



DeKalb County Police Department
Internal Affairs Unit
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MEMORANDUM

To: Lieutenant W.L. Wallace

From: Detective S.L. Stolarski

Subject: IA Case # 18-0602

Date: July 11, 2018

On May 1, 2018, the DeKalb County Police Internal Affairs Unit received a complaint from Mrs. Angela Rucker alleging misconduct by an officer against her brother, Ivory Rucker. Mrs. Rucker stated in her complaint that her brother was severely beaten by two individuals at the Stone Mountain Inn (1819 Mountain Industrial Boulevard, Stone Mountain) on April 28, 2018. Mrs. Rucker stated that she spoke with several people at the hotel who told her that her brother was kicked while he was in handcuffs. Mrs. Rucker's complaint is that the officers on scene did not protect her brother and they did not arrest the two men who assaulted her brother. Mrs. Rucker did not witness the incident nor did she have any contact with the officers on scene.

According to DeKalb County Police incident report # 18-106270, written by Officer S. Rapier #2768, Special operation Division / SWAT, the following occurred: On April 28, 2018, Officer Rapier was patrolling the Stone Mountain Inn when he was waved down by a female who told him there was possibly a fight occurring on the second level of the motel. Officer Rapier observed two males (later identified as Jarvaris Byrd and Sydney Kendrick) standing near a subject who was on the ground in a fetal position (later identified as Mr. Ivory Rucker). Officer Rapier and Sergeant Harmon gave verbal commands for the subjects to sit on the ground and they complied. Officer Rapier asked Mr. Rucker if he was injured and he replied "No sir, I'm fine." Officer Rapier stated he asked Mr. Rucker if he was hit or involved in a physical altercation, which he also stated he was not.

Officer Rapier interviewed Mr. Byrd and Mr. Kendrick who stated that Mr. Rucker had

been threatening Mr. Byrd's girlfriend, Dar'shun Kendrick. They stated that they went to the motel to confront Mr. Rucker because he had been threatening Mrs. Kendrick and there is a Temporary Protective Order against him, but there was no physical altercation. Mr. Rucker was taken into custody at the scene due to having an active warrant for Aggravated Stalking to a State Government Official (Warrant # EW0230959). Officer Rapier stated that during his initial interaction with Mr. Rucker he was very alert, and he was clear and concise when talking. Later Mr. Rucker began talking to himself and attempted to kick out the security screen in Officer Rapier's patrol unit. Mr. Rucker continued to make comments about killing Dar'Shun Kendrick and that he would kill everyone once his handcuffs were taken off.

Officer Rapier documented the incident and no other arrests were made regarding any assault. Mr. Rucker stated that he was not assaulted, Officer Rapier did not observe any visible injuries and he did not witness an assault. Officer Rapier was advised by employees that he was not able to view any video surveillance at that time. Officer Rapier was unable to locate any independent witnesses or any evidence at the scene indicating an assault took place.

On April 29, 2018, Officer Rapier was made aware that there was video footage of the incident by Sergeant C.Y. Baron #2363, Uniform Division / Tucker Precinct, and that Mr. Rucker was in fact assaulted by Mr. Byrd and Mr. Kendrick. Officer Rapier notified Major Felony Detective McQuilkin of the incident and the case was turned over to CID for investigation.

The investigation by CID was conducted and the facts were presented to a judge who would not issue arrest warrants for Mr. Byrd and Mr. Kendrick because Mr. Rucker was not present. Mrs. Rucker stated to Detectives and the Judge that she had guardianship and power of attorney over Mr. Rucker, which in fact she does not. A warrant was denied when applied for by Mrs. Rucker.

On July 10, 2018, I conducted an interview with Mr. Rucker at the Fulton County Jail where he is currently incarcerated on the Aggravated Stalking warrant. Mr. Rucker stated that he was assaulted by two men who he believed to be related to Mrs. Kendrick. He stated that he contacts her via social media because she is his State Representative. He acknowledged that he did have a protective order against him but he did not care because he needed to talk to her. Mr. Rucker advised that he was diagnosed with Schizophrenia and PTSD but did not take medication.

During my conversation with Mr. Rucker he appeared lucid for several minutes and would then begin talking about things that did not make sense. I asked him what happened at the motel and he stated that he walked out of his room where he was beat up by the two males. He stated that he believed one of the males was a police officer because he told the SWAT Officer (Officer Rapier) to contact his Sergeant. Mr. Rucker described the two men who assaulted him as wearing red shirts and black pants. He acknowledged that the two SWAT officers on scene were wearing a greenish color camouflage uniform. He described them as a white male and a black male.

I asked Mr. Rucker if either the white male or black male ever placed their hands on him, other than being placed in handcuffs, and he stated "No." He stated that he was beat up by the other two men on scene, not the police officers. He stated that the white officer told them to sit

down, which they did. He stated that the white officer questioned them about the situation and he told him that he did not get in a fight, that he was not hurt, and did not want an ambulance. He stated that the white officer placed him in handcuffs and he did not have any problems with him. I asked him if he was assaulted by the white officer or was he kicked while in handcuffs and he stated "No."

I asked Mr. Rucker if he was aware that his sister filed a complaint for him and he stated that he was not. He stated that he saw his sister on the news complaining about the incident but she had not talked to him. I asked him if his sister had any legal guardianship over him, or Power of Attorney, and he stated she did not. I asked what exactly did his sister do for him and he stated "She don't do shit!"

Due to Mr. Rucker's own admission that Officer Rapier did not assault him or use any force on him, this case will be closed as UNFOUNDED.