

CITY OF ATLANTA



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Atlanta Citizen Oversight Board Director Responds to the Grand Jury Decision Not to Indict the Officer Involved in the Killing of Eric Garner

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OP-Editorial

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What now?

Now we know... even with a video and audio recording of an unarmed black man being killed by police officers still that is not enough to support charges against a police officer. Without going into the details of the New York recording and the questionable justifications for Mr. Garner's death, the fact remains that society is willing to accept the deaths of unarmed black men and a 12 year-old child without a trial at the local level to determine the guilt or innocence of an officer in an open court where a clearer understanding of the evidence can be provided. Alas, out of the tragedy of the New York grand jury decision, we can stop and question deeply the movement for body-worn cameras (BWCs) for officers and our expectations.

A couple of months ago, the Atlanta Citizen Review Board (ACRB) released a study on BWCs (<http://acrbgov.org/wp-content/uploads/2014/10/BWC-Study-9-30-14.pdf>). We pointed out several concerns that must be fully debated in the open forum, stripped of the veneer of appeasement and the false sense of confidence surrounding the movement of BWCs that has been offered to citizens who are frustrated, outraged, and disgusted.

While we fully support BWCs, we must bring attention to the very real challenges. A few voices in the wind of the BWC movement have signaled that BWCs are not the silver bullet, not the panacea, to solving police misconduct. Yes, we could use and should use BWCs to provide clarity to a situation that has already occurred and potentially may cause officers to modify their behavior during citizen encounters. BWCs are a step in the right direction; but without true policing reform, the camera will be another tool that will certainly add frustration to the communities that suffer the most.

By now, the public has a good idea of the perceived benefits of BWCs, so I will not mention them in this article. However, in order to make BWCs be more than a tool of appeasement for the masses and protection for the officers, citizens need to understand that the law enforcement community has already examined, reviewed, tested, and determined that: (1) the recordings will not discount an officer's perceptions and the totality of the circumstances surrounding the event or eliminate the blind deference

to an officer's account of those perceptions; (2) law enforcement industry experts have already laid out the reasons why BWCs should not be the only source to determine whether officer misconduct occurred; (3) law enforcement defense attorneys have already equip themselves to be prepared to deal with BWC recordings in the courtroom; and (4) all other aspects regarding policing will remain the same, business as usual, unless forced to the wall. Understanding the above, in light of the recent decisions will prepare us to ask the challenging questions as we move toward the era of BWCs.

This is the time to make real change in policing. The recent tragedies and the energy surrounding the losses of life must involve a pulling back of the layers of oversimplification, misinformation, and distortions. To start the peeling back process, the first layer to peel off are the conversations about black-on-black crime and the need for effective policing. Those issues confuse the peeling back process and attempt to justify officer's individual actions when the discussion is about the systemic issues that are at the root of the problem.

The layers that should be peeled back and discussed involve: policing culture, officer selection, insular thinking, lack of support and an incentive for officers to report misconduct when they witness it, a lack of bold police department guidance, and the lukewarm involvement of elected officials.

We, the citizens, have a role in the peeling back of layers that have maintained an environment that allows officer misconduct to thrive. We have not presented a wider cast of candidates to bring diversity of thought and character to the prosecutor levels. We have not maintained the energy to support and maintain strong civilian oversight. Oversight that can officially investigate complaints, make policy recommendations on police department policy, and have an independent entity to refer to when the police department and elected officials do not demonstrate the will to discipline or make changes. We have not voted to ensure that the justice that we are entitled to can be accomplished by the people who are elected to make the decisions impacting our communities.

Reducing police misconduct is an issue that communities have wrestled with for decades. We know the injustices. We know the stories. We have experienced the results. In reality, communities and society as a whole have been accepting of police misconduct to certain degrees, as if police misconduct is a necessary evil, in order to have effective policing that will keep the criminals at bay. When citizens do not report their bad experiences with police officers, and demand corrective action from their local representatives on the large as well as the small violations of citizens' rights, we encourage officers who behave badly and allow the police departments and elected officials to avoid correcting officer misconduct.

We have only risen up to fight misconduct en mass when we have had enough. We had enough in the 60's! We had enough in the 70's! We had enough in the 80's! We had enough in the 90's! We had enough in the 21st Century! We have had enough!!! Unfortunately, as history has proven, time and again, without any sustainable efforts to push and pull police departments, prosecutors, and elected officials to maintain police accountability as a rule and not as a talking point during elections, appointments, and "newsworthy" incidents, we will be back here again, with BWCs or not.

Get involved! Stay involved and demand to be heard!

*Written by Samuel Lee Reid, II Executive Director
Atlanta Citizen Review Board (ACRB) established by the City of Atlanta to investigate citizen complaints of misconduct
Against Atlanta Police and Corrections Officers.*