



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

May 14, 2015
Ben Hill Recreation Center
2405 Fairburn Road, SW
Atlanta, Georgia 30331
6:30 p.m.

The May 14, 2015 meeting was called to order by *Vice-Chair Bozarth* at 6:50 p.m. The *Vice-Chair* presided until the pending arrival of *Chair Harrison*.

AGENDA

ROLL CALL

(Eleven Members of the Board)

Vice Chair Bozarth welcomed guest and members of the community, and for the benefit of the audience, the *Vice-Chair* asked each board member present to do a brief introduction including background experience and time on the board.

ACTIVE MEMBERS PRESENT

PAUL BARTELS <i>(Secretary/Bartels)</i>	RUTH PRICE <i>(Price)</i>
BILL BOZARTH <i>(Vice-Chair Bozarth)</i>	GERALD SOUDER <i>(Souder)</i>
WILLIAM HARRISON <i>(Chair/Harrison)</i>	MACEO C. WILLIAMS, SR. <i>(M. Williams)</i>
ALAN MORRIS <i>(Morris)</i>	

ACTIVE MEMBERS ABSENT

ALAN MORRIS *(Morris)*
SHERRY WILLIAMS *(S. Williams)*

VACANT BOARD SEATS

Office of the Mayor *(vacant 1 year and 9 months)*
Atlanta Business League *(vacant 2 years and 11 months)*
Gate City Bar Association *(vacant 2 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); **MYOLA SMITH**, Project Manager and Minutes Transcriber (Smith); **VERONICA HOFFLER**, City Attorney Assigned to ACRB, COA Law Department.

APPROVAL OF MINUTES OF THE LAST MEETING, APRIL 9, 2015

Vice Chair Bozarth directed the Board's attention to the minutes for April 9, 2015. The floor was opened for discussion and corrections to the minutes.

The following corrections were made:

- **Bozarth:** page 2, first paragraph, first sentence – corrected to read '*Vice Chair Bozarth*'
- **Bartels:** page 4, discussion item #6, first sentence – corrected to read 'signed' consent form;
Page 4, discussion item #10, second sentence from the end – corrected to read 'reasonable suspicion';
page 6, discussion item #5, second sentence from the end – corrected to read 'strip searches and body searches,'
page 11, second paragraph, second sentence – corrected to read 'Sgt. Thomas Apple'

M. Williams moved to adopt the minutes with noted corrections. **Bartels** seconded. Hearing no further corrections or discussion, the motion was approved as noted with one abstention.

The **Vice Chair** entertained a motion to go out of order in the agenda because the **Chair** wished to be present during the Executive Director's Report.

It was moved by **M. Williams** to change the order of the agenda so that the **Chair Harrison** would be present during the Executive Director's Report. The motion was seconded by **Price**. Hearing no objections, the motion was approved by all.

INTAKE REPORT FOR THE MONTH OF APRIL 2015

Investigation Manager **Robertson** reported that for the month of April 2015, the ACRB received 12 complaints. Staff is recommending that six of the 12 complaints be dismissed due to the allegations being outside the ACRB jurisdiction. The following cases are recommended for dismissal:

1. ACRB Case No. 15-053, complainant alleging rude behavior by an APD Officer
2. ACRB Case No. 15-057, complainant alleging harassment by an APD Officer
3. ACRB Case No. 15-060, complainant alleging a service complaint against an APD Officer.
4. ACRB Case No. 15-061, complainant alleging harassment against an APD Office at Hartsfield-Jackson Airport
5. ACRB Case No. 15-064, complainant alleging harassment against an APD Officer

It was noted by **Investigator Robertson** that proper referrals were given to those citizens whose complaints fell outside of ACRB's jurisdiction.

There were two other cases also recommended for dismissal and although the allegations were within the ACRB's jurisdiction, the complaints were time-barred because the incident occurred outside the 180 days. The two cases are:

1. ACRB Case No. 15-054, complainant alleging false arrest by an APD officer.
2. ACRB Case No. 15-056, complainant alleging false arrest by APD and excessive force by a correctional officer at the Atlanta Detention Center.

The following is a breakdown of the ACRB complaints that are recommended for investigation:

1. ACRB Case No. 15-055, complainant alleges that he was improperly stopped and detained by an APD officer. *Staff recommendation: Investigation as a false imprisonment complaint.*

2. ACRB Case No. 15-058, complainant alleges that APD Sergeant fired at him several times striking him in the arm with a bullet. He also, alleges that an officer used profanity towards him. *Staff recommendation: Investigation as an excessive force and abusive language complaint.*
3. ACRB Case No. 15-062, complainant alleges that an APD officer jumped out of an unmarked SUV and slammed her 17-year old son to the ground. *Staff recommendation: Investigation as an excessive force complaint.*

Following the report, **Bartels** moved to accept the Intake Report. **Souder** seconded. No further discussion, the vote was called and the motion was approved without objection.

COMPLAINTS REVIEW:

Before discussing the case, **Vice Chair Bozarth** explained for the benefit of the audience, the complaint review process.

ACRB CASE NO. 14-118, FALSE ARREST and FALSE IMPRISONMENT: Complainant Roland Carlisle

Case Investigator: Robin **Lolar**, Sr. Investigator

Lolar reported that a male complainant, Roland Carlisle, filed a complaint alleging false arrest and false imprisonment. On November 3, 2014, the complainant alleged that officer Maxwell Brewer stopped and detained him and issued him a citation for blowing his horn. Mr. Carlisle denied improperly blowing his horn and that he beeped his horn once at another motorist veering into his lane.

Officer Brewer has been employed with the Atlanta Police Department since May 16, 2006 and is currently assigned to APD's Community Service Division in Special Operations, which he works traffic on the motorcycle unit.

Case Summary: Officer Brewer was directing traffic at Peachtree Street and Ralph McGill Boulevard facing away from Mr. Carlisle's vehicle when Mr. Carlisle blew his horn. The traffic was heavy due to the event that was taking place that evening. After Mr. Carlisle blew his horn Officer Brewer turned around and made a hand and a head gesture toward Mr. Carlisle, as to say, 'What?', then approached Mr. Carlisle's vehicle and immediately asked Mr. Carlisle why he blew his horn. Officer Brewer detained Mr. Carlisle based on his belief that Mr. Carlisle committed an unlawful violation of excessive horn use. An officer may conduct a brief seizure based upon reasonable articulable suspicion. Officer Brewer believed that Mr. Carlisle blew his horn excessively in violation of the Georgia state statute. Mr. Carlisle denied blowing his horn excessively, and therefore, believed he should not have received a citation for said violation. Police officers are authorized to use their training and judgment to determine what charges will be made in a traffic related incident. Then it's up to the court of law to make a ruling of said charge.

ACRB staff recommends that the allegation of false arrest against Officer Maxwell Brewer be assigned a finding of exonerated because the alleged acts occurred, however, they were justified and legal within the APD policy. There is, also, a footnote recommendation from the staff regarding this case. During the investigation, Mr. Carlisle said a statement was made to him by Officer Brewer that he thought was inappropriate. During the incident, Mr. Carlisle alleged that Officer Brewer made the following statement "This is not Burger King, this is my way". ACRB staff found that this alleged remark would fall up under APD's policy on professional conduct and should be addressed by APD because it is out of ACRB's jurisdiction.

Discussion...

1. **Williams** asked what it meant to improperly blow a horn.
2. **Lolar** responded that it means excessive blowing of the horn which is covered under Georgia statute: Horns and Warning devices.
3. **Bartels**: “Well basically, if the officer decides it is excessive. It is one of those laws that give law enforcement officers a lot of leeway. My own thoughts on this case would be to recommend that we find not sustained rather than exonerated. My understanding is to exonerate the officer that the evidence clearly show that the officer was correct, and here I think it’s one person’s word against another. If Mr. Carlisle is to be believed, then he was justified in blowing his horn, cause another car was about to hit him and that’s not excessive. If Officer Brewer is to be believed, there wasn’t a need to do that then it was excessive. It’s one person’s word against another. Without any corroboration, no video, no tape, no third party so it doesn’t rise to the level of clear and convincing evidence that it was not justified, but I think it also, doesn’t show that it was justified. So I would think ‘not sustained’ would be what I would be inclined to vote for.
4. **Investigator Lolar**: “We have two separate issues: one is false imprisonment, which is where he felt that the officer stopping him and approaching him regarding the alleged excessive blowing of the horn. So that’s the first part that you would have to make a decision on. The other is the false arrest and issuing of the citation because the citation, although he didn’t physically take him into custody was given in lieu of arrest.
5. **Souder** asked if the complainant went to court on the fine and if it was dismissed.
6. **Lolar** stated the charges are still pending.
7. **Souder** indicated that he agreed with **Bartels**. “My concern is and it is discretionary, but just because it is the Mayor’s Ball and I understand there is a law against it (excessive horn blowing), but it seems like to me that APD should have something better to do with their time then stopping someone for blowing their horn and giving them a ticket.”
8. **Bozarth**, “As Mr. Bartels said earlier, without clear and convincing evidence that the officer was just not telling the truth, I believe we have to not sustain the complaint as recommended. But it doesn’t totally sit well with me as to why this officer took the time to go away in traffic direction, pull the man aside and give him a ticket. Sounds like to me he over reacted.”
9. **Bartels**, “This would be another incident, like a lot of the one’s that we see where a body camera and microphone would help shed some light on exactly what happened and what the surroundings were without having to rely on one person’s word against another.”

For the record, **Vice Chair Bozarth** noted the arrival of **Chair Harrison**, at approximately 7:15 p.m.

Following the discussion, **Bartels** moved to recommend to find the false imprisonment complaint **not sustained**, and include in the determination letter to the Chief, the following footnote as recommended by staff: “During the incident, Mr. Carlisle alleged that Officer Brewer made the statement “This is not Burger King, this is my way”. ACRB staff found that this alleged remark would fall under APD’s policy on professional conduct and should be addressed by APD because it is out of ACRB’s jurisdiction. **Price** seconded the motion. Calling for the vote, the motion was approved with one opposing vote (**Williams**).

Regarding the allegation of false arrest, **Bartels** moved to **not sustain** the second complaint against Officer Brewer. **Price** seconded. Hearing no further discussion, the vote was called and the motion was approved by a vote of four with one opposing vote (**M. Williams**) and one abstention (**Harrison**).

For the record, it should be noted that at this point in the agenda, **Chair Harrison** beginning presiding over the meeting. The **Chair** apologized for being late citing traffic as the reason.

EXECUTIVE DIRECTOR’S REPORT

Director Reid explained the purpose of the community meetings. He said, “ACRB is trying to get more people to attend the monthly meetings by holding the meetings in the communities instead of having them at City Hall. The

first community meeting was at Adamsville Recreational Center. The second meeting was at Peachtree Hills and tonight here in Ben Hill. The next board meeting in the community will be held in the east Atlanta area.”

Highlights of the report:

- **Budget:** The City of Atlanta has been holding new fiscal year budget briefing for all departments. ACRB’s presented its proposed budget today before the City Council Finance Committee. Two new positions are being requested: Administrative Assistant to do transcription work on a full time basis and the second position is a Community Outreach Specialist. A budget public hearing is scheduled for Monday, May 18, 2015 at City Hall. Departmental hearings are expected to wrap up by Wednesday, May 20th.
- **Ordinance Update:** As reported over the past several months, ACRB is proposing changes to the current ordinance. The changes that are being proposed are needed to strengthen and expand the ordinance and allow more investigations on some other issues that currently we cannot investigate. “We look forward to including a mediation section into our ordinance. We are, also, trying to get a more thorough understanding of the decisions that the police chief makes in relation to the sustained complaints that we send him, especially as it relates to him not disciplining or not accepting the recommendations that the Board makes. More information from the Chief will be beneficial to the Board to help understand how these decisions are made and why, and it will also be important to the citizens so that you can receive the transparency of what is exactly happening with these decisions. Currently, what we usually get back from APD is a letter stating that we received the board findings. We reject the findings and we are not going to sustain the complaint and accept the board’s recommendation. We want to close that gap so that we can have a much more fruitful conversation about discipline of officers and taking the board’s recommendation into account.
- **Vacant Board Seats:** Other proposed changes involved vacant board seats, the length of time the seat has been vacant, the removal of board members and requiring members to become more involved with community outreach. Currently, there are three vacancies and we need members appointed to the Board to fill these seats.
- **Standard of Proof for Complaints:** Another proposed change involves dealing with the standards of proof to sustain a complaint. “What we use now is currently the *clear and convincing evidence* which is not the standard that we should be using. Administrative agencies, like ACRB, all use a preponderance of evidence and that essentially means just enough evidence to make it more likely than not that the complainant’s allegation is true. The *clear and convincing* evidence standard requires a higher level of proof.”
- **Pending Studies:** “We are still working on a couple of studies. One study focuses on false arrest. We know that a sizable portion of complaints we receive have to do with false arrest. So we need to delve a little deeper into that. Another study in the works is the Disciplinary Decision study. Both of these studies are very detailed and time consuming. We have to go through boxes of files to search for details and look for patterns. There is no specific person dedicated to do this type of research and review so we have to do as much as we can while we are working on investigations, community outreach and daily operations.
- **DON’T RUN’ Campaign:** Reid stated, “As many of you are aware, we initiated this campaign and while we received a great deal of support, we understand there are definitely some people who are upset about it. The way we do our work is based on what we see when we receive complaints. I have been doing this work for over 10 years and one of the investigators has been doing this over 20 years, another 10 years and the other person, 8 years. We come from different areas and different regions doing this type of work. The concern that this somehow puts blame on the citizen for running is not the case. At the end of the day, we know and understand that officers are responsible for their actions and what they do. We know that they are responsible for training, and officers being held accountable for their actions, but in the meantime while everyone is discussing and talking about how we are going to make officers more accountable and do all the things with body worn cameras what we are seeing is that when you run, if you run, the likelihood that you are going to be injured, hurt or killed increases. So know your rights and take advantage of our ‘Know Your Rights Training’ that’s offered in thirty four libraries across the city. We are telling people to come in and participate in the training. What is

great about having everyone here tonight is that hopefully, you will want to share this information about the training and participate. Therefore, when a police officer stops you or you have a problem with the police officer you don't have to run. You don't have to feel like you want to run. You can stand there and deal with that officer and assert your rights like you have and have that officer respect those rights. If they don't, the other part of it is you report it to us, so we can investigate it, but you follow through in the process, so we can make sure that the police department holds these police officers accountable. What happens is when we go out to the communities, people tell us what happens, but they don't make the complaint. Without a complaint we can't do anything on it. We have to have a complaint, a documented record of the police's action. If you don't trust the process, come to these meetings and put the pressure on us. We can handle the pressure because it makes us better and we can have a stronger civilian oversight process. I have seen many of you here and met with you too in other places and I appreciate everyone's thoughts on how we can make things better. We have suspended the campaign. We are going to wait to see what the City Attorney has to say about it. My personal view is that if we can save one person from injuries by not running and asserting their rights, I am cool with that. This has been characterized as a marketing campaign; it is not a marketing campaign. It is information that we are attempting to share with citizens to avoid injuries and may even death based on what we see in our work and what we have seen across the country. Don't Run has been suspended. We are waiting to hear back from the city's attorney's office then we will be able to decide where we are going on that. I'm hoping at the end of the day as we take in everyone's thoughts and concerns that we if we have to modify it, we do what we need to do and the board continues to be behind us and support us as we move forward to address the citizens' concerns."

Discussion...

1. **Harrison:** "Please tell the board about the meetings we had with Council members regarding the proposed ordinance changes."
2. **Reid:** "The changes we are proposing are intended to close some holes in the ordinance to tighten it up and make it stronger so that we can hold the police department more accountable. After the recommendations were drafted and we talked about them during the February and March board meetings, we then started to request meetings with members of the City Council to gain their support for the changes. Chair **Harrison**, Vice-Chair **Bozarth** and I were involved in these meetings and I am pleased to report that so far, the meetings have been going fairly well, but we have a few more that we need to get scheduled. Getting on Council members schedules during this time of the year can be difficult."
3. In response to **M. Williams** question regarding ACRB expanding geographically as an agency, **Reid** explained. "We would not have authority to expand geographically and we would not be able to include that into the ordinance because you run into other jurisdictions. For example Marta, Cobb and DeKalb counties all of them have their own thing. The most we can do is have a process that can help other areas established their own oversight. That's the most we can do about other areas. If it doesn't involve an Atlanta Police officer or an Atlanta Corrections Department officer, we will not be able to do that."
4. Regarding the Don't Run campaign, **M. Williams** asked, "Why do we have to bow down to these folks? Are they paying for this? Is this an extra piece of campaign money they are paying for that they have grounds to stop the money and campaign? What's the attorney's going to do?"
5. **Chair Harrison:** "What the Executive Director is trying to explain is that we are going to suspend the campaign to allow the city attorney's office to look further at the campaign to make sure there are no liability issues with the campaign itself. After that it will flow back to the board for us to decide how we want to go forward."
6. **M. Williams:** "Half the time the city attorneys are wrong. They have been wrong day in and day out. Take for example the Eagle case. We don't need to run scared and play neutral."
7. **Chair Harrison:** "Did the city attorney's office give you a time line as to when they will finish reviewing the campaign?"
8. **Director Reid** - I'm expecting that we will receive something, hopefully, by the end of next week."
9. **M. Williams:** "The only thing that I don't like is that I wasn't put into this equation when it comes to talking to the City Councilmembers." "But at the same time, when you talk about somebody tap dancing like Keisha Lance Bottoms and folks like that, they just tap dancing anyway because that's what they do with this establishment. So I'm just saying something has got to be better. I'm just looking out for the folks."

10. **Price:** *“I apologize I have been out of town and I’m just getting back this evening at 5:30 p.m. Can somebody in two sentences tell me about the campaign and what was so offensive? I’m just getting in today from being with my daughter who has cancer.”*
11. **Chair Harrison:** *“What Ms. Price is trying to explain is she has been away because she has very serious health issues with her daughter. And we (the board) are all aware of that. She is a long time resident of Atlanta, a former police officer and she is due the utmost respect. Given the issues that she is dealing with right now does not mean there is any type of neglect on her part regarding her board responsibilities. What she is saying is that she has not been in town long enough to know what is going on because she has been dealing with family issues. My response to that is we are going to go into Executive Session and we will be able to explain that further when we get into Executive Session.”*

OLD AND NEW BUSINESS AND OTHER COMMENTS

The **Chair** opened the floor for discussion of any old or new business. There was no old business for discussion.

NEW BUSINESS: NACOLE CONFERENCE (*National Association of Civilian Oversight of Law Enforcement*) **Chair Harrison** alerted the Board that a decision will be made as to who will be attending the conference. He said, “Within the next 30 days, I will send emails out with regards to what’s going to go on at the conference. I will also be accepting emails if you are interested and would like to attend.”

The **Chair** also indicated that he would like to put together an exploratory committee to try and bring the conference to Atlanta. “We can look into bringing the conference to Atlanta in the future, perhaps 2017 or 2018. So what I will do is send out an email requesting your participation with regards to trying to bring the conference here.” NACOLE is a nationwide conference of oversight in law enforcement.

Discussion...

1. **M. Williams:** *“We need to do that now sooner rather than later.” Williams indicated that a decision had to be made so that the cost to attend the conference could be taken out of the current fiscal year budget. He also reported that NACOLE had a scholarship program; however, the deadline has passed in order to apply for this year’s conference. He noted that the scholarship would have been a means for individuals to travel to NACOLE who had previous concerns about the same members attending over and over again. “The Scholarship program is over now so that it has got to be whatever happens or go on your own.”*
2. **Chair Harrison,** *in response to holding the conference in Atlanta, he explained that 2017 would be the soonest that Atlanta could be included in the NACOLE process to hold the conference here in Atlanta because the location for the conference in 2016 has already been determined.*

PUBLIC COMMENTS

A total of 15 people signed up to speak including State Senator Vincent Fort. With the exception of Senator Fort, the audience was reminded that comments are keep to three (3) minutes or less.

1. Senator Vincent Fort
“Following the murder of Ms. Katherine Johnston, I was one of the first if not the first to demand a citizen review board. I consider myself an ally of the Board.” Senator Fort indicated that the Board should have received a complaint from the family of 25-year-old Alexia Christian who was recently fatally shoot by an APD officer near the Underground location. Regarding the complaint, he asked the board to ensure that the Atlanta Police Department releases all videos related to the Christian shooting on April 30, 2015. “That video is not owned by the Chief or APD but by the citizens of Atlanta. It is the property of the people and the people should have access to it. Some people say, the Police Chief and others, we can’t release it until the investigation is finished. I am a historian by training and these issues of police misconduct are very familiar to me, and every time I hear the police say, we got to hold back until the investigation is done, we know what is going on. They are stonewalling.” Senator Fort also stated, “I don’t know what

happened. All I know is a person died. A person was killed and that's the point. The dash cam and surveillance tape and videos on the street ought to be released. It is not uncommon for 911 tapes and video tapes to be released before an investigation is completed."

Regarding the Don't Run campaign, the Senator said, "You have a responsibility not to get bogged down in the dramatics of a Don't Run campaign. We want you to get back to the business we want you to do. We want to support you and make sure Mrs. Johnston died for a reason, not to let politicians make a big deal out of things and know they ain't doing nothing."

2. *Tiffany Roberts*: *Ms. Roberts is an attorney residing in Southwest Atlanta. "Kathryn Johnston didn't run. I have had countless clients to run from the police because when they see them they know they are going to be terrorized and injured."*
3. *Marilyn Wynn*: *Ms. Wynn is an organizer with Women on the Rise. "Our members are deeply concerned about the police shooting death of Alexia Christian. I tried to file a complaint about this incident with the ACRB, but was denied. I was told that since I didn't see the incident I could not file without a family member I could not file a complaint." "Nowhere in this ordinance does it say I cannot file a complaint." Ms. Wynn then read Section 2-2211, Powers and Duties of the Board to support her statement.*
4. *Xochitl Bervera*: *Ms. Bervera is the Director of the Racial Justice Action Center. She expressed grave concern regarding several issues pertaining to the Board and APD. "What Senator Fort said is right; we are in a moment after Ferguson. It is the beginning of summer and the scrutiny is very severe and our police department still can't help but shoot people in handcuffs. This is a very serious issue."*
5. *Roland Carlisle*: *Mr. Carlisle filed a complaint with ACRB and expressed concern that he was not notified that the complaint was going to be heard tonight. He also had concerns about the website and not being able to file a complaint and the board determination of his complaint. "If you (the Board) are going to make determinations as far what officer alleges, at least review his report so that you can properly make that determination."*
6. *Sarah Walton*: *Ms. Walton expressed concern about the location of the meeting being posted late on the website. "I would ask that the location of the meeting is absolutely something that gets corrected on the website."*
7. *Nelini Stamp*: *Ms. Stamp expressed concern with the Don't Run campaign. She said, "I'm sorry, but as a victim and as a survivor of rape who have been told for years that I cannot wear a short skirt because it is my fault that is what we call victim blaming." She also expressed concern with how the police have handled the Alexia Christian shooting. "We want full transparency."*
8. *Olivia Nelson*: *"I appreciate the intent of what the Board was doing with the Don't Run campaign, and we think we kind of know where you are coming from, but if you look at it, it seems like you are blaming the victim." "What's going to happen to the complaint when most of these brothers don't know who you are." "We need to come together, we need to strategize. We can knock on doors. We can pass out flyers. We can give out cards. We will work with you because the community needs to know that you are here...if you are here for a reason."*
9. *Dawn O'Neal*: +
10. *Tim Franzen*: *Signed up but yield to the next speaker for the sake of time.*
11. *Olivia Nelson*: *"I assume all of us are in this room because we know the potential that sits behind those tables. We are rarely presented with an opportunity to have people who are speaking on our behalf. We thank you and we appreciate the work that you do but again like everyone has said, we know you can do better."*
12. *Toni Michelle Williams*: *Signed up to speak but yield his time to the next speaker.*
13. *Norman Propst*: *Mr. Propst is a disable citizens living in Mechanicsville. He expressed concerned about police road blocks in his community. "Most people in communities where police are doing road blocks get sent to jail. Studies show that from 2014 to 2015, 10,577 black Americans have been locked up in road blocks. We have to stop that! I am tired of police coming to my neighborhood and following me. We have got to stop this."*
14. *Anna Kurton*: *"Many of us in this room worked with the old board before you were here Mr. Reid. We showed up time and time for the ACRB at the City Council meetings. We showed up in Executive Session. We showed up when the room had only 10 chairs and there were 50 of us. That is what got us the ACRB that we have today." "I worked as a Public Defender in Atlanta for seven years and I can tell you that the distrust, the fear, the violence that exists between the police and my clients is deep, it's real and it needs a*

resolution. ACRB is uniquely positioned to bridge the gap and be a board that has integrity, that takes complaints seriously and to ask City Council what we can do when our complaints are not sustained.”

15. Kdonj Changa: Mr. Changa expressed concerned with the campaign in general and he questioned the cost of the billboards. He said, “If you are going to put up a billboard perhaps you should put up a billboard that say’s don’t shoot.”
16. Bobbie Freeman: A resident of Allen Hills, Ms. Freeman expressed concern with the campaign stating that in her opinion it is sending out the wrong message. She said, “It implies that if you run you deserve to get hurt.” She also expressed concern with how the Alexia Christian shooting was being handled by APD. “You have power. We give you power. We are your back-up, let’s stand in solidarity and take this seriously and put pressure on the police and let them get away with it as they always do.”
17. Female member of Alexia Christian’s Family (name not stated): “I’m not really familiar with this meeting and I don’t know a lot about what you all are talking about, but what I do know is that tragedy has occurred in my family and we don’t have answers.” “We are just digging and trying to find a way to have closure. We put my sister in the ground last Saturday and we still don’t know what happened to her.” “The way that social media tried to portray her, it’s not good. It is an automatic shutdown. Like she deserved it.” Referring to social media, “Those crimes had nothing to do with my sister being gunned down. Who knows if she shot first, who knows?” “We do want closure and I feel like an investigation needs to be done.”

Following public comments, the **Chair** entertained a motion to go into Executive Session to discuss a staffing issue.

It was moved by **Price** to go into Executive Session. **Bozarth** seconded. Calling for the vote, the motion was approved.

It should be noted that the audience voiced strong opposition to the board going into executive session without an acknowledgement of the Christian’s family grief and pain.

EXECUTIVE SESSION BEGINS (8:50 p.m.)

State of Georgia, County of Fulton Affidavit dated May 14, 2015 signed by William Harrison, Board Chair citing a personnel issue as the reason for the closed session. O.C.G.A.§50-14-3(b)(2).

EXECUTIVE SESSION ENDS (8:57 p.m.)

M. Williams moved to end closed session and reopen the meeting. **Bozarth** seconded. The motion was approved by all.

Discussion...

1. **Chair Harrison**: “There were a number of things discussed that I personally, as a board member and as Chair would like answers to that were mentioned that were not done and we assumed were being done by staff. I made notes of those things. First of all with regards to Roland Carlisle and his complaint. I didn’t even know that he filed a complaint.”
2. **Bozarth** and others: “That’s the complaint you heard tonight.”
3. **Harrison**: “That’s the one we heard tonight? Okay. I though he said his complaint was turned down.”
4. **Lolar**: “No, he said in the beginning when it processed, and he even said, Mrs. Lolar I appreciate what you have done and tried to do.”
5. **Reid**: “I’m thinking...a couple of things that need to happen, as far as that family goes, one, she (family member who spoke tonight) is a family member of the deceased and we can take that complaint.”
6. **Chair Harrison**: “But why didn’t we take the complaint in the beginning?”
7. **Reid**: “No one from the family came up. That first lady (3rd public speaker) who came up wasn’t a family member.”
8. **Bozarth**: “But she read the ordinance that said that anybody can file a complaint. Is that not true?”
9. **Reid**: “That’s not how it works.”

10. **Fleming:** “She (third public speaker) came in today and we notified her of that (has to be a family member or witness to the incident) and she said “I already know that.” She just came in anyway.”
11. **Chair:** “So are we clear that only a family member can file a complaint?”
12. **Reid:** “Family members or a person who was an eye witness because you are going to have to sign to attest that all is true. The only way you can sign to attest to something true is you had to be a witness.”
13. **Bozarth:** “The ordinance that she read, it seemed pretty clear to me...”
14. **Reid:** “You can conduct a study, you can direct us to do something or we can initiate it.”
15. **Bozarth:** “You can initiate it. You could say, hey this is something that even though nobody has filed a complaint, that we need to look into. It sounds like to me, maybe I’m wrong, so when we told them we can’t accept it, I don’t think we gave them the right service there.”
16. **Robertson:** “We accepted it and it would have been presented in the May Intake Report for you all to make a decision on. So you would have had that opportunity at the June board meeting.”
17. **Bozarth:** “But is it true as it was stated tonight that someone brought a complaint about Alexia Christian, and we turned it down because they were not a proper complainant? That’s what somebody said. If that’s not true, tell me. If it was turned down, why?”
18. **Reid:** “My understanding of the way the practice is, if you don’t have first-hand knowledge of it, meaning you were a witness of it or in the case of a death, a family member of the deceased person or a victim of it, you will not be able to bring a complaint. Now I understand what you are saying about the initiating of a study, and if the Board would like to have us do that, and just take whatever you want to, then we won’t need an ordinance change to be able to do that, we just accept what we want to accept. The Board can just say I want you to investigate everything that comes in. Right now that’s not how it works, but you can make that decision. The second thing, regarding the Christian complaint, yes we can investigate that complaint but unfortunately, we missed an opportunity to be able to give the family our condolences. We got the investigators here, we got the family members here and we can go ahead and sit down and take the complaint.”
19. **Harrison:** “I think the bigger issue here, like Bill (**Bozarth**) is saying is that when the lady read the ordinance and the way she read it, my question is, is that true?”
20. **Reid:** “If you are telling us to take something, we (the board) can take it.”
21. **Harrison:** “The Board. So we can determine that.”
22. **Bozarth:** “But John Q. Citizen can’t submit complaint if he was not involved?”
23. **Lolar:** “That is in the intake process. That is what Sheena (**Robertson**) reads off to you each month...this is the complaint; this is what it is about what is your stand on it? Are you going to tell us to investigate it or dismiss it? We just got the complaint this May and you will not have the complaint until June.”
24. **Harrison:** “But was the complaint turned down?”
25. **Fleming:** “Yes, because we were operating under the guidelines that you had to be family member or witness and she in turn told us, “I knew that already.” And all that happened today.”
26. **Harrison:** “That happened today?”
27. **Fleming:** “Yes.”
28. **Lolar:** “But they (a family member) came to us today, at the meeting, and gave us the complaint and now we just received it.”
29. **Harrison:** “I thought that we already had a complaint but all this just happened tonight. I actually email Vincent Fort on May 4th but I was under the impression that a complaint was already in the works. So I didn’t get that but now I understand.”
30. **Bozarth:** Let me pose another issue. My recommendation on the problems with the website, tell the Executive Director to annotate those and fix them and let’s get on to the major things that we heard here tonight i.e., to what extent can we get involved (speaking of the Alexia Christian shooting), this is a very important issue for Atlanta. Secondly, what are we going to do about the Don’t Run campaign? Those are the things we need to focus on. Do you want to continue to talk about them now or how do we handle it?”
31. **Harrison:** “I think this Don’t Run campaign is a hot button issue enough that we need to be clear right now about what’s going on with that.”
32. **Bozarth:** “What’s not clear?”
33. **Harrison:** “What’ not clear to me is where we go from here, number one? Number two, Lee (**Reid**) prior to you going to the Public Safety Committee meeting, was the board informed that you were going before the Public Safety Committee?”
34. **Reid:** “I was summoned. It wasn’t like I planned to go.”

35. **Harrison:** “Okay, then that’s the disconnect that I have.”
36. **M. Williams:** “They asked for him. I received three calls from people in the audience and I call Lee (**Reid**) and her and the main number. I was told by the office that they were on their (Lee & staff) way. Let the day be lovely and then the news started coming on the TV. I’m like this, we’re getting good publicity whether it is negative or positive. Now what are we going to do with the publicity? We need to decide what we are going to do while we are still in the light.”
37. **Attorney Hoffler:** “What happened was the speaker mentioned it when he was giving public remarks about the Don’t Run campaign and no one from ACRB was there. They wanted remarks from Mr. **Reid** on what the campaign was about. So he had no way of knowing prior to that they would discuss that. In fact, I got in trouble too because like you (**Reid**) I didn’t know what was coming.”
38. **Harrison:** “So now I’m up to speed. You (**Reid**) got summoned. So this is the issue and now I am clear that this was a committee that summoned our Executive Director without notice. Then what I would ask is this, Lee (**Reid**) send an email to the Board explaining some of the issues that we have heard here tonight to bring us up to speed as to what is really going on, and don’t leave out the small stuff. Because that may be the disconnect.”
39. **Reid:** “Yes, I will.”
40. **Price:** “I would like to make a suggestion. There are so many things that I think are over our heads and we don’t understand them. Like we can investigate deadly force but other than the two investigators, most of y’all don’t have any idea how to do an investigation. You wouldn’t be able to tell whether they shot from the front of that car or did that lady shoot from the back. It all depends on how the glass fell. Most of y’all don’t know that. You need to get in those cars and go out and ride with those police officers. Or go out there to the Academy and take some training on this stuff caused they will be talking over our heads.”
41. **Harrison,** “We have competent investigators.”
42. **Price** addressing individual board members and asking each if they knew how to conduct deadly force investigations, “Do you? Do you? Do you?”
43. **Harrison:** Robin and Sheena, have training, all three. So we got competent investigators. But I want to be clear, based on the issues we heard tonight, pretty much all of them, just do an email to us bringing us up to speed to where these certain things are. Alright?”
44. **Reid:** “Yes, I got you.”
45. **Souder:** “Is there any way we can get the minutes instead of the day before the meeting? Maybe the Monday before the meeting.”
46. **Robertson:** “The reason they were late this time, is because of what was going on in the office surrounding the campaign and budget preparation.”
47. **Smith:** “Mr. Souder, I hear you and I will certainly do my best.”

Special note: The management of the building was closing the facility and calling for an end to the meeting.

48. **Bozarth:** “Let me make one comment before we go. It is hard to get this group together. We are together now and know better time to get a sense of the board around these major issues and what we want the organization to do. Otherwise, we will have to wait another month to have this opportunity. So if we need to go outside to talk about it, that’s fine.”

Following the discussion, without taking a vote, the Board decided that since the Christian case was received tonight, the complaint would be presented in next month’s Intake Report for the Board to vote on to investigate or dismiss. It was also agreed that **Chair Harrison** would reach out to the Christian Family to express condolences. With regards to the Don’t Run Campaign, the Board will wait to hear back from the Law Department to determine if there is any liability issues associated with the campaign. The results of the report will flow back to the Board where it will then be determined by a vote to proceed or not with the campaign.

ADJOURNMENT

Hearing no further business, *the Chair* entertained a motion to adjourn. **Bartels** moved to adjourn. **Souder** seconded. Meeting adjourned officially at 9:21 P.M.

*This is the official record for May 14, 2015 Atlanta
Citizen Review Board Meeting. The minutes were
approved by the Board on June 25, 2015.*

Paul Bartels, Secretary