

## **Print Clips**

### **SUBJECT: Atlanta Police Department**

### ***Daily Report***

#### **Three More Civil Rights Suits Filed Against Atlanta Police**

By: R. Robin McDonald

Journalist John Ruch was on a public sidewalk photographing Atlanta police as they arrested protesters last year when officers grabbed him, took his phone and then handcuffed him, according to a new suit filed in federal court in Atlanta.

At the time, Ruch was working for the city's alternative weekly newspaper, Creative Loafing. He was reporting on a demonstration prompted by a Missouri grand jury's decision not to indict the white police officer who had killed a black teenager in Ferguson, Missouri. Ruch was held for hours in custody, much of the time in handcuffs, before police charged him with disorderly conduct, according to the suit. That charge was dismissed within hours of his release on bond.

Ruch is one of three people who filed federal suits Sept. 21 against Atlanta police, alleging that officers had trampled on their constitutional rights of free speech and freedom of assembly and had illegally arrested them while repeatedly refusing to tell them the grounds on which they were detained. In all three cases, the misdemeanor charges were dismissed, according to the suits.

Plaintiff Caroline Croland, a member of police watchdog group Copwatch of East Atlanta, said in her suit that police arrested her after she recorded police detaining and frisking three men for what the suit said was "no apparent reason."

Copwatch's mission is to curtail instances of excessive force by recording police officers as they are questioning individuals or making arrests. Croland also is a long-standing volunteer with Food Not Bombs, which feeds the homeless weekly in downtown Woodruff Park.

Her suit says she was charged with disorderly conduct and jailed overnight after another Food Not Bombs volunteer complained to her that the group could not distribute free meals "without being harassed by police," and Croland called out to the officer, "Why?" and then demanded, "Answer me."

A third suit was filed by Austin Gates, who was arrested in Atlanta during protests over the Ferguson grand jury. His suit says he was arrested while wearing a stylized mask made popular by the Occupy Wall Street movement. Gates' suit said he never heard any order by police for demonstrators to remove their masks, nor was he given any individual warning before he was detained. While a state law, passed to curtail Ku Klux Klan demonstrators who wore hoods and masks, bars demonstrators from wearing masks, the state Supreme Court has determined that wearing a mask is illegal only if the intent is intimidation.

Ruch told the Daily Report he decided to sue because, "It's about the police not respecting the First Amendment and the Fourth Amendment. They have to learn to respect them. ... It's as simple as that."

Atlanta police spokeswoman Elizabeth Espy said in an email to the Daily Report that in Ruch's case, police still contend that, even though the charges against the reporter were dismissed, "APD maintains, as it has previously, that Mr. Ruch was blocking the roadway and thus his arrest was entirely proper and necessary to preserve public safety." She declined to comment on the other two complaints.

The suits claim that in arresting each of the three plaintiffs, officers violated the terms of federal court settlements put in place in 2010 and 2012 that barred Atlanta police officers, on penalty of dismissal, from arresting or otherwise blocking citizens from filming officers, except in cases where they were actively interfering with police.

In May, U.S. District Judges Timothy Batten and Steve Jones found the city of Atlanta in contempt for violating court orders in two earlier civil rights cases that had required city police to implement a series of reforms intended to curtail illegal arrests. Those cases, and the contempt findings, stemmed from illegal arrests and other civil rights violations by Atlanta police at a gay nightclub in 2009 and from the 2012 arrest of a woman who had filmed police as they kicked and then dragged a handcuffed man along the ground.

Civil rights attorney Gerry Weber, who was co-counsel in those cases as well as the cases filed Sept. 21, said the arrests described in the new complaints "demonstrate in a pretty palpable way there is still a major problem. These, in particular, really demonstrate the mentality of arrest first, then figure out the charges later," he said. "That is not proper police work."

Calling police out for constitutional abuses is critical now that many public demonstrations are focused on police conduct, Weber said. "For those kind of protests, in particular, officers need to be very well trained, very focused on only interfering with people's free speech activities if they are, in fact, committing a known crime. These cases demonstrate that officers are not doing that."

Dan Grossman, Weber's co-counsel in the cases, said the new suits were necessary because of "a continuing failure" on the part of the police department to train officers so they know "what the law is and what it isn't."

"I think the Atlanta Police Department doesn't care about effectively, meaningfully training officers so that they actually know what the law is," Grossman said. "I don't think the problem is with rank-and-file cops. I think rank-and-file cops are not getting the training they deserve. Rank-and-file cops are being made to take the rap for unlawful conduct by their commanders. ... The problem is with the command staff."

In bringing the three new civil rights suits, Weber and Grossman have partnered with Decatur attorney Hollie Manheimer, executive director of the Georgia First Amendment Foundation, and Atlanta attorneys Brian Spears and Cynthia Counts.

Ruch's suit describes his arrest shortly before midnight on Nov. 25, 2014, as protesters marched through downtown Atlanta. Ruch, who had been directed by Creative Loafing's news editor to cover the "tail end" of the march, spotted officers—surrounded by chanting demonstrators—wrestling protesters to the ground. He was taking photos with his cellphone when a police officer waved a hand in front of his camera then grabbed the phone, his wrist and forearm, effectively blocking him from taking the photo.

The police officer, identified as Sgt. Michelle McKenzie, then pushed the reporter, who was then grabbed from behind by a male officer, according to the suit. Although Ruch identified himself as a journalist, police forced him face down on the sidewalk and told him he was under arrest.

According to the suit, Ruch repeatedly asked why he was being arrested and what he was being charged with, but police refused to respond.

The suit contends that city employees and administrators had given instructions to police to arrest people in the protest area who were filming the demonstration and that a specific instruction was issued by an unidentified police supervisor to arrest Ruch. The intent, according to the suit, was to use the arrests to deter others from joining in the march and "to make a spectacle of the protesters they labeled troublemakers and to hold them as long as possible."

When Ruch was being escorted to a prisoner transport bus, his news editor, who was also covering the demonstration, also repeatedly asked police officers why the reporter was being detained, according to the journalist's suit. Police refused to say, explaining that revealing the reason for Ruch's arrest would violate the reporter's privacy, even though Ruch said he would waive his privacy rights in order to know the charge, according to the suit.

Ruch was taken to a police precinct where he and other people arrested during the protest sat handcuffed for hours with no food or water. The suit says their cellphones were taken, and they were not allowed to make a phone call, nor were they informed of the charges on which they were being held. At one point, according to his suit, Ruch was told by a police sergeant there "must have been something" that gave officers probable cause to arrest him, adding, "We can't unarrest you because that makes it a liability."

Ruch said police eventually decided to charge him with disorderly conduct and obstruction of a police officer. Grossman said that police offered "two very different and contradictory reports as to why Ruch was arrested." One report claimed Ruch "got in the way" of officers during a fight; the other claimed he was blocking traffic in the street. "They are radically different views," Grossman said, adding that police "made both of them up."

<http://www.dailyreportonline.com/id=1202738369047/Three-More-Civil-Rights-Suits-Filed-Against-Atlanta-Police#ixzz3n8bDhARU>

# **SUBJECT: City of Atlanta**

## ***11 Alive***

### **City of Atlanta struggles to track cash advances**

By: Rebecca Lindstrom

ATLANTA – Hundreds of employees in the city of Atlanta could get a bonus at the end of the year, at least in the eyes of the IRS, but it won't be for a job well done.

[An audit earlier this year](#) stated the city had given out \$3.6 million in cash advances, without getting receipts in return. IRS rules require after a period of time, that money be counted as income and taxes paid on it.

When the audit was first released in May, the city's Finance department disputed the amount that had yet been reconciled, telling 11Alive it was closer to \$2 million. Regardless, Chief Financial Officer Jim Beard said something needed to be done.

His office began an aggressive campaign to get receipts and explanations for more than 2,000 employees regarding cash advances that dated back more than five years.

Four months later, Beard says his team has decreased the questionable advances to about \$650,000 and roughly 700 employees.

According to data received as part of an open records request, one Atlanta police officer received \$16,046 for recruitment trips in 2013, but has yet to turn in receipts from those trips. In fact the Atlanta police department has more in unreconciled cash advances, \$293, 218, than any other department.

“It is quickly getting to a point in time where we'll move even more aggressively to take action against those who refuse to provide any documentation as to what they've done with those advances,” said Beard.

One tool, is to report the advance as income. It does nothing to help the city collect the money but does penalize the employee by forcing them to pay taxes on it.

“The rule was you’re supposed to rectify everything with your travel within 7 days and if people would have followed that, they wouldn’t be in this position,” said city councilmember Felicia Moore.

Moore sits on the city’s Finance committee. She says her first response when she saw the audit was shock and awe.

“I think the biggest thing is, we stopped, we stopped it,” said Moore. “People feel like, if nobody stops me, I’m going to keep running the stop sign. Now we know that there’s enforcement and people are looking at this.”

The city says in many of these cases, employees can’t find the receipts or insist the expense reports were lost. Beard says thankfully, there's little evidence of abuse.

“We found a few things that give us cause for concern and we’re following up on those.”

Beyond that, though Beard would not elaborate. The city says some of the people on the list are no longer employed, making it even tougher to figure out how the money was spent.

The city has made a number of changes to prevent another wave of unreconciled accounts. Beard says it will no longer allow an employee to have more than two cash advances at a time, a common problem when the audit was released.

According to the data provided, one watershed employee received 30 cash advances totaling more than \$14,000. That employee has yet to explain what happened to more than \$4,000 of it.

The city no longer gives advances for conference registrations. Instead, they pay the conference host directly. He says they’re also looking at establishing a relationship with a certain number of travel agencies that can directly book airfare and hotel accommodations, again eliminating the need for an advance.

“We can work through the travel agent and have a consolidated record of travel, and hotels across the city,” explained Beard.

When an advance is given, employees now receive an alert 21 days after their trip, reminding them to complete and close out their expense report. They will get another alert every seven days after that until its done.

“I don’t want to get ahead of the game but I do want to say I intend to be a good steward for the city of Atlanta and I’ll take any and every measure that I can and need to make sure we reconcile all of these and that going forward we don’t let this get to this in the future,” said Beard.

<http://www.11alive.com/story/news/local/holding-powerful-accountable/2015/09/28/city-atlanta-struggles-track-cash-advances/72962000/>

# **SUBJECT: Atlanta Police Department**

## ***WSB-TV***

### **Atlanta police K-9s receive bulletproof vests**

By: Staff Writer

ATLANTA – Atlanta Police dogs have a new layer of protection that's making their dangerous work less risky.

Animal company Pet-Armour and Walmart donated five bullet and stab protective vests to the department's K-9 unit. The vests are custom made for every dog's size, but are expensive, costing around \$1,000 each. The department was chosen through a national application process.

The vests will help K-9s like Deisel, a Belgian Malinois, who is partnered with police Sgt. RJ Walker. Deisel is always by Walker's side no matter how dangerous it gets on crime scenes.

"I'm worried about his safety every time we're on track because it's the unknown. We only track felons," Walker said.

The Atlanta Police Department's K-9s find violent suspects, weapons and drugs in risky conditions.

The vests are made of Kevlar so that when Atlanta K-9's go to work they have a better chance of coming home safely.

"He's my partner, my best friend," Walker said.

<http://www.wsbtv.com/news/news/local/atlanta-police-k-9s-receive-bulletproof-vests/nnf29/>

# **SUBJECT: The Mayor**

***CBS Atlanta***

## **Mayor Kasim Reed Updates Sworn Personnel Union's Lawsuit Against City (Video)**

By: Mike Moore

ATLANTA, GA-(WAOK)-Mayor Kasim Reed justified excluding sworn personnel from the pay increase on the grounds that their unions are currently suing the City over a controversial 2011 pension reform that slashed the City's contribution to employee [pension funds](#).

The mayor stopped by V-103 and WAOK recently for a video interview. In the interview, he updated us on where the lawsuit now stands.

<http://atlanta.cbslocal.com/2015/09/16/mayor-kasim-reed-updates-sworn-personnel-unions-lawsuit-against-city/>

# **SUBJECT: Atlanta Police Department**

## ***WABE***

### **Atlanta Police Gain Access To Private Cameras; Concerns Raised**

By: Tasnim Shamma

Shoppers in Buckhead's Lenox Square and Phipps Plaza now have an extra set of eyes on them.

The malls have given the Atlanta Police Department access to 235 cameras.

In exchange for handing over access to video feeds, businesses have a direct link to the city's 911 center to alert police of crimes in progress or crimes that have occurred.

The city has access to nearly 5,700 privately owned cameras throughout the city of Atlanta at its Video Integration Center.

Kennesaw State University criminal justice professor Peter Fenton said these cameras will help officers solve crimes, "but there is still that, I guess you call, the Big Brother, the creepy factor of just knowing that somebody is watching me every time I'm on the sidewalk, walking down the street, in a parking lot or whatever."

The Atlanta Police Foundation says it hopes to help officers access 10,000 private security cameras by 2017.

Professor Caren Morrison, who teaches criminal procedure at Georgia State University, said cameras in parking lots and public transit areas can deter street crimes, but she is concerned about where future Atlanta Police Department cameras will be placed.

"The privacy concerns are going to hit hardest the people who are the least advantaged," Morrison said. "If [the cameras] going to be concentrated in areas where there are high volumes of crime or high volumes of people, are they going to be monitored in some kind of way that increases scrutiny on some communities or certain neighborhoods that isn't quite fair? And we don't really know."

She said she is concerned about how the data would be used and whether other technology, like facial recognition, will be used in conjunction with it in the future.

"You could imagine a mall sort of putting together information from facial recognition as well as publicly available criminal records and deciding to refuse entrance to people who have criminal records, even if they didn't commit any shoplifting or any assaults or other crimes on the premises," Morrison said.

The Atlanta Police Foundation says it does not control how private companies store or use data. Of the approximately 200 public cameras owned by the city of Atlanta, video footage is stored for 14 days before it is written over.

Atlanta Police Foundation programs manager Marlon Trone said trading privacy for security is "a fair exchange."

"I stand on the side of anything that could mitigate the potential of a citizen or group of students being harmed," Trone said. "We don't want to hear about another Sandy Hook or the potential of another gunman attacking a group of moviegoers. We want this system to deter that type of behavior."

<http://wabe.org/post/atlanta-police-gain-access-private-cameras-concerns-raised>

## **Print Clips**

### **SUBJECT: Public Safety**

#### ***CBS 46***

#### **Brightening patrol cars suggested to increase Atlanta police visibility**

By: Mike Dunston

ATLANTA (CBS46) -

Rising crime is hitting some Atlanta neighborhoods. Atlanta's police chief tells CBS46 that staffing isn't the problem.

"We have more police officers in the city of Atlanta than we have ever had in the history of the Atlanta police department," said Chief George Turner at a forum.

Turner said the criminal justice system for repeat offenders needs to be reformed and the number of officers isn't the problem.

Mark Pettit, CBS46 commentator and CEO of Atlanta marketing firm Creaxion, believes the department should look into brightening the patrol cars.

"Our proposal is that we will create a dynamic new paint scheme or a wrap for Atlanta's new vehicles to make them more visible to both citizens who are paying taxes and to the criminals that police are pursuing," he said.

Pettit is offering to create the design for free. For him, police visibility became personal when a criminal robbed one of his employees, Marcelo Galvao, at gunpoint.

"I feel like if there were visible cars where I was, that would not have happened," Galvao said.

But some wonder about police who are trying to stay undercover?

"There are going to have to be SWAT vehicles, undercover vehicles, we understand that, but for the cars that patrol the streets and the neighborhoods and for the motorcycles, we can make a design that'll be very, very visible."

To deal with their visibility problem, leaders in the city of Nashville installed low intensity, non-flashing lights on their police cars. They're in a constant "on" position.

"I think it'd be a good idea. You'd be able to tell if the cops are out there," resident Chandni Patel said.

"I think it's important for people to see where their safety's coming from," resident Marcus McNeill said.

Chief Turner wasn't available for an interview to talk about the ideas, but a commander told CBS46 the darker color is beneficial sometimes because officers can be more stealth in crime fighting.

City councilman Kwanza Hall said he might bring up the visibility issue at an Atlanta City Council public safety meeting on Tuesday.

<http://www.cbs46.com/story/30029090/possible-solutions-to-increase-atlanta-police-visibility#ixzz3lor6nnr7>

