer	Lamar Jacobs
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the Department.(APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)	
Recommended Disposition	Sustained	
<p>Supporting Facts: Officer Lamar Jacobs responded to a help call at Joseph Lowery Blvd and Cunningham Pl while he was assigned to Zone 1 Morning Watch. Officer Jacobs advised that when he arrived, he observed at least four fellow officers with Mr. Hollman who was sitting upright and bleeding from the nose. Officer Jacobs observed Officer Vo attempt a sternum rub on Mr. Hollman and that Officer Jacobs was under the impression that Mr. Hollman was alive. Officer Jacobs advised that other responding officers then began asking if Mr. Hollman was responding and Officer Jacobs indicated he checked Mr. Hollman for a pulse and did not feel anything. Officer Jacobs advised Grady was asked to step it up to respond to the location. Officer Jacobs confirmed that he received CPR training in the Atlanta Police Training Academy and that if someone did not have a pulse that you would administer chest compressions. Officer Jacobs confirmed that he did not start CPR and advised "I was kind of lost and confused on what else to do in that moment." Officer Jacobs failure to render aid to the best of his training places him in violation of the above policy.</p>		

Of the Complaint against:	Officer	Rontarin David
RULE	4.2.33 Conformance to Directives 1. Employees are required to familiarize themselves with, and conform to, the rules, regulations, directives, and standard operating procedures of the	

Department.(APD.SOP. 3010 Use of Force 4.3 Medical Attention Required (CALEA 6th ed. Standard 4.1.5) 4.3.1 Employees are required to render first aid, to the best of their training, to individuals who are injured or complain of an injury after a use-of-force incident until an EMT arrives.)

Recommended Disposition	Sustained
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Supporting Facts: Officer Rontarin David responded to a help call at Joseph Lowery Blvd and Cunningham Pl while he was working an overtime assignment. Officer David advised when he responded he observed other officers on scene and Mr. Hollman in an upright position but unresponsive. Officer David advised that he knew the male was in custody and that he heard over radio that a taser had been used, but he was not present during the use of force. Officer David advised he was present when another responding officer advised that Mr. Hollman did not have a pulse. Officer David confirmed that during his time at the Atlanta Police Training Academy he was trained that if someone did not have a pulse, they were to render aid to the subject, which meant starting chest compressions. Officer David advised that he did not start CPR. Officer David's failure to render aid to the best of his training places him in violation of the above policy.

Review of Disposition			
Employee Name	Disposition	Rule	
Officer	Kiran Kimbrough	Exonerated	4.2.50 Maltreatment or Unnecessary Force
Officer	Kiran Kimbrough	Not Sustained	4.2.33 Conformance to Directives (APD.SOP.4010 Traffic)
Officer	Duc Vo	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Jared White	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Maseh Jibri	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Zaniya Davis	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Kerry Gilles	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Lamar Jacobs	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)
Officer	Rontarin David	Sustained	4.2.33 Conformance to Directives (APD.SOP.3010 Use of Force)

Internal Affairs Unit Lieutenant

Lieutenant Justina Collins

Rank and Name



Signature

Date

Internal Affairs Unit Commander

I concur I do not concur With the recommended disposition of this investigation.

Major Carlo Peek

Rank and Name



Signature

8-29-23^{ETP}

Date

ATLANTA POLICE DEPARTMENT DISCIPLINARY COMPLAINT FOLDER INDEX

Officer Kiran Kimbrough
Officer Jared White
Officer Duc Vo
Officer Maseh Jibri
Officer Zaniya Davis
Officer Rontarin David
Officer Lamar Jacobs

EMPLOYEE NAME: **Officer Kerry Gilles**

OPS CONTROL #: **23-I-0417-ICD**

Item No.	Item	Number of Pages	Initials	Date
1	Disciplinary Complaint Folder Index	1	DSS	8/29/2023
2	Supervisor Complaint Investigation Checklist	8	DSS	8/25/2023
3	Preliminary Complaint Form	1	DSS	8/11/2023
4	Internal Affairs Investigative Summary	29	DSS	8/28/2023
5	Preliminary Investigation Summary	2	DSS	8/11/2023
6	Subject Officer Kiran Kimbrough Statement	14	DSS	8/15/2023
7	Subject Officer Jared White Statement	10	DSS	8/23/2023
8	Subject Officer Duc Vo Statement	10	DSS	8/23/2023
9	Subject Officer Maseh Jibri Statement	10	DSS	8/23/2023
10	Subject Officer Zaniya Davis Statement	8	DSS	8/24/2023
11	Subject Officer Rontarin David Statement	9	DSS	8/24/2023
12	Subject Officer Lamar Jacobs Statement	8	DSS	8/28/2023
13	Subject Officer Kerry Gilles Statement	11	DSS	8/28/2023
14	Witness Statement-Eric Roberson	5	DSS	8/19/2023
15	APD Incident Report #23-222-1937	18	DSS	8/21/2023
16	APD Crash Report #23-222-1937	3	DSS	8/21/2023
17	APD Call for Service # 23-222-1937	3	DSS	8/25/2023
18	Memorandum from SPO Patrick Fite	2	DSS	8/21/2023
19	Appointment Memorandums	9	DSS	8/23/2023
20	Use of Force Report # S-232221937-1	4	DSS	8/25/2023
21	APD.SOP.3098; APD.SOP.3010; APD.SOP.4010; APD.SOP.3042	83	DSS	8/28/2023
22	Investigative Notes	4	DSS	8/29/2023
23	Digital Media	1	DSS	8/29/2023

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Kiran Kimbrough**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="" type="checkbox"/>	Video/Audio
<input checked="" type="checkbox"/>	Body Worn Camera	<input checked="" type="checkbox"/>	Misc. Documents

Investigator **Darrin Smith** *DS*
Investigation Completed By

8/28/2023
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 _____

P - 2 - 1 - 8

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Jared White**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="" type="checkbox"/>	Video/Audio
<input checked="" type="checkbox"/>	Body Worn Camera	<input checked="" type="checkbox"/>	Misc. Documents

Investigator **Darrin Smith** *DSS* **8/28/2023**
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 _____

P - 2 - 2 - 8

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Duc Vo**

OPS CONTROL #: **23-I-0417-ICD**

INVESTIGATIVE FOLDER

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

<input checked="checked" type="checkbox"/>	Offense Report/CFS	<input type="checkbox"/>	Lab Results
<input checked="checked" type="checkbox"/>	Accident Report	<input checked="checked" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="checked" type="checkbox"/>	Video/Audio
<input checked="checked" type="checkbox"/>	Body Worn Camera	<input checked="checked" type="checkbox"/>	Misc. Documents

Investigator **Darrin Smith** *[Signature]*
Investigation Completed By

8/28/2023
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

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Maseh Jibri**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="" type="checkbox"/>	Video/Audio
<input checked="" type="checkbox"/>	Body Worn Camera	<input checked="" type="checkbox"/>	Misc. Documents

Investigator Darrin Smith *DS*
Investigation Completed By

8/28/2023
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 _____

ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST

EMPLOYEE NAME: **Officer Zaniya Davis**

OPS CONTROL #: **23-I-0417-ICD**

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 checked="" type="checkbox"/> | 4. Citizen Statements (Where applicable) |
| <input checked="" type="checkbox"/> | 5. Employee Statements |
| <input checked="" type="checkbox"/> | 6. Complaint Investigation Disposition Form (Command Investigations) OR
Complaint Transmittal Summary Memorandum (OPS Investigations) |
| <input checked="" type="checkbox"/> | 7. Any Supporting Documentation (See below list) |
- | | | | |
|-------------------------------------|--------------------|-------------------------------------|-----------------|
| <input checked="" type="checkbox"/> | Offense Report/CFS | <input type="checkbox"/> | Lab Results |
| <input checked="" type="checkbox"/> | Accident Report | <input checked="" type="checkbox"/> | Photos |
| <input type="checkbox"/> | Medical Release | <input checked="" type="checkbox"/> | Video/Audio |
| <input checked="" type="checkbox"/> | Body Worn Camera | <input checked="" type="checkbox"/> | Misc. Documents |

Investigator **Darrin Smith** *DSB*
Investigation Completed By

8/28/2023
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 _____

P- 2 - 5 - 8

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Rontarin David**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS | <input type="checkbox"/> Lab Results |
| <input checked="" type="checkbox"/> Accident Report | <input checked="" type="checkbox"/> Photos |
| <input type="checkbox"/> Medical Release | <input checked="" type="checkbox"/> Video/Audio |
| <input checked="" type="checkbox"/> Body Worn Camera | <input checked="" type="checkbox"/> Misc. Documents |

Investigator Darrin Smith DSS 8/28/2023
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

**ATLANTA POLICE DEPARTMENT
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Lamar Jacobs**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="" type="checkbox"/>	Video/Audio
<input checked="" type="checkbox"/>	Body Worn Camera	<input checked="" type="checkbox"/>	Misc. Documents

Investigator Darrin Smith *DS* 8/28/2023
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
SUPERVISOR COMPLAINT INVESTIGATION CHECKLIST**

EMPLOYEE NAME: **Officer Kerry Gilles**

OPS CONTROL #: **23-I-0417-ICD**

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/CFS	<input type="checkbox"/>	Lab Results
<input checked="" type="checkbox"/>	Accident Report	<input checked="" type="checkbox"/>	Photos
<input type="checkbox"/>	Medical Release	<input checked="" type="checkbox"/>	Video/Audio
<input checked="" type="checkbox"/>	Body Worn Camera	<input checked="" type="checkbox"/>	Misc. Documents

Investigator **Darrin Smith** *DS*
Investigation Completed By

8/28/2023
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 **232221937**

OPS CONTROL NUMBER **2310417ICD**

DATE & TIME COMPLAINT RECEIVED				DATE OF INCIDENT				ADDRESS OF OCCURRENCE			
MO	DAY	YR	TIME	MO	DAY	YR	TIME	CUNNINGHAM PL @ LOWERY BLV ATLANTA GA			
08	11	2023	09:26	08	10	2023	23:57				

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

THE DEPARTMENT REQUESTS AN INVESTIGATION INTO THE ALLEGATION THAT OFFICER KIRAN KIMBROUGH WAS INVOLVED IN A PHYSICAL ALTERCATION AND DRIVE STUNNED A COMBATIVE DRIVER WHILE TAKING HIM INTO CUSTODY AND THE SUBJECT LATER DIED ON 8/10/2023.

APD.SOP.2010/4.2.50 Maltreatment or Unnecessary Force

"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
KIMBROUGH, KIRAN	OFF	BLK	MALE	05/21/2000	03/18/2021	7951

DIVISION	ASSIGNMENT SECTION	WATCH	ON DUTY	OFF DUTY	DUTY STATUS TMP ASGN	XTRA JOB	WEAPON	FIREARMS DISCHARGE ONLY WEAPONS SERIAL #	# SHOTS
FOD	Z1		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	OFF DUTY	DUTY STATUS 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	OFF DUTY	DUTY STATUS 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 Darrin Smith	08/11/2023	8/28/2023 <i>DBS</i>



Atlanta Police Department
Office of Professional Standards
Internal Affairs Unit

OPS File #	23-I-0417-ICD
Date of Complaint	August 11, 2023
Complainant	Atlanta Police Department

Summary of Complaint: Officer Kiran Kimbrough was involved in the physical arrest of a subject for failure to sign a traffic citation. During the physical arrest, Officer Kiran Kimbrough utilized his Taser (CEW) with a drive stun in the right shoulder area to gain control of the subject. The subject was handcuffed, and a request was made for EMS. The arrested subject was transported to the hospital by EMS, where he later was pronounced deceased. The Office of Professional Standards conducted an Internal Investigation into the events that lead to the death of the arrested subject. An additional Internal Investigation that involved several other responding officers was conducted to determine if any medical or first aid was administered to the subject after he was arrested.

Subject Employee(s)		
	Name	Policy Violation(s)
Officer	Kiran Kimbrough	APD.SOP.2010/4.2.50 Maltreatment or Unnecessary Force APD.SOP.2010/4.2.33 Conformance to Directives APS.SOP.4010 Traffic
Officer	Duc Vo	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Jared White	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Maseh Jibri	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Zaniya Davis	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Kerry Gilles	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Lamar Jacobs	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
Officer	Rontarin David	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force

Witness(s)	
Civilian	Eric Roberson
Civilian	Dontrell Washington-Pending Attorney Schedule

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OPS File # 23-I-0417-ICD
INVESTIGATIVE FINDINGS

Of the Complaint against:	Officer	Kiran Kimbrough
RULE	APD.SOP 2010/4.2.50 Maltreatment or Unnecessary Force APD.SOP.2010/4.2.33 Conformance to Directives APS.SOP.4010 Traffic	
Facts Relevant to Policy: On August 10, 2023, at 11:30 p.m. Officer Kiran Kimbrough arrived on a crash at the intersection of Joseph E. Lowery and Cunningham Place for a call for service (#23-222-1937).		
<p>Upon arrival, Officer Kiran Kimbrough asked a driver of a white Silverado, Johnny Hollman what occurred. Johnny Holloman told Officer Kiran Kimbrough that he had a green light and made a turn onto Cunningham Place from Joseph E Lowery Boulevard when a car struck him when he turned. Johnny Hollman showed Officer Kiran Kimbrough where the other vehicle stuck his vehicle according to his statement on the Body-Worn Camera. He stated again his light was green. Officer Kiran Kimbrough wrote down the information from Johnny Holloman's driver's license. Officer Kiran Kimbrough asked if his vehicle was operative. Johnny Holloman indicated he was not certain. (Officer Kiran Kimbrough BWC 11:31:10-11:32:50 pm).</p>		
<p>Officer Kiran Kimbrough walks around both vehicles then told Johnny Hollman to pull his car away. The other driver Dontrell Washington asked if he could explain what occurred. Officer Kiran Kimbrough told him he already watched the camera and knows what happened. Dontrell Washington then told him what occurred in that he was making a right turn (onto Joseph E Lowery Boulevard) and stated the other driver cut his turn too short and struck his vehicle. Officer Kiran Kimbrough walked around Dontrell Washington's vehicle, once the white struck was driven off and around the corner. (Officer Kiran Kimbrough BWC 11:34:30-11:36:40 pm).</p>		
<p>Officer Kiran Kimbrough then walked back to both parties and asked why they were still arguing because the accident already occurred. During that conversation he told Johnny Hollman to walk back to his truck. Johnny Hollman walked back towards his truck. (Officer Kiran Kimbrough BWC 11:36:40-11:37:00 pm).</p>		
<p>Officer Kiran Kimbrough asked for Dontrell Washington's driver's license information and wrote that down. He then took down the information of the passenger that was with Dontrell Washington. He did not ask her how the crash occurred. Officer Kiran Kimbrough returned to his patrol vehicle. (Officer Kiran Kimbrough BWC 11:37:00-11:39:18 pm).</p>		
<p>Officer Kiran Kimbrough exited is patrol vehicle and walked over to Dontrell Washington and provided him with the case number. (Officer Kiran Kimbrough BWC 11:54:46-11:55:33 pm).</p>		
<p>Officer Kiran Kimbrough then walked over to Johnny Hollman, who was standing next to his truck. Officer Kiran Kimbrough gave him his case number and advised him he did find him at fault for the crash. Johnny Hollman then indicated his light was green and they had a red light. Officer Kiran Kimbrough told him he cut his turn short. Johnny Hollman continued to disagree with Officer Kiran Kimbrough. Officer Kiran Hollman told him that he needs to sign the ticket on the "X" as Johnny Hollman walked around to where the damage was on his vehicle (Driver's side) and said he needed to get his Sergeant here. Officer Kiran Kimbrough advised him he would get his Seargeant, but he still needed to sigh the ticket. Johnny Hollman told Officer Kiran Kimbrough that he did not do anything wrong. (Officer Kiran Kimbrough BWC 11:55:33-11:56:18 pm).</p>		

Officer Kiran Kimbrough then told Johnny Hollman that he was going to sign the ticket before he got his Sergeant out there. He told Johnny Hollman that he was going to sign the ticket, or he was going to take him to jail. Officer Kiran Kimbrough advised Johnny Hollman the date and time of his court appearance and that it was not an admission of guilt but that you will appear in court or pay the fine. Johnny Hollman said several times that he did not do anything wrong. Officer Kiran Kimbrough asked Johnny Hollman why he was screaming. He told him again that he was going to sign the ticket, or he would take him to jail and suggested he sign the ticket then he could talk to his Sergeant or whoever he wanted. Johnny Hollman then takes his phone and touches the screen several times. Officer Kiran Kimbrough again tells him that he is going to sign the ticket and placed on the hood of the truck. He told him again several more times to sign the ticket. **(Officer Kiran Kimbrough BWC 11:56:18-11:57:22 pm).**

Officer Kiran Kimbrough walked over to Johnny Hollman and grabbed his right wrist area. Johnny Hollman then said he was going to sign the ticket. He said he was going to sign the ticket again as Officer Kiran Kimbrough grabbed his arm again and pulled Johnny Hollman towards him. Officer Kiran Hollman turned Johnny Hollman toward the front of the truck and released his right arm and told him to sign the ticket. He said he would sign the ticket a few more times. Officer Kiran Kimbrough grabbed his right arm again and stated, *"give me your arm."* Johnny Hollman stated his right arm *"really hurts."* Officer Kiran Kimbrough requested another unit on the radio. **(Officer Kiran Kimbrough BWC 11:57:22-11:57:43 pm).**

Officer Kiran Kimbrough and Johnny Hollman began struggling with each other and Officer Kiran Kimbrough told him *"get your ass on the ground"* as he was getting him down to the ground. Johnny Hollman said *"what you doing me like that"* when he was on the ground. Officer Kiran Kimbrough attempted to grab the right arm of Johnny Hollman while he was on the ground and the struggle continued. Johnny Hollman then stated, *"why you hurting me like this man?"* while they were struggling. He said, *"I'm and old man."* Officer Kiran Kimbrough then indicated on his radio *"59 right away."* Officer Kiran Kimbrough told him to sign the ticket again while they were struggling. **(Officer Kiran Kimbrough BWC 11:57:43-11:58:06 pm).**

Officer Kiran Kimbrough removed his Taser (CEW) from his holster and told Johnny Hollman he was going to "Tase" him and to put his hands behind his back several times. Officer Kiran Kimbrough arced the Taser twice. Johnny Hollman then said *"I have asthma"* two times. He then said, *"I can't get up."* Officer Kiran Kimbrough placed his Taser back into his holster. Johnny Hollman then stated *"my asthma is acting up real bad"* two times while they continued to struggle on the ground until Johnny Hollman was on his back. He said *"I need help"* several times. Officer Kiran Kimbrough continued to order Johnny Hollman to put his hand behind his back, which he did not do after any of the commands. Officer Kiran Kimbrough gets Johnny Hollman on his right side and continued to tell him to put his hands behind hie back, which again he did not. Johnny Hollman stated several times *"I can't breathe"* while they continued to struggle. **(Officer Kiran Kimbrough BWC 11:58:06-11:58:44 pm).**

Officer Kiran Kimbrough removed his Taser again from his holster and told Johnny Hollman again to put his hand behind his back, which he did not. Johnny Hollman again stated, *"I can't breathe."* A few more times. Officer Kiran Kimbrough arced his Taser again, and told him to put his hands behind his back again, which he did not. Johnny Hollman, again stated *"I cant' breathe."* They both continue to struggle and at one point Johnny Hollman grabbed the right wrist of Office Kiran Kimbrough, who told him *"let go of me."* He gave him several more commands to put his hands behind his back, which again he did not. Johnny Hollman again stated, *"I can't breathe"* and Officer Kiran Kimbrough drive stunned him with the Taser in the right shoulder area one time and told him to put his hand behind his back.

After the drive stun, Johnny Hollman is no longer struggling with Officer Kiran Kimbrough. (Officer Kiran Kimbrough BWC 11:58:44-11:59:34 pm).

Officer Kiran Kimbrough put his Taser back into his holster and grabbed Johnny Hollman again and told him to put his hands behind his back. Eric Roberson, the S&W Wrecker driver arrived and helped get Johnny Hollman into handcuffs. There was no struggle from Johnny Hollman when they placed him into hand cuffs. Officer Kiran Kimbrough requested a supervisor and Grady EMS and to pick it up because he was bleeding. Johnny Hollman was told to sit up but there was no response. Officer Kiran Kimbrough was able to sit Johnny Hollman up. Lieutenant Brown told Officer Kiran Kimbrough to give him a sternum rub, which he did. He also stated he thinks he passed out on him. Several other officers arrived at his location, and he explained to them that he refused to sign a ticket the place his hand behind his back and that is when he took him to the ground. Officer Kiran Kimbrough then stated Johnny Hollman grabbed his hand and he had to punch him a couple times, then Tased him, then put him and cuffs and was too sure what was going on now. Officer Kiran Kimbrough noted that he was still breathing. (Officer Kiran Kimbrough BWC 11:59:34-12:03:04 am).

Johnny Hollman was sat upright and propped up against Officer Kiran Kimbrough's leg. The responding officers stood around Officer Kiran Kimbrough, who requested to expedite the ambulance and start Atlanta Fire and Rescue. Officer Duc Vo walked around to Johnny Hollman's right side and rubbed his chest several times with his APS baton and his hand. Officer Kiran Kimbrough asked Officer Duc Vo if he could feel for a pulse. Officer Duc Vo indicated "I think so". Officer Maseh Jibri took over the position of Officer Kiran Kimbrough as he removed himself from the scene. He advised Lieutenant Brown his lib was "busted." (Officer Kiran Kimbrough BWC 12:03:04-12:05:59 am).

Officer Kiran Kimbrough walked up to the ambulance and told EMS that "he's bad" as they walked over to Johnny Hollman. EMS immediately started CPR and Officer Kiran Kimbrough walked away while the officer remained there. (Officer Kiran Kimbrough BWC 12:12:00-12:14:10 am).

- On August 15, 2023, Officer Kiran Kimbrough provided a statement at the Office of Professional Standards, also present was his Attorney, Jennifer Sands. Officer Kiran Kimbrough stated he was assigned to Zone 1 Morning Watch and responded to a crash at the intersection of Joseph E Lowery Boulevard and Cunningham Place on August 10, 2023, at approximately 11:27 pm. He was asked to explain what occurred during his initial interaction with the involved parties. Officer Kiran Kimbrough responded:

"Um, when I first arrived on scene, I noticed that the vehicles were still in the intersection and that the traffic that was southbound on Joseph E Lowry was driving into the northbound lanes to avoid, um, the collision. So I placed my vehicle, um, kind of just before the intersection blocking off the southbound lanes, um, so that people could see my lights and know that, you know, there was a hazard up ahead. So after I got my notepad, I wrote, uh, the case number and the location of the accident there, I stepped out of my car and me and driver one, um, discussed what happened. Um, initially when I asked him what happened, he was very excited. Um, he was screaming at me even though we were almost, uh, just about a arm's length away. And, uh, he kept stating that the other driver was in the wrong. Um, I began to look at the accident itself to make sure that the vehicles were immobilized to see if that we could move the vehicles out of the intersection. And as I'm walking around the accident and riding on my notepad, I noticed that driver one is kind of following me around and still talking to me in a loud manner. Um, seemed like he was kind of agitated too. And yeah, I'm, so, I was just driving around, I mean, walking around the accident, taking my notes, he's following me around. And the first thing I noticed

about him, because of his actions, um, I was looking for signs of impairment and I noticed that his right eye was shut, but I didn't see any signs that he had any visible injuries. Um, there was no swelling around his eye, no cuts or abrasions to his eye. His eye was not bloody, it just was halfway or completely shut. And it made it difficult for me to tell if he was under, you know, the influence of any alcohol or narcotics at the time. Um, he also, uh, when I was getting information from driver two and the passenger, specifically the passenger, when I was talking to her, I noticed Mr. Holman had re-engaged driver with the driver two, and he was screaming at them and telling him that he was at fault and that he shouldn't have done what he did. And I had to tell Mr. Hollman or driver one several times to not do that. It's just an accident. It happened. And I asked him multiple times to sit inside of his vehicle to avoid any escalation of the incident." (Ofc K. Kimbrough Transcript; Lines 122-145).

Officer Kiran Kimbrough indicated he was able to determine who was at fault in the crash with the information he received from the involved parties. He also took into consideration the position of the vehicles in his decision. I asked Officer Kiran Kimbrough what he meant when he said he reviewed cameras to see what occurred when talking to one of the drivers. He answered, *"There was no cameras that viewed the crash. Um, I often tell people that because, um, everyone tries to lie about a story when it involves an accident. And, you know, it makes it harder for my investigation because they want to, you know, get a lawsuit and get money. So I just let them know that, um, whether it's truthful or not, so that they can give me an actual honest statement." (Ofc K Kimbrough Transcript; Lines 190-194).*

Officer Kiran Kimbrough indicated he had a second interaction with Johnny Hollman. He was asked to explain his demeanor and behavior on that interaction. Officer Kiran Kimbrough responded, *"Yeah, so I reapproached driver number one, um, by his vehicle away from driver number two to ev uh, avoid any, um, further irritation again. Um, at first driver, one was calm and I gave him his case number and I also let him know that I found him at fault in the collision. Um, once I found him at fault, that's when driver number one began, become, started becoming agitated again, as I was explaining to him the ticket. Um, I also explained to him that, you know, this is not mean that you're signing away the, um, you're making any sort of admission of guilt by signing my ticket. I explained to him that this is just stating you're gonna come to court or you're gonna pay the fine beforehand. And, uh, after that he became extremely irate again, saying that, um, he's not gonna sign. He said that this is not right. I want, uh, you're gonna have to get your sergeant or something out here. I once again re-explained to him that I need a signature and, you know, a sergeant is coming. Um, and explained to him the consequences and repercussions of not signing the ticket" (Ofc Kimbrough Transcript; Lines 268-278).*

He was then asked what those consequences and repercussion would be, to which he responded, *"Uh, he would've had to been, he would've been placed under arrest and would've had to post a bond, at the jail." (Ofc Kimbrough Transcript; Lines 284-285).* Officer Kiran Kimbrough was then asked to be more specific on what he meant by agitated. He replied, *"Yes. Once again, he was screaming at me again and I actually took a second and asked him, why are you screaming at me? Um, it seemed like every time that I was explaining to something to him, he just kept saying, this is not right, this is not right. I needed your, uh, a sergeant here. And he was getting screaming, screaming and ignoring what I was saying to him." (Ofc K. Kimbrough Transcript; Lines 292-295).*

Officer Kiran Kimbrough then stated that he provided instruction to Johnny Hollman that signing the ticket was not an admission of guilt, and that he could be arrested if he did not

sign. Officer Kiran Kimbrough stated he does not recall if Johnny Hollman specifically said he wanted to speak with a supervisor, but he did say *"I'm gonna have to get a sergeant out here."* (Ofc K Kimbrough Transcript; Lines 333-334). Officer Kiran Kimbrough was asked if he requested his supervisor at that point and he stated *"No."* (Ofc K Kimbrough Transcript; Line 340). He was asked to explain why not, to which he replied, *"Once again, I tried to re-explain to him the reason behind signing it. Um, he was ignoring me, and, uh, so I didn't get a chance to raise my supervisor."* (Ofc K Kimbrough Transcript; Lines 346-347).

Officer Kiran Kimbrough was also asked again if the male refused to sign the citation and he responded, *"Um, I guess that's kind of subjective. Um, I did tell him that this will be the last time I'm gonna tell you, you know, and he did not respond to that. So in my viewpoint, yes, I'm taking that as a refusal."* (Ofc K Kimbrough Transcript; Lines 353-355). Officer Kiran Kimbrough indicated he attempted to de-escalate the situation when asked and explained how, *"Uh, once again, I've, I've let him know the consequences of what's happening without a signature. I've explained it to him numerous times, you know, which wasn't necessary, but I took the extra step to explain it to him."* (Ofc K Kimbrough Transcript; Lines 367-369).

I asked Officer Kiran Kimbrough if at any time the male decided not to sign the citation if he attempted to make him sign the citation by using physical force. He stated, *"No."* (Ofc K Kimbrough Transcript; Line 377). He was then asked if he attempted to grab the male's arm and force him to sign the citation. Officer Kiran Kimbrough responded, *"No, I did not try to force him to sign the citation. Me grabbing his arm was, uh, detention because of his actions that he was doing at the time."* (Ofc K Kimbrough Transcript; Lines 384-385.) Officer Kiran Kimbrough was asked if that was the point, he decided to make a physical arrest, he replied *"I did not determine to make a physical arrest. I determined to make a detention from his actions."* (Ofc K Kimbrough Transcript; Lines 392-393).

Officer Kiran Kimbrough was asked once he made physical contact with the male explain what occurred next. He explained, *"Yes. Um, I grabbed him by his right wrist at first, um, to place his hands behind his back. And that was in totality of the circumstances of him being irate with me, him being irate with the driver number two, and the fact that he's, you know, texting on his phone now and completely avoiding any contact with me. I didn't know who he was texting, what he's texting him for. Um, so to make the scene safer and not allow him to, you know, create any sort of dangerous situation for me or anyone else. I was attempting to detain him. Once again, Once I grabbed his wrist, he snatched his arm out of my hand. Um, I once again grabbed his wrist and he snatched it outta my hand again. And the first thing I noticed was that he was incredibly strong and it was almost like unnatural. It was the best way that I could describe it. So I tried to put him in an academy, taught arm bar. Um, but he was able to evade that by capturing my arm in between his arm and his body. Once I got my arm free, um, I tried to leg sweep him. That didn't work, then I tried to hip toss him, but there was such a size difference, a size difference between us that that also didn't work. So I went back, reverted back to a leg sweep, and this time it worked. Um, once again, I know that he was actively, you know, resisting what I was trying to do, because I noticed when I tried to hip toss him, he spread his legs and dropped his weight so that he'd be more sturdy. Um, so as soon as I got on top of him in a mounting position, I was sitting on his hips and I got on radio and put up a five nine right away, which means that I need, you know, units to start to my location, um, because of a exigent circumstance. Once that I got that over radio, I, I told the male to gimme his hands and stopped resisting, and I screamed at several times. Um, that was probably audible enough for people to hear me, you know, down the street on the sidewalk. Um, the male refused. He was rolling around. His arms were flailing, and I'm not sure if you*

know he's doing this to attack me, to get free or what's going on. Um, like I said, his arms are flailing. And subsequently from that and him rolling around, he struck me in my lip. Um, I got him on his back once again and I kept telling him, gimme your arm, stop resisting. To which he didn't comply. Uh, he tried to actually throw me off of his body by raising his hips off the ground and, uh, make his body jerk forward in a violent motion. I, put my hand, my left hand on the ground, kind of in front of him to brace myself and to prevent me from being thrown. And he grabbed it, brought it in towards him, and continued to raise his hips as if he were to, uh, gonna try to flip me. Um, as you know, it's known if he were to flip me on my back, that's a very dangerous situation. As I explained, you know, he's much bigger than me. Uh, he's already erratic and stuff. He could get on top of me. Uh, you know, I wouldn't be able to access my weapon because of how big he was anymore. He could, you know, if he understood the retention of my holster, he could have took my weapon, been able to take my taser or anything, and, you know, hurt me. He could wait on somebody else to get me, or other agitators could've saw this and decided that they wanted to hurt the police that day. So I removed my arm from his grasp and I gave him several compliant strikes to the face. And all the time I'm telling him, you know, let go of my arm, Stop resisting, gimme your hands. Um, once I gave him a couple of compliant strikes, I grabbed his arm again and tried to put it behind his back. That did not work. So at this point, I've tried a lot of things. I tried to do hip toss him that's not working, and I've tried arm bars, leg sweeps. I gave him compliance strikes. I pretty much went down the list of every force that I can use without having to use a weapon. So once I noticed that any, none of those were working, I removed my department, issued Taser from my vest, and I placed it near his face. He was on the ground face down, looking to the right, and I put it in an area that was offset so that he can't grab it. And I turned it on, let him see the taser and the lasers on it, and I arced it several times and explained to him that if he did not gimme his hands, I'm going to tase you. Um, he did not respond to this. I placed my taser on his right arm and I arched it or drive stunned him." (Ofc K Kimbrough Transcript; Lines 400-443)

"maybe once. It might've been more than once, but it wasn't excessive in my opinion. At that point, I saw his arm go limp, and I was able to grab his arm and put it behind his back. And I noticed that the tow truck driver from S and W had arrived on scene, saw what was going on, and he was running towards me through the grassey field. Once he got there, he grabbed the guy by the other side of the arms and put them behind his back. So once both arms were behind the back, I tried to get my cuffs out of the pouch for the vest, my initial pair of cuffs that I always in my go-to pair. And I noticed that they were, you know, I out of place, they were dismantled, so I couldn't remove them from my vest. And I think that was just an indicator of how violent the struggle had actually become. So I had to go to my backup here. I got that and I put them on both of his wrists, uh, you know, placing him, detaining him, but he was really under arrest at that point. So I took a second, I stood up, I took a second to breathe maybe within 15 to 20 seconds, I reengaged with Mr. Holman, telling him, you know, to roll over on his side. And I noticed that he didn't respond to what I told him, so I physically rolled him onto his side, and I noticed that his face was bloody and that he wasn't breathing. So I raised him up and I first attempted to feel a pulse in his neck, and he was so, so big I couldn't tell. Um, I got on the radio, I let her know, number one, first I'm gonna need a supervisor because of this use of force Number two, I'm gonna need Grady to start code three, which means lights and sirens because this male is unresponsive, he's severely bleeding, and he's been tased. Uh, after a while, once more units got there, I stepped away from Mr. Hollman and gave them the, uh, gave him, you know, remanded them into, you know, their attention at the time. And once again, that time it's maybe been about five minutes, and I get back on radio and I ask her, you know, did she start GRADY? And she says, yes. And I tell her next that she needs to start fire

as well. They're taking too long. Fire needs to com, code three, this male is not in good condition at all. He's unresponsive, he's bleeding severely. Um, so finally they got there." (Ofc K Kimbrough Transcript; Lines 449-471.)

Officer Kiran Kimbrough stated he walked off after other officers arrived and explained what he did next, "Right. There were several officers with the subject, and I, I actually think I might've walked to another officer, um, officer Duplessis and asked him did he have any water because I was tasting blood in my mouth and he said he had Celsius. I took a swig of that, uh, gargled it in my mouth and instantly felt the burning from cut, spit it out, and there was blood coming out my mouth onto the ground." (Ofc K Kimbrough Transcript; Lines 485-489).

Officer Kiran Kimbrough stated he was uncertain if any of the responding officer administered first to the male in custody and that was because he stepped away from the situation.

Officer Kiran Kimbrough was then asked he believed the force he used was reasonable in the circumstance he explained. He indicated it was and provide and explanation, "Because at that point, the situation has escalated so much that I have felony charges on him now, and he's actively, you know, he's committing a felony and potentially trying to commit a forcible felony at that point. I believe that my force was actually a lot less than the force and level of resistance that he was using." (Ofc Ki Kimbrough Transcript; Lines 571-574).

Officer Kiran Kimbrough was also asked to provide a description and demographic of the male, to which he responded, "Yeah, Mr. Holman was about, um, it was, he was either in his lower to mid sixties. Um, his license I remember said he was around 5' 8', 295 pounds. Uh, he was a black male." (Ofc K Kimbrough Transcript; Lines 577-578).

The final set of question that was asked of Officer Kiran Kimbrough was if he notified his supervisor the male refused to sign the citation. Officer Kiran Kimbrough responded, "No, not yet. And the reasoning behind that is because as I was explaining to him for, you know, the numerous times that I did explain to him, you know, why he had to sign it or what would happen, I noticed he pulled his cell phone out and he started texting somebody from his cell phone, um, just based off his actions, um, previously, and the fact that I don't know what he's doing, why he's acting this way, or what he's planning on doing by reaching out to somebody, um, on his cell phone, that's when I decided to detain, I mean, detain him because there was more charges now just besides him not signing a ticket." (Ofc K Kimbrough Transcript; Lines 633-639).

Officer Kiran Kimbrough then indicated, "There was intention on notifying the sergeant once he was gonna be detained and placed into my vehicle for my safety." (Ofc K Kimbrough Transcript; Lines 646-674).

Officer Kiran Kimbrough was then asked if there was anything else he wanted to add to his statement. He provided the following response, "Yes. Uh, first thing I would like to say is that I have not watched a video on this incident. I have not seen any of the recordings or read any of the CAD remarks. This is all coming from my own memory of the events of my own recognizance. Number two. Um, I want to talk about the traffic conditions and where this encounter actually happened. So as we were struggling on the street, on the street in front of his vehicle, there are several cars that are trying to drive on Cunningham Place to get to Joseph E Lowry and they're seeing it's blocked off and they're making U-turns in the middle of the street very close to where we were. Um, and as you know, with knowledge time on the job, you know, I know that they're, most drivers are only seeing the blue lights. They're not looking at the fact that we're struggling with each other in the roadway in front of them. Um, there was, you know, a real concern about

traffic conditions and I just want to reemphasize too that my level of force did not meet any sort of standard of deadly force. My compliance strikes are not lethal force. I am actually trained to use the Axon Taser seven, which is what I was armed with that day, and, and which is what I put into use. And I did not use it in a way that was gonna, that was even intended or likely to cause serious bodily injury or death." (Ofc K Kimbrough Transcript; Lines 654-667).

- Officer Kiran Kimbrough indicated that he suffered a minor injury with a cut lip as a result of the altercation.
- There were numerous 911 calls to report the crash. The first call was from Johnny Hollman, and he provide his location and phone number and no EMS was needed. He called again and requested an ETA.

An additional call came from Dontrell Washington requesting and ETA and the other party was acting "belligerent." He called again and wanted another ETA.

- The Atlanta Police Department call for service noted the requested for EMS at 12:01:21 a.m. The EMS personnel contacted Johnny Hollman at 12:12:42 a.m., approximately 11 minutes after the request was made by Officer Kiran Kimbrough.
- A police report and crash report was completed under case # 23-222-1937.
- A Use of Force Report was completed by Sergeant William Skeens (Major Crimes Section).
- A Use of Force Memorandum was provided by SPO P. Fite of the Atlanta Police Department Training Academy (Range Staff).
- The Georgia Bureau of Investigation responded to the location and initiated an investigation. (Investigative File Pending).
- The Atlanta Police Department Homicide Unit responded to the location and initiated an investigation. (Investigative File Pending).

Relevant Documents: Statement of Officer Kiran Kimbrough; BWC of Officer Kiran Kimbrough. APD Police Report # 23-222-1937; CFS 23-222-1937; Use of Force Report;

Of the Complaint against:	Officer	Duc Vo
RULE	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force	
Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Duc Vo responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When he arrived at the location he assisted in the assessment of Johnny Hollman. Officer Duc Vo used the top of his ASP baton and gave him a sternum rub, which he received no response from. Officer Duc Vo checked for a pulse and indicated he did not get one. Officer Duc Vo did not provide any other medical aid to Johnny Hollman.		
On August 23, 2023, Officer Duv Vo provided a statement at the Office of Professional Standards. Officer Duc Vo stated they responded to the intersection of Joseph E Lowery Boulevard and Cunningham Place at approximately 11:58 p.m. for an officer needs assistance call. He was asked to		

explain what he observed when they arrived. Officer Duc Vo responded, "Um, once I arrived up to the location, um, I was looking for the officer, the female that was in the corner. She told me the officer was right across the street. I ran to the, the area I noticed the officer standing there with the suspect laying next, sitting next to his leg. Um, blood was covering his face. I asked the officer what had happened. Um, he told me it was auto accident. He was given pretty much asking the gentleman to sign the citation. He refused the citation. Um, next thing I know, he told me the, when the officer tried to put handcuff on him, the gentleman resisted, um, the officer put him on the ground. The gentleman began to grab something of the officer. I'm not sure, I can't remember what happened. The officer punched him a couple times and then tased him." (Ofc Vo Transcript; Lines 180-187).

Officer Duc Vo confirmed the officer indicated he used physical force and utilized his Taser. He was asked what he did next and answered, "Um, I make sure he was okay. Next, you know, I received a phone call. Someone told me to, um, give him, give him do a sternum rub using the back end of my as baton. That when I went over and started giving the sternum rub with the ASP baton." (Ofc Vo Transcript, Lines 207-209). He indicated the subject did not have a response to that. Officer Duc Vo stated at some point himself or another officer (Office Jared White) determined the subject did not have a pulse.

Officer Duc Vo indicated that he had been out of the Atlanta Police Training Academy for three and received CPD Training while he was there. He was then asked based on his CPR training if a subject does not have a pulse, what are your next steps. Officer Duc Vo explained, "Um, begin c Begin doing C P R, um, lay flat on the ground, uh, make sure he had no bruises or injury on his chest. And then start doing chest compression when, you know, locking your hand in, locking the arm and elbow out, press down about two inches, about 30 reps. And then, uh, yeah, that's all I can remember." (Ofc Vo Transcript; Lines 254-257).

Officer Duc Vo stated that he checked for a pulse on the subject and did not feel one and was asked to explain why he did not provide some medical aid as he described in his training. He responded, "Due to the, uh, the situation, It didn't occur to me to, to do the C P R." (Ofc Vo Transcript; Line 327). Officer Duc Vo was asked to clarify what he meant by the situation, to which he responded, "Um, the situation, how the, uh, officer described to me and then the situation of the subject that was on the ground, I couldn't remember to do C P R." (Ofc Vo Transcript; Lines 333-334). He indicated he was capable but did not think to do it. Officer Duc Vo also stated there were no other officers provided medical aid once the determined there was no pulse form the subject.

Relevant Documents: BWC of Responding/Involved Officers; Statements of Involved Officers.

Of the Complaint against:	Officer	Jared White
RULE	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force	
Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Jared White responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When he arrived at the location he assisted in the assessment of Johnny Hollman. Officer Jared White checked for a pulse twice and indicated he did not get one. Officer Jared White did indicate in his statement that he tilted the head back of Johnny Hollman in an attempt to open the airway.		
On August 22, 2023, Officer Jared White provided a statement at the Office of Professional Standards. On August 10, 2023, at approximately 11:58 p.m., he stated he and Officer Jibri responded to the		

intersection of Joseph E Lowery Boulevard and Cunningham Place for an officer that needed assistance. Officer Jared White was asked to explain what he observed when he arrived at the location, to which he responded, *"I observed, um, male laying on the ground. Um, he was non-compliant, not non-responsive, and I went over there to see what was going on. I put on gloves so I can check his pulse. Uh, I didn't feel a pulse. I lifted his chin up to see if I can get some air inside his airways. And I checked for a pulse. Again, I didn't feel a pulse, so I stepped back."* (Ofc White Transcript; Lines 137-140).

Officer Jared White was asked to be more specific buy what he meant about the male being on the ground. He responded, *"He was on the ground, he was in handcuffs because he refused to sign a ticket and officer placed him in handcuffs after, uh, altercation."* (Ofc White Transcript; Lines 148-149). Officer Jared White confirmed the male was already in handcuffs when he arrived and was in a sitting position.

Officer Jared White stated at some point he checked for pulse on the male and noted, *"No, I didn't think he had a pulse."* (Ofc White Transcript; line 188). He was then asked what type of first aid training he received at the Training Academy, to which he responded, *"Uh, in the academy they teach checking for pulses and they teach, uh, C P R."* (Ofc White Transcript; Line 195). Officer Jared White was then asked if he notified any of the officer the male did not have a pulse. He stated, *"Uh, I told the officers that was standing around me that I didn't feel a pulse."* (Ofc White Transcript; Line 201.)

On August 23, 2023, Office Jared White provided a second statement at the Office of Professional Standards.

Officer Jared White confirmed he attended a full day (8 hours) of CPR Training from the American Red Cross. He was then asked based on his CPR training if an individual does not have a pulse what should he do, to which he responded, *"Start CPR."* (Ofc White Transcript; Line 113). He was then asked based on the previous explanation of the position of the male subject, what would need to have been done to conduct CPR. Officer Jared White explained, *"Uh, the individual was sitting up to conduct C P R I would've had to lay him back down."* (Ofc White Transcript; Lines 120-121).

"And start the compressions." (Ofc White Transcript; line 127).

Officer Jared White indicated he did not do that and was asked to explain why not. He responded, *"I didn't wanna lay him back down because I didn't wanna close his airways from what I thought was how C P R was kind of working. Uh, when I stood back up, I lifted his chin up just to open his airways because his mouth was open. So I lifted his chin up to see if he can get air through the airways. And I stood back up and I said, I have nothing. I looked over and I seen Grady and that's when I kind of stepped back and I, but they didn't come 'cause I figured they were staging and all the cars were in the way."* (Ofc White Transcript; Lines 139-144).

"Patrol cars were in the way." (Ofc White Transcript; Line 150).

Officer Jared White again confirmed that if someone does not have a pulse, the first thing to do is put them on their back. Officer Jared White was asked to explain the male was not put on his back and why he didn't tell anyone CPR needed to be started. He replied, *"Well, the reason why I didn't, uh, put him on his back is because he was already handcuffed and I didn't know how C P R was like worked with handcuffing behind the back. 'cause they didn't teach that in the academy. They taught it with the hands on the side. Um, I didn't tell them. I just told them I don't have a pulse. And another*

officer was doing sternum rubs. So I didn't know how it all worked with everything." (Ofc White Transcript; Lines 164-168).

Officer Jared White was asked other than checking for a pulse and raising the chin to open the airway, did he provide any other medical aid or assistance. He indicated he did not.

Relevant Documents: BWC of Responding/Involved Officers; Statements of Involved Officers.

Of the Complaint against:	Officer	Maseh Jibri
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RULE	APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.3010 Use of Force
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Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Maseh Jibri responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When he arrived at the location, he assisted with Johnny Hollman. While there, several officers indicated there was not pulse from Johnny Hollman and he may not be breathing. There was no medical aid provided to Johnny Hollman from Officer Maseh Jibri. Johnny Hollman was sitting upright resting against the legs of Officer Maseh Jibri.

On August 23, 2023, Officer Maseh Jibri provided a statement at the Office of Professional Standards. Officer Maseh Jibri stated he responded to Joseph E Lowery and Cunningham Place for an assistance call for another officer at approximately 11:58 a.m. He was asked what he observed when he arrived at the location. Officer Maseh Jibri responded, *"When I first got on scene, um, which was moments after the officer had detained male, I observed, um, the male propped up against the officer's leg. Um, wasn't really responsive, but he had, uh, he had advised me they had, they had just got out of, um, out of a, a physical dispute with each other. And, um, he was waiting on Grady to get on the scene. So when I got there, I replaced, um, his position of the officer that was holding him up and I, uh, held the male up until the paramedics arrived."*(Ofc Jibri Transcript: Lines 143-148).

Officer Maseh Jibri indicated the officer involved was Officer Kimbrough. I asked Officer Maseh Jibri if Officer Kimbrough told him what occurred. He replied, *"I heard bits and pieces of it that, um, I believe he was trying to get him to sign a citation and, um, the male refused. And when he tried to get him out of the vehicle, I think that's when he started, uh, they started fighting each other. I don't know who hit who first or whatever. I wasn't there."*(Ofc Jibri Transcript; Lines 161-164). Officer Maseh Jibri also stated that Officer Kimbrough utilized his Taser.

Officer Maseh Jibri stated was holding he subject up in the seated position leaning against his leg and he was handcuffed behind the back. He also indicated other Atlanta Police Officers also showed up. While there, he indicated an officer attempted to take a pulse on the male subject. Officer Maseh Jibri stated at some point, another officer indicated the subject did not have a pulse. He was asked what he did once he received that information. Officer Maseh Jibri responded, *"Um, given off of the, the size of the male, I wasn't sure if I was doing it correctly, if I was able to get a pulse off of him. 'cause he was a, he was a heavysset male, so I didn't know if that was the case of why I wasn't receiving that, that pulse."* (Ofc Jibri Transcript; Lines 223-225).

Then then went on to say he believed several officers checked for a pulse. He was then asked if any officer made a comment that they did not feel a pulse from the male, to which he responded, *"I can't remember."* (Ofc Jibri Transcript; Line 244). Officer Maseh Jibri confirmed that he had received CPR training the Atlanta Police Training Academy along with other first aid techniques. He was then asked

if there is no pulse on an individual what was he trained to do. Officer Maseh Jibri responded, "Um, I believe we was, uh, they advised that we do chest compressions at some point." (Ofc Jibri Transcript; Lines 270-271).

Officer Maseh Jibri was asked if he provide any medical aid or assistance to the subject in handcuffs, and he replied, "Well, in my opinion, me propping him up was me trying to assist him in some kind of form of aid because I didn't want him to lay on his back flat where he couldn't breathe." (Ofc Jibri Transcript; Lines 304-305.) He also stated at no point did any of the other officers indicate that CPR should be administered. Officer Maseh Jibri stated other that holding the subject up, he does not recall doing anything else.

Officer Maseh Jibri indicated that when EMS arrived, they asked if the handcuffs could be removed, which he did. He was then asked what the reason was for removing the handcuffs, he said, "They were trying to lay him down, and then I think they were about to start the C P R process on him." (Ofc Jibri Transcript; Lines 339-340).

Officer Maseh Jibri was asked at any point did the male appear to unresponsive and not moving and he indicated "Yes." (Ofc Jibri Transcript; Line 356). He was then asked was there any reason why the handcuffs remained on the subject when he appeared to be unresponsive. Officer Maseh Jibri responded, "Um, I didn't remove him myself because, like I said, I didn't know exactly what condition the male was in, so I didn't want to risk, you know, taking someone else out of outta custody. And then you know He, uh, gets up or whatever, wake up and then, you know, now we have to try to re detain him and, and all that. So I left him, well, I didn't bother taking the cuffs off at that time." (Ofc Jibri Transcript; Lines 363-367).

Officer Maseh Jibri confirmed that he did not provide any medical assistance when the male was not breathing, was unresponsive and may or may not have had a pulse.

Relevant Documents: BWC of Responding/Involved Officers; Statements of Involved Officers.

Of the Complaint against:	Officer	Zaniya Davis
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APD.SOP.2010/4.2.33 Conformance to Directives
APD.SOP.3010 Use of Force

Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Zaniya Davis responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When she arrived, she was standing away from the other officers that were assessing Johnny Hollman. There were three officer assessing Johnny Hollman while she was standing away from the other officers. While she was standing there she indicated in her statement she did not hear any of the officers indicate Johnny Hollman was not breathing and did not have a pulse.

Officer Zaniya Davis was standing away from the officers that were assessing Johnny Hollman and never had any direct contact with him.

On August 24, 2023, Officer Zaniya Davis provided a statement at the Office of Professional Standards. Officer Zaniya Davis was asked if she could explain what she observed when she arrived at the location. She responded, "When I arrived at the location, we seen, um, females standing at the intersection. They navigated my F T O where the, um, officer was, my officer, my F T O took off running and then I followed behind. When we got there, we, we seen that a male was sitting on the ground leaning against the officer's knee. Um, I stood there next to my F T O. My F T O provided a sternum rub on the chest and I

was just standing off by the side to make sure that no one would, I guess get next to them. So basically just securing the scene.” (Ofc Davis Transcript; Lines 159-164).

Office Zaniya Davis stated while there an officer provided information on what occurred. She stated, *“I heard that the officer stated that he was trying to give him a traffic ticket for the accident and he wouldn't sign the, um, ticket. And after that, that's when I guess the situation occurred. That's what I heard.” (Ofc Davis Transcript; Lines 185-187).* She indicated she did here any say anything about the use of a Taser. She also stated she did not hear any mention the male subject did not have a pulse or was not breathing.

Officer Zaniya Davis stated she was standing approximately 6-8 feet from the male and the other officers. She was asked to describe the scene to include any noises, bystanders and other responses from officers. Officer Zaniya Davis replied, *“So, um, it was the three females at the intersection. It was a wrecker that was standing next to me. Um, I know there was sirens going on because other officers were arriving. So that was the background noise that you heard.” (Ofc Davis Transcript; Lines 250-252).*

Office Zaniya Davis stated she had no indication the male was unresponsive, or the subject did not have a pulse or was not breathing.

Relevant Documents: BWC of Responding/Involved Officers; Statements of Involved Officers.

Of the Complaint against:	Officer	Lamar Jacobs
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APD.SOP.2010/4.2.33 Conformance to Directives
APD.SOP.3010 Use of Force

Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Lamar Jacobs responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When he arrived at the location, he stood behind the Johnny Hollman next to Officer Maseh Jibri. While there several officers indicated the male did not have a pulse. Officer Lamar Jacobs did not provide any medical aid to the male subject.

On August 28, 2023, Officer Lamar Jacobs provided a statement at the Office of Professional Standards. Officer Lamar Jacobs was asked to explain what he observed when arrived, to which he responded, *“ I observed at least four officers there already with a guy in handcuffs sitting upright. He was bleeding out from maybe his nose or something like that. Um, I observed the officer that was involved in the incident. I observed him tired and out of breath and things like that. So I decided to step in place for him to give him a break. Um, and had another officer in front of me from zone four who gave a guy a sternum rub. I don't really know medically what that's for, but I knew it was something to help him. Um, I was under the impression that the guy was alive at the time until a few minutes went by and everybody started asking and trying to see if he can respond. Oh, what's responsive? I checked his pulse. I couldn't feel anything. Um, my colleague checked it. He couldn't feel anything, um, asking Grady step up and pretty much that's what I observed at the time.” (Ofc Jacobs Transcript; Lines 108-116.)*

Officer Lamar Jacobs stated while there he checked for pulse on the male subject and did not feel one. He confirmed that he received CPR and First Aid while at the Atlanta Police Training Academy. Officer Lamar Jacobs was asked to explain as part of his training what should occur if someone does not have a pulse, he explained *“Um, administer a chest compression, C P R.” (Ofc Jacobs Transcript; Line 258.)* Officer Lamar Jacobs stated he did not provide any medical aid once it was determined there was no pulse and explained why not, *“After you gave the sternum rub? I thought that was some type of medical treatment for him at the point, at that time, I was kind of lost and confused on what else to do in that moment, So.” (Ofc Jacobs Transcript: Lines 271-273).*

Officer Lamar Jacobs stated he did not observe any other officers administer first aid to the male subject.

Relevant Documents: BWC of Responding Officers. Statements of Involved Officers.

Of the Complaint against:	Officer	Kerry Gilles
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APD.SOP.2010/4.2.33 Conformance to Directives
 APD.SOP.3010 Use of Force

Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Kerry Gilles responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. Officer Kerry Gilles stood behind the male when he first arrived, but then moved in front of him. He asked his several times if he was okay but did not receive a verbal response. Some asked if the subject had a pulse and officers noted they could not feel one. Officer Kerry Gilles did not administer any medical aid to the male subject.

On August 28, 2023, Officer Kerry Gilles provided a statement at the Office of Professional Standards. Officer Kerry Gilles was asked to explain what he observed when he arrived, he replied, "Um, a lot of officers, um, a lot of people standing around when I got there, I finally seen, um, a gentleman on the ground handcuffed and multiple officers kind of like just sit like standing around him." (Ofc Gilles Transcript; Lines 175-177). He indicated he overheard form other officers that he was in handcuffs because he refused to sign a traffic citation and Taser was used during the arrest.

Officer Kerry Gilles was then asked at any point did he or another officer determine the male subject did not have a pulse. He responded, "Um, multiple times saying, uh, they said that, that he couldn't feel it. Not sure if it was either like low or he couldn't, like at where there was no pulse or whether it was just low and he couldn't, you know, he's a hef hefty guy." (Ofc Gilles Transcript Lines 272-274). Officer Kerry Gilles stated he did not attempt to take the subject's pulse. He indicated he believed one officer checked for pulse several times but indicated he thought there was a low or no pulse.

Officer Kerry Gilles was then asked if he or any other officer determined the male was not breathing, he responded "No, I kept calling out to him. I, I was just, sir, are you all right sir? Can you hear me sir? But I couldn't tell if he was breathing. I did see him like, just like slouched/" (Ofc Gilles Transcript; Lines 315-316).

"Drooling. But no." (Ofc Gilles Transcript; Lin 322).

Officer Kerry Gilles stated the male did not respond and did not say anything. He indicated he received CPR while at the Atlanta Police Training Academy and indicated you start CPR if someone does not have a pulse, which he stated he did not. He was asked to explain why he did not and responded "Too much going on? We got one officer trying to get a pulse, other officer trying to like, I guess, you know, do the thing. Uh, what, just Talking." (Ofc Gilles Transcript; Lines 425-426).

"Yes. There we go. Yeah, yeah. I'm sorry. Yeah, so um, they're trying to do that and then um, he's also handcuffed and it's like, okay, well I'm talking to him trying to like reach out to him, but I didn't think of trying to give him C P R, no." (Ofc Gilles Transcript; Lines 432-434).

Officer Kerry Gilles indicated he did not think to do CPR and did not provide any medial aid to the subject in handcuffs.

Relevant Documents: BWC of Responding Officers. Statements of Involved Officers.

Of the Complaint against:	Officer	Rontarin David
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APD.SOP.2010/4.2.33 Conformance to Directives
APD.SOP.3010 Use of Force

Facts Relevant to Policy: On August 10, 2023, at 11:58 p.m. Officer Rontarin David responded to the intersection of Joseph E. Lowery and Cunningham Place to for an officer needs assistance call. When Officer Rontarin David arrived at the location, he stood in front of the male subject with the other officers. Several officers are asking if he was beathing and questioned if he did not have a pulse. He walked away and returned moments later. Officer Jared White leaned over to check for a pulse and noted he did not get a pulse. Officer Rontarin David did not provide any medical aid.

On August 28, 2023, Officer Rontarin David provided a statement at the Office of Professional Standards. Officer Rontarin David was asked to explain what he observed when arrived at the location, to which he responded, *"Um, I seen, um, well obviously my other units there, um, and the male, uh, the male subject, um, sitting at a upright position, um, not responsive."* (Ofc David Transcript; Lines 150-151). He noted there were five to six officers standing around. Officer Rontarin David indicated he overheard the reason the male subject was in handcuffs was because he was supposed to be in custody. He also noted he heard over the radio there was a Taser deployment with the code "20T."

Officer Rontarin David was then asked while standing with the other officers did anyone determine the subject did not have a pulse. He responded, *"Um, I, I know that one, like one officer when I was there, uh, felt for a pulse. Um, I couldn't, I can't remember what they said. I was, uh, trying to help my other friend get over, uh, well show him how to get over to where we were. Um, and then that's it."* (Ofc David Transcript; Lines 213-215). Officer Rontarin David confirmed that Officer White checked for a pulse and indicated he was not getting one from the subject.

Officer Rontarin David stated that he received CPR training at the Atlanta Police Training Academy and based on that training first aid and chest compressions should be started for someone without a pulse. He was then asked if he provide any medical aid based on the information received from Officer White, that the subject did not have a pulse. Officer Rontarin David responded, *"Uh, I, I did not, sir."* (Ofc David Transcript; Line 317.)

He asked to explain why not and replied, *"Um, well I was, I was trying to, like I said, help my friend get over here, um, well get to the scene. Um, and I think I was, I was a little bit more like focused on that 'cause there was other officers already there. Um, and that's really it."* (ofc David Transcript; Lines 323-325).

Officer Rontarin David indicated he did not start or say that CPR needed to be started on the subject that did not have a pulse.

Relevant Documents: BWC of Responding Officers. Statements of Involved Officers.

SUBJECT EMPLOYEE(S) RESPONSE**Officer****Officer Kiran Kimbrough**

On August 15, 2023, Officer Kiran Kimbrough provided a statement at the Office of Professional Standards, also present was his Attorney, Jennifer Sands. Officer Kiran Kimbrough stated he was assigned to Zone 1 Morning Watch and responded to a crash at the intersection of Joseph E Lowery Boulevard and Cunningham Place on August 10, 2023, at approximately 11:27 pm. He was asked to explain what occurred during his initial interaction with the involved parties. Officer Kiran Kimbrough responded:

"Um, when I first arrived on scene, I noticed that the vehicles were still in the intersection and that the traffic that was southbound on Joseph E Lowry was driving into the northbound lanes to avoid, um, the collision. So I placed my vehicle, um, kind of just before the intersection blocking off the southbound lanes, um, so that people could see my lights and know that, you know, there was a hazard up ahead. So after I got my notepad, I wrote, uh, the case number and the location of the accident there, I stepped out of my car and me and driver one, um, discussed what happened. Um, initially when I asked him what happened, he was very excited. Um, he was screaming at me even though we were almost, uh, just about a arm's length away. And, uh, he kept stating that the other driver was in the wrong. Um, I began to look at the accident itself to make sure that the vehicles were immobilized to see if that we could move the vehicles out of the intersection. And as I'm walking around the accident and riding on my notepad, I noticed that driver one is kind of following me around and still talking to me in a loud manner. Um, seemed like he was kind of agitated too. And yeah, I'm, so, I was just driving around, I mean, walking around the accident, taking my notes, he's following me around. And the first thing I noticed about him, because of his actions, um, I was looking for signs of impairment and I noticed that his right eye was shut, but I didn't see any signs that he had any visible injuries. Um, there was no swelling around his eye, no cuts or abrasions to his eye. His eye was not bloody, it just was halfway or completely shut. And it made it difficult for me to tell if he was under, you know, the influence of any alcohol or narcotics at the time. Um, he also, uh, when I was getting information from driver two and the passenger, specifically the passenger, when I was talking to her, I noticed Mr. Holman had re-engaged driver with the driver two, and he was screaming at them and telling him that he was at fault and that he shouldn't have done what he did. And I had to tell Mr. Hollman or driver one several times to not do that. It's just an accident. It happened. And I asked him multiple times to sit inside of his vehicle to avoid any escalation of the incident." (Ofc K. Kimbrough Transcript; Lines 122-145).

Officer Kiran Kimbrough was then asked to explain the behavior of driver number two, to which he responded, *"Driver number two was very relaxed. Um, like I said, the accident had already happened, and it seemed like he understood that he wasn't angry about anything. Um, very calm." (Ofc K. Kimbrough Transcript; Lines 157-159).*

Officer Kiran Kimbrough indicated he was able to determine who was at fault in the crash with the information he received from the involved parties. He also took into consideration the position of the vehicles in his decision. I asked Officer Kiran Kimbrough what he meant when he said he reviewed cameras to see what occurred when talking to one of the drivers. He answered, *"There was no cameras that viewed the crash. Um, I often tell people that because, um, everyone tries to lie about a story when it involves an accident. And, you know, it makes it harder for my investigation because they want to, you know, get a lawsuit and get money. So I just let them know that, um, whether it's truthful or not, so that they can give me an actual honest statement." (Ofc K Kimbrough Transcript; Lines 190-194).*

Officer Kiran Kimbrough then indicated he returned to his vehicle and had driver 1 (Johnny Hollman) move his vehicle out of the middle of the street. He then stated he provided the case number for the involved parties and wrote a citation for Johnny Hollman. Officer Kiran Kimbrough then indicated he provided driver 2 the

case information on the crash for his insurance claims. He told the driver he was free to leave, but he remained at the location.

Officer Kiran Kimbrough indicated he had a second interaction with Johnny Hollman. He was asked to explain his demeanor and behavior on that interaction. Officer Kiran Kimbrough responded, "*Yeah, so I reapproached driver number one, um, by his vehicle away from driver number two to ev uh, avoid any, um, further irritation again. Um, at first driver, one was calm and I gave him his case number and I also let him know that I found him at fault in the collision. Um, once I found him at fault, that's when driver number one began, become, started becoming agitated again, as I was explaining to him the ticket. Um, I also explained to him that, you know, this is not mean that you're signing away the, um, you're making any sort of admission of guilt by signing my ticket. I explained to him that this is just stating you're gonna come to court or you're gonna pay the fine beforehand. And, uh, after that he became extremely irate again, saying that, um, he's not gonna sign. He said that this is not right. I want, uh, you're gonna have to get your sergeant or something out here. I once again re-explained to him that I need a signature and, you know, a sergeant is coming. Um, and explained to him the consequences and repercussions of not signing the ticket*" (Ofc Kimbrough Transcript; Lines 268-278).

He was then asked what those consequences and repercussion would be, to which he responded, "*Uh, he would've had to been, he would've been placed under arrest and would've had to post a bond, at the jail.*" (Ofc Kimbrough Transcript; Lines 284-285). Officer Kiran Kimbrough was then asked to be more specific on what he meant by agitated. He replied, "*Yes. Once again, he was screaming at me again and I actually took a second and asked him, why are you screaming at me? Um, it seemed like every time that I was explaining to something to him, he just kept saying, this is not right, this is not right. I needed your, uh, a sergeant here. And he was getting screaming, screaming and ignoring what I was saying to him.*" (Ofc K. Kimbrough Transcript; Lines 292-295).

Officer Kiran Kimbrough was also asked to explain in more detail what he meant by irate, to which he responded, "*Right. What I mean by that is, uh, his voice raising at me and stuff, even though I, you know, asked him why is he screaming at me, obviously 'cause we're in close proximity.*" (Ofc K Kimbrough Transcript; Lines 302-303). Officer Kiran Kimbrough indicated this interaction occurred extremely close to his (Johnny Hollman) vehicle.

Officer Kiran Kimbrough then stated that he provided instruction to Johnny Hollman that signing the ticket was not an admission of guilt, and that he could be arrested if he did not sign. Officer Kiran Kimbrough stated he does not recall if Johnny Hollman specifically said he wanted to speak with a supervisor, but he did say "*I'm gonna have to get a sergeant out here.*" (Ofc K Kimbrough Transcript; Lines 333-334). Officer Kiran Kimbrough was asked if he requested his supervisor at that point and he stated "*No.*" (Ofc K Kimbrough Transcript; Line 340). He was asked to explain why not, to which he replied, "*Once again, I tried to re-explain to him the reason behind signing it. Um, he was ignoring me, and, uh, so I didn't get a chance to raise my supervisor.*" (Ofc Ki Kimbrough Transcript; Lines 346-347).

Officer Kiran Kimbrough was also asked again if the male refused to sign the citation and he responded, "*Um, I guess that's kind of subjective. Um, I did tell him that this will be the last time I'm gonna tell you, you know, and he did not respond to that. So in my viewpoint, yes, I'm taking that as a refusal.*" (Ofc K Kimbrough Transcript; Lines 353-355). Officer Kiran Kimbrough indicated he attempted to de-escalate the situation when asked and explained how, "*Uh, once again, I've, I've let him know the consequences of what's happening without a signature. I've explained it to him numerous times, you know, which wasn't necessary, but I took the extra step to explain it to him.*" (Ofc K Kimbrough Transcript; Lines 367-369).

I asked Officer Kiran Kimbrough if at anytime the male decided not to sign the citation if he attempted to make him sign the citation by using physical force. He stated, "No." (*Ofc K Kimbrough Transcript; Line 377*). He was then asked if he attempted to grab the male's arm and force him to sign the citation. Officer Kiran Kimbrough responded, "No, I did not try to force him to sign the citation. Me grabbing his arm was, uh, detention because of his actions that he was doing at the time." (*Ofc K Kimbrough Transcript; Lines 384-385*.) Officer Kiran Kimbrough was asked if that was the point, he decided to make a physical arrest, he replied "I did not determine to make a physical arrest. I determined to make a detention from his actions." (*Ofc K Kimbrough Transcript; Lines 392-393*).

Officer Kiran Kimbrough was asked once he made physical contact with the male explain what occurred next. He explained, "Yes. Um, I grabbed him by his right wrist at first, um, to place his hands behind his back. And that was in totality of the circumstances of him being irate with me, him being irate with the driver number two, and the fact that he's, you know, texting on his phone now and completely avoiding any contact with me. I didn't know who he was texting, what he's texting him for. Um, so to make the scene safer and not allow him to, you know, create any sort of dangerous situation for me or anyone else. I was attempting to detain him. Once again, Once I grabbed his wrist, he snatched his arm out of my hand. Um, I once again grabbed his wrist and he snatched it outta my hand again. And the first thing I noticed was that he was incredibly strong and it was almost like unnatural. It was the best way that I could describe it. So I tried to put him in an academy, taught arm bar. Um, but he was able to evade that by capturing my arm in between his arm and his body. Once I got my arm free, um, I tried to leg sweep him. That didn't work, then I tried to hip toss him, but there was such a size difference, a size difference between us that that also didn't work. So I went back, reverted back to a leg sweep, and this time it worked. Um, once again, I know that he was actively, you know, resisting what I was trying to do, because I noticed when I tried to hip toss him, he spread his legs and dropped his weight so that he'd be more sturdy. Um, so as soon as I got on top of him in a mounting position, I was sitting on his hips and I got on radio and put up a five nine right away, which is means that I need, you know, units to start to my location, um, because of a exigent circumstance. Once that I got that over radio, I, I told the male to gimme his hands and stopped resisting, and I screamed at several times. Um, that was probably audible enough for people to hear me, you know, down the street on the sidewalk. Um, the male refused. He was rolling around. His arms were flailing, and I'm not sure if you know he's doing this to attack me, to get free or what's going on. Um, like I said, his arms are flailing. And subsequently from that and him rolling around, he struck me in my lip. Um, I got him on his back once again and I kept telling him, gimme your arm, stop resisting. To which he didn't comply. Uh, he tried to actually throw me off of his body by raising his hips off the ground and, uh, make his body jerk forward in a violent motion. I, put my hand, my left hand on the ground, kind of in front of him to brace myself and to prevent me from being thrown. And he grabbed it, brought it in towards him, and continued to raise his hips as if he were to, uh, gonna try to flip me. Um, as you know, it's known if he were to flip me on my back, that's a very dangerous situation. As I explained, you know, he's much bigger than me. Uh, he's already erratic and stuff. He could get on top of me. Uh, you know, I wouldn't be able to access my weapon because of how big he was anymore. He could, you know, if he understood the retention of my holster, he could have took my weapon, been able to take my taser or anything, and, you know, hurt me. He could wait on somebody else to get me, or other agitators could've saw this and decided that they wanted to hurt the police that day. So I removed my arm from his grasp and I gave him several compliant strikes to the face. And all the time I'm telling him, you know, let go of my arm, Stop resisting, gimme your hands. Um, once I gave him a couple of compliant strikes, I grabbed his arm again and tried to put it behind his back. That did not work. So at this point, I've tried a lot of things. I tried to do hip toss him that's not working, and I've tried arm bars, leg sweeps. I gave him compliance strikes. I pretty much went down the list of every force that I can use without having to use a weapon. So once I noticed that any, none of those were working, I removed my department, issued Taser from my vest, and I placed it near his face. He was on the ground face down, looking to the right, and I put it in an area that was offset so that he can't grab it. And I turned it on, let him see the taser and the lasers on it, and I arced it several times and explained to him that if he did not gimme his hands, I'm going to tase you. Um, he did not respond to this. I

placed my taser on his right arm and I arched it or drive stunned him." (Ofc K Kimbrough Transcript; Lines 400-443)

"maybe once. It might've been more than once, but it wasn't excessive in my opinion. At that point, I saw his arm go limp, and I was able to grab his arm and put it behind his back. And I noticed that the tow truck driver from S and W had arrived on scene, saw what was going on, and he was running towards me through the grassey field. Once he got there, he grabbed the guy by the other side of the arms and put them behind his back. So once both arms were behind the back, I tried to get my cuffs out of the pouch for the vest, my initial pair of cuffs that I always in my go-to pair. And I noticed that they were, you know, I out of place, they were dismantled, so I couldn't remove them from my vest. And I think that was just an indicator of how violent the struggle had actually become. So I had to go to my backup here. I got that and I put them on both of his wrists, uh, you know, placing him, detaining him, but he was really under arrest at that point. So I took a second, I stood up, I took a second to breathe maybe within 15 to 20 seconds, I reengaged with Mr. Holman, telling him, you know, to roll over on his side. And I noticed that he didn't respond to what I told him, so I physically rolled him onto his side, and I noticed that his face was bloody and that he wasn't breathing. So I raised him up and I first attempted to feel a pulse in his neck, and he was so, so big I couldn't tell. Um, I got on the radio, I let her know, number one, first I'm gonna need a supervisor because of this use of force Number two, I'm gonna need Grady to start code three, which means lights and sirens because this male is unresponsive, he's severely bleeding, and he's been tased. Uh, after a while, once more units got there, I stepped away from Mr. Hollman and gave them the, uh, gave him, you know, remanded them into, you know, their attention at the time. And once again, that time it's maybe been about five minutes, and I get back on radio and I ask her, you know, did she start GRADY? And she says, yes. And I tell her next that she needs to start fire as well. They're taking too long. Fire needs to com, code three, this male is not in good condition at all. He's unresponsive, he's bleeding severely. Um, so finally they got there." (Ofc K Kimbrough Transcript; Lines 449-471.)

Officer Kiran Kimbrough stated he walked off after other officers arrived and explained what he did next, *"Right. There were several officers with the subject, and I, I actually think I might've walked to another officer, um, officer Duplessis and asked him did he have any water because I was tasting blood in my mouth and he said he had Celsius. I took a swig of that, uh, gargled it in my mouth and instantly felt the burning from cut, spit it out, and there was blood coming out my mouth onto the ground." (Ofc K Kimbrough Transcript; Lines 485-489).*

There were several questions asked about the use of the Taser and the arc function in regard to his training. Officer Kiran Kimbrough explained that the arc was placing the Taser against a limb and pressing the button, and this would be considered a compliance technique. He stated he did not pull the trigger on the Taser.

Officer Kiran Kimbrough stated he was uncertain if any of the responding officer administered first to the male in custody and that was because he stepped away from the situation.

Officer Kiran Kimbrough was then asked he believed the force he used was reasonable in the circumstance he explained. He indicated it was and provide and explanation, *"Because at that point, the situation has escalated so much that I have felony charges on him now, and he's actively, you know, he's committing a felony and potentially trying to commit a forcible felony at that point. I believe that my force was actually a lot less than the force and level of resistance that he was using." (Ofc Ki Kimbrough Transcript; Lines 571-574).*

Officer Kiran Kimbrough was also asked to provide a description and demographic of the male, to which he responded, *"Yeah, Mr. Holman was about, um, it was, he was either in his lower to mid sixties. Um, his license I remember said he was around 5' 8', 295 pounds. Uh, he was a black male." (Ofc K Kimbrough Transcript; Lines 577-578).*

The final set of question that was asked of Officer Kiran Kimbrough was if he notified his supervisor the male refused to sign the citation. Officer Kiran Kimbrough responded, *"No, not yet. And the reasoning behind that is because as I was explaining to him for, you know, the numerous times that I did explain to him, you know, why he had to sign it or what would happen, I noticed he pulled his cell phone out and he started texting somebody from his cell phone, um, just based off his actions, um, previously, and the fact that I don't know what he's doing, why he's acting this way, or what he's planning on doing by reaching out to somebody, um, on his cell phone, that's when I decided to detain, I mean, detain him because there was more charges now just besides him not signing a ticket."* (Ofc K Kimbrough Transcript; Lines 633-639).

Officer Kiran Kimbrough then indicated, *"There was intention on notifying the sergeant once he was gonna be detained and placed into my vehicle for my safety."* (Ofc K Kimbrough Transcript; Lines 646-674).

Officer Kiran Kimbrough was then asked if there was anything else he wanted to add to his statement. He provided the following response, *"Yes. Uh, first thing I would like to say is that I have not watched a video on this incident. I have not seen any of the recordings or read any of the CAD remarks. This is all coming from my own memory of the events of my own recognizance. Number two. Um, I want to talk about the traffic conditions and where this encounter actually happened. So as we were struggling on the street, on the street in front of his vehicle, there are several cars that are trying to drive on Cunningham Place to get to Joseph E Lowry and they're seeing it's blocked off and they're making U-turns in the middle of the street very close to where we were. Um, and as you know, with knowledge time on the job, you know, I know that they're, most drivers are only seeing the blue lights. They're not looking at the fact that we're struggling with each other in the roadway in front of them. Um, there was, you know, a real concern about traffic conditions and I just want to reemphasize too that my level of force did not meet any sort of standard of deadly force. My compliance strikes are not lethal force. I am actually trained to use the Axon Taser seven, which is what I was armed with that day, and, and which is what I put into use. And I did not use it in a way that was gonna, that was even intended or likely to cause serious bodily injury or death."* (Ofc K Kimbrough Transcript; Lines 654-667).

The statement concluded.

Officer	Officer Jared White
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On August 22, 2023, Officer Jared White provided a statement at the Office of Professional Standards. He had a representative from the Police Union IBPO, Ritch Hale present. Officer Jared White was notified he was a witness in this internal investigation. He stated he was assigned to Zone 1 during this phase of his Field Training from that Atlanta Police Training Academy.

On August 10, 2023, at approximately 11:58 p.m., he stated he and Officer Jibri responded to the intersection of Joseph E Lowery Boulevard and Cunningham Place for an officer that needed assistance. Officer Jared White was asked to explain what he observed when he arrived at the location, to which he responded, *"I observed, um, male laying on the ground. Um, he was non-compliant, not non-responsive, and I went over there to see what was going on. I put on gloves so I can check his pulse. Uh, I didn't feel a pulse. I lifted his chin up to see if I can get some air inside his airways. And I checked for a pulse. Again, I didn't feel a pulse, so I stepped back."* (Ofc White Transcript; Lines 137-140).

Officer Jared White was asked to be more specific buy what he meant about the male being on the ground. He responded, *"He was on the ground, he was in handcuffs because he refused to sign a ticket and officer placed him in handcuffs after, uh, altercation."* (Ofc White Transcript; Lines 148-149). Officer Jared White confirmed the male was already in handcuffs when he arrived and was in a sitting position.

Officer Jared White stated at some point he checked for pulse on the male and noted, "No, I didn't think he had a pulse." (Ofc White Transcript; line 188). He was then asked what type of first aid training he received at the Training Academy, to which he responded, "Uh, in the academy they teach checking for pulses and they teach, uh, C P R." (Ofc White Transcript; Line 195). Officer Jared White was then asked if he notified any of the officer the male did not have a pulse. He stated, "Uh, I told the officers that was standing around me that I didn't feel a pulse." (Ofc White Transcript; Line 201.)

The interview was concluded based on the responses provided by Officer Jared White. He was informed that he would be given a notice of allegations to further in the internal investigation. It was agreed that he could return the following day after he consulted with his representative.

On August 23, 2023, Office Jared White provided a second statement at the Office of Professional Standards. His representative Ritch Hale from the IBPO was present during the statement. We reviewed the statements that were made during the statement yesterday and continued from there once Officer Jared White was provided his notice of allegations and was given his Garrity Rights again.

Officer Jared White confirmed he attended a full day (8) hours) of CPR Training from the American Red Cross. He was then asked based on his CPR training if an individual does not have a pulse what should he do, to which he responded, "Start CPR." (Ofc White Transcript; Line 113). He was then asked based on the previous explanation of the position of the male subject, what would need to have been done to conduct CPR. Officer Jared White explained, "Uh, the individual was sitting up to conduct C P R I would've had to lay him back down." (Ofc White Transcript; Lines 120-121).

"And start the compressions." (Ofc White Transcript; line 127).

Officer Jared White indicated he did not do that and was asked to explain why not. He responded, "I didn't wanna lay him back down because I didn't wanna close his airways from what I thought was how C P R was kind of working. Uh, when I stood back up, I lifted his chin up just to open his airways because his mouth was open. So I lifted his chin up to see if he can get air through the airways. And I stood back up and I said, I have nothing. I looked over and I seen Grady and that's when I kind of stepped back and I, but they didn't come 'cause I figured they were staging and all the cars were in the way." (Ofc White Transcript; Lines 139-144).

"Patrol cars were in the way." (Ofc White Transcript; Line 150).

Officer Jared White again confirmed that if someone does not have a pulse, the first thing to do is put them on their back. Officer Jared White was asked to explain the male was not put on his back and why he didn't tell anyone CPR needed to be started. He replied, "Well, the reason why I didn't, uh, put him on his back is because he was already handcuffed and I didn't know how C P R was like worked with handcuffing behind the back. 'cause they didn't teach that in the academy. They taught it with the hands on the side. Um, I didn't tell them. I just told them I don't have a pulse. And another officer was doing sternum rubs. So I didn't know how it all worked with everything." (Ofc White Transcript; Lines 164-168).

Officer Jared White was asked other than checking for a pulse and raising the chin to open the airway, did he provide any other medical aid or assistance. He indicated he did not.

The statement concluded.

Officer	Officer Duc Vo

On August 23, 2023, Officer Duc Vo provided a statement at the Office of Professional Standards. He had a representative from the Police Union IBPO, Ritch Hale present. Officer Duc Vo stated he was assigned to Zone 4 Morning Watch and has been assigned there for three (3) years. He stated he was working on August 10, 2023, and was assigned to 404's Beat. Officer Duc Vo also indicated he was field training Officer Davis.

Officer Duc Vo stated they responded to the intersection of Joseph E Lowery Boulevard and Cunningham Place at approximately 11:58 p.m. for an officer needs assistance call. He was asked to explain what he observed when they arrived. Officer Duc Vo responded, *"Um, once I arrived up to the location, um, I was looking for the officer, the female that was in the corner. She told me the officer was right across the street. I ran to the, the area I noticed the officer standing there with the suspect laying next, sitting next to his leg. Um, blood was covering his face. I asked the officer what had happened. Um, he told me it was auto accident. He was given pretty much asking the gentleman to sign the citation. He refused the citation. Um, next thing I know, he told me the, when the officer tried to put handcuff on him, the gentleman resisted, um, the officer put him on the ground. The gentleman began to grab something of the officer. I'm not sure, I can't remember what happened. The officer punched him a couple times and then tased him."* (Ofc Vo Transcript; Lines 180-187).

Officer Duc Vo confirmed the officer indicated he used physical force and utilized his Taser. He was asked what he did next and answered, *"Um, I make sure he was okay. Next, you know, I received a phone call. Someone told me to, um, give him, give him do a sternum rub using the back end of my as baton. That when I went over and started giving the sternum rub with the ASP baton."* (Ofc Vo Transcript, Lines 207-209). He indicated the subject did not have a response to that. Officer Duc Vo stated at some point himself or another officer (Office Jared White) determined the subject did not have a pulse.

Officer Duc Vo indicated that he had been out of the Atlanta Police Training Academy for three and received CPD Training while he was there. He was then asked based on his CPR training if a subject does not have a pulse, what are your next steps. Officer Duc Vo explained, *"Um, begin c Begin doing C P R, um, lay flat on the ground, uh, make sure he had no bruises or injury on his chest. And then start doing chest compression when, you know, locking your hand in, locking the arm and elbow out, press down about two inches, about 30 reps. And then, uh, yeah, that's all I can remember."* (Ofc Vo Transcript; Lines 254-257).

He then confirmed EMS was not on scene when he arrived and does not recall how much times passed until they arrived. Officer Duc Vo was asked what EMS did when they arrived, to which he replied, *"Uh, once EMS arrived, um, Grady, she took over, she layed on the ground, began doing C P R."* (Ofc Vo Transcript; Lines 282-283.) He also noted that EMS asked to have the handcuffs removed from the subject and indicated Officer Jibri or Officer White removed them.

Officer Duc Vo stated that he checked for a pulse on the subject and did not feel one and was asked to explain why he did not provide some medical aid as he described in his training. He responded, *"Due to the, uh, the situation, It didn't occur to me to, to do the C P R."* (Ofc Vo Transcript; Line 327). Officer Duc Vo was asked to clarify what he meant by the situation, to which he responded, *"Um, the situation, how the, uh, officer described to me and then the situation of the subject that was on the ground, I couldn't remember to do C P R."* (Ofc Vo Transcript; Lines 333-334). He indicated he was capable but did not think to do it. Officer Duc Vo also stated there were no other officers provided medical aid once the determined there was no pulse form the subject.

The statement concluded.

Officer	Officer Maseh Jibri
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On August 23, 2023, Officer Maseh Jibri provided a statement at the Office of Professional Standards. Sergeant Kindu Franklin was present as a peer representative. Officer Maseh Jibri indicated he was assigned to Zone 1, Moening Watch and has been working for the Atlanta Police Department for four years. He confirmed he was working on August 10, 2023, in Zone 1 and was riding with Officer White.

Officer Maseh Jibri stated he responded to Joseph E Lowery and Cunningham Place for an assistance call for another officer at approximately 11:58 a.m. He was asked what he observed when he arrived at the location. Officer Maseh Jibri responded, *"When I first got on scene, um, which was moments after the officer had detained male, I observed, um, the male propped up against the officer's leg. Um, wasn't really responsive, but he had, uh, he had advised me they had, they had just got out of, um, out of a, a physical dispute with each other. And, um, he was waiting on Grady to get on the scene. So when I got there, I replaced, um, his position of the officer that was holding him up and I, uh, held the male up until the paramedics arrived."* (Ofc Jibri Transcript: Lines 143-148).

Officer Maseh Jibri indicated the officer involved was Officer Kimbrough. I asked Officer Maseh Jibri if Officer Kimbrough told him what occurred. He replied, *"I heard bits and pieces of it that, um, I believe he was trying to get him to sign a citation and, um, the male refused. And when he tried to get him out of the vehicle, I think that's when he started, uh, they started fighting each other. I don't know who hit who first or whatever. I wasn't there."* (Ofc Jibri Transcript; Lines 161-164). Officer Maseh Jibri also stated that Officer Kimbrough utilized his Taser.

Officer Maseh Jibri stated was holding he subject up in the seated position leaning against his leg and he was handcuffed behind the back. He also indicated other Atlanta Police Officers also showed up. While there, he indicated an officer attempted to take a pulse on the male subject. Officer Maseh Jibri stated at some point, another officer indicated the subject did not have a pulse. He was asked what he did once he received that information. Officer Maseh Jibri responded, *"Um, given off of the, the size of the male, I wasn't sure if I was doing it correctly, if I was able to get a pulse off of him. 'cause he was a, he was a heavyset male, so I didn't know if that was the case of why I wasn't receiving that, that pulse."* (Ofc Jibri Transcript; Lines 223-225).

Then then went on to say he believed several officers checked for a pulse. He was then asked if any officer made a comment that they did not feel a pulse from the male, to which he responded, *"I can't remember."* (Ofc Jibri Transcript; Line 244). Officer Maseh Jibri confirmed that he had received CPR training the Atlanta Police Training Academy along with other first aid techniques. He was then asked if there is no pulse on an individual what was he trained to do. Officer Maseh Jibri responded, *"Um, I believe we was, uh, they advised that we do chest compressions at some point."* (Ofc Jibri Transcript; Lines 270-271).

Officer Maseh Jibri was then asked based on the assessment by himself or other officers should CPR have been administered to the male subject. He replied, *"Well, I heard, um, somewhere down the line that the male had, um, alcohol and drugs in his car, and I thought that the reason why he was unresponsive was related to that. So I didn't know that, you know, if I had, if I should start doing chest compressions right up, right up front, right off bat like that. So what I did, I just propped him up so his airways could stay clear until the paramedics arrived. Hopefully they was going to have like some Narcan or something like that to kind of revive the male. So I just kept him in an upright position so he could breathe."* (Ofc Jibri Transcript; 278-283). Officer Maseh Jibri indicated he was not sure when he received this information, but it may have been before EMS arrived.

Officer Maseh Jibri was asked if he provide any medical aid or assistance to the subject in handcuffs, and he replied, *"Well, in my opinion, me propping him up was me trying to assist him in some kind of form of aid because I didn't want him to lay on his back flat where he couldn't breathe."* (Ofc Jibri Transcript; Lines

304-305.) He also stated at no point did any of the other officers indicate that CPR should be administered. Officer Maseh Jibri stated other that holding the subject up, he does not recall doing anything else.

Officer Maseh Jibri indicated that when EMS arrived, they asked if the handcuffs could be removed, which he did. He was then asked what the reason was for removing the handcuffs, he said, *"They were trying to lay him down, and then I think they were about to start the C P R process on him."* (Ofc Jibri Transcript; Lines 339-340).

Officer Maseh Jibri was asked at any point did the male appear to unresponsive and not moving and he indicated *"Yes."* (Ofc Jibri Transcript; Line 356). He was then asked was there any reason why the handcuffs remained on the subject when he appeared to be unresponsive. Officer Maseh Jibri responded, *"Um, I didn't remove him myself because, like I said, I didn't know exactly what condition the male was in, so I didn't want to risk, you know, taking someone else out of outta custody. And then you know He, uh, gets up or whatever, wake up and then, you know, now we have to try to re detain him and, and all that. So I left him, well, I didn't bother taking the cuffs off at that time."* (Ofc Jibri Transcript; Lines 363-367).

He was then asked if the male gave any indication that he was combative regardless of if the handcuffs were on or not. Officer Maseh Jibri stated, *"Well, I figured if, if he was to, you know, come back, um, responsive, then yes, he would've been combative going off of the previous event from the other officer."* (Ofc Jibri Transcript; Lines 375-367). Officer Maseh Jibri confirmed at no point did the subject become combative while he was there. He also stated the male subject was not talking and did not say anything while he was there. He then stated the male did not appear to be breathing.

Officer Maseh Jibri confirmed that he did not provide any medical assistance when the male was not breathing, was unresponsive and may or may not have had a pulse.

Officer	Officer Zaniya Davis
	<p>On August 24, 2023, Officer Zaniya Davis provided a statement at the Office of Professional Standards. Her representative, Michael Pulliam from the Police Union IBPO was present. Officer Zaniya Davis indicated she was still in the field training phase in the Atlanta Police Department. She stated she was riding with Officer Duv Vo on August 10, 2023, and responded to an office assistance call at the intersection of Joseph E Lower Boulevard and Cunningham Place at approximately 11:58 p.m.</p> <p>Officer Zaniya Davis was asked if she could explain what she observed when she arrived at the location. She responded, <i>"When I arrived at the location, we seen, um, females standing at the intersection. They navigated my F T O where the, um, officer was, my officer, my F T O took off running and then I followed behind. When we got there, we, we seen that a male was sitting on the ground leaning against the officer's knee. Um, I stood there next to my F T O. My F T O provided a sternum rub on the chest and I was just standing off by the side to make sure that no one would, I guess get next to them. So basically just securing the scene."</i> (Ofc Davis Transcript; Lines 159-164).</p> <p>Office Zaniya Davis stated while there an officer provided information on what occurred. She stated, <i>"I, I heard that the officer stated that he was trying to give him a traffic ticket for the accident and he wouldn't sign the, um, ticket. And after that, that's when I guess the situation occurred. That's what I heard."</i> (Ofc Davis Transcript; Lines 185-187). She indicated she did here any say anything about the use of a Taser. She also stated she did not hear any mention the male subject did not have a pulse or was not breathing.</p>

Officer Zaniya Davis stated she was standing approximately 6-8 feet from the male and the other officers. She was asked to describe the scene to include any noises, bystanders and other responses from officers. Officer Zaniya Davis replied, *"So, um, it was the three females at the intersection. It was a wrecker that was standing next to me. Um, I know there was sirens going on because other officers were arriving. So that was the background noise that you heard."* (Ofc Davis Transcript; Lines 250-252).

Officer Zaniya Davis stated she had no indication the male was unresponsive, or the subject did not have a pulse or was not breathing.

Officer	Officer Rontarin David
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On August 28, 2023, Officer Rontarin David provided a statement at the Office of Professional Standards. Ritch Hale from the police union IBPO was also present. Officer Rontarin David indicated he was assigned to Zone 1 Evening Watch and has been there since June of 2023. He indicated he was working overtime after his evening watch shift when he responded to the area of Joseph E. Lower Boulevard and Cunningham Place to for an officer needs assistance call on August 10, 2023, at approximately 11:58 p.m.

Officer Rontarin David was asked to explain what he observed when arrived at the location, to which he responded, *"Um, I seen, um, well obviously my other units there, um, and the male, uh, the male subject, um, sitting at a upright position, um, not responsive."* (Ofc David Transcript; Lines 150-151). He noted there were five to six officers standing around. Officer Rontarin David indicated he overheard the reason the male subject was in handcuffs was because he was supposed to be in custody. He also noted he heard over the radio there was a Taser deployment with the code "20T."

Officer Rontarin David was then asked while standing with the other officers did anyone determine the subject did not have a pulse. He responded, *"Um, I, I know that one, like one officer when I was there, uh, felt for a pulse. Um, I couldn't, I can't remember what they said. I was, uh, trying to help my other friend get over, uh, well show him how to get over to where we were. Um, and then that's it."* (Ofc David Transcript; Lines 213-215). Officer Rontarin David confirmed that Officer White checked for a pulse and indicated he was not getting one from the subject.

Officer Rontarin David stated that he received CPR training at the Atlanta Police Training Academy and based on that training first aid and chest compressions should be started for someone without a pulse. He was then asked if he provide any medical aid based on the information received from Officer White, that the subject did not have a pulse. Officer Rontarin David responded, *"Uh, I, I did not, sir."* (Ofc David Transcript; Line 317.) He asked to explain why not and replied, *"Um, well I was, I was trying to, like I said, help my friend get over here, um, well get to the scene. Um, and I think I was, I was a little bit more like focused on that 'cause there was other officers already there. Um, and that's really it."* (ofc David Transcript; Lines 323-325).

Officer Rontarin David indicated he did not start or say that CPR needed to be started on the subject that did not have a pulse.

The statement concluded.

Officer	Officer Kerry Gilles
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On August 28, 2023, Officer Kerry Gilles provided a statement at the Office of Professional Standards. Ritch Hale from the police union IBPO was also present. Officer Kerry Gilles stated he was assigned to Zone 4 morning watch and responded to the area of Joseph E Lowery Boulevard and Cunningham Place for an officer needs assistance call on August 10, 2023, at 11:58 p.m.

Officer Kerry Gilles was asked to explain what he observed when he arrived, he replied, "Um, a lot of officers, um, a lot of people standing around when I got there, I finally seen, um, a gentleman on the ground handcuffed and multiple officers kind of like just sit like standing around him." (Ofc Gilles Transcript; Lines 175-177). He indicated he overheard form other officers that he was in handcuffs because he refused to sign a traffic citation and Taser was used during the arrest.

Officer Kerry Gilles was then asked at any point did he or another officer determine the male subject did not have a pulse. He responded, "Um, multiple times saying, uh, they said that, that he couldn't feel it. Not sure if it was either like low or he couldn't, like at where there was no pulse or whether it was just low and he couldn't, you know, he's a hef hefty guy." (Ofc Gilles Transcript Lines 272-274). Officer Kerry Gilles stated he did not attempt to take the subject's pulse. He indicated he believed one officer checked for pulse several times but indicated he thought there was a low or no pulse.

Officer Kerry Gilles was then asked if he or any other officer determined the male was not breathing, he responded "No, I kept calling out to him. I, I was just, sir, are you all right sir? Can you hear me sir? But I couldn't tell if he was breathing. I did see him like, just like slouched!" (Ofc Gilles Transcript; Lines 315-316).

"Drooling. But no." (Ofc Gilles Transcript; Lin 322).

Officer Kerry Gilles stated the male did not respond and did not say anything. He indicated he received CPR while at the Atlanta Police Training Academy and indicated you start CPR if someone does not have a pulse, which he stated he did not. He was asked to explain why he did not and responded "Too much going on? We got one officer trying to get a pulse, other officer trying to like, I guess, you know, do the thing. Uh, what, just Talking." (Ofc Gilles Transcript; Lines 425-426).

"Yes. There we go. Yeah, yeah. I'm sorry. Yeah, so um, they're trying to do that and then um, he's also handcuffed and it's like, okay, well I'm talking to him trying to like reach out to him, but I didn't think of trying to give him C P R, no." (Ofc Gilles Transcript; Lines 432-434).

Officer Kerry Gilles indicated he did not think to do CPR and did not provide any medial aid to the subject in handcuffs.

The statement concluded.

Officer	Officer Lamar Jacobs
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On August 28, 2023, Officer Lamar Jacobs provided a statement at the Office of Professional Standards. Ritch Hale from the police union IBPO was also present. Officer Lamar Jacobs stated he was assigned to Zone on morning watch and responded to the area of Joseph E Lowery Boulevard and Cunningham Place on August 10, 2023, at 11:58 p.m. for an officer needs assistance call.

Officer Lamar Jacobs was asked to explain what he observed when arrived, to which he responded, " I observed at least four officers there already with a guy in handcuffs sitting upright. He was bleeding out from maybe his nose or something like that. Um, I observed the officer that was involved in the incident. I observed him tired and out of breath and things like that. So I decided to step in place for him to give him a break. Um, and had another officer in front of me from zone four who gave a guy a sternum rub. I don't really know medically what that's for, but I knew it was something to help him. Um, I was under the impression that the guy was alive at the time until a few minutes went by and everybody started asking and trying to see if he can respond. Oh, what's responsive? I checked his pulse. I couldn't feel anything. Um, my colleague checked it. He couldn't feel

anything, um, asking Grady step up and pretty much that's what I observed at the time." (Ofc Jacobs Transcript; Lines 108-116.)

Officer Lamar Jabons indicated he overheard other officers say why the male was in handcuffs and a Taser was used. He also noted that he heard over the police ration the male subject was resistant.

Officer Lamar Jacobs stated while there he checked for pulse on the male subject and did not feel one. He confirmed that he received CPR and First Aid while at the Atlanta Police Training Academy. Officer Lamar Jacobs was asked to explain as part of his training what should occur if someone does not have a pulse, he explained *"Um, administer a chest compression, C P R."* (Ofc Jacobs Transcript; Line 258.) Officer Lamar Jacobs stated he did not provide any medical aid once it was determined there was no pulse and explained why not, *"After you gave the sternum rub? I thought that was some type of medical treatment for him at the point, at that time, I was kind of lost and confused on what else to do in that moment, So."* (Ofc Jacobs Transcript; Lines 271-273).

Officer Lamar Jacobs stated he did not observe any other officers administer first aid to the male subject.

The statement concluded.

WITNESS(S) RESPONSE

Civilian	Eric Roberson
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On August 19, 2023, an interview was conducted with Eric Roberson over the phone. Eric Roberson indicated he was a tow truck operator for S&W Towing Service. He stated he was dispatched to the intersection of Joseph E Lowery Boulevard and Cunningham Place to assist with the Atlanta Police Department on August 10, 2023, around 11:55 pm into the next day of August 11, 2023. He was asked to explain what occurred when he arrived at that location, to which he responded: *"Uh, yeah, when I pulled up on the scene and assessing the accident, I seen the officer was down on the ground with the subject, uh, holding it down on the ground when I pulled up."* (R Roberson Transcript; Lines 49-50). He then stated he went over to the officer and assisted getting the male into custody.

Eric Roberson was asked to explain more what the officer and the male subject were doing. He responded: *"Uh, yeah, the officer was, uh, on top of him, had him, uh, on his left side, and I had his right arm pull behind him and was on his left side, right side trying to, uh, handcuff, get the right, left arm around to handcuff him."* (E. Roberson Transcript; Lines 65-67). Eric Roberson stated he assisted by pulling the left arm around to the right so the officer could get the handcuffs on. He indicated he did not witness the officer utilize his Taser (CEW).

Eric Roberson confirmed that when he arrived the officer and the male subject were already on the ground, and he did not witness any interaction between them before he arrived. He was then asked to describe the demeanor or behavior of the male subject on the ground. He replied: *"Uh, the guy was on the ground, like I say, he had his right arm pulled behind him, and he was still trying to get the left arm, but the, he was resisting with the left arm, like he was still fumbling with his left arm, you know, uh, wouldn't cooperate with him when I pulled up."* (E. Roberson Transcript; Lines 104-106).

Eric Roberson was then asked if he heard the officer give any commands to the subject on the ground, to which he responded: *"Uh, I, if I'm correct, I think he was saying stop resisting. I believe I, I couldn't be, I'm not quite a hundred sure on that part."* (E. Roberson Transcript; Lines 113-114). He also indicated he did not hear the subject say anything while he was on the ground, and he was still moving around when he first arrived.

Eric Roberson was also asked he noticed an any point the male subject looked like he was not moving around anymore. He responded: "Uh, once he got him in, got him in handcuffs, then he set him up, uh, set him up, uh, set him up, set him up against his legs, his officer legs, and just like the, the, the gentleman just, uh, like went unconscious. Then just like his head dropped, like he went unconscious. Then the officer start, you know, checking for pulse and everything. And it sounded like the sup uh, lieutenant was telling him to give him chest circular, circular motions." (E. Roberson; Transcript; Lines 140-144).

"And he was for ambulance. He kept asking for a four, you know, 'cause the guy was bleeding, he was bleeding, the guy was bleeding. He kept asking for ambulance for that... reason" (E. Roberson Transcript; Lines 150-151).

Eric Roberson indicated he did not notice the male subject make any movements after he say he looked like he passed out and he did not say anything. He also indicated the officer appeared to have more control over the male subject.

Civilian	Dontrell Washington
Pending an appointment from his attorney to provide a statement.	

Checklist			
Body Worn Camera	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Axon Dash	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Surveillance	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Incident / Accident Report(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Use of Force Report(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Pursuit Report(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If no, why:	N/A
Audio /Written Statement(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Photographs	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Audio Statement(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Transcript(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	
Medical Records	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If no, why:	Pending if needed
Financial Documents	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If no, why:	
Phone Records	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If no, why:	
Lab Results	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If no, why:	
Miscellaneous	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If no, why:	GBI Pending /FCMEO Pending

Investigation Completed by:

Investigator	Darrin Smith		August 28, 2023
Rank and Name		Signature	Date



City of Atlanta
Atlanta Police Department

Internal Correspondence
Office of Professional Standards

MEMORANDUM

TO: Major C. Peek
FROM: Investigator D. Smith
DATE: August 11, 2023
RE: Death in Custody

INCIDENT:

DATE: August 10, 2023
TIME: 11:57 p.m.
LOCATION: Cunningham Pl SW at Joseph E Lowery Blvd
COMPLAINT NUMBER: 23-222-1937

OFFICER(S) INVOLVED:

NAME: Officer Kiran Kimbrough
DATE OF EMPLOYMENT: N/A
ASSIGNMENT: Zone 2 Morning Watch
DUTY STATUS: Active
INJURIES SUSTAINED: Minor
WEAPON USED: CEW (Taser)/ Physical Force
ROUNDS FIRED: N/A

P-5-1-2

SUMMARY:

The Office of Professional Standards was notified of an incident at Joseph E Lowery Boulevard and Cunningham Place in Zone 1. The preliminary information provided was an officer was involved in a physical altercation with a male and as a result of the interaction, the male was deceased.

Preliminary Investigation Reveals

Officer Kiran Kimbrough was conducting a crash investigation at the intersection of Joseph E Lowery Boulevard and Cunningham Place. There were two vehicles involved in the crash, a white Chevrolet Silverado, and a black Hyundai Elantra. Officer Kimbrough completed the crash investigation and determined the driver of the white Chevrolet Silverado; Johnny Hollman was the at fault driver.

Officer Kimbrough issued a citation for Johnny Hollman, who refused to sign it after numerous directions were provided by Officer Kimbrough. He gave him commands while he was trying to arrest him. During the arrest, Mr. Hollman refused to comply with the orders and resisted the officer verbally and physically. During the arrest, Officer Kimbrough arched his Taser several times and gave verbal commands to Mr. Hollman. He did not comply. While on the ground, Officer Kimbrough drive stunned Mr. Hollman in the upper right shoulder area. He was then able to place the handcuffs on him.

EMS was requested to the location. Grady EMS arrived and eventually transported Mr. Hollman to the hospital where he later died.

This is preliminary and investigation and subject to change during the internal investigation.

Responding Units

Zone 1 Supervisors

Night Commander

MCS Commanders

OPS Personnel

GBI

APD Crime Scene Techs

P- 5-2-2

Evidence Title: Officer Kiran Kimbrough Statement 8-15-23.MP3

This transcript has been verified by Smith, Darrin (4206)

This transcript starts at Aug 15, 2023 11:20 AM -04:00 and is 34m 3s in length

1 [11:20 AM / 00:00]
2 **Investigator Darrin Smith_OPS** All right. Today is August 15th, 2023. It's 10:19 AM I'm investigator
3 Darrin Smith with the Atlanta Police Department's Office of Professional Standards. I'm here today
4 with Officer Kiran Kimbro. Could you state and spell your first and last name for the record, please?
5
6 [11:20 AM / 00:15]
7 **Officer Kiran Kimbrough** Yes, I'm, uh, Kiran Kimbro. First name spelling is K i r a n. Last name is K i
8 m b r o u g h.
9
10 [11:20 AM / 00:24]
11 **Investigator Darrin Smith_OPS** Thank you. And now also present is Jennifer Sands. Um, could you
12 state and spell your first and last name and the reason you're here today and who you're
13 representing?
14
15 [11:20 AM / 00:33]
16 **Jennifer Sands** Yes, Sir. Attorney Jennifer Sands. It's S a n d s. I'm with LaRusso Law Firm, and I'm
17 here as legal representation for Officer Kimbrough.
18
19 [11:20 AM / 00:43]
20 **Investigator Darrin Smith_OPS** Thank you. Officer Kimbrough, you're being questioned as a subject
21 of an investigation and file number 23-I- 0 4 1 7-ICD. All employees must answer questions and make
22 available relevant material or materials or sworn statements concerning an internal investigation
23 when directed to do so by a disciplinary authority or duly appointed investigator. Employees may
24 obtain representation but cannot delay questioning from more than three hours beyond the time he or
25 she was notified of the questioning. Except as authorized and required, an employee shall not
26 interfere with nor contact persons involved in an internal investigation nor to discuss or disclose or
27 discuss with anyone except the designated departmental authority, the existence of facts of an
28 internal investigation. This restriction would not be construed to prohibit an employee from discussing
29 any aspect of the investigation with his or her representative. Administrative statements made by
30 employees and evidence gained by reasons of such statements may not be used against the
31 employee in criminal proceedings involving the employee except the case of perjury. That last
32 statement, those are your Garrity rights. Do you understand that?
33
34 [11:22 AM / 01:54]
35 **Officer Kiran Kimbrough** Yes.
36
37 [11:22 AM / 01:56]
38 **Jennifer Sands** So to be clear, this is a compelled statement, not voluntary, correct?
39
40 [11:22 AM / 01:59]
41 **Investigator Darrin Smith_OPS** That is correct. Um, under the policy with the Atlanta Police
42 Department, you are compelled to provide a statement when it comes to an internal investigation. Do
43 you understand that?
44
45 [11:22 AM / 02:10]
46 **Officer Kiran Kimbrough** Yes.
47
48 [11:22 AM / 02:10]
49 **Investigator Darrin Smith_OPS** Okay. What is your four digit ID number?
50
51 [11:22 AM / 02:14]
52 **Officer Kiran Kimbrough** 7 9 5 1.
53

54 [11:22 AM / 02:16]
55 **Investigator Darrin Smith_OPS** Have you read and signed your awareness statement for
56 truthfulness as stated, A P D S O P 2010 employee work rule 4.1.03?
57
58 [11:22 AM / 02:24]
59 **Officer Kiran Kimbrough** Yes.
60
61 [11:22 AM / 02:25]
62 **Investigator Darrin Smith_OPS** What Is your current assignment within the Atlanta Police
63 Department?
64
65 [11:22 AM / 02:28]
66 **Officer Kiran Kimbrough** Um, I'm assigned to field operations division patrol and zone one. Morning
67 watch.
68
69 [11:22 AM / 02:33]
70 **Investigator Darrin Smith_OPS** And how long have you been employed to that assignment?
71
72 [11:22 AM / 02:36]
73 **Officer Kiran Kimbrough** Um, close to two years now.
74
75 [11:22 AM / 02:37]
76 **Investigator Darrin Smith_OPS** Okay. Is that the only assignment you worked in the Atlanta Police
77 Department?
78
79 [11:22 AM / 02:41]
80 **Officer Kiran Kimbrough** I was on evening watch, uh, for about a month.
81
82 [11:22 AM / 02:44]
83 **Investigator Darrin Smith_OPS** Okay. But, uh, patrol and F O D is your only assignment within the
84 Atlanta Police Department?
85
86 [11:23 AM / 02:49]
87 **Officer Kiran Kimbrough** Yes.
88
89 [11:23 AM / 02:49]
90 **Investigator Darrin Smith_OPS** Okay. Could you just briefly explain what the patrol, uh, what the
91 duties are of a patrol officer?
92
93 [11:23 AM / 02:54]
94 **Officer Kiran Kimbrough** Um, enforce, uh, traffic, um, respond to 9 1 1 calls, and also, um,
95 investigate crash accidents.
96
97 [11:23 AM / 03:03]
98 **Investigator Darrin Smith_OPS** Okay. And were you working in zone one, uh, morning watch on
99 August 10th, 2023?
100
101 [11:23 AM / 03:10]
102 **Officer Kiran Kimbrough** Yes.
103
104 [11:23 AM / 03:11]
105 **Investigator Darrin Smith_OPS** And what Time did your shift start?
106
107 [11:23 AM / 03:12]
108 **Officer Kiran Kimbrough** 11:00 PM
109
110 [11:23 AM / 03:15]
111 **Investigator Darrin Smith_OPS** At Approximately 11:27 PM Did you respond to a crash at the
112 intersection of Joseph E Lowry Boulevard and Cunningham Place?
113

114 [11:23 AM / 03:22]
115 **Officer Kiran Kimbrough** Yes.
116
117 [11:23 AM / 03:23]
118 **Investigator Darrin Smith_OPS** When you arrived at the location, could you explain in detail what
119 you did during the initial interaction with both involved parties?
120
121 [11:23 AM / 03:31]
122 **Officer Kiran Kimbrough** Um, when I first arrived on scene, I noticed that the vehicles were still in
123 the intersection and that the traffic that was southbound on Joseph E Lowry was driving into the
124 northbound lanes to avoid, um, the collision. So I placed my vehicle, um, kind of just before the
125 intersection blocking off the southbound lanes, um, so that people could see my lights and know that,
126 you know, there was a hazard up ahead. So after I got my notepad, I wrote, uh, the case number and
127 the location of the accident there, I stepped out of my car and me and driver one, um, discussed what
128 happened. Um, initially when I asked him what happened, he was very excited. Um, he was
129 screaming at me even though we were almost, uh, just about a arm's length away. And, uh, he kept
130 stating that the other driver was in the wrong. Um, I began to look at the accident itself to make sure
131 that the vehicles were immobilized to see if that we could move the vehicles out of the intersection.
132 And as I'm walking around the accident and riding on my notepad, I noticed that driver one is kind of
133 following me around and still talking to me in a loud manner. Um, seemed like he was kind of agitated
134 too. And yeah, I'm, so, I was just driving around, I mean, walking around the accident, taking my
135 notes, he's following me around. And the first thing I noticed about him, because of his actions, um, I
136 was looking for signs of impairment and I noticed that his right eye was shut, but I didn't see any signs
137 that he had any visible injuries. Um, there was no swelling around his eye, no cuts or abrasions to his
138 eye. His eye was not bloody, it just was halfway or completely shut. And it made it difficult for me to
139 tell if he was under, you know, the influence of any alcohol or narcotics at the time. Um, he also, uh,
140 when I was getting information from driver two and the passenger, specifically the passenger, when I
141 was talking to her, I noticed Mr. Holman had re-engaged driver with the driver two, and he was
142 screaming at them and telling him that he was at fault and that he shouldn't have done what he did.
143 And I had to tell Mr. Hollman or driver one several times to not do that. It's just an accident. It
144 happened. And I asked him multiple times to sit inside of his vehicle to avoid any escalation of the
145 incident.
146
147 [11:26 AM / 06:20]
148 **Investigator Darrin Smith_OPS** Can you explain the demeanor or behavior of driver number two for
149 me.
150
151 [11:26 AM / 06:23]
152 **Officer Kiran Kimbrough** Driver number two was very relaxed. Um, like I said, the accident had
153 already happened and it seemed like he understood that he wasn't angry about anything. Um, very
154 calm.
155
156 [11:26 AM / 06:40]
157 **Investigator Darrin Smith_OPS** And you had previously described the behavior of driver number
158 one. Is there any other behavior that, um, he exhibited during your initial contact that you did not
159 discuss?
160
161 [11:27 AM / 06:51]
162 **Officer Kiran Kimbrough** Uh, Nothing that I can think of right now.
163
164 [11:27 AM / 06:57]
165 **Investigator Darrin Smith_OPS** During your on-scene investigation, did you determine how the
166 crash occurred?
167
168 [11:27 AM / 07:01]
169 **Officer Kiran Kimbrough** Yes.
170
171 [11:27 AM / 07:01]
172 **Investigator Darrin Smith_OPS** And how did you come to that decision?
173

174 [11:27 AM / 07:03]
175 **Officer Kiran Kimbrough** Um, I just weighed out what both of them said. I had it written down in my
176 notepad the key points that they were saying. And looking at that intersection, I know that's a very
177 tight turn for such a large truck that he was in. Um, and also there was some inconsistencies in how
178 he said that the accident actually occurred. I noticed that he, his vehicle was positioned in a way that
179 he didn't completely make the turn. It looked like he started his turn very early, which caused him to
180 strike the other car.
181
182 [11:27 AM / 07:36]
183 **Investigator Darrin Smith_OPS** Okay. And just something I need to clarify from reviewing your body-
184 worn camera, um, according to your body-worn camera video, you had told the driver of the black
185 vehicle, which I believe you identified as number two, um, you had already viewed a, the crash on
186 camera. Could you please explain what you meant by that? And were there any cameras that,
187 that viewed the crash?
188
189 [11:28 AM / 07:59]
190 **Officer Kiran Kimbrough** There was no cameras that viewed the crash. Um, I often tell people that
191 because, um, everyone tries to lie about a story when it involves an accident. And, you know, it
192 makes it harder for my investigation because they want to, you know, get a lawsuit and get money. So
193 I just let them know that, um, whether it's truthful or not, so that they can give me an actual honest
194 statement.
195
196 [11:28 AM / 08:23]
197 **Investigator Darrin Smith_OPS** Okay. And based on your on scene investigation, um, what did you
198 do next?
199
200 [11:28 AM / 08:31]
201 **Officer Kiran Kimbrough** Um, I returned to my patrol vehicle after I had driver one move his vehicle,
202 um, out of the middle of the street. And I wrote down case numbers for everyone. And I also wrote
203 driver one, a citation for, um, either it was an improper turn or improper lane usage.
204
205 [11:29 AM / 08:56]
206 **Investigator Darrin Smith_OPS** And then when you exited your patrol car, did you recall if you, uh,
207 interacted with driver number two or driver number one first?
208
209 [11:29 AM / 09:04]
210 **Officer Kiran Kimbrough** Um, as far as when I re exited my patrol vehicle,
211
212 [11:29 AM / 09:06]
213 **Investigator Darrin Smith_OPS** Correct. The second, the second init, uh, the second interaction,
214
215 [11:29 AM / 09:09]
216 **Officer Kiran Kimbrough** I interacted with driver number two first.
217
218 [11:29 AM / 09:11]
219 **Investigator Darrin Smith_OPS** Okay. And did you provide driver number two, the pertinent case
220 information as it as it relates to the accident?
221
222 [11:29 AM / 09:17]
223 **Officer Kiran Kimbrough** Yes. And, uh, I also explained to him how he could use that for his, um,
224 insurance claim.
225
226 [11:29 AM / 09:22]
227 **Investigator Darrin Smith_OPS** Okay. And do you know, did driver two stay on scene or did he
228 leave, or do you know?
229
230 [11:29 AM / 09:28]
231 **Officer Kiran Kimbrough** Um, I told driver two that he was free to leave, but he stayed on scene.
232
233 [11:29 AM / 09:32]

234 **Investigator Darrin Smith_OPS** Okay.
235
236 [11:29 AM / 09:32]
237 **Officer Kiran Kimbrough** He stayed on scene.
238
239 [11:29 AM / 09:33]
240 **Investigator Darrin Smith_OPS** Do You know if his car was movable or was it able to be driven or,
241 or the extent of that damage?
242
243 [11:29 AM / 09:37]
244 **Officer Kiran Kimbrough** What it appeared to me was that, uh, there was extensive front end
245 damage to the vehicle, um, to his front driver's side tire making his vehicle immobilized. Um, I actually
246 told him to him and the passenger to remove their belongings from the vehicle because it was gonna
247 get towed.
248
249 [11:30 AM / 09:54]
250 **Investigator Darrin Smith_OPS** Okay. Do, do you ever, and you may not know, uh, the answer to
251 that, do you ever know what happened to the vehicle?
252
253 [11:30 AM / 10:00]
254 **Officer Kiran Kimbrough** I, I, I'm not sure.
255
256 [11:30 AM / 10:01]
257 **Investigator Darrin Smith_OPS** Okay. And once you were done, your interaction with driver number
258 two, did you reengage with and have a second interaction with driver number one?
259
260 [11:30 AM / 10:11]
261 **Officer Kiran Kimbrough** Yes.
262
263 [11:30 AM / 10:16]
264 **Investigator Darrin Smith_OPS** And could you please explain that, uh, demeanor and behavior
265 upon the second contact or interaction with driver number one?
266
267 [11:30 AM / 10:23]
268 **Officer Kiran Kimbrough** Yeah, so I reapproached driver number one, um, by his vehicle away from
269 driver number two to ev uh, avoid any, um, further irritation again. Um, at first driver, one was calm
270 and I gave him his case number and I also let him know that I found him at fault in the collision. Um,
271 once I found him at fault, that's when driver number one began, become, started becoming agitated
272 again, as I was explaining to him the ticket. Um, I also explained to him that, you know, this is not
273 mean that you're signing away the, um, you're making any sort of admission of guilt by signing my
274 ticket. I explained to him that this is just stating you're gonna come to court or you're gonna pay the
275 fine beforehand. And, uh, after that he became extremely irate again, saying that, um, he's not gonna
276 sign. He said that this is not right. I want, uh, you're gonna have to get your sergeant or something out
277 here. I once again re-explained to him that I need a signature and, you know, a sergeant is coming.
278 Um, and explained to him the consequences and repercussions of not signing the ticket.
279
280 [11:31 AM / 11:34]
281 **Investigator Darrin Smith_OPS** And what would those have been?
282
283 [11:31 AM / 11:35]
284 **Officer Kiran Kimbrough** Uh, he would've had to been, he would've been placed under arrest and
285 would've had to post a bond, at the jail.
286
287 [11:31 AM / 11:40]
288 **Investigator Darrin Smith_OPS** Could you, um, be more specific and provide more detail what you
289 mean by agitated?
290
291 [11:31 AM / 11:45]
292 **Officer Kiran Kimbrough** Yes. Once again, he was screaming at me again and I actually took a
293 second and asked him, why are you screaming at me? Um, it seemed like every time that I was

294 explaining to something to him, he just kept saying, this is not right, this is not right. I needed your, uh,
295 a sergeant here. And he was getting screaming, screaming and ignoring what I was saying to him.
296
297 [11:32 AM / 12:09]
298 **Investigator Darrin Smith_OPS** Okay. And you used the term he was becoming irate as well. Could
299 you explain a little more detail what you mean by that?
300
301 [11:32 AM / 12:15]
302 **Officer Kiran Kimbrough** Right. What I mean by that is, uh, his voice raising at me and stuff, even
303 though I, you know, asked him why is he screaming at me, obviously 'cause we're in close proximity.
304
305 [11:32 AM / 12:25]
306 **Investigator Darrin Smith_OPS** And where did this whole interaction take place? In, um, closeness
307 or, or in the vicinity of his vehicle?
308
309 [11:32 AM / 12:33]
310 **Officer Kiran Kimbrough** We were extremely close to his vehicle. Um, he was kind of standing by
311 the hood and I was standing blocking his driver's door.
312
313 [11:32 AM / 12:41]
314 **Investigator Darrin Smith_OPS** Okay. And you had said you gave, uh, instructions to the, uh,
315 individual that signed the citation. Uh, something, the fact would not be admission of guilt, it's just that
316 you're receiving a copy of the citation. Is that correct?
317
318 [11:33 AM / 12:56]
319 **Officer Kiran Kimbrough** That is correct.
320
321 [11:33 AM / 12:57]
322 **Investigator Darrin Smith_OPS** And then you also, just to clarify, you also explained to him then if
323 he didn't sign the citation, it could be arrested. Is that correct?
324
325 [11:33 AM / 13:05]
326 **Officer Kiran Kimbrough** Yes, that's correct.
327
328 [11:33 AM / 13:09]
329 **Investigator Darrin Smith_OPS** And then do you recall if the male specifically says, I want to talk to
330 your supervisor?
331
332 [11:33 AM / 13:14]
333 **Officer Kiran Kimbrough** I don't recall if he specifically said that, but he did say, I'm gonna have to
334 get a sergeant out here.
335
336 [11:33 AM / 13:18]
337 **Investigator Darrin Smith_OPS** Okay. And at that point, did you raise your sergeant?
338
339 [11:33 AM / 13:22]
340 **Officer Kiran Kimbrough** No.
341
342 [11:33 AM / 13:22]
343 **Investigator Darrin Smith_OPS** Why not?
344
345 [11:33 AM / 13:23]
346 **Officer Kiran Kimbrough** Once again, I tried to re-explain to him the reason behind signing it. Um,
347 he was ignoring me, and, uh, so I didn't get a chance to raise my supervisor.
348
349 [11:33 AM / 13:35]
350 **Investigator Darrin Smith_OPS** Okay. Did the male refuse to sign the citation?
351
352 [11:33 AM / 13:38]

353 **Officer Kiran Kimbrough** Um, I guess that's kind of subjective. Um, I did tell him that this will be the
354 last time I'm gonna tell you, you know, and he did not respond to that. So in my viewpoint, yes, I'm
355 taking that as a refusal.
356

357 [11:34 AM / 13:55]
358 **Investigator Darrin Smith_OPS** Okay. And did you attempt to deescalate the situation?
359

360 [11:34 AM / 14:02]
361 **Officer Kiran Kimbrough** Yes.
362

363 [11:34 AM / 14:03]
364 **Investigator Darrin Smith_OPS** How?
365

366 [11:34 AM / 14:03]
367 **Officer Kiran Kimbrough** Uh, once again, I've, I've let him know the consequences of what's
368 happening without a signature. I've explained it to him numerous times, you know, which wasn't
369 necessary, but I took the extra step to explain it to him.
370

371 [11:34 AM / 14:20]
372 **Investigator Darrin Smith_OPS** At any time after the male indicated he was not gonna sign the
373 citation, did you attempt to make him sign the citation by using any physical force other than arresting
374 him?
375

376 [11:34 AM / 14:29]
377 **Officer Kiran Kimbrough** No.
378

379 [11:34 AM / 14:32]
380 **Investigator Darrin Smith_OPS** So you didn't, uh, attempt to grab his arm and, and force him to sign
381 the citation?
382

383 [11:34 AM / 14:39]
384 **Officer Kiran Kimbrough** No, I did not try to force him to sign the citation. Me grabbing his arm was,
385 uh, detention because of his actions that he was doing at the time.
386

387 [11:35 AM / 14:47]
388 **Investigator Darrin Smith_OPS** Okay. And at that point, did you make the decision that you were
389 gonna make a physical arrest?
390

391 [11:35 AM / 14:52]
392 **Officer Kiran Kimbrough** I did not determine to make a physical arrest. I determined to make a
393 detention from his actions.
394

395 [11:35 AM / 14:57]
396 **Investigator Darrin Smith_OPS** Okay. Once you made physical contact with the male, could you
397 explain in detail what occurred next?
398

399 [11:35 AM / 15:08]
400 **Officer Kiran Kimbrough** Yes. Um, I grabbed him by his right wrist at first, um, to place his hands
401 behind his back. And that was in totality of the circumstances of him being irate with me, him being
402 irate with the driver number two, and the fact that he's, you know, texting on his phone now and
403 completely avoiding any contact with me. I didn't know who he was texting, what he's texting him for.
404 Um, so to make the scene safer and not allow him to, you know, create any sort of dangerous
405 situation for me or anyone else. I was attempting to detain him. Once again, Once I grabbed his wrist,
406 he snatched his arm out of my hand. Um, I once again grabbed his wrist and he snatched it outta my
407 hand again. And the first thing I noticed was that he was incredibly strong and it was almost like
408 unnatural. It was the best way that I could describe it. So I tried to put him in an academy, taught arm
409 bar. Um, but he was able to evade that by capturing my arm in between his arm and his body. Once I
410 got my arm free, um, I tried to leg sweep him. That didn't work, then I tried to hip toss him, but there
411 was such a size difference, a size difference between us that that also didn't work. So I went back,
412 reverted back to a leg sweep, and this time it worked. Um, once again, I know that he was actively,

413 you know, resisting what I was trying to do, because I noticed when I tried to hip toss him, he spread
414 his legs and dropped his weight so that he'd be more sturdy. Um, so as soon as I got on top of him in
415 a mounting position, I was sitting on his hips and I got on radio and put up a five nine right away,
416 which is means that I need, you know, units to start to my location, um, because of a exigent
417 circumstance. Once that I got that over radio, I, I told the male to gimme his hands and stopped
418 resisting, and I screamed at several times. Um, that was probably audible enough for people to hear
419 me, you know, down the street on the sidewalk. Um, the male refused. He was rolling around. His
420 arms were flailing, and I'm not sure if you know he's doing this to attack me, to get free or what's
421 going on. Um, like I said, his arms are flailing. And subsequently from that and him rolling around, he
422 struck me in my lip. Um, I got him on his back once again and I kept telling him, gimme your arm, stop
423 resisting. To which he didn't comply. Uh, he tried to actually throw me off of his body by raising his
424 hips off the ground and, uh, make his body jerk forward in a violent motion. I, put my hand, my left
425 hand on the ground, kind of in front of him to brace myself and to prevent me from being thrown. And
426 he grabbed it, brought it in towards him, and continued to raise his hips as if he were to, uh, gonna try
427 to flip me. Um, as you know, it's known if he were to flip me on my back, that's a very dangerous
428 situation. As I explained, you know, he's much bigger than me. Uh, he's already erratic and stuff. He
429 could get on top of me. Uh, you know, I wouldn't be able to access my weapon because of how big he
430 was anymore. He could, you know, if he understood the retention of my holster, he could have took
431 my weapon, been able to take my taser or anything, and, you know, hurt me. He could wait on
432 somebody else to get me, or other agitators could've saw this and decided that they wanted to hurt
433 the police that day. So I removed my arm from his grasp and I gave him several compliant strikes to
434 the face. And all the time I'm telling him, you know, let go of my arm, Stop resisting, gimme your
435 hands. Um, once I gave him a couple of compliant strikes, I grabbed his arm again and tried to put it
436 behind his back. That did not work. So at this point, I've tried a lot of things. I tried to do hip toss him
437 that's not working, and I've tried arm bars, leg sweeps. I gave him compliance strikes. I pretty much
438 went down the list of every force that I can use without having to use a weapon. So once I noticed that
439 any, none of those were working, I removed my department, issued Taser from my vest, and I placed
440 it near his face. He was on the ground face down, looking to the right, and I put it in an area that was
441 offset so that he can't grab it. And I turned it on, let him see the taser and the lasers on it, and I arced
442 it several times and explained to him that if he did not gimme his hands, I'm going to tase you. Um, he
443 did not respond to this. I placed my taser on his right arm and I arched it or drive stunned him.

444
445 [11:40 AM / 20:19]

446 Investigator Darrin Smith_OPS Okay,

447
448 [11:40 AM / 20:20]

449 Officer Kiran Kimbrough maybe once. It might've been more than once, but it wasn't excessive in
450 my opinion. At that point, I saw his arm go limp, and I was able to grab his arm and put it behind his
451 back. And I noticed that the tow truck driver from S and W had arrived on scene, saw what was going
452 on, and he was running towards me through the grassey field. Once he got there, he grabbed the guy
453 by the other side of the arms and put them behind his back. So once both arms were behind the back,
454 I tried to get my cuffs out of the pouch for the vest, my initial pair of cuffs that I always in my go-to
455 pair. And I noticed that they were, you know, I out of place, they were dismantled, so I couldn't
456 remove them from my vest. And I think that was just an indicator of how violent the struggle had
457 actually become. So I had to go to my backup here. I got that and I put them on both of his wrists, uh,
458 you know, placing him, detaining him, but he was really under arrest at that point. So I took a second,
459 I stood up, I took a second to breathe maybe within 15 to 20 seconds, I reengaged with Mr. Holman,
460 telling him, you know, to roll over on his side. And I noticed that he didn't respond to what I told him,
461 so I physically rolled him onto his side, and I noticed that his face was bloody and that he wasn't
462 breathing. So I raised him up and I first attempted to feel a pulse in his neck, and he was so, so big I
463 couldn't tell. Um, I got on the radio, I let her know, number one, first I'm gonna need a supervisor
464 because of this use of force Number two, I'm gonna need Grady to start code three, which means
465 lights and sirens because this male is unresponsive, he's severely bleeding, and he's been tased. Uh,
466 after a while, once more units got there, I stepped away from Mr. Hollman and gave them the, uh,
467 gave him, you know, remanded them into, you know, their attention at the time. And once again, that
468 time it's maybe been about five minutes, and I get back on radio and I ask her, you know, did she start
469 GRADY? And she says, yes. And I tell her next that she needs to start fire as well. They're taking too
470 long. Fire needs to com, code three, this male is not in good condition at all. He's unresponsive, he's
471 bleeding severely. Um, so finally they got there.

472

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473 [11:43 AM / 22:49]
474 **Investigator Darrin Smith_OPS** Where were you when you did that in, in relationship to the subject
475 on the ground?
476
477 [11:43 AM / 22:53]
478 **Officer Kiran Kimbrough** I had walked off temporarily, and I'm not sure where I walked off to. I didn't
479 go too far. I think I might've went by my patrol vehicle. Um,
480
481 [11:43 AM / 23:03]
482 **Investigator Darrin Smith_OPS** But there were other officers with the subject, is that Correct?
483
484 [11:43 AM / 23:06]
485 **Officer Kiran Kimbrough** Right. There were several officers with the subject, and I, I actually think I
486 might've walked to another officer, um, officer Duplessis and asked him did he have any water
487 because I was tasting blood in my mouth and he said he had Celsius. I took a swig of that, uh,
488 gargled it in my mouth and instantly felt the burning from cut, spit it out, and there was blood coming
489 out my mouth onto the ground.
490
491 [11:43 AM / 23:29]
492 **Investigator Darrin Smith_OPS** Okay. Let's go back to the, uh, the Taser portion of your statement.
493 Um, could you explain what a drive stun is for Me?
494
495 [11:43 AM / 23:39]
496 **Officer Kiran Kimbrough** Yes,
497
498 [11:43 AM / 23:40]
499 **Investigator Darrin Smith_OPS** for the record,
500
501 [11:43 AM / 23:41]
502 **Officer Kiran Kimbrough** uh, drive stu is not the actual deployment of the prongs of the taser. It is,
503 uh, simply placing it up against the limb and pressing the arc button, which causes a temporary like
504 electrocution.
505
506 [11:44 AM / 23:54]
507 **Investigator Darrin Smith_OPS** Okay. Would that be a, uh, compliance technique That is that we,
508 that is done during the taser training at the academy?
509
510 [11:44 AM / 24:01]
511 **Officer Kiran Kimbrough** Yes, that is an academy taught technique.
512
513 [11:44 AM / 24:03]
514 **Investigator Darrin Smith_OPS** Okay. and just for the record, did you ever pull the trigger on the
515 taser?
516
517 [11:44 AM / 24:08]
518 **Officer Kiran Kimbrough** No.
519
520 [11:44 AM / 24:10]
521 **Investigator Darrin Smith_OPS** And just to clarify for the record, the, the ta, the trigger and the arc
522 button are in two different places on the taser, is that correct?
523
524 [11:44 AM / 24:16]
525 **Officer Kiran Kimbrough** Correct.
526
527 [11:44 AM / 24:22]
528 **Investigator Darrin Smith_OPS** Um, do you know if other officers were administering any aid to the
529 subject on that you had placed in custody?
530
531 [11:44 AM / 24:30]
532 **Officer Kiran Kimbrough** I'm not sure.

533
534 [11:44 AM / 24:31]
535 Investigator Darrin Smith_OPS Okay, Okay. Would that be because you had stepped away from
536 the scene,
537
538 [11:44 AM / 24:34]
539 Officer Kiran Kimbrough Correct.
540
541 [11:44 AM / 24:34]
542 Investigator Darrin Smith_OPS The, the individual
543
544 [11:44 AM / 24:37]
545 Officer Kiran Kimbrough Correct.
546
547 [11:44 AM / 24:38]
548 Investigator Darrin Smith_OPS to Take care of yourself?
549
550 [11:44 AM / 24:38]
551 Officer Kiran Kimbrough Correct
552
553 [11:44 AM / 24:38]
554 Investigator Darrin Smith_OPS Okay. But like I said, do you, do you remember how many officers
555 were with him?
556
557 [11:44 AM / 24:42]
558 Officer Kiran Kimbrough I'm not sure. I think maybe five or six at that point.
559
560 [11:44 AM / 24:45]
561 Investigator Darrin Smith_OPS Okay. Do you believe the force that you used was reasonable under
562 the circumstances that you explained to me?
563
564 [11:45 AM / 24:56]
565 Officer Kiran Kimbrough Um, yes. I believe that.
566
567 [11:45 AM / 24:59]
568 Investigator Darrin Smith_OPS And why is that?
569
570 [11:45 AM / 25:00]
571 Officer Kiran Kimbrough Because at that point, the situation has escalated so much that I have
572 felony charges on him now, and he's actively, you know, he's committing a felony and potentially
573 trying to commit a forcible felony at that point. I believe that my force was actually a lot less than the
574 force and level of resistance that he was using.
575
576 [11:45 AM / 25:25]
577 Investigator Darrin Smith_OPS And could you provide a description of the subject that you were
578 interacting with demographically, height, weight, or any other characteristics for me, please?
579
580 [11:45 AM / 25:33]
581 Officer Kiran Kimbrough Yeah, Mr. Holman was about, um, it was, he was either in his lower to mid
582 sixties. Um, his license I remember said he was around 5' 8', 295 pounds. Uh, he was a black male.
583
584 [11:46 AM / 25:50]
585 Investigator Darrin Smith_OPS Do you believe that height and weight on his license was accurate?
586
587 [11:46 AM / 25:54]
588 Officer Kiran Kimbrough Yes. Okay.
589
590 [11:46 AM / 26:00]
591 Investigator Darrin Smith_OPS Is there anything else you'd like to add to your statement today?
592

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593 [11:46 AM / 26:02]
594 **Officer Kiran Kimbrough** Um, yes, but I would like to take a moment to speak with my attorney first,
595 if that's okay.
596
597 [11:46 AM / 26:07]
598 **Investigator Darrin Smith_OPS** Certainly
599
600 [11:46 AM / 26:09]
601 **Jennifer Sands** Step Out.
602
603 [11:46 AM / 26:10]
604 **Investigator Darrin Smith_OPS** Yes. If you guys wanna step out, I will remain here in the, in the
605 room.
606
607 [11:46 AM / 26:13]
608 **Officer Kiran Kimbrough** Do you want us to leave the door open?
609
610 [11:46 AM / 26:15]
611 **Investigator Darrin Smith_OPS** Uh, close it if you'd like.
612
613 [11:46 AM / 26:17]
614 **Jennifer Sands** Okay. You said it gets Hot when it shut.
615
616 [11:46 AM / 26:19]
617 **Investigator Darrin Smith_OPS** Well, I just make sure in case somebody passes through the
618 hallway.
619
620 [11:46 AM / 26:21]
621 **Jennifer Sands** Okay.
622
623 [11:47 AM / 27:07]
624 **Jennifer Sands** <silence> <silence> Thank you
625
626 [11:50 AM / 30:22]
627 **Investigator Darrin Smith_OPS** Certainly. Um, my fault on this, but just before we get to the next
628 portion, I did want to ask one more specific question after looking at my notes that I forgot to ask. And
629 it's specifically related to, um, the citation itself. Um, did you notify the, your supervisor that the male
630 refused to sign the citation at any point?
631
632 [11:51 AM / 30:48]
633 **Officer Kiran Kimbrough** No, not yet. And the reasoning behind that is because as I was explaining
634 to him for, you know, the numerous times that I did explain to him, you know, why he had to sign it or
635 what would happen, I noticed he pulled his cell phone out and he started texting somebody from his
636 cell phone, um, just based off his actions, um, previously, and the fact that I don't know what he's
637 doing, why he's acting this way, or what he's planning on doing by reaching out to somebody, um, on
638 his cell phone, that's when I decided to detain, I mean, detain him because there was more charges
639 now just besides him not signing a ticket.
640
641 [11:51 AM / 31:31]
642 **Investigator Darrin Smith_OPS** Okay. And that was the reason to not notify the sergeant for the
643 refusal to sign the initial traffic citation?
644
645 [11:51 AM / 31:37]
646 **Officer Kiran Kimbrough** Correct. There was intention on notifying the sergeant once he was gonna
647 be detained and placed into my vehicle for my safety.
648
649 [11:51 AM / 31:44]
650 **Investigator Darrin Smith_OPS** Okay. Um, Is there anything else you'd like to add to your
651 statement?
652

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653 [11:52 AM / 31:49]
654 **Officer Kiran Kimbrough** Yes. Uh, first thing I would like to say is that I have not watched a video on
655 this incident. I have not seen any of the recordings or read any of the CAD remarks. This is all coming
656 from my own memory of the events of my own recognizance. Number two. Um, I want to talk about
657 the traffic conditions and where this encounter actually happened. So as we were struggling on the
658 street, on the street in front of his vehicle, there are several cars that are trying to drive on
659 Cunningham Place to get to Joseph E Lowry and they're seeing it's blocked off and they're making U-
660 turns in the middle of the street very close to where we were. Um, and as you know, with knowledge
661 time on the job, you know, I know that they're, most drivers are only seeing the blue lights. They're not
662 looking at the fact that we're struggling with each other in the roadway in front of them. Um, there was,
663 you know, a real concern about traffic conditions and I just want to reemphasize too that my level of
664 force did not meet any sort of standard of deadly force. My compliance strikes are not lethal force. I
665 am actually trained to use the Axon Taser seven, which is what I was armed with that day, and, and
666 which is what I put into use. And I did not use it in a way that was gonna, that was even intended or
667 likely to cause serious bodily injury or death.
668
669 [11:53 AM / 33:29]
670 **Investigator Darrin Smith_OPS** Anything else you'd like to add?
671
672 [11:53 AM / 33:31]
673 **Officer Kiran Kimbrough** No, sir.
674
675 [11:53 AM / 33:31]
676 **Investigator Darrin Smith_OPS** Okay. Have you been truthful in your statement today?
677
678 [11:53 AM / 33:34]
679 **Officer Kiran Kimbrough** Yes, Sir.
680
681 [11:53 AM / 33:35]
682 **Investigator Darrin Smith_OPS** You're aware that this is an open and ongoing investigation and you
683 not to discuss this case with anyone other than your attorney? I'm sorry? Your attorney union
684 representative or peer rep?
685
686 [11:53 AM / 33:43]
687 **Officer Kiran Kimbrough** Yes.
688
689 [11:53 AM / 33:44]
690 **Investigator Darrin Smith_OPS** Be advised that it should become necessary in this investigation you
691 may be directed to submit to a computer voice stress analyzer exam per APD SOP 31 20. Do you
692 acknowledge this as official notification?
693
694 [11:54 AM / 33:55]
695 **Officer Kiran Kimbrough** Yes.
696
697 [11:54 AM / 33:57]
698 **Investigator Darrin Smith_OPS** Okay. It's approximately 10:53 AM We'll go ahead and conclude the
699 statement.
700

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ATLANTA POLICE DEPARTMENT
Written Notice of Allegations

Employee: Officer Kiran Kimbrough APD ID # 7951 OPS#: 23-I-0417-ICD

Allegation: (Type Allegation and Work Rule #)
The Department requests an investigation into the allegation that Officer Kiran Kimbrough was involved in an physical arrest where he utilized his Taser on the subject. Another allegation included in the investigatoin is Officer Kimbrough failed to notify his supervisor before the arrest for refusal to sign a traffic citation.
APD.SOP.2010/4.2.50 Maltreatment or Unnecessary Force
APD.SOP.2010/4.2.33 Conformance to Directives APD.SOP.4010 Traffic

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.

K. Kimbrough / Aug 15 23, 10:11
Employee Signature/Date

Witness/Date

D-6-13-14



ATLANTA POLICE DEPARTMENT
Awareness Statement: Truthfulness

OPS Complaint # 23-I-0417-ICD

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

Officer Kiran Kimbrough
(Employee's Printed Name)

K. Kimbrough
(Employee's Signature)

Aug 15 2023 / 10:08 AM
(Date/Time)

Investigator Darrin Smith
(Interviewer's Printed Name)

Darrin Smith
(Interviewer's Signature)

8/15/2023 @ 10:16 AM
(Date/Time)

Jennifer S. Sands
(Witness Representative's Printed Name)

Jennifer S. Sands
(Witness Representative's Signature)

8/15/23 10:16 AM
(Date/Time)

Evidence Title: Officer Jared White Statement 8-22-2023.MP3

This transcript has been verified by Smith, Darrin (4206)

This transcript starts at Aug 23, 2023 1:05 PM -04:00 and is 5m 34s in length

1 [01:05 PM / 00:01]
2 **Investigator Darrin Smith_OPS** Today is August 22nd, 2023. It's 7:27 AM I'm Investigator Darrin
3 Smith with the Atlanta Police Department's Office of Professional Standards. I'm here today with
4 Officer Jared White. Could you state and spell your first and last name for the record, please?
5
6 [01:06 PM / 00:15]
7 **Officer Jared White** Jared White, J a r e d W h i t e.
8
9 [01:06 PM / 00:21]
10 **Investigator Darrin Smith_OPS** And also present is Ritch Hale from the Police Union, I B P O. Could
11 you state and spell your first and last name and your title for the record, please?
12
13 [01:06 PM / 00:27]
14 **Ritch Hale-IBPO** So Rich, R i t c h, last name Hale, H a l e. And I'm the National Representative
15
16 [01:06 PM / 00:34]
17 **Investigator Darrin Smith_OPS** Officer White you're being questioned as a witness in an internal
18 investigation File number 23-I- 0 4 1 7 -ICD. All employees must answer questions and make
19 available relevant material or sworn statements concerning an internal investigation when directed to
20 do so by a disciplinary authority or duly appointed investigator. Employees may obtain representation
21 but cannot delay the questioning for more than three hours beyond the time he or she was notified of
22 the questioning. Except as authorized or required, an employee shall not interfere with nor contact
23 persons involved in an internal investigation nor disclosure or discuss with anyone except the
24 designated departmental authority, the existence of facts of an internal investigation. This restriction
25 will not be construed to prohibit an employee from discussing any aspect of the investigation with this
26 or her representative. Administrative statements made by employees and evidence gained by such
27 statements may not be used against the employee in criminal proceedings involving the employee
28 except a case of perjury. Do you understand that?
29
30 [01:07 PM / 01:35]
31 **Officer Jared White** Yes.
32
33 [01:07 PM / 01:35]
34 **Investigator Darrin Smith_OPS** What is your four digit ID number?
35
36 [01:07 PM / 01:37]
37 **Officer Jared White** 8 2 9 5.
38
39 [01:07 PM / 01:39]
40 **Investigator Darrin Smith_OPS** Have you read and signed your awareness statement for
41 truthfulness as stated in a P D s O P 2010 employee work rule 4.1.03?
42
43 [01:07 PM / 01:47]
44 **Officer Jared White** Yes.
45
46 [01:07 PM / 01:48]
47 **Investigator Darrin Smith_OPS** What is your current assignment within the Atlanta Police
48 Department?
49
50 [01:07 PM / 01:51]
51 **Officer Jared White** Uh, field training, Zone 1 morning watch.
52
53 [01:07 PM / 01:53]

54 **Investigator Darrin Smith_OPS** Okay. So it'd be fair to say you're still assigned to the Atlanta Police
55 Training Academy?
56
57 [01:07 PM / 01:57]
58 **Officer Jared White** Yes.
59
60 [01:07 PM / 01:57]
61 **Investigator Darrin Smith_OPS** Okay. How long have you been working for the Atlanta Police
62 Department?
63
64 [01:07 PM / 02:00]
65 **Officer Jared White** One year.
66
67 [01:07 PM / 02:01]
68 **Investigator Darrin Smith_OPS** Okay. And you said you are in your field training program. Is that a
69 12 week program?
70
71 [01:07 PM / 02:06]
72 **Officer Jared White** Yes.
73
74 [01:07 PM / 02:07]
75 **Investigator Darrin Smith_OPS** And what week are you in now?
76
77 [01:08 PM / 02:10]
78 **Officer Jared White** Week eight.
79
80 [01:08 PM / 02:11]
81 **Investigator Darrin Smith_OPS** Okay. And were you working in that capacity on August 10th, 2023?
82
83 [01:08 PM / 02:17]
84 **Officer Jared White** Yes.
85
86 [01:08 PM / 02:18]
87 **Investigator Darrin Smith_OPS** And what zone were you working in?
88
89 [01:08 PM / 02:20]
90 **Officer Jared White** Zone 1
91
92 [01:08 PM / 02:21]
93 **Investigator Darrin Smith_OPS** And who was your field training officer?
94
95 [01:08 PM / 02:23]
96 **Officer Jared White** Uh, Officer Anderson. A.
97
98 [01:08 PM / 02:25]
99 **Investigator Darrin Smith_OPS** And who were you riding with on August 10th, 2023.
100
101 [01:08 PM / 02:28]
102 **Officer Jared White** Officer Jibri.
103
104 [01:08 PM / 02:29]
105 **Investigator Darrin Smith_OPS** Okay. Was Anderson off that day?
106
107 [01:08 PM / 02:33]
108 **Officer Jared White** Yes.
109
110 [01:08 PM / 02:33]
111 **Investigator Darrin Smith_OPS** Okay. Is that why you, is that a, it's not uncommon that if your field
112 trainer is off, they'll match up with somebody else?
113