

Approved: June 12, 2014



**ATLANTA CITIZEN REVIEW BOARD
APRIL MEETING MINUTES**

City of Atlanta City Hall
55 Trinity Avenue, S.W., Committee Room Two
Atlanta, Georgia 30303
May 8, 2014
6:00 p.m.

The May 2014 meeting was called to order by the **Chair** at 6:05 p.m.

Special Note: *The meeting started thirty minutes early to accommodate training for the board. Notice requirement of the meeting time change was posted by the City Municipal Clerk's Office.*

A G E N D A

ROLL CALL

(The ACRB consists of eleven (11) board members.)

ACTIVE MEMBERS PRESENT

WILLIAM HARRISON *(Chair/Harrison)*

PAUL BARTELS *(Secretary/Bartels)*

ALAN MORRIS *(Morris)*

GERALD SOUDER *(Souder)*

RUTH PRICE *(Vice Chair/Price)*

MACEO C. WILLIAMS, SR. *(Williams)*

OSA BENSON *(Benson)*

SHERRY WILLIAMS *(Williams)*

ACTIVE MEMBERS ABSENT

BILL BOZARTH *(Bozarth)*

SHERRY WILLIAMS *(Williams)*

VACANT BOARD SEATS

Office of the Mayor *(vacant 9 months)*

Atlanta Business League *(vacant 23 months)*

STAFF ATTENDEES

SHEENA ROBERTSON *(Robertson)*, Investigator; **MYOLA SMITH** *(Smith)*, Transcriber; **AKUA COPPOCK**, Associate City Attorney and **SAUL SCHULTZ**, COA Department of Law, Appointed Counsel for ACRB.

Chair Harrison welcomed citizens announcing that public comments would be heard later in the agenda. The public is required to sign up to speak and limit comments to three (3) minutes. **The Chair** also welcomed APD Office of Professional Standards.

APPROVAL OF MINUTES OF THE LAST MEETING, APRIL 10, 2014

The *Chair* directed the board's attention to the minutes for April 10, 2014. The floor was opened for discussion and corrections to the minutes.

Noted corrections: In an effort to distinguish between board members with the same last name, Maceo Williams suggested using the first name initial to avoid future confusion between him and Sherry Williams. M. Williams also noted a couple of other minor corrections on pages six and seven. Corrections were noted without objection.

M. Williams moved to accept the minutes as corrected. *Bartels* seconded. Hearing no further discussion, the motion was approved by all.

OPEN MEETING TRAINING

Kristen Denius, Senior Assistant Attorney at the City Law Department is an advisor to the City and all of its affiliated organizations on compliance with the Georgia Meetings Act and the Georgia Open Records Act. The Board invited Ms. Denius to do a brief training presentation on Georgia meetings and open records law compliance.

The City of Atlanta is the second biggest jurisdiction in the state that is subject to this law after the state of Georgia. Enforcements actions on the Open Meetings Act have been made by the State Attorney General's office, making it a hot button issue for the Attorney General. What was once civil penalty is now a civil and/or criminal penalty. Criminal penalties cannot be assessed against anyone but an individual. In 2012, the general assembly made an overhaul and a rewrite of the Open Records Act and the Open Meetings Act. Ms. Denius explained that the updates mainly are a requirement to keep minutes in executive sessions. She noted that although this is a state law, the General Assembly has been exempted from it. She also explains the basic requirements of the law are public notice, agenda, minutes, and public access. "There are provisions in the law to have a closed session, often as an executive session, in very limited circumstances."

The rewrite made it clear on what does not constitute a meeting such as accidentally meeting in a hall; going to a social event, as long as the business entity is discussed; participating in a training session offsite is not a meeting. An email conversation among boardmembers or group emails does not constitute a meeting, and therefore do not violate the Open Meeting Act. However, Denius cautioned the board and strongly advised not to make decisions via email. "It will not be a valid decision." Decisions have to be brought back for the entire board to decide. What can't be included in the email is something like: "Here's the information and tell me how you're going to vote." The threshold would be discussing an item that is on the agenda.

The basic minutes must include the names of all who are present at the meeting, a description of each proposal or motion made, topics of discussion, the identity of anyone who makes and seconds a motion, and a record of all votes, including abstaining. The city code indicates that you can only abstain from a vote if you have an actual perceived conflict.

Penalties for non-compliance-Both Superior Court and the State Attorney General's office have jurisdiction to enforce the statute. Cases of a filed suit for non-compliance will be settled in court as an

add-on to another lawsuit. The Attorney General's office has a mediation program for complaints from citizens.

Special Note: A copy of the power point presentation is hereby attached to the minutes for the record.

EXECUTIVE DIRECTOR'S REPORT

- **Budget Presentation at City Council** -The 2015 fiscal year budget was presented today. An explanation was given for the funds needed. **Reid** indicated that he requested, and the mayor has placed into the budget an additional \$191,250 to cover two extra positions for the ACRB. The ACRB will be restructured to comprise of an executive director, an investigations manager, and a project manager. There will be three investigators. The project manager will head the outreach mediation and the business of administrative activities. Questions were asked from some of the City Council members on whether the ACRB needed the amount requested. They requested more information to provide further justification. The two things focused on are the operational activities advantages and the business advantages: 1). ACRB is seeking to be more responsive to citizens, the police department, and the corrections department, providing feedback and information on the data received. 2) The desire to build awareness and education with community members, and increase accessibility for members to address concerns. The presentation was televised on channel 26, and can be seen on the City Council web page of the City of Atlanta website. **Reid** said: "We are really serious about watching what you do, and calling out behavior that needs to be corrected." In 2013, 20% of the cases were dismissed due to allegations falling outside of the ACRB's limited jurisdiction. **Reid:** "We need to improve that and serve the public better. We need to figure out ways, how can we advance change to be able to meet the needs that citizens say they want?" He adds that the typical response from complainants when they're told that ACRB is only able to investigate part of an allegation or none of their allegation and is directed to contact APD is, "If I wanted to call them I would've called them. That's why I'm calling you. So, what do you mean you can't take the complaint? That's what you do, right?"
- **Mediation Update** -The Law Department has expressed their concerns about the program. Over the past two months, ACRB staff met with the Law Department to iron out those concerns. **Reid** said, "There will be another meeting with them, relating to things they'd like to talk about changing. And we will definitely, need to talk about these changes. The mediation program is a service for the citizens and the officer, to be able to resolve issues on an equal footing that will create this dialogue and this understanding, but it does not mean that the ACRB is willing or authorizes or wants to give up any of its authority over the complaints that it receives."

Discussion...

1. **Harrison** asked **Director Reid** if the \$191,250 was just being proposed or if it's approved by the City Council, and when he anticipates the approval.
2. **Reid** said proposed. **Smith** added: "Before approving the budget, Council will usually hold a public hearing for citizens to weigh in on. Right now, they are still reviewing the individual department's budget. Council is expected to vote on the FY 15 budget around the 16th of June."
3. **M. Williams** asked **Reid** to keep the Board updated on when the next meeting will be in case someone wants to attend. **M. Williams** also suggested to **Reid** to add a dropbox to outreach for the Corrections Department.
4. **Reid**, "We have started to rectify that. We have complaint forms, brochures, fact sheets, and a dedicated line from Corrections directly into ACRB's office for anyone who is in jail and now wants to file a complaint. Also, the ACRB is included on their contact list. There are several other things that we are continuing to talk with Chief Labat and the Corrections Department staff about to increase our presence over there. There are aims to have presence at the Fulton County Jail."

5. **Robertson**, “We are receiving complaints from inmates at the jail, but they are not against corrections officers. The majority of them are against APD officers.
6. **M. Williams** asked if the inmate’s complaints against the APD are filed before they’re put in jail or since they’ve been in jail.
7. **Robertson**, “They’re filing their complaint, not because they’re in jail or because of an incident that happened with the Corrections Officer. It’s because of the reason why they’re in jail, which stems from the incident that happened with APD”.
8. **Benson**: “Just to clarify, Maceo, are you saying there need to be a dropbox in order for inmates to be able to complain about the correction officers, and maybe one of reasons that we have not received complaints behind that is because there’s not the availability or the access?”
9. **M. Williams**: “Yes, that’s exactly what I’m saying, because as I go to different conferences and that sort of thing, I talk to the individuals from different states. You know, this is something that is a constant in other places, and because we’re the only one in the State of Georgia, and we’re the only that can put that into effect. So in the future, if more agencies opened up, they can have the same type of effect, ok? So, yes, this exactly what I’m speaking of.”
10. **Reid**, “First, yes, we are receiving complaints from the people in the jail. They have access to us.”
Second, I am interested in talking with each of you further about your outreach ideas and share with the Corrections Department some of the suggestions. However, one of the things when we talked with the Corrections Department that is a big concern is the safety of whatever it is that we’re planning on doing as far as having presence at the jail, like not having anything free standing because somebody might use that as a weapon. If the dropbox is somewhere that, I guess, inmates can get to that can’t be moved and can be secured, then I’d like to see how other places are doing it. So we’ll talk about that and I will look more into it. But know that we are trying to make it easier for the inmates...be it calling, so they don’t have to call collect, and them knowing about us even existing.”

Special Note: Chair Harrison recognized that Vice Chair Price arrived and was present during the Open Meeting training and should be added to the roll call.

INTAKE REPORT FOR APRIL, 2014

A total of ten (10) complaints were received for the month of April. **Investigator Robertson** reported the following:

1. **Complaint Number: ACRB No. 14-023, Pearl Meeks on Behalf of Amber Meeks alleging False Arrest & Excessive Force**
Ms. Meeks alleges that her 23 year old daughter was falsely arrested by APD officers in March, 2013. She further alleges that the officers engaged in excessive force during the incident. Awaiting Ms. Meeks’ signed complaint. If signed complaint is received within the next few week’s recommend investigation as an excessive force and possibly a false arrest complaint. If Ms. Meek’s criminal case is still pending, then recommend suspension of the investigation pending the adjudication. However, if the signed complaint is not received then recommend dismissal.
2. **Complaint Number: ACRB No.14-024, Charles Mays alleging Improperly Detained**
Mr. Mays alleges that on April 10, 2014 he was improperly detained by APD officer. *Recommend investigation as a false imprisonment complaint.*
3. **Complaint Number: ACRB No. 14-025, Michael Robinson alleging False Arrest**
Mr. Robinson alleges that on April 12, 2014, APD Officer Angel Massol falsely arrested him. *Recommend investigation as a harassment complaint. However, if Mr. Massol’s criminal case is still pending, then recommend suspension of the investigation pending its outcome.*
4. **Complaint Number: ACRB No. 14-026, Cameron Mathis alleging False Arrest**
Mr. Mathis alleges that he was falsely arrested by APD in 2012. Mr. Mathis was referred to OPS. *Recommend dismissal because the complaint is time barred.*
5. **Complaint Number: ACRB No. 14-027, Mary Copeland alleging False Arrest**

Ms. Copeland called the ACRB office to file a complaint on behalf of her grandson, Coreece Bridges, who is currently incarcerated and serving a 30 year sentence. The arrest occurred on June 27, 2009. Ms. Copeland was referred to OPS. *Recommend dismissal because the complaint is time barred.*

6. Complaint Number: **ACRB No. 14-028, Everett Duhart** alleging Harassment

Mr. Duhart alleges that APD officers have been harassing him for over a year. He said that on April 21, 2014, an APD officer contacted his employer and falsely reported that he is under investigation for sexual abuse. Awaiting Mr. Duhart's signed complaint. If signed complaint is received with the next few weeks, then recommend investigation as a harassment complaint. However, if the signed complaint is not received, then recommend dismissal.

7. Complaint Number: **ACRB No. 14-029, Seipati Mogotsi** alleging Rude Behavior

Ms. Mogotsi alleges that on April 18, 2014, an APD officer was rude and unprofessional towards her during a traffic stop. Ms. Mogotsi was referred to OPS. *Recommend dismissal for lack of jurisdiction.*

8. Complaint Number: **ACRB No. 14-030, Shalonda Johnson** alleging Failure to File a Report

Ms. Johnson alleges that on April 18, 2014, she called APD concerning a domestic dispute between her, her ex-boyfriend and his current girlfriend. She said that the officer that responded took the girlfriend's side and refused to file a report. Ms. Johnson was referred to OPS. *Recommend dismissal for lack of jurisdiction.*

9. Complaint Number: **ACRB No. 14-031, Lelia Benham on Behalf of Daniel Benham** alleging False Arrest

Ms. Benham alleges that on May 15, 2013, APD falsely arrested her brother Daniel Benham. *Recommend dismissal because complaint is time barred.*

10. Complaint Number: **ACRB No. 14-032, Brandon Parrott** alleging Excessive Force & Abusive Language

Mr. Parrott alleges that on February 7, 2014 Officer Denis Joseph falsely arrested him. He further alleges that Officer Joseph engaged in excessive force, and subjected him to abusive language during said incident. *Recommend investigation as an excessive force, abusive language, and possibly a false arrest complaint. Preliminary investigation revealed that Mr. Parrott's criminal case is pending adjudication in the Fulton County Superior Court, and the investigation into the false arrest allegation will depend on its outcome. Therefore, recommend suspension of the investigation pending the adjudication.*

RECONSIDERATION OF COMPLAINT

Complaint Number: **ACRB No.14-017, Tyler Beim** alleging Verbal Abuse

Mr. Beim filed an abusive language complaint against APD Officer Rollins pertaining to an incident that occurred on March 11, 2014. Numerous attempts to contact Mr. Beim in order to obtain additional information concerning his complaint were unsuccessful. *Recommend dismissal for lack of cooperation.*

Bartels moved to accept the recommendation of staff regarding the intake. **Price** seconded. Hearing no discussion, the motion was approved by all.

Special Note: *A change in the agenda was made for the Committee Reports to be delivered earlier to accommodate M. Williams's prior engagement.*

COMMITTEE REPORT

Outreach Committee Report

A proposed by-laws amendment was submitted by the Committee. **M. Williams** read from a part of the proposed amendment that will be presented to the Bylaws Committee and the Board. "What we are proposing is that each boardmember must participate in community outreach events, which varies in scope for a minimum of four events per year. All events will be monitored by the office staff. If

any boardmember doesn't meet the required mandate, this will be grounds for automatic recommendation to the City Council for removal due to lack of interest in the community." The recommendation will be set by the Community Outreach Committee Chair. He stressed that attendance is not limited to quarterly. More discussion on the amendment will take place at the next board meeting.

In March, *M. Williams* reported that he attended the State General Assembly and sought help and received assistance from Georgia House of Representative "Able" Mable Thomas to distributed ACRB literature to members of the House of Representative.

M. Williams also reported on the civic events, meetings and forums that he attended. One particular forum was held at the CWA Local 3204 Hall, hosted by the NAACP, called 'A Dream Will Never Die-Strategies to End the New Jim Crow'. Another civic event involved a meeting with police officers.

M. Williams announced that he met with the president of the Atlanta Business League regarding the appointment of another person to the Board after a 23 months absence. "She said she will try to send an appointee."

Harrison asked about this year's Sweet Auburn Festival. *Reid* said that last year, ACRB's attendance proved very productive. "However, because of limited funds, the staff can only do so much and boardmembers are needed to pitch in. ACRB wants consistency so that events won't be missed. A dedicated outreach person is needed. Until we have such a person, right now, it won't be as consistent as it needs to be. Unfortunately, an ACRB table will not be at the Festival this year."

Special Note: It should be noted that *M. Williams* was excused from the meeting.

REVIEW OF COMPLAINTS

CASE NO. 13-97, TARA JACKSON

A. EXCESSIVE FORCE ALLEGATION SUMMARY

Ms. Jackson, mother of Tachie Jackson alleges that on September 12, 2013, Atlanta Police Officer Antwan Denson gave an unnecessary use of excessive force when he tased her fifteen year old son. The tasing occurred at Grady High School when Tachie was a ninth grade student. Officer Denson contends that the use of the taser was reasonable and necessary, because Tachie was violently attacking a female student, and refused these verbal commands to stop. Tachie admits to striking the student, but contends that he did so because she spat on him. He further stated that Officer Denson never ordered him to stop prior to tasing him.

The circumstances of this case, it appears that Officer Denson's use of the Taser on Tachie was not reasonably proportioned to the need of force in order to gain control of him, constituting excessive force. Although there was a large crowd of students gathered at the incident location that finally involved two students, there were two officers, Denson and Gardner present at the scene. Prior to employing his taser, Officer Denson, along with Sergeant Gardner, should have tried to stop the fight by pulling Tachie away from the student. Tachie is five feet six inches, weighs about a hundred twenty-three pounds. Officer Denson's claim that he could not get close enough to pull Tachie away due to the size of the crowd is not plausible. Officer Denson stated during his ACRB interview that he had a clear path when he was pulling his taser. Therefore, ACRB staff recommends that the allegation of excessive force against Officer Antwan Denson be assigned a

finding of **sustained**. There is sufficient evidence to establish that Officer Denson committed the alleged act of misconduct.

Discussion...

1. **Bartels** expressed a concern about the use and the risk of tasing, when the receiver is standing on a hard surface while being tased, falling and hitting the ground can result in a very serious or fatal injury.
2. **Benson**: "I think that the other thing that's important to recognize here, is that we're talking about a fifteen year old minor. This was at a high school. There were two officers, and I think when dealing with children, I think we need to be especially careful in how we assess situations. I tend to agree with the investigator's assessment of the situation. They had a clear shot to fire the Taser. They had a clear path in order to get to these children to stop the situation."
3. **Price** agreed with the staff's recommendation and the necessity for Officer Denson to go back to training. "However, the ACRB can't always assess the age of children because they are dangerous. Age alone can't be assessed."
4. **Benson** noted that the Board does take the totality of the circumstances into consideration, and age is one of the factors that the Board needs to consider.
5. **Bartels**: "You can't assume anything, but it's the one fact to consider."

Bartels moved to accept staff's recommendation to **sustain**. **Morris** seconded. No further discussion, with the exception of **M. Williams** who was excused to leave the meeting; the motioned was approved by all.

B. DISCIPLINARY RECOMMENDATION BY THE BOARD

Investigator Robertson provided discipline background on the officer. She reported that Officer Denson has been on the force for seven years (7) and has three (3) complaints against him regarding the use of excessive force. According to the APD grid, the current allegation of excessive force is a category 'C' violation.

Following the discussion of the officer's history of excessive force complaints, **Benson** said just based on the seriousness of the circumstances, age of the student, school setting and the officer had been on the force for seven years, she moved to recommend that Officer Denson receive a 14 day suspension without pay. Hearing no second the motion failed.

Bartels motioned for the disciplinary recommendation to be tabled, and the discipline recommendation placed on the agenda for next month until facts of previous complaints are gathered. **Price** seconded. The motion was approved by all.

CASE NO. 13-122, KELLEY RODRIGUEZ

EXCESSIVE FORCE ALLEGATION SUMMARY:

Ms. Rodriguez alleges that on November 10, 2013, Atlanta Police Officer Brian Carswell engaged in unnecessary excessive force when he shot and killed the complainant's dog.

APD S.O.P 30-10, section 5.6 - Use of Force states that an officer's use of force must be examined at the time that the force was administered. Here, the officers were responding to a fight call. The force was administered while the dog was charging toward Officer Carswell as he stumbled backwards. While a less force option may have been available prior to the shooting, Officer Carswell was not required to exhaust all less than reasonable force options at the time the force was used before using his firearm. Based on the testimonial and documentary evidence obtained during the course of the

investigation, the ACRB staff determined that Officer Carswell's use of firearm was reasonable, and recommends that the excessive force against him be assigned a finding of policy and training failure, meaning the investigations established that the alleged acts occurred, but was justified by Department Policy procedures, as well as, a result of inaccurate training. This should be **sustained** as a policy failure, because APD does not provide their officers with clear guidance of handling dog encounters. Additionally, this should be sustained as a training failure because the training Officer Carswell did receive was in-service training, and his first exposure to canine encounter training was during a block of other training in 2010.

Discussion...

1. *Since the Board had previously considered a similar case involving a dog fatality, **Harrison** suggested the discussion be moved forward until the June meeting, when more information will be obtained regarding APD's policy and procedures on dealing with canines. He also asked for a copy of the minutes of the meeting when the other case was discussed, since at that meeting ACRB Investigator Kenneth Lively was asked to research other cities with canine policies. The research could then be used for a policy recommendation to APD.*
2. ***Benson** proposed that the recording of the 9-1-1 call be brought to the next meeting.*
3. ***Bartels**: "By all accounts, it was not a dangerous dog."*
4. ***Price** said in 2010, as part of the officers in service training, they received some training on canine encounters, and a copy of the lesson plan was handed out.*

Bartels moved to table the case for the June meeting. **Price** seconded. Hearing no further discussion, the motion was approved by all.

OLD BUSINESS:

BYLAWS COMMITTEE REPORT

Bartels stated that because there were only six members in attendance, there is no choice other than to look over the proposed bylaws between now and the next meeting. **Schultz** reminded the Board that a vote changing or adding to the bylaws requires seven members to be present, and the votes must be in the affirmative.

Discussion...

1. *Regarding outreach event participation, **Benson** voiced concerns about the consequences, if a boardmember is unable to participate, and asked the Board to keep in mind that there needs to be specifics in place when it comes to making random decisions related to when a boardmember can attend an event and the requisite number.*
2. ***Price** agreed with the concerns, and put forward for the Board to take into account compensation for attending the events.*
3. ***Schultz** said that some boards do receive compensation for attending meetings. "The decision to compensate members of boards is the City Council's decision and it's in the charter. So if you wanted to try to change that you would probably need to get legislation passed for it. As for the terms of office, from what I have read in the City code, you each serve for a three year term. Another section of the code, I believe that you are eligible to serve up to three consecutive 3 year terms if you are reappointed. After the third year 3 year term is completed and if you are not replaced, if you want to you can continue to serve until you are replaced."*
4. ***Harrison** said the motion to compensate members was not appropriate at that time and the Board will revisit it another time.*
5. ***Bartels**, as a side note, indicated that the two boardmember positions that are open currently may have to do with the difficulty of finding people within the organizations who are interested. "Another could be members in the past who were appointed without them really being apprised in*

terms of the time demands of being on the Board. This was before the mandatory training and the outreach. It might be difficult to find people who are going to be able to fulfill all the requirements of being a member.”

Bartels moved to put the bylaws vote on the agenda for next month until more members are present. **Price** seconded. Hearing no objection, the motion was approved by all.

NEW BUSINESS

A. TRAINING

Regarding the importance of training, **Reid** said “One of the reasons I always talks about training for the board is because the only people who suffer behind it are the citizens The Board was put in place in order for citizens to utilize the service and have their issues addressed.

B. OPENING MEETINGS

Harrison said that ACRB might have to change the format of the minutes. When making a vote, it would be necessary to make sure that each boardmember vote is listed in the order of what the minutes reflect to be in compliance with the Open Meetings Act. **Smith** said because the roll call is on the minutes, there is no need to list each person’s name and how they vote. When stated the motion was “approved by all” that means all members in attendance announced during roll call or as they join the meeting. It is noted also when a person leaves and when a person arrives. However, we should start announcing members who are absent during roll call. I will provide a complete list for you starting referring to next month so that the attendance of everyone can be recorded as present or absent.

Harrison requested executive session forms be brought to the meeting. **Smith** stated that Affidavits for executive sessions are standard, and have always been available in the event the board decides to go into executive session. All previous affidavits, signed by the **Chair**, are on file.

Price motioned to form a Compensation Committee to look at how money is spent. **Benson** seconded. Hearing no questions, the vote was called and the motion passed with the exception of **M. Williams**, who was excused to leave and **Morris** who opposed.

PUBLIC COMMENTS:

1st Speaker: Leonard Jones, President of the National Action Network.

Highlights from his comments: “I’m glad I came to hear that you all are moving forward in handling cases by citizens. I do refer people to you all on a regular basis, and I have had no complaints that things were not being handled. However, I am very concerned with the outreach but there are a lot of people who are aware that you are in the public.” “So, when you speak of committees, are the committees derived from these nine people? What I would propose is that we partner with you all, to make sure that your outreach program is successful. Say, for instance, with what you announce here this evening, it wouldn’t have been nothing for me to make sure that if you need people to pass out fliers, attend tables, do whatever you need to. We can draft a Memorandum of Understanding going forward, to make sure you have people in the street to go about and let people know that the ACRB is here.” “I’m very much interested in that awareness and education program, as well as the joint mediation program, and I would encourage you all to try some way to include organizations like National Action Network, as well as my friend here from the Georgia Coalition of People’s Agenda. We have the bodies that are volunteers to do the footwork for you.” “Thank you all so much.”

2nd Speaker: **Reverend Anthony Motley**

Highlights from his comments: "I'm so happy to see my good friend from National Action Network and Reverend Sharpton and the good work that they do nationwide, partnering with us in this effort. A group of citizens being able to call into question the actions of the law enforcement officials is powerful and can be and should be a most powerful instrument...a powerful tool for justice; striking a blow for justice. So much of what we do, not everything to be sure, has a racial component, has racial overtones." "I would be terribly disappointed if this golden opportunity of holding office by our good Mayor, City Council folk, police chief is not seized, and real checks and balances, and are not put in place by African American men in particular, because we all know the sad and sordid history of the slaughter of our boys and our men in this country i.e., stand your ground laws; now, the Klan then, the all-white juries, and all the rest of it. Even a grandmother, Mrs. Kathryn Johnston was killed mistakenly, so thinking, that black boys and men were selling, were doing drugs on Neal Street. Once out of office or in office, out of uniform or without the trappings of office, these same men can become the victims. This is why I'm so concerned that our officials will seize the opportunity that while they're in office, to put certain checks and balances in place can become the victims themselves. Every black man in this country has the same paranoid fear on the part of white America for black men and boys. So I urge you; and let us not play as if that's not the case. I urge you in the name of Kathryn Johnston, to make sure that your tenure on this committee is not ceremonial or one for the purpose of status, but one to make sure that there is accountability on the part of the police department and families, and even brotherly love for all of God's children, and the seeking of the common good, so that all God's children will be judged not by the color of their skin, as Dr. King so stated, but by the contents of their character. Listen, if this is a sham, window dressing, smoke screen, smoke and mirrors, a diversionary tactic, just going through the motions in order to give the appearance of justice of a watchdog agency, then none of you should want to be a part of it, and go down in history as being a part of being a joke. So, I urge you to take it seriously, to serve as agents of God in the goodness, and allow the dear lady's life, Mrs. Kathryn Johnston, which was sacrificed to make better the lives of all the citizens of English Avenue community and the City of Atlanta, Georgia. And so, just with these questions, let me just leave this with you. What happens to these complaints after your review? "Do you have a follow up dimension to your agency, and then what is the completed process after you make your recommendation to the police department? How does that process work as it relates to you, following up on how they respond to it, and is there any teeth in that whole process and all?"

FINAL COMMENTS...

Harrison invited Rev. Motley to go the website where it is all explained, and if all questions aren't answered to come back and talk to someone at the ACRB office.

Benson asked **Schultz** if there's any liability in working with other organizations, especially in terms of either putting erroneous information out, or having other people, who are not part of the organization. **Schultz**: "That's a good question. I don't see anything in our city code that allows the ACRB to partner with outside groups. I'm not sure that's a great idea, frankly, from a legal perspective, and I'm not sure you're allowed to do that anyway. I don't think there's anything authorizing ordinance that even contemplates that kind of process. So, I would be concerned about it."

ADJOURNMENT

The **Chair** entertained a motion to end the meeting. It was moved by **Bartels** move to adjourn the meeting. The meeting adjourned at 8:40 p.m.

*These minutes were officially approved by the
Atlanta Citizen Review Board on **June 12, 2014.***



PAUL E. BARTELS
ACRB Secretary