

## **Highlights of the Atlanta Eagle Raid Report by Greenberg Traurig**

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### **Untruthfulness**

The Greenberg Traurig report confirmed widespread lying by officers both under oath (in court testimony and sworn statements) and in statements to the Atlanta Citizen Review Board and others. The report identified ten individual officers who violated the APD regulation regarding truthfulness (GT report, see chart on p. 302), for which the disciplinary sanction is dismissal.

With regard to the lead investigator of the Eagle Raid, Investigator Bennie Bridges, the report concluded: "Bridges sworn testimony presented in front of a Court of Law as well as his discovery responses are untruthful." (GT report, p. 174)

The report also cited Officer Jeremy Edwards, who claimed that he witnessed 5-10 men having sex at the Eagle on the night of the Raid. Greenberg Traurig concluded: "In light of all of the record evidence, that statement is false." (GT report, p. 185.) Officer Edwards was also found to have lied about evidence on his mobile phone: Edwards denied using a mobile phone during the raid, and at one point even denied having a mobile phone at all, but forensic examination of his cell phone uncovered both a photograph he took during the Raid and text messages he exchanged with a Red Dog officer during the Raid. (GT report, pp. 80-81; 184).

Two officers even lied about whether they had previously lied. Federal Magistrate Judge Linda T. Walker found that officers Brandon Jackson and James Menzoian had been untruthful in testimony in her court in 2009, but when they were asked in the Eagle litigation if they had "ever been found to have been untruthful or to have misled any court, judge, [or] magistrate," both Jackson and Menzoian said "No." The Greenberg Traurig report concluded: "This is a misstatement of a material fact, and thus, we find it to be untruthful." (GT report, pp. 244, 259.)

## **Destruction of Evidence**

On October 6, 2010, the Plaintiffs filed a motion with the Court alleging that several APD officers intentionally destroyed evidence in a federal case by deleting data on mobile phones Judge Timothy C. Batten, Sr. had ordered them to produce.

The Greenberg Traurig report devoted 39 pages to a detailed analysis of this issue (pages 67-106). The report concluded that ten officers failed to "obey the law" in connection with their "mass deletion of cell phone data." (GT report. p. 106.)

[These officers are: Sergeant Willie Adams, Sergeant Kelley Collier, Investigator Gregory Dabney, Officer Jeremy Edwards, Investigator Herman Glass, Officer Brandon Jackson, Officer Dimitri Jacques, Officer Dion Meredith, Officer Marlon Noble, and Officer William Walters.]

## **Unlawful Search & Seizure and False Imprisonment**

The report found 24 Atlanta police officers responsible for false imprisonment and unlawful search and seizure for detaining the patrons of the Atlanta Eagle without any reason to suspect them of a crime. (GT report, see chart on p. 302-303.) For example, the report concluded that "Sergeant Adams and the Red Dog Unit falsely imprisoned the patrons when they were detained without reasonable suspicion or probable cause." (GT report, p. 164.)

## **Intentional Violation of Constitutional Rights**

The report found that Raid commanders including Red Dog Sgt. Willie Adams and Vice Sgt. John Brock knowingly violated the rights of persons at the Eagle:

"Sergeant Adams knowingly violated the Fourth Amendment's prohibition against unreasonable searches." (GT report, p. 162.)

“Sergeant Brock knowingly violated the patrons’ Fourth Amendment rights when he instructed that all patrons to be frisked for weapons. ... Although Sergeant Brock recognizes that APD does not have the right to pat down every person at a crime scene unless they were involved with the crime, Sergeant Brock instructed Vice officers to frisk each and every patron for weapons.” (GT report, pp. 145-146.)

### **Anti-Gay Discrimination**

The report concluded that patrons of the Eagle were forced to lay face-down on the floor during the Raid in part because of anti-gay prejudice on the part of Raid commander Sgt. John Brock. The report concluded: “By allowing the sexual orientation of the patrons to influence tactical decisions of the Raid, Brock allowed his preconceived notions of a class of persons to dictate the treatment of individuals.” (GT report, pp. 143-144.)

In describing his belief that gay people are more violent than heterosexuals, Brock stated: “In the past I have as a patrol officer handled calls where there are gay couples living in residence where one is mad at the other, and they slash clothes, furniture, anything they can do. They’re very violent.” (GT report, pp. 142-143.) When asked if he thinks “that the gay community is more violent than other citizen groups” Brock replied: “My experience, yes. Yeah. Yeah. I mean, when they’re -- when they get mad, they get really mad.”

The report also found that officers made anti-gay remarks both during the Raid itself (GT report. P. 31) and during the investigation that followed, including Officer Jeremy Edwards who described a “man have sex with another man” as being “very violent.” (GT report, p. 179-180).

### **Command Failures; Failure to Supervise**

The report identified failures by senior APD commanders.

In finding Vice Unit commander Tony Crawford responsible for “Unsatisfactory Performance,” the report stated: “Lieutenant Crawford did not provide the Vice Unit with an adequate level of supervision. As

previously stated, Crawford rarely, if at all, attended details and was generally unavailable to the Vice Unit. By all accounts, during Crawford's tenure, Sergeant Brock was handling the day-to-day operations of the Vice Unit, including supervising the vast majority of evening undercover details." (GT report, pp. 133-134.) The report also found that Lt. Crawford "was untruthful with regard to material issues." (GT report, p. 134.)

The report determined that "Major [Debra] Williams, as the highest ranking SES official failed to adequately supervise the Eagle Investigation. In addition, Major Williams presented an inaccurate statement to the public regarding APD policies and procedures." (GT report, p. 128.)

According to the report, Vice Sgt. Kelly Collier "did nothing when he saw patrons ordered to the ground detained despite his belief that such a detention was illegal." (GT report, p. 153.) "As a sergeant, Collier was responsible for ensuring that the officers at the Eagle that night complied with the rules, regulations and Standard Operating Procedures. By his own admission, Collier failed to properly observe and supervise the officers, including during the time they were conducting improper frisks." (GT report, p. 152.)