



CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

October 26, 2000

Carrie M. Young  
1080 Euclid Avenue  
Atlanta, GA 30307

00-R-1598

Dear Ms. Young:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on October 16, 2000. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division** at (404) 330-6400.

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

cc: **Claims Division/Law Department**

RCS# 2337  
10/16/00  
8:35 PM

Atlanta City Council

Regular Session

MUTIPLE

00-R-1598

CLAIMS WITH FAVORABLE/Unfavor recommend  
ITEMS 1-29  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 1  
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	B Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	E Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MUTIPLE

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0578

Date: 9/29/00

Claimant /Victim Ms. Carrie M. Young, 1080 Euclid Avenue, Atlanta, Georgia, 30307

BY: (Atty) Roy David Petersen, Esq.

Address: 235 Peachtree Street, Suite 400, Atlanta, Georgia 30303-1400

Subrogation: Claim for Property damage \$ Bodily Injury \$

Date of Notice: 9/12/00 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 5/5/00 Place: 5 Forsyth Street

Department Atlanta Police Department Division:

Employee involved Officer B.L. Porter Disciplinary Action:

NATURE OF CLAIM: The Claimant alleges that she was severely injured as a result of an arrest by a City of Atlanta police officer. The City immune from liability for the tort actions of its police officers pursuant to O.C.G.A. §

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: Concur/date 09-29-00

Committee Action: Council Action

ROY DAVID PETERSEN  
ATTORNEY AT LAW  
PEACHTREE CENTER - NORTH TOWER  
235 PEACHTREE STREET, SUITE 400  
ATLANTA, GEORGIA 30303-1400

Holmes  
09/15/00  
a

FACSIMILE: 404 880-3385

TELEPHONE: 404 880-3343

September 11, 2000

City of Atlanta Law Department  
Claim Section  
68 Mitchell Street, SW  
Atlanta, Georgia 30335

**ENTERED - 9-17-00 - SB**  
**00L0578 - ALEXIS HOLMES**

Re: *Carrie M. Young*

Dear Sir:

You are hereby notified pursuant to O.G.C.A. Section 36-33-5, that on May 5, 2000, Ms. Carrie M. Young was injured at 5 Forsyth Street, Atlanta, Georgia.

The injury occurred as follows:

On May 5, 2000, at approximately 10:30 P.M., Ms. Young stopped in front of her two businesses on Forsyth Street (The West African Braiding Salon at #5 Forsyth Street and the Pure Essence Shop at #7 Forsyth Street) to unload ten (10) cases of soda pop. Atlanta Officer B. L. Porter arrived on the scene and charged her with Improper Stopping. Then, unbelievably, Officer Porter handcuffed her and proceeded to knock her to the ground with a coordinated leg sweep and chop to the throat. Three major bones were broken in Ms. Young's leg and ankle. She is now permanently disabled. According to eye witnesses, at no time did Ms. Young either attack the officer or resist arrest.

The injuries are as follows:

A severe fracture of the right ankle, breaking the major bones, which required a technically difficult surgery. She must remain non-weight bearing on the right lower extremity until further notice. We are currently waiting for complete medical reports.

Law Department  
September 11, 2000  
Page Two

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The injury was the result of:

The excessive use of force, by Atlanta Police Office B. L. Porter over alleged improper parking.

As the result of said police brutality, Ms. Young's medical bills are currently in excess of \$15,000.00, and this single parent and entrepreneur has suffered additional damages for pain and suffering to be determined at such time as final medical reports are issued and demand for payment is made.

Yours Truly,



Roy David Petersen

rdp:pc

cc: Mayor Bill Campbell  
Chief Beverly Harvard  
City Council President  
Ms. Carrie M. Young

**SENT VIA CERTIFIED UNITED STATES MAIL**  
**RETURN RECEIPT REQUESTED NO. 7000 0600 0021 5490 1663**

**00- -1598**

Entered - 9/29/00 - sb  
CL00L0578 - ALEXIS HOLMES

00- R -1598

CLAIM OF: Carrie M. Young  
1080 Euclid Avenue  
Atlanta, Georgia 30307

For alleged injuries sustained as a result of an arrest by a City of Atlanta  
police officer on May 5, 2000 at 5 Forsyth Street.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind R Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY  
*Regular Report Agenda*

**ADVERSE REPORT**

COM. P. S. & L. A.

DATE 10/16/00

V-CHA Cla Hester

[Signature]  
[Signature]  
[Signature]

ADVERSED REPORT OCT 16 2000

