



**ATLANTA CITIZEN REVIEW BOARD
MINUTES OF THE MEETING**

July 9, 2015
Atlanta City Hall
ATL Stats Room
55 Trinity Avenue, SW, Floor 'G'
Atlanta, Georgia 30303
6:30 p.m.

The July 9, 2015 meeting was called to order by *Chair William Harrison* at 6:33 p.m.

AGENDA

ROLL CALL

(The ACRB has eleven members)

ACTIVE MEMBERS PRESENT

PAUL BARTELS <i>(Secretary/Bartels)</i>	RUTH PRICE <i>(Price)</i>
WILLIAM HARRISON <i>(Chair/Harrison)</i>	GERALD SOUDER <i>(Souder)</i>
ALAN MORRIS <i>(Morris)</i>	SHERRY WILLIAMS <i>(S. Williams)</i>

ACTIVE MEMBERS ABSENT

BILL BOZARTH *(Vice-Chair Bozarth)*

VACANT BOARD SEATS

APAB-NPU *(Group S-Z) – (2 months)*
Atlanta Business League *(vacant 3 years and 1 month)*
Office of the Mayor *(vacant 1 year and 11 months)*
Gate City Bar Association *(vacant 11 months)*

STAFF ATTENDEES

SAMUEL LEE REID *(Reid)*, Executive Director; **SHEENA ROBERTSON**, Investigation Manager *(Investigator Robertson)*; **ROBIN LOLAR**, Investigator, Sr., *(Investigator Lolar)*; **BRIAN FLEMING**, Investigator, Sr., *(Investigator Fleming)*; **CHARLES CURRY**, Outreach Specialist *(Curry)*; **MYOLA SMITH**, Project Manager *(Smith/Transcriber)*; **VERONICA HOFFLER**, City Attorney Assigned to ACRB, COA Law Department.

APPROVAL OF MINUTES OF THE LAST MEETING, JUNE 25, 2015

The *Chair* directed the Board's attention to the minutes for June 25, 2015. The floor was opened for discussion and corrections to the minutes.

Bartels noted one correction, page 8, Section C under Discussion. The word 'holstered' should be corrected to read "**unholstered.**"

Morris moved to adopt the minutes. *Bartels* seconded. Hearing no discussion, the motion to adopt was approved with noted correction and one member abstaining, *S. Williams*.

EXECUTIVE DIRECTOR'S REPORT

Director Reid reported. Below are highlights from the report:

A. BOARD APPOINTMENTS UPDATE

Director Reid summarized the appointment/reappointment process. In his summary *Reid* stated that in the normal process, new member recommendations, as well as, members being reappointed are first introduced in the full Council meeting. From there, the recommendations are sent to the Public Safety Committee. Once approved by the Committee, the nominees are sent back to the full Council for a confirmation vote. If you are a new member, you will be required to be sworn in by the Municipal Clerk following confirmation. If you are being reappointed and are currently serving on the board, the confirmation vote is the last stop and you will not be required to take a new oath. The Atlanta Bar Association, the City Council appointments (2), League of Women Voters and APAB have all been notified of vacancies and expiring terms. Other than alerting the appointing agencies of this information, the staff plays no role in the process. The Gate City Bar, the Atlanta Bar Association and City Council appointments are currently with City Council for consideration and approval. APAB appointments (2) are still in APAB process. *Reid* indicated that he had not heard from the Atlanta Business League. The seat has been vacant for three years.

B. DON'T RUN CAMPAIGN

The Campaign Committee met on June 30th to discuss new messaging for the campaign. The committee, chaired by Bill *Bozarth*, included Sherry *Williams*, Ruth *Price*, Myola *Smith*, Charles *Curry* and Director *Reid*. Alternative messaging was discussed to get the word out to the general public. *Reid* said, "Prior to the meeting, Bill *Bozarth* reached out to some community members to get their thoughts on new messaging. Currently, staff is developing additional messaging that will be sent to the Board for review, to see what you like and additional comments. The Committee Chair is hoping that once the Board reviews the new messaging, and comes to consensus that we can continue with the campaign. We are looking to do this as soon as possible."

C. WEBSITE POLICY PROPOSAL

At the last meeting, *Director Reid* asked the Board to form a committee to develop a policy on the kind of information that will be included on the website regarding citizen complaints. To assist with this effort, *Reid* drafted some different policies that could be considered. A copy of the recommendations was included in each member's information packet.

Reid stated, "The reason for this committee is because back in 2012, the Board had a discussion about this issue but there wasn't a clear direction on how to proceed for staff. We want to revisit that so that we can get clearer direction. The issue is now that all this information is on the internet and when citizens who have had contact with police, good, bad or whatever, it can pose problems for citizen when they are looking for a job and a search is ran on their name. The thought is how we can accommodate those individuals who have concerns about information popping up about them related to them filing a complaint against a police

officer. The suggestions in your packet tonight are what we came up with in the office. Therefore, we would like you to form a quick committee to discuss the pros and cons and have something ready to take a vote at the August Board meeting.”

Discussion / Comments:

1. **Chair Harrison** asked, “Can we get a copy of the Board minutes from 2012 or an excerpt taken from the minutes containing that discussion where we voted one way or another to stop putting public information on the website. I think it will help the Board to see where we were and why we were at that point, at that time. Then we can form a committee.”
2. **Director Reid** agreed to provide the information to the Board from the 2012 minutes so that a committee can be formed and the Board can decide how to move forward.

D. **BACE FORMS**

All board members were emailed a data form known as a BACE Form requiring additional information needed by the Municipal Clerk’s office. **Director Reid** asked the Board to return the form to the clerk’s office or to the ACRB office as soon as possible.

INTAKE REPORT FOR THE MONTH OF JUNE 2015

Investigation Manager **Robertson** reported that for the month of June 2015, the ACRB received seven (7) complaints.

A. COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS:

Dismissals:

Out of the seven complaints, ACRB is requesting that four be dismissed because the allegations are outside of the jurisdiction:

- ACRB 15-079 outside the jurisdiction;
- ACRB 15-081 pertaining to a hospital outside of the jurisdiction;
- ACRB 15-069 involves the State Department of Corrections which is outside of the jurisdiction;
- ACRB 15-084 involves McDonough Police Department which is outside of the jurisdiction.

Complaints recommended for Investigations:

- ACRB 15-084 - Mr. Washington has filed another complaint alleging that he was improperly stopped and detained by APD officers. He, also, alleges that officers used excessive force when they pointed a firearm in his face. ACRB is recommending an investigation as a false imprisonment and excessive force complaint.
- ACRB 15-080 - The complainant alleges her husband was falsely arrested by APD on June 11, 2015. We are awaiting the signed complaint. If the signed complaint is received within the next few weeks, we recommend an investigation as a false arrest pending the outcome of the criminal court case. If the case is still pending, we recommend a suspension of the investigation.
- ACRB 15-083 - The complainant is alleging that an APD officer used excessive force against her. When he grabbed her wrist and handcuffed her which resulted in cuts to her wrist. She also alleges that he pushed her in the stomach as he was placing her in the patrol car, and she is pregnant. We are awaiting her signed complaint. If we get it in the next few weeks, staff is recommending an investigation of excessive force. If the signed complaint is not received, we are recommending dismissal.

Discussion / Comments:

1. **Chair Harrison** asks if Mr. Raymond Washington has filed a report before.
2. **Investigator Robertson** responds, "Yes, he has filed several, but this is a new one."

B. BOARD VOTES ON INTAKE REPORT

It was moved by **Souder** and seconded by **Price** to accept the Intake Report as presented. Hearing no discussion, the motion is approved.

COMPLAINTS REVIEW:

ACRB CASE NO. 14-107, T. PATTERSON

A. ALLEGATION SUMMARY

Tyree Patterson alleges that on June 12, 2014 while at 1080 West Peachtree Street Northwest Apartment, number 1208 the Atlanta Police Officer Consuela Slaton falsely arrested him. Mr. Patterson, also, alleges that during the arrest that two of the responding Atlanta police officers engaged in excessive and unnecessary force when they grabbed him and threw him against the wall without provocation.

A 911 hang-up call was placed from Mr. Patterson's residence and Officer Slaton was dispatched to the residence to investigate the call and upon her arrival the door was shut in her face. APD records show that Officer Ryan Dobler, Michael Moneheim and Timothy Cone, also, responded to the scene. Officer Slaton returned to the apartment with the building concierge and several back up officers. The door appeared to be barricaded from the inside and Mr. Patterson did not speak with the officers or come out of the apartment. At some point, the officers entered the apartment and placed Mr. Patterson into custody. Mr. Patterson did not attempt to explain the 911 call until after he was in custody. Mr. Patterson was charged with disorderly conduct, violent with another, fighting and physical obstruction of another.

According to the Atlanta Municipal court records, Mr. Patterson's case was dismissed on August 19, 2014. With regard to the false arrest allegation based on documents and testimony evidence obtained during the course of the investigation, there is sufficient evidence that Officer Slaton had probable cause to arrest Mr. Patterson. Staff's recommendation on the false arrest allegation against Officer Slaton be assigned the finding of **exonerated**.

Discussion / Comments:

1. **Chair** decided to discuss the false arrest allegation first.
2. **Morris** said, "Mr. Daniel did not cooperate with the investigation. Can you explain what efforts were made to encourage him to cooperate?"
3. **Investigator Fleming** responded indicating that Mr. Daniel was called several times and letters were sent to him to come in and give a statement. Mr. Patterson was, also, asked to come in to give a statement, he did not.
4. **Bartels** stated, "The debate that I had was whether the officers actually had probable cause to force their way into the apartment, at that point. I think if they did then I think it was a valid arrest. Because in domestic violence cases, the law is very broad regarding this probable cause. If the officer sees somebody with injuries and there's been a 911 call that is basically probable cause for an arrest. But the concern is when the officer's knocked on the door the first time and the occupant opened the door and said we're, okay, and closed the door, did they have authority to come in? I kind of wrestled with that question. I talked with Mr. **Reid** about it and also Mr. **Bozarth** about it. It is a close call especially since this officer was told by his supervisor to go in and check. The officers are given pretty broad leeway in domestic violence cases. It is a close call but I am inclined to say it was a valid arrest. So, I would accept staff's recommendation.

B. DETERMINATION OF FALSE ARREST ALLEGATION

Regarding the allegation of False Arrest, it was moved by **Bartels** to accept the staff recommendation to Exonerate. **S. Williams** seconded. Hearing no further discussion, the vote was called and the motion was approved by all.

C. EXCESSIVE FORCE ALLEGATION SUMMARY:

The **Chair** read a brief summary of the Excessive Force Allegation. “It is apparent that the police officers had to make physical contact with Mr. Patterson in order to place him into custody. However none of the officers interviewed could recall who had taken Mr. Patterson into custody. All of the officers denied committing or witnessing Mr. Patterson being thrown up against the wall and the building concierge did not witness the alleged acts. Furthermore there’s no evidence to indicate Mr. Patterson was injured and he did not seek any medical attention as a result of the alleged force. Therefore, ACRB recommends the allegation of excessive force against Officers Ryan, Dobler, Michael Monheim and Timothy Cone be assigned a finding of **not sustain**.

Discussion / Comments:

1. **Souder** asked inquired about the timing of the officers’ interview. “The incident happened in June. The complaint wasn’t filed until November and we are just getting it. When were the officers interviewed? Were they interviewed right after the complaint?”
2. **Investigator Fleming** said once the criminal case was settled the officers were interviewed.
3. **Souder** said he would agree with staff’s recommendation.
4. **Bartels** – “The complainant says that he said he was thrown up against the wall by two male officers, one black male officer and a white male officer, but the investigation findings were that both officers were white males, correct? And he didn’t name the officers?”
5. **Investigator Fleming** confirmed that both officers were white males. “He didn’t know who they were.”

D. DETERMINATION OF EXCESSIVE FORCE COMPLAINT

Following the discussion, it was moved by **Bartels** to accept the staff’s recommendation and assign **not sustain** to the allegation of Excessive Force against Officers Ryan, Dobler, Michael Monheim and Timothy Cone. **S. Williams** seconded. Hearing no further discussion, the vote was called and the motion was approved by all.

ACRB CASE NO. 15-018, JOHN RUCH

A. ALLEGATION SUMMARY

Mr. John Ruch alleges that on November 25, 2014 while at 200 Spring Street NW, Atlanta Police Sergeant Michelle McKenzie falsely arrested him. Mr. Ruch, also, alleges that an unknown officer engaged in unnecessary and excessive force and the handcuffs were applied extremely tight. On November 25, 2014 a march was being held in the vicinity of Spring Street and Andrew Young International Boulevard protesting the killing of an unarmed black man by Ferguson, Missouri police officer. Mr. Ruch was in close vicinity in an area where protesters and officers clashed. According to Sergeant McKenzie, an order was given to arrest the protesters who blocked officers from making arrests which included Mr. Ruch. Mr. Ruch was taken into custody. Mr. Ruch was charged with disorderly conduct, but the charges were dismissed.

This investigation revealed that Mr. Ruch was arrested along with the protesters, but he claimed to be a reporter covering the story. He said he was standing on the sidewalk and attempted to photograph protesters who were being arrested. Sergeant McKenzie disputes Mr. Ruch’s claim and contends he was one of the many bystanders that was ordered to move out of the way, so that they could get protesters to disperse and leave the area. Mr. Ruch could not prove he was a reporter as he had no media credentials.

Furthermore, Mr. Ruch's publisher, Thomas Wheatley, was at the protest, but did not witness Mr. Ruch's arrest and could not prove Mr. Ruch was covering the story for his newspaper. Therefore, the ACRB staff recommends a finding of **not sustained** on the allegation of false arrest against Sergeant McKenzie.

Discussion / Comments:

1. **Price** noted that the date in the report on page 5 should be corrected to read November 25, 2015.
2. **S. Williams** - A lot of this didn't make sense. He didn't have media credentials, but the guy from Creative Loafing, who authorized him to write this, he didn't have credentials either. The boss actually followed him, as far as he could, and tried to talk to the police officers. The original arresting officer disappeared. They couldn't find her. Then all of a sudden a citation showed up with the arresting officer signature on it which didn't make sense because they couldn't find her, so obviously she didn't sign it. Then they tried to figure out what to charge him with. I think there was a lot of confusion that day.
3. **Investigator Fleming**- During the protest, the police was broken up into three or four teams. The team Sergeant McKenzie was on was Enforcement. There were other teams such as Booking and Transport. They couldn't find her because she was doing enforcement at that time. She did sign the citation, but she did not sign the incident report.
4. **S. Williams**- It seems to have been a lot of confusion and it appears a lot of time was wasted. The court threw it out. I have some problems with this.
5. **Chair Harrison**- Is he a reporter or not?
6. **Investigator Fleming**- He says he is a reporter.
7. **Chair Harrison**- Did you confirm that?
8. **Investigator Fleming**- I asked him if he had a media pass. He said "no" 'we don't need them'. I asked him if Mr. Wheatley had anything to show that you are part of the media.
9. **Chair Harrison**- Who does he write for?
10. **Investigator Fleming**- He says he writes for Creative Loafing.
11. **Chair Harrison**- Did anyone call Creative Loafing to find out?
12. **Investigator Fleming**- No.
13. **Bartels**- I'm not sure how relevant this is whether or not he has a card or not or whether he is employed as a reporter or not...anyone who is taking an interest in public activity by gathering information, whether it is by phone or camera whatever, is considered a member of the media. I don't think a different set of laws apply if he was or was not a reporter.
14. **Investigator Fleming**- I think the issue was they had a specific place for the media. The media was not supposed to be walking just anywhere. If you were identified as media they wanted you to stand in a certain spot.
15. **Bartels**- There is no such thing as a First Amendment Zone.
16. **S. Williams**- There is nothing in the law that says you have to have credentials either.
17. **Chair Harrison**- Given social media, you have a lot of different types of media, independent writers, bloggers, so it's really not necessary to have credentials. Speaking to Paul's (**Bartels**) point, you can't have two different zone types. Besides, how can you report on the protest if you are down the street?
18. **Bartels**- They can't say that just because you are a member of the media, you can't get up close and see what is going on. That's not going to fly.
19. **Investigator Fleming** – What I understand is he wasn't the only one being arrested at that time. There were a group of people being arrested.
20. **Bartels** – That's my problem about this case. I'm sure there were some people in this group being disorderly and agitated, but you can't arrest a whole group of people just if a few were doing something. If you are arresting a group of people you need to have probable cause for each and every single one of them. I'm not comfortable with this because the written narrative is completely different than the citation. The written narrative said he was blocking traffic and out in the street and the citation says officers were engaged in a fight and said he stayed in the path of the officers. That emphasizes how chaotic it was and it seems like there was an effort made to just round up everybody and then to write them up all after the fact.
21. **S. Williams**- What is the policy on confiscating people phones and deleting their pictures?
22. **Investigator Fleming**- They are supposed to give them an inventory receipt and told where to go to pick up their belongings.
23. **S. Williams**- But in Mr. Ruch's statement, it says they confiscated his camera phone and may have deleted images that he took of the protest.
24. **Investigator Fleming**- When I talked to Mr. Ruch, and even though it is in his statement, he did not make that allegation.

B. DETERMINATION OF FALSE ARREST ALLEGATION

Morris moved to make a recommendation of **exonerated**. Hearing no second, the **Chair** ruled that the motion failed.

Following the failed motion, it was moved by **S. Williams** to **sustain** the allegation of False Arrest against Officer Michelle McKenzie. **Bartels** seconded. Hearing no further discussion, the vote was called and motion fails with **Morris**, **Price** and **Souder** voting opposing the motion. Without a majority vote to approve, the motion fails.

Discussion / Comments:

1. *Explaining why he voted to agree with the staff's recommendation to exonerate, **Morris** stated, "I think this particular incident was highly charged and the officers were charged with keeping the peace and trying to do their best under tough circumstances. I'm in favor of giving them the benefit of the doubt. I think the person did not cooperate with the officer and therefore, he was arrested and I believe that is what should have happened. That is why I want to support the staff recommendation. I think it is a good one."*
2. ***S. Williams**- I disagree. If anything in Mr. Ruch's statement, five and half pages, is true, he should have been let go and maybe all of them. The courts dismissed all the charges, but they still were not treated fairly. I have been on both sides so I can understand both sides but this could have been handled better and it wasn't.*
3. ***Souder**- I have also been involved in protest and been on both sides. My thing with it is I believe, giving the situation, I would be more apt to look at the acts that might have occurred, but I think maybe APD might need a policy change. That's what I would be looking at or where it says policy failure that versus saying totally exonerated versus not sustained and that probably happened but I think APD needs to look at policy when you have a demonstration like that to see what is going on and do something different.*
4. ***Director Reid**- Sherry (**S. Williams**) is the problem with how the individual officer handled the situation or the way APD handled that whole situation with all the confusion stuff. Because if it's the way APD handled it, I think following the policy failure would be a good idea and making some recommendations. Because as Paul (Bartels) mentioned, maybe make some other recommendations on other ways to handled something like this because that is what this Board has been charged to do. This Board can put forth some other recommendations. This maybe something good for the Board to delve into on a deeper level because we know more protest is going to happen again.*
5. ***S. Williams**- But in the meantime, I don't want them to mistreat myself or anybody else. I don't think it is fair because the company or organization don't have the right policies. I am still a human being.*
6. ***Price**- But in this case, I have been in this situation where you have a crowd of people and there's confusion and you are trying to keep the people back, you are trying to direct traffic and all these things. I think you need to realize that police officers are human beings too. If I ask you to move on and you don't, then that is where you are going to get some complications. You can look into the police policies and ask them if they have a policy on crowd control.*
7. ***Bartels**- If that's the case then what if the policy itself is unconstitutional. Whoever is setting policy and giving orders might not be aware as should be of the First Amendment. The fact that you can't tell people that you can only hang out here or here or here, well no, that's not the way the constitution works. People have the right to be where ever they legally can be, peacefully. I don't doubt the officers in this case handled it the way they were told, but what if the way they were told is improper. Would that count as a policy failure?*
8. ***Director Reid** - Yes.*
9. ***S. Williams**- None of these people had weapons or doing are saying anything that was threatening. There is no reason why these people should have been booked.*
10. ***Chair Harrison**- Lee (**Director Reid**) isn't this something we could possibly postpone making a vote on and ask the investigator to obtain the APD policy, so we can read it ourselves before deciding?*
11. ***Director Reid**- If the policy is going to help you all make a decision, I can see that. But going into what Sherry (**Williams**) said, you're talking about the officer's discretion at that point. The way discretion works is, 'Was the officer's actions reasonable at that time considering all the circumstances and everything going on at that moment?' If it was chaotic then these kinds of things might occur. I still think this is something that you guys should look into. Maybe form a committee to give the Board some direction.*

12. **Chair Harrison-** *Is there a motion or further discussion or would you prefer that **Investigator Fleming** look into it further?*
13. **Price-** *I would like for some of our Board members to attend the Citizens Academy and they would understand a whole lot of things. You don't realize that 90% of police officers work is by discretion.*
14. **Bartels-** *A couple of things that maybe could be looked into or reset. One, I'm interested in knowing what policies there are on crowd control and under what conditions they order people to disperse. Also, are there any different guidelines for members of the press? Another thing, I'm bothered by the fact that two different officers are saying two different things about why this man was arrested. I'm not comfortable voting to not sustain this complaint when there's that kind of confusion.*

C. DETERMINATION OF CASE #15-018 FALSE ARREST ALLEGATION

Following the discussion, **Bartels** made a motion to table Case #15-018 and revisit it at the August meeting. **Souder** seconded. Hearing no further discussion, the vote was called and the motion was approved unanimously.

Discussion/Comments:

1. **Chair Harrison-** *What would the Board like for **Investigator Fleming** to do?*
2. **Bartels-** *Clarify what the APD policy is on crowd control including journalist and bring a copy of the policy...*
3. **Price** – *I will get a copy of the policy and bring it down here to Lee (**Reid**). In fact you probably need a whole booklet of things here for everyone to read just what the policies are.*
4. **Souder** – *I would assume there are different policies based on what type of demonstration there might be. I would like to know if the policy is different depending on the type of protest.*
5. **Bartels:** *Number two, clarify why there is such a discrepancy in the two reports, the citation versus the narrative; and third, I think it would be interesting to find out why they dismissed it. You can find out who the assigned prosecutor to that case was from the City Solicitor's Office. The case number is on the citation.*
6. **S. Williams:** *I wouldn't mind talking to the APD person who comes to the meeting. Also, as I recall, they treated all of the protesters in the end differently. Some they let go and some they didn't. How did they decide that because this is a policy question?*

D. DETERMINATION OF CASE #15-018 EXCESSIVE FORCE ALLEGATION

Since the Board has requested additional information, it was moved by **Bartels** to table and revisit the excessive force along with the false arrest allegation at the August Meeting. **S. Williams** seconded. Hearing no further discussion, the motion was approved.

ACRB CASE NO. 14-119, D. WILLIAMS

A. ALLEGATION SUMMARY:

Chair Harrison- Complainant Deanna Williams alleges that on November 22, 2014, Atlanta Police Officer Craig Headspeth engaged in harassing conduct and false arrest when he gave her a citation that she felt was “bogus”. Ms. Williams alleges that during her contact with Officer Headspeth, he pounded on her window with his flash light and yelled at her.

B. FALSE ARREST SUMMARY

Officer Headspeth was working off duty in full uniform at Prive Nightclub on the outside of the club providing security and directing traffic. Officer Headspeth approached Ms. Williams to ask her to move her vehicle from in front of the exit doors of the club. Ms. Williams admitted to not complying with the officer's orders to move immediately. Ms. Williams's failure to comply resulted in her receiving a citation

in lieu of arrest for obedience to authorize persons directing traffic. ACRB staff recommends the allegation of false arrest against Officer Headspeth be assigned a finding of **exonerated**.

C. DETERMINATION OF FALSE ARREST COMPLAINT

Following a very brief discussion, it was moved by **Bartels** to accept staff's recommendation to **exonerate** Officer Headspeth of the False Arrest allegation filed by Ms. Williams. **Morris** seconded. Hearing no further discussion, the vote is called and motion is approved unanimously.

D. HARRASMENT SUMMARY

Officer Headspeth made contact with Ms. Williams to the extent of telling her to move her vehicle. When Ms. Williams failed to comply, Officer Headspeth made a second request and Ms. Williams did not comply immediately. Officer Headspeth requested to see Ms. Williams's driver's license. After receiving Ms. Williams driver's license, the officer walked away to retrieve his citation book from his vehicle. Ms. Williams exited her vehicle and followed the officer to his vehicle complaining that he was harassing her.

Ms. Williams, also, claimed that the officer pounded on her car window with his flash light and yelled when speaking to her. The ACRB staff recommends that the allegation of harassment against Officer Headspeth be assigned a finding of **not sustain**.

E. DETERMINATION OF HARRASMENT COMPLAINT

It was moved by **Morris** to accept staff's recommendation to **not sustain** the allegation of harassment against Officer Headspeth. **Bartels** seconded. Hearing no further discussion, the vote was called and the motion is approved unanimously.

OLD BUSINESS

DON'T RUN RECAP AND UPDATE

Director Reid indicated that he had provided most of the update earlier when he gave the Executive Director's Report. However, he added that over the next couple of days, the Board will be receiving some alternative messaging for the next outreach campaign. Once you receive the messaging, Bill (**Bozarth**), who was the Committee Chair, will be back in town and you all can decide how you want to proceed.

NEW BUSINESS AND OTHER COMMENTS

NACOLE CONFERENCE (National Association of Civilian Oversight of Law Enforcement)

The **Chair** opened the floor for discussion and comments.

Discussion/ Comments:

1. **Price**- I have a concern about the NACOLE Conference coming up. We are sending three people
2. **Chair** – No, four.
3. **Price**: I can't go along with that. What would the Board gain from the NACOLE Conference? I have been on the Board for some time and I just don't see where we are getting anything back. Looking at the minutes from last year, the NACOLE report, and there isn't even a page of information that was brought back to the Board. To me it is a waste of money and I don't see where NACOLE is doing anything for us here in Atlanta. I think we should think outside the box and do something else with that money. You are talking about four people are going, to bringing back a page of information. There are two new people sitting up here and they haven't been, but the same person going 3 and 4 times. I have no problem going outside this board

- expressing that we are wasting money sending three people to California. I think we should take a vote and I am going to vote against it. This will be your third or fourth time going Mr. Chairman and I think it is a waste. When I went to NACOLE, I signed up for a committee and the only thing that committee did was have two conference calls to tell us what they had already done. I told them that I was withdrawing from the Committee. The same thing they are teaching there, you can go to Georgia State people or the Georgia Public Safety down in Forsyth and get the same thing or go out to the Academy.
4. **Chair Harrison-** For the record, I disagree with that Ms. **Price** and I think you already know that I disagree with that. I think there are a number of things that this organization has tried to glean information from the national organization dealing with the body worn cameras, Don't Run campaign, and with our new legislation that we are trying to get through. We sometimes have to shepherd information from the National organization or members of the organization who have traveled the same path that we are trying to go through. I get what you are saying and you are free to disagree.
 5. **Price-** The police department is almost ready to buy the cameras. And it will help the police department if they do, but there is nothing you can tell me that is going on out in California that will have any impact on what is going on here. Mr. **Chair**, I would be more in favor of us trying to get a regional oversight group started here based on what we are doing here. But to go running back and forth costing the City money, and then you don't want to give anybody \$25 to come to a meeting; or let's have a retreat where everybody can sit and let's talk about the issues and training related to what we do on this Board. I think we need to take a vote on whether to send four people who bring absolute nothing back.
 6. **Chair Harrison-** For the record, we can't use city funds to create a regional organization.
 7. **S. Williams-** Of the four people who are going, how many staff and how many are board members? And if any of them have been before. Besides me, who else is going?
 8. **Reid - One staff and Bill Bozarth.**
 9. **Price –** We shouldn't send four people and I have no problem going to my appointee letting them know that and the same people keep going over and over.
 10. **S. Williams –** Well I haven't been before and **Bozarth** has been. Mr. **Chair** could you tell us why it would be necessary for anybody to go three or four times when we have people that have never been; and if we are questioned, how can we justify going?
 11. **Chair-** I could do that at the next meeting. For me, I think the conference is extremely valuable. It is extremely valuable for investigative purposes. It is extremely valuable for the new law that is being created by the Supreme Court. We get emails weekly from the national organization on new laws regarding Search and Seizures and other.
 12. **S. Williams-** But we don't have to go to the conference every year to get emails or go three and four times to get information from NACOLE. We can get information from any national organization without being obligated to go to conference numerous times.
 13. **Investigator Lolar-** ACRB has an organizational membership, so anyone who is part of the ACRB is a member of NACOLE and is privy to that information.
 14. **S. Williams-** So any of us can get the emails?
 15. **Investigator Lolar -** You can get the emails. What William (**Chair**) is talking about is one of NACOLE's goal is being able to supply oversight agencies with information about different oversight agencies and what's going on with them, as well as, updates on case law, and different publications pertaining to oversight. The reason NACOLE was formed in the first place is because of a couple of other conferences we attended and afterwards felt we weren't getting enough relevant information because the information that we were receiving was back in the nineties and everything in terms of oversight was young, fresh and unknown. Before NACOLE was formed, in order to receive information regarding police investigations, it was a real challenge but mostly, we just could not get this information. The conference can be rewarding and educational because of the information you are receiving off of the networking and the people you come in contact with, but as far as things that specifically pertain to oversight, NACOLE is the only arena where you are going to find training that is specifically related to oversight.
 16. **S. Williams –** The issue with me is that if we are not getting more bangs for our buck, we may need to look at something else. I've been online and I have made my hotel reservations, but I can cancel it because if we can't justify it or if it is not a value added thing, because we are already a member and I anything that I need, I can already get then we need to reconsider. I know the value of going to a conference. I totally get that but we do need, as an organization, to look at whether it makes sense. Or have a policy that say that you go every other year.
 17. **Chair –** What I will say is for me that it actually falls in line with what Ms. **Price** was saying about the Ride Along and the police academy. With our jobs, we need to be educated and informed and trained. The conference goes a certain way to do that. The police academy goes a certain way to do that and so does the Ride Along. The position that we are in and the types of decisions we have to make, we need to be the most informed and trained. You got to find the training somewhere. If you are not doing any of these things to

assist you with the decisions that we are making as a board member, then we have a problem. We as a Board must keep our training up and ongoing.

18. **S. Williams** - We also have to look at the cost and we need to have a policy that says you can go every other year at the most or something of that nature.
19. **Reid** – It does put us in a tricky position. If there are concerns coming from the Board that we are not putting the money to the best use, then the concern does not go to you wasting money it comes to me as being the one wasting City money because I am authorizing the spending. So that is something we do need to deal with.
20. **S. Williams** – It's about value added. One of the things that Warren Buffet has said is if you are about to make a decision and you are trying to decide whether that decision is a good one, ask yourself, if this was going to be in the newspaper, would I be proud of that decision or would I be able to justify it. If we can't justify it, we need to rethink it.
21. **Harrison** – We can agree to disagree and at the next meeting we can carve out some time to discuss the actually conference. Also, going back to something Ms. Price said, how many have attended the Citizen Police Academy? It should be noted that three people raised their hands and one other person is scheduled to go this year.
22. **S. Williams** - I also think we need to look at partiality. I think having the Fox guard the hen house is a problem. No offense but if you are the Chair and you are the person that is most at issue here, we need to look at the partiality of that and when there is stuff that is near and dear to us, we have to look at the entire organization versus one individual situation. That is why I am willing to not go if we can't justify the total amount. I also think that you need to look at too. If you are really passionate about being on the board and serving overall, I don't think you missing one conference will affect your effectiveness of how you serve.
23. **Chair** - What bothers me is when I sit on the board, the lack of training that the other board members have and the lack of initiative to go and gain that training. So what I try to do is encourage as much training to get it done. I make no bones about that I want to be the most qualified when I am making decisions based on what the police department is doing. I think that everybody on the Board should be that way as well.
24. **Price** – We need to have some standard operation procedures that will deal with term limits and who is doing what.
25. **Reid** – There are a number of things in the new legislation being proposed. One is term limits and the other is training that we are talking about, having a standard number of hours of training. The goal is to make sure everyone gets the training that they need to have and that they actually do it to be a member in good standing. Before we leave, can we actually create a committee to discuss what you are talking about...the by-laws and these other issues about who is going and where. We need to do this quickly if we are going to meet the early registration deadline which will cost less.
26. **S. Williams** - If everyone has their calendars, why don't we all just get together next week and choose a date now.
27. **Reid** - I can send an email and everybody reply back as soon as possible about a date to meet.
28. **Harrison** – In the email, just make sure you add a confirmation reply and make everybody confirm back about what the date and time.

PUBLIC COMMENTS

No public comments were made.

ADJOURNMENT

Hearing no further business, *the Chair* entertained a motion to adjourn. **Bartels** moved to adjourn. **S. Williams** seconded. Meeting adjourned at 7:58 P.M.

*Minutes for July 9, 2015 board meeting were approved as an official record by the ACRB on August 13, 2015.
Paul Bartels, Board Secretary*

