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T.J. Ward Investigation Reveals Intentional Cover-Up of Murdered Black Youth by Union City Police Chief



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It has been more than three years since Freda Waiters' only child, Ariston, was slain on the street of Atlanta's Union City. Today, she is one step closer to finding out why. When the media began making specific inquiries over the past week, and followed up with interviews of numerous officers, past and present, named from T.J. Ward's investigation, the Fulton DA quickly re-opened

the case.

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T.J. WARD, PRESIDENT AND CEO,
INVESTIGATIVE CONSULTANTS
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It has been more than three years since Freda Waiters' only child, Ariston, was slain on the street of Atlanta's Union City. Today, she is one step closer to finding out why. On December 14, 2011, nineteen year-old black youth Ariston Waiters received two bullets through the back of his spine, both fired at point-blank range. Waiters was unarmed; his assailant, Luther Lewis, a white Union City police officer with a history of disciplinary incidents, documented as PTSD (post-traumatic stress disorder). By the time the case reached the Fulton County grand jury, however, Lewis' disciplinary file was empty. It remains so to this day.

District Attorney Paul Howard is responsible for the prosecution of all felony violations in Fulton County, Georgia, where Union City is located. Homicide of any variety is a felony – without statute of limitations. In office since 1997, Howard is charged with presenting each case to an unbiased grand jury on behalf of the State of Georgia. The grand jury is secret, except when the subject of the inquiry is an officer of the law. Both Lewis and his counsel were present at the grand jury, who determined there was not enough evidence to return a Bill of Indictment against the officer.

Ariston Waiters had been placed face to ground, hands over head. Lewis' knee pressed firmly into Waiters' back. With one handcuff on, the officer called in a Code 4 – “no assistance needed.” Even without the handcuffs, the one hundred thirty-five pound teen was no match

for the Iraqi war veteran. When the officer reached for his other hand, Lewis said that Waiters resisted, instead, reaching for his gun. Georgia Bureau of Investigations (GBI) Forensics' notes the lack of traction marks to indicate any resistance or struggle.

Freda Waiters remembers Howard's words to her before the hearing, "Luther Lewis meant to shoot your son. He admits it. But, don't be surprised if there is no indictment because the grand jury just loves our police officers. There are times when there's evidence that an officer is guilty, but the grand jury will still give them a pass." And, it did. Somehow, even testimony from FBI Expert Witness Michael Levine, which irrefutably put the blame on Lewis and documented gross inconsistencies in the officer's account, could not bring forth an indictment.

"I've maintained a good relationship with DA Paul Howard over time," states Deacon and renown human rights activist Joe Beasley, "but I've been very suspicious. It's just disheartening that a two-hundred-fifty pound officer can kill a young unarmed black teenager without repercussion." Beasley knows the territory; he retired as a US Air Force police superintendent after twenty-one years of service and is presently Southern Regional Director of the National Rainbow / PUSH (People United to Serve Humanity) Coalition.

A civil wrongful death action, filed against Union City on behalf of Waiter's newborn daughter, proved more successful. Ajaleh Waiters was awarded \$750,000. Money, however, did not satisfy Freda Waiters. "It was never about money," she says, "I can't stop fighting until I get justice for Ariston." Beasley has stood beside Freda Waiters throughout the ordeal, "I admire her tenacity, and the love she has for her only son. I wish that other families would not give up. Freda is an example to follow."

In 2013, she sought out and hired private investigator T.J. Ward, a veteran internal affairs officer. Ward launched his own law enforcement career as a Union City police detective. "I knew some of the officers personally," maintains Ward. "These were good men and would talk to me truthfully." Ward recorded the conversations, documenting an intentional cover-up of the facts surrounding Ariston Waiter's death; Georgia's wiretapping law permits "one-party consent" for purposes of making audio recordings of conversations. He also scoured through more than 4,500 pages of discovery in the case.

"There's no question that Lewis is lying about what happened that day," Ward states confidently. "It's impossible for the events that were documented by the officer to have actually taken place." With more than thirty-five years experience, Ward has testified as an expert on police procedure. "When a young man such as Ariston is senselessly killed, and the internal system of inquiry fails to act in accordance, it brings distrust from the community toward law enforcement officers who are there to protect. There is nothing I dislike more than a dishonest public servant. When you swear an oath to uphold the law, it means for everyone."

According to former Union City Sargent Michael Burdette, "[Police Chief Chuck] Odom knew what happened. He'd boasted that Luther Lewis would be in jail now if it weren't for him covering it up. He knew we'd tell the truth, so no one asked [us]." Burdette continued, "If an officer were to have filed a report, they'd have lost their job – or worse. If you weren't in Odom's inner circle, he'd find a way to terminate you. I must have seen at least twenty

[officers] terminated without cause.” Burdette, himself, was such a statistic.

“Odom would file a C-11 [Change of Status Form] and get your POST record revoked. Then you’d never be able to get police work anymore.” The Georgia Peace Officer Standards and Training Council, or POST Certification, is required before the first day of a police officer’s sworn service. “He’d even threatened to take away their pensions,” stated Burdette. In his own defense, Burdette fought back, filing an EEOC (Equal Employment Opportunity Commission) action against the department – and won.

“This is a case that even on its face demands re-opening,” proclaimed Ward. Yet, Ward’s letters and calls to Howard went without response. In February, Beasley arranged a meeting with Howard to discuss such an inquiry, on behalf of Waiters and Ward. When the three met with Howard, the DA admitted to them knowledge of a previous cover-up involving Union City Police Chief Chuck Odom; one which as DA he sought no legal intervention. Their consensus was that even with new revelations, Howard would still not act.

Ward brought the recordings to Special Agent James Hosty of the FBI’s Atlanta Bureau. Hosty was the agent initially assigned to the inquiry, but the agency allowed the GBI to take the lead in the investigation, and closed the case the Fulton County grand jury failed to indict. Yet, neither Burdette nor other Union City officers with first-hand knowledge were ever interviewed by the GBI. Ward then presented copies of the evidence and recordings to WSB television and the Atlanta Journal-Constitution, who began their own investigation, confirming Ward’s findings.

When the media began making specific inquiries over the past week, and followed up with interviews of numerous officers, past and present, named from Ward’s investigation, Howard quickly re-opened the case. “All of the signs were there all along,” comments Waiters. “If Odom had done his job and taken Lewis off the street, my son would still be here.” She intends to drive this point home at the Union City Council Meeting on May 19, asking for his resignation. “I’ve invited the community of Union City and Georgia civil right leaders to attend and participate.”

“The Chief of Police should resign now – and should be in jail,” Beasley adds. He also faults the present grand jury system in this, and many other such cases, pointing out legislation proposed in Congress January 2015 by Georgia Fourth District Representative Hank Johnson as a remedy. Johnson’s “Grand Jury Reform Act, H.R. 429,” requires the appointment of a special prosecutor to conduct an investigation and present the results to a judge in a probable cause hearing, open to the public, whenever a police officer kills an individual while acting in the line of duty. It further specifies that in order for local law enforcement agencies to receive federal funding, they would have to comply with the process.

Freda Waiters talks nightly to son through prayer. “I am forever saying, I miss you so much. I thank God, and ask Him to give Ariston a hug for me.” While Burdette wishes he acted sooner, he believes that Waiters will finally get the closure she deserves. “I want her to know that all white police officer are not bad,” says Burdette. “I’m am very sorry that it happened to her son.”

Investigator T.J. Ward has been featured in national and international news venues involving the

Natalee Holloway investigation, including Inside Edition, FOX, MSNBC, CNN, Good Morning America, Atlanta Journal Constitution, and Vanity Fair. He is the founder and CEO of [Investigative Consultants International](#) (ICI) in Atlanta, Georgia, and presently in pre-production of an investigative reality series of his own, the [Justice Ward](#).

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