

**APPROVED: March 14, 2013**



**ATLANTA CITIZEN REVIEW BOARD**  
FEBRUARY MEETING MINUTES  
55 Trinity Avenue, SW, Committee Room Two  
Atlanta, Georgia 30303  
February 14, 2013 / 6:30 P.M

**ROLL CALL**

*(Eleven Members of the Board)*

ACTIVE MEMBERS PRESENT

**PAUL BARTELS** (*Chair/Bartels*)      **RYAN JOHNSON** (*R. Johnson*)  
**BILL BOZARTH** (*Bozarth*)      **LABRIAH LEE** (*Lee*)  
**WILLIAM HARRISON** (*Harrison*)      **RUTH PRICE** (*Price*)  
**BARBARA HUBBARD** (*Hubbard*)      **MACEO WILLIAMS** (*Williams*)  
**CHARIS JOHNSON** (*C. Johnson*)

ACTIVE MEMBERS ABSENT

**BARBARA HUBBARD** (*Hubbard*)      **ALAN MORRIS** (*Morris*)

ONE VACANT APPOINTMENT

*Atlanta Business League (vacant 7 month)*

STAFF ATTENDEES

**SAMUEL LEE REID** (*Reid*), Executive Director; **KENNETH LIVELY** (*Lively*), Investigator; **SHEENA ROBERTSON** (*Robertson*), Investigator; **MYOLA SMITH** (*Smith*), Recorder/Transcriber; **BILL CASTING** (*Casting*), Attorney, COA Law Department

**A G E N D A**

**MEETING CALLED TO ORDER**

The meeting was called to order by **Chair Bartels** at 6:35 p.m., starting with the roll call. He welcomed citizens announcing that Public Comments will be heard later into the agenda and speakers must sign up and limit comments to three (3) minutes. The **Chair** also welcomed members of the Atlanta Police Department (APD), Office of Internal Affairs. Osa Benson was recognized by the **Chair**. Her confirmation is pending approval.

**APPROVAL OF MINUTES OF THE LAST MEETING, FEBRUARY 14, 2013**

The **Chair** directed the board's attention to the minutes for February 14, 2013 meeting. The floor was open for discussion and corrections to the minutes.

The **Chair** made note of two corrections on page seven: *item #2, line five, 'positive'* should be changed to *'dispositive'* and *line seven "office's"* should be changed to *"officer."*

**Williams** moved to accept the minutes as modified. The motion was seconded by **Price**. No further discussion, the motion was approved by all.

## **EXECUTIVE DIRECTOR REPORT**

The following are highlights from Director **Reid's** report:

### A. OUTREACH ACTIVITY

**Reid** reported that the staff has been working on initiating programs in the community to build awareness and education. The plan is to hold sessions at various recreational centers throughout the city focusing on Zones One, Four and Six first and later the others. More information will be available in a couple of weeks.

### B. TASER TRAINING

The staff participated in taser training over the past month. Investigators went to taser training three weeks ago and **Reid** indicated that he went today. **Reid** said, "It was exciting and I got tased."

### C. RETREAT

The Board Retreat will be February 23<sup>rd</sup> from 9:00 a.m. to 2:00 p.m. at City Hall in the ATL Stats Room located on the Ground floor. **Reid** said that the retreat mark the beginning of a series of events being planned for board development. He encouraged all members to attend next Saturday, February 23, 2013.

### D. BOARD ELECTION

**Reid** announced that the annual election for Board officers will be held tonight following the discussion and review of the complaints. Two weeks prior, **Reid** indicated that he had sent out information and materials for the board to review and to provide feedback. Included was a Board Orientation Manual draft for new members, and an election manual. "The purpose of the election manual is for you to think about the qualifications and qualities you are for in the elected individual to serve on the board in a leadership position."

Following **Reid's** report, the floor was opened for questions.

1. *Regarding the taser training, Chair Bartels asked if the staff knew how many officers were carrying tasers.*
2. *Robertson responded, "So far Zones One, Three and Four and that is about 250 officers. They ran out of tasers, but more are expected to come in and the rest of the zones will soon have them."*
3. *Bartels, "So the plan is to basically equip every officer with one?" Robertson replied, "Yes."*
4. *Williams asked about the demographics of the zones being focused on first. Price responded, "Zone One is mostly northwest Atlanta and Zone Four is southwest and Zone Three is predominately southeast. These are the most high crime areas, so they got them first."*
5. *Bartels, "Are tasers intended to be used more as an alternative to lethal force, where lethal force might be indicated or is it kind of an intermediate step...unlike the continuum with different kinds of force?"*
6. *Reid, "My understanding is it is a less than lethal force. However, if an officer needs to use lethal force, he is not going to apply the taser unit, I am sure he is going to use his duty*

weapon. The taser is a less than lethal force and it is another tool, in a number of tools that they have.”

7. **Williams**, “Last year, I went to the national conference in New Orleans and there were classes held on tasers. Officers are equipped with various types across the country. I don’t know what type they are using in Atlanta right now, but there are various types of tasers, depending on the voltage. That is something that has to be taken under consideration also. I can share the information from the conference if anyone wants it.”
8. **Robertson** stated, “The taser that they are using is an X-2 and it has a camera...it videos and records.
9. **Lively** added, “Every time the officer cuts on the taser, the camera starts recording and when it is deployed, it ejects little pieces of paper with an identification that will show which officer’s taser it came from. After it is deployed, the officer is supposed to go back and do a Use of Force Report and they download the images from the camera to a computer where it is reviewed by the officer and his supervisor.”

## INTAKE REPORT FOR JANUARY 2013

**Investigator Robertson** reported on the number of complaints received for the month of January 2013. **Robertson** reported that a total of six (6) complaints were received for the month and they are listed as follows:

Complaint Number: ACRB 13-01, Tonya Bevins alleging Inappropriate Conduct

Staff recommends dismissal because the allegation is outside the Board’s jurisdiction

Complaint Number: ACRB 13-02, Lou Zmihao alleging Parking Ticket Dispute

Staff recommends dismissal because the allegation is outside the Board’s jurisdiction

Complaint Number: ACRB 13-03, Janice Battles alleging False Arrest & Excessive Force

Ms. Battles alleges that her son, Demario Battle, who is incarcerated at the Fulton County Jail, was falsely arrested by APD Officers on December 27, 2012. A signed ACRB Complaint form was received from Demario shortly thereafter. In his complaint, Demario further alleges that he was physically assaulted during the arrest. Preliminary investigation revealed that Mr. Battles’ arrest was pursuant to two outstanding warrants; therefore, recommends investigation as an excessive force complaint only.

*(It should be noted that during the discussion of this report, Complaint #13-03 was later amended to Excessive Force and Abusive Language was added to the complaint. The False Arrest will not be investigated since there were two outstanding warrants for Mr. Battle.)*

Complaint Number: ACRB 13-04, Ms. May Youman alleging Excessive Force

Ms. Youman alleges that on February 2012, her son was physically assaulted by a Fulton County Resource Officer. Staff recommends dismissal because the complaint falls outside the Board’s jurisdiction.

Complaint Number: ACRB 13-05, Michael Broadnax alleging False Arrest

Mr. Broadnax alleges that on November 30, 2012, APD Officer Antoine Harp falsely arrested and charged him with disorderly conduct. Preliminary investigation revealed that Mr. Broadnax’s case was dismissed January 9, 2013. Recommend investigation as a false arrest complaint.

Complaint Number: ACRB 13-06, Malcolm King alleging Negligence

Mr. King wants to file a negligence complaint against APD concerning a double homicide that occurred on September 23, 2012. Mr. King stated that he filed a complaint with OPS and is awaiting the outcome of their investigation. Staff recommends dismissal because the complaint falls outside the Board's jurisdiction.

Following the report, it was moved by **Williams** to accept the report as amended. **Bozarth** seconded the motion. Hearing no further discussion, the vote was called and the motion was passed unanimously.

## REVIEW OF CASES:

### A. COMPLAINT NO. 12-22, DUANE BLOCKER

**Chair Bartels** summarized the complaint filed by Duane Blocker. There are three complaints involved in Case #12-22: a False Arrest on June 18, 2012; False Arrest, July 4, 2012 and an Excessive Force in conjunction with the July 4<sup>th</sup> arrest. The case was investigated by ACRB Investigator Sheena **Robertson**.

#### The July 18<sup>th</sup> False Arrest:

##### *Discussion...*

1. **Bartels** stated, "Regarding the June 18<sup>th</sup> arrest, the staff recommendation is that we **sustain** the allegation. It appears that complainant was ordered by the officer to leave; however, the City ordinance specify that all the rules that have to be followed must be posted in the park and this one, it seems, was not and that is the bases of the staff's recommendation."
2. **R. Johnson** asked for clarity on the park rule. "The question of the rule came from the security officer or ADI's upper management is something that they kind of made up. It wasn't like it was a policy or rule that they already had on the books at the time."
3. **Bartels** stated, "I don't know if it was written down elsewhere, it could have been, but the investigation was that it was not posted in the park and that is what the ordinance requires in order for it to be a lawful order."
4. **Bozarth** asked, "The initial approach to the complainant was made by one of the Ambassadors employees. Can somebody clarify for me what quasi official capacity do the Ambassadors have? Clearly they have been employed by the Downtown Business group but are they empowered to basically be sort of a security force within the park and other parts of downtown? I guess what it sounds like here, is once they had the need to actually enforce something they would have to call APD. Can someone tell me how the Ambassadors are supposed to work with the police department?"
5. **Robertson** responded, "The Ambassadors are basically there to just ensure that the people in the park follow the park rules and are in compliance with the park rules. If anyone in the park has to be arrested, they don't have police powers to do that. They have to call APD."
6. **Bartels**, "I think it is clear, they don't have arrest powers. They are just kind of the eyes and ears."
7. **R. Johnson** asked, "Do we know if it is the responsibility of the officer to be aware of the policies of that park in order to maintain that permit that they have? Are the officers required to know the rules of the park?"
8. **Bartels** responded, "I don't think they are required to know all the rules of the park, but if they are actually going to place someone under arrest, pursuant to a city ordinance, they certainly are required to know what the ordinance says. The ordinance does state the grounds for an arrest on that basis, is violation of parks rules that are posted and this one wasn't posted."
9. **Robertson**, "There are no such rules that says a certain amount of chairs has to be at a particular table, a certain amount of people can only be seated. It was just something that people who were coming into the park were complaining about when they wanted to play

*chess and they didn't have a seat. So this was just something that they decided to start enforcing; but, there is nothing in writing."*

10. **R. Johnson**, "Does the park rule state that all attendees must comply with officer request?"
11. **Bartels**, "That is a city ordinance."
12. **Robertson** added, "And since that time, they have acknowledged that this was an issue, so they are no longer enforcing this so call rule anymore."
13. To clarify, **Bartels** said, "In the City ordinance section it just says 'it prohibits disobeying a lawful order from a police officer, and the key being 'lawful order.' If it is not based on law, then there is not a legal duty to obey that."
14. **Bozarth**, "The staff has recommended that some of the complaint be sustained and I probably will agreed with that, but I would want to say for the record that the officer here was placed in a difficult position having to come in and then sort of deal with what became an altercation as a result of this confusion. I think that qualification should at least be noted."
15. **Williams** noted for the record, "The Ambassadors were actually put there during the Olympics to assist the police department during this time. They were not just there to deal with citizens during the Olympics but to carry on from there."

Following the discussion of the June 18<sup>th</sup> arrest, the **Chair** opened the floor for a motion.

*It should be noted that Williams made a motion and then decided to withdraw it. He stated, "I withdraw the motion and recuse myself from this part of it because of my closeness to the case being in the civil rights arena and I have known about this case for quite a while."*

It was moved by **C. Johnson** to accept the staff's recommendation to **sustained** the allegation of False Arrest as alleged by Mr. Blocker against the APD Officer. **Price** seconded the motion. No further discussion, the vote was called and the motion was approved with one abstention. **Williams** recused himself from the vote.

#### The July 4th False Arrest:

The **Chair** indicated that this arrest involved essentially, the same issues. Staff recommendation has been to sustain the allegation. The **Chair** entertained a motion.

It was moved by **Harrison** to accept staff's recommendation to sustain the allegation of False Arrest against Officer Thomas. **Bozarth** seconded the motion. No further discussion, the vote was called and the motion was passed with one abstention. **Williams** recused himself from voting due to his knowledge of the case.

#### The third allegation in Complaint #12-22 is Excessive Force:

The **Chair** indicated that the Excessive Force allegation is also related to the July 4<sup>th</sup> arrest in particular the use of the handcuffs and the subsequent visit to the hospital which is documented. The recommendation from the staff is to sustain. The **Chair** entertained a motion since there was no discussion.

It was moved by **Harrison** to accept the staff's recommendation to sustain the allegation of excessive force. The motion was seconded by **C. Johnson**. Hearing no further discussion, the vote was called and the motion was passed with one abstention. **Williams** recused himself from voting.

#### Questions/Comments...

1. **Bozarth** stated, "I noticed that the staff suggested that the officer involved had a part-time job working for the Atlanta Downtown Improvement District. The staff recommends that we incorporate into our letter, the recommendation that that not be continued. Again that goes back to my earlier question of clarity of the role of this quasi enforcement group known as the Ambassadors on the police force. It sounds like they have taken some action, but I would like

to point out that is probably appropriate, that if the officer does duty in that zone and does duty around the park, it would be inappropriate to also be employed as a security guard...which I guess is the indication here. Sheena (**Robertson**) can you tell us what his duties were in terms of employment with the Downtown Improvement District?"

2. **Robertson** responded, "Just to provide security, that's it and he has been doing that for them for about four years now."
3. **Bozarth**, "So he could be there in the capacity of a privately hired security guard or police officer and both times in uniform."
4. When asked to share comments about where the officers should draw the line, **Price** said, "I read this report a couple of weeks ago and my feelings at the time were the officers worked an extra job that supports the Ambassadors. The officers who were working in that area, that is an extra job for them. They work for a retired Atlanta Police officer, Lieutenant Moss and he is in charge of that. Regarding this situation, I thought the Sergeant on the scene could have eliminated all of that, but he didn't. So I would not recommend that these officers not be able to work an extra job. There is nothing I know of in writing that says if I work in that zone, I can't work an extra job there. So as far as I am concern, I see nothing wrong with the fact that they were working there. The only thing that I saw wrong was the fact the Sergeant came on the scene and he could have taken appropriate action and informed the officer to be careful enforcing rules that are not part of the Georgia statue."

#### B. DISCIPLINARY RECOMMENDATION

Following the discussion, **Robertson** provided the officer's disciplinary background. She said, "Based on Officer Thomas prior disciplinary history, he has never been disciplined on anything concerning this particular incident, so the discipline would be considered a category 'A' violation, Work Rule 2.33, Conforming to a Directive for Violation of the Arrest Procedures. The penalty range would be an oral admonishment or a written reprimand. You can also recommend some proactive correctional action such as training and counseling, but that is in regards to the False Arrest. He has been with APD since 2007 and he has had nine (9) complaints. Four (4) were sustained but they had nothing to do with similar conduct that we have here. The four complaints consisted of a failure to appear in court; failure to secure a prisoner; late for training and another was when he made an arrest, and charged the suspect with the wrong charge."

Also, **Robertson** noted that the officer had been disciplined in another case that came before this board and that was the complaint filed by Shequita Walker. He received an oral admonishment because they felt that he charged her under the wrong section of the disorderly conduct.

#### *Discussion/comments...*

1. **Bartels** indicated that he recalled the board sustaining that complaint. **Robertson** indicated that she didn't recall because the investigator on the case was Marc Addington.
2. **C. Johnson** stated, "My recommendation would be a written reprimand and include training and counseling. It sounds like his pattern and history is more about not knowing the correct citation to charge people with and maybe he just needs further training."
3. **Price**, "Counseling is not a part of disciplinary action. If he had an oral admonishment last time then this time it would have to be a written reprimand."
4. **Robertson** responded, "You can do proactive corrective action and that includes training, counseling."
5. **C. Johnson**, "My reason for that is because I looked at the nature of his complaints and a lot of them such as running late for training and court are not as a egregious as not getting the right charge. Also, I recognized that he might have gotten a little chummy with the Ambassadors and when he went to the situation, he assumed that the complainant was automatically doing the right thing. He was the law officer and he should have been more aware of how to handle the situation."

6. **Bartels** said, “The majority of the time, my vote is to go with something that is within the grid, but I believe it may be appropriate to go outside of that in this point. I say that for a couple of reasons. One there is the previous history and I know we are talking about this particular incident, but the last incident, if I recalled correctly, Ms. Walker was sitting off the side walk and we determined that she was not doing anything illegal but yet he told her to move along. She said, “Why?” If I recall correctly, she was arrested for that. The second reason, if you recall, on the video tape he is asking the next complainant, Mr. Wright to move and Mr. Wright said something about calling 911. He then said to Mr. Wright on the video tape, that if you don’t move, you are going to need 911. I think that is pretty egregious and I think that is something that makes this more than just a little bit of a misunderstanding.” **Williams** agreed.
7. **Harrison** asked “When you talk about going outside the grid, are you talking about moving it up to a Category ‘B’ violation?”
8. **Bartels**, “Yes that would involve some suspension and yes that is what I am suggesting.”
9. **Price** said, “I have to disagree with that because I don’t think that is a suspension offense. What I would do is contact the supervisor that these officers work with. I see officers who are horsing around and laughing and talking but the person I see at fault here is the Sergeant, who came on the scene and did not do anything. If I was writing something up, I would make a note that a Sergeant did come on the scene and this kind of situation could have been eliminated had he taken the appropriate action, but he joined alone with them. They have been on the job a long time and they are conducting themselves unprofessionally.
10. **Bartels**, “I agreed that there is also a supervisory issue here with that. However, the previous situation, if I recall correctly, occurred on Boulevard and we were informed by the ACRB Director at the time, that they had done an analysis of how many times people were arrested for disorderly conduct in the zone and with this particular officer and it was significantly disproportionate. To me that raises a training issue as well.”
11. **Williams** referring to the Walker incident, “I believe that at that particular time, this same officer was repeatedly doing things against citizen rights and we need to take this also under consideration.”

The **Chair** entertained a motion. **Harrison** moved to table the disciplinary recommendation of Officer Thomas until staff can provide information pertaining to the officer’s training history and continue the discussion at next month’s meeting. The motion was seconded by **R. Johnson**. No further discussion, the motion was approved.

C. COMPLAINT NO. 12-23, HOWARD WRIGHT

The **Chair** indicated that complaint #12-23 filed by Mr. Wright’s is related to complaint #12-22 (Blocker). Mr. Wright was at the location as was Mr. Blocker. The complaint involves the July 4<sup>th</sup> allegation of false arrest and excessive force. Regarding the July 4<sup>th</sup> alleged false arrest, the staff recommendation is to **sustain**. The **Chair** entertained a motion.

**Williams** moved to accept the recommendation of the staff. **Harrison** seconded. Hearing no further discussion, the vote was called and the motion was approved

Regarding the July 4<sup>th</sup> allegation of excessive force, the staff’s recommendation is to **not sustain**. The **Chair** indicated that unlike the previous case there was no definitive diagnosis in hospital records that would rise to the level, in staff’s opinion, that this would be excessive force.

No discussion, the **Chair** entertained a motion.

It was moved by **Bozarth** to accept staff’s recommendation to **not sustain** the allegation of Excessive Force as alleged by Howard Wright. The motion was seconded by **Price**. Hearing no

further discussion, the vote was called and the motion was approved with two Ney votes: **Williams** and **Harrison**.

D. DISCIPLINARY RECOMMENDATION REGARDING COMPLAINT NO. 12-23,

*It should be noted that since Case #12-23 is related to Case #12-22 and the arresting officer is the same officer in both cases; the recommendation for discipline was also table for this case pending additional information from the staff.*

The **Chair** entertained a motion.

*It was moved by **Harrison** to table the disciplinary recommendation of Officer Thomas until staff can provide information pertaining to the arresting officer's training history and continue the discussion at next month's meeting. The motion was seconded by **Bozarth**. No further discussion, the motion was approved.*

## ELECTION OF OFFICERS FOR 2013

**Executive Director Reid** facilitated the election announcing the three open positions and the following candidates interested in the positions:

- *Candidates for the position of Board Chair: Paul Bartels and William (Bill) Harrison*
- *Candidates for the position of Board Vice Chair: Maceo Williams and*
- *Candidates for the position of Board Secretary: (No candidates volunteered)*

**Reid** opened the floor for additional nominations.

### Questions/Comments...

1. *Since there were no volunteers for the Secretary position, the question of if a Secretary is not selected, can the current Secretary, Alan Morris, be retained for another term. It should be noted that Alan **Morris** was not present at the meeting for the election. **Reid** indicated that the nomination of a member who is absent during the election and whether or not they can be retained to serve another term is not addressed in the by-laws or ordinance. However, **Reid** indicated that the Board could request **Morris** to retain his position and vote on it at the next meeting to make it official if he chooses to stay on.*
2. ***Bartels** agreed that it could probably be handled as such. He said, "I believe it could be handled that way by the Executive Committee because the by-laws do give the executive committee pretty broad discretion to conduct the business of the board which I think would encompass that and although **Morris** is absent due to illness, he has indicated that he would be amenable to retain the position if no one else volunteered. I think we should go ahead and put him on the ballot by nomination and a vote."*

*The following nominations were made from the floor:*

- *It was moved by **Bozarth** to nominate **Morris** to be the Board Secretary. The motion was seconded by Bartels and the approved and approved by all.*
- *It was moved by **C. Johnson** to nominate **Harrison** for Vice-Chair in the event he is not selected for Chair. The motion was seconded by **Williams** and approved by all.*

The nominees were restated including **Harrison** as a candidate for both **Chair** and **Vice Chair** positions.

It should be noted that **Board Attorney Casting** ruled that a member could not run for both positions and must decide between the two. **Harrison** indicated that his preference would be to run as a candidate for Chair instead of Vice Chair to avoid the conflict.

Nominations from the floor closed and the candidates proceeded to present their platform relative to their candidacy.

#### BOARD CHAIR POSITION:

##### William Harrison, Candidate:

**Harrison** has been a member of the Board since September 2011. He is the City Council appointee. He was elected as Board Vice Chair in February 2012 and he was Chair of the Personnel Search Committee for the ACRB Executive Director. **Harrison** has a law degree and has recently taken the New York Bar and plans to take the Georgia Bar exam in about a year or so. He distributed an agenda indicating his intentions for the coming year. **Harrison** stated, "I am currently the Vice Chair of the ACRB. During my current term as a member of this board, I have witnessed a progression from hostility to stability as far as the board is concerned. I have, to the best of ability, assisted wherever necessary to bring more stability to the Board. Based on my preliminary review and the knowledge I have obtained by reviewing various policies, by-laws and attending the NACOLE convention, I believe this Board can accomplish many things. We can be a model for the region, as well as, the nation." If elected Chair, **Harrison** proposed a list of goals and tasks he would like to see tackled in the coming year. Some of them included updating and revising the board's by-laws; training compliance for all members; fair and balance policing in targeted communities; and on-going community outreach to name a few.

##### Paul Bartels, Candidate:

**Bartels** has been a member of the board since November 2010. He was elected as Board Chair in February 2012. He is a Criminal Defense Attorney. **Bartels** said, "It has been a real pleasure working with a great group of folks. I agree with a lot of what Mr. **Harrison** said. We have certainly gone through a certain amount of difficulty with this board to a lot more harmony. We have a really good staff on board who stuck with us and a director who is really enthusiastic and well experience in running this sort of board. I think we have a good future ahead of us regardless of which one of us is selected to be the Chair. It's been a real opportunity for personal growth for me. I have had to handle some difficult situations. I have learned a lot about reconciling and balancing different personalities and different points of view...not getting too stressed out over some of these things. That is one of the big lessons that I have taken from that and is something I can bring to the table. Regarding my priorities, my first is Community Outreach. The staff has some really good plans to do that. I had the privilege of marching with staff and Mr. **Williams** in the MLK Day March. It was a good experience and really brought home to me what we as a board can bring and do bring to this community. I do Criminal Defense for a living and I think that does give me a pretty good understanding of a lot of the issue we deal with especially, involving arrest and probable cause for arrest, excessive force, search and seizure and that sort of thing. I think it actually takes more than a year to serve in this position and make the impact that I can."

#### BOARD VICE-CHAIR POSITION:

##### Maceo Williams, Candidate:

**Williams** has been a member of the board since October 2009. He was twice appointed to serve on the board by the Atlanta Planning Advisory Board (APAB) representing NPU S-Z. **Williams** was elected Vice Chair in February 2011 and he served until February 2012. He also served as Chair of the Outreach Committee and as a member on the Personnel Committee in search of a new Executive Director. **Williams** said, "I have in the past chaired the Outreach Committee and we put together a strategic plan for the Board to consider. I have attended two national conferences, one in New Orleans and recently in San Diego. I attended sessions at the conferences that were focused on

people because that is my livelihood. I am member of the civil rights community. I deal with people issues not only on the NPU level but on a city wide level. I speak and vote on behalf of citizens because citizens are what this board is made of and made up for. When this Board was first put together, I marched with Rev. Lowery and others to help formulate this Board. The bottom line is, I have always been here and I will be there and I will never have anything corrupt in my heart, only people in my heart. Whether I am on the board or off the board, I will always do community outreach.”

After the presentations, the ballots were cast. The voting results are as follows:

|                          |                               |                                   |
|--------------------------|-------------------------------|-----------------------------------|
| <b>Board Chair:</b>      | Paul Bartels - <u>6</u> votes | William Harrison - <u>2</u> votes |
| <b>Vice Board Chair:</b> | Labriah Lee – <u>1</u> Vote   | Ryan Johnson - <u>1</u> vote      |
|                          | No Votes - <u>3</u> votes     | Maceo Williams - <u>3</u> votes   |
| <b>Secretary:</b>        | Alan Morris – <u>7</u> votes  | No Vote – <u>1</u> vote           |

The new ACRB officers for 2013 are **Paul Bartels**, Chair; **Maceo Williams**, Vice Chair and **Alan Morris**, Secretary (*pending his official acceptance*).

*For the record, it should be noted that Attorney Casting was asked to explain the Vice Chair vote whereby Mr. Williams was able to win with only three votes. Casting explained, “In a situation where you have some people who do not vote, you take the votes that you did have and the majority of those votes will be the person who is elected. Bartels asked, “So the majority of people casting votes in a particular office.” Casting replied, “Yes.”*

Director **Reid** extended congratulations to the new officers.

## **PUBLIC COMMENTS**

**Chair Bartels** opened the floor for public comments. Three people signed up to speak:

### 1<sup>st</sup> Speaker: Mr. Edward Jones

Mr. Jones represents National Action Network (NAN) founded by Rev. Al Sharpton. He is the Vice President of the NAN Atlanta Chapter. He said, “We have been concerned with what goes on with this review board for quite some time. We would love to partner with you to help fill a lot of the complaints we get in our office related to various issues pertaining to the Atlanta Police Department. We also would like to find out what your actual jurisdiction or zoning would be to accept the complaints that we have. People go from place to place with their complaints but this is where they need to be. It is good to have boards like these that can actually make binding agreements. I was really impressed to see you all discuss and make recommendation to discipline police.”

### 2<sup>nd</sup> Speaker: Duane Blocker

Mr. Blocker cases were discussed tonight. He expressed appreciation to the board and also talked about some concerns. He said, “I want to thank the Board for taking time out to review my complaints. I also want to thank you for voting the way you did; however, in the recommendation stage, I wish you all would look a lot closer at how you make recommendations for punishment. To be a victim of false arrest two or three different times and even a fourth time, which has not been submitted yet, but to be falsely arrested by the same officer twice for the same alleged conduct that the court had already discerned was not a violation of the law, just like Mr. **Bartels** said, is egregious and then for him to turn around and threaten another citizen who was also not in violation of the law.

I think it is this type of conduct when it is excused as simply “he hasn’t been trained” which is supposed to have been accomplished before he was given a badge and a gun, creates the type of indifference that lead police officers to one day end up murdering a 92 year women in her home. As a man walking the street, to hear that this officer may have the opportunity to continue to work, is really frighten me. Because again, it wasn’t that he appeared and was put on the spot, he had been working for ADIB for four years so he knew the difference between a city ordinance and a rule that was created by a non-profit organization that doesn’t have the authority to create rules on public property. It was recorded, you hear the language and you see the conduct. Twenty or thirty people were told to stop playing chess in a public place, because we refused to adhere to rules that were told to us by a non-profit organization that do not have the authority to tell us what to do. So when it comes to making recommendations about punishment, I think it should be more severe than a reprimand. Remember, you are setting an example. We have a law that says, ‘Ignorance of the Law is No Excuse’ but now for a police officer who do not know the law that is dangerous because he has a gun!”

3<sup>rd</sup> Speaker: Ms. Jean Lee

*Ms. Lee is a member of NAN (National Action Network). She asked, “In order to be a member of this board, do you have to be a resident of the City of Atlanta or Fulton? That is my first question and my second question is when you sit on this board, is it a volunteer position?”*

The **Chair** responded, “Those are good questions. I am not aware of any requirement that people on the board have to live in Atlanta or Fulton County. I have been appointed by the Atlanta Bar Association. There are several neighborhood planning groups, the City Council, the Mayor Office and organizations like that for a total of eleven and they all nominate members to the board who are then approved by the City Council.

**C. Johnson** and **Bozarth** indicated that members of the board must reside within the Atlanta City limits. Also the positions are voluntary and non-paid positions.

## ADJOURNMENT

**Chair Bartels** entertained a motion to adjourn. **Bozarth** moved to adjourn the meeting. The meeting adjourned at 8:11 p.m.

Approved as to form and content,  
Alan Morris  
Board Secretary,  
  
Signature

March 14, 2013