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FOR IMMEDIATE RELEASE:

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An Open Letter from the Atlanta Citizen Review Board (ACRB) To the Atlanta City Council, Atlanta Police Department (APD) and Atlanta Corrections Department (ACD)

This letter is written with the intention of bringing citizen voices to the forefront of the discussions of **Body Worn Cameras (BWCs)**, in light of **Judge Batten's recent Order** involving contempt of two previous Orders in the matter of *Calhoun v. Pennington*.

Judge Batten's recent Order directs the APD to conduct additional Fourth Amendment training of all sworn officers, provide data related to citizen complaints, and change several APD policies back to the policies as ordered a few years ago and ordered to pay in excess of \$48,000.00 to private firms to monitor the APD's compliance with the Order among other requirements. As an agency involved in investigating citizen complaints against APD and ACD officers, we believe it is important that we express our concern related to this avoidable and expensive action that requires the City to once again pay attorney fees for their own defense, and the plaintiff fees as well.

The Order highlights several concerns that the ACRB raised in the ACRB BWC Study and BWC Focus Group Report, specifically, the potential for constitutional violations and changing of departmental policies that affect citizen/officer interactions. Judge Batten's Order has given citizens a potential preview of what could happen without proper oversight and monitored compliance of the BWC program and policies. The City of Atlanta is in a good place by having the ACRB to provide citizen oversight of officer accountability and to encourage the department to protect constitutional rights.

Through direct communication with the APD, we are pleased to know that the APD is prepared to comply with Judge Batten's Order. However, in light of Judge Batten's Order, we believe this is another opportunity for the APD, ACD, and the City Council to consider the concerns raised in the ACRB BWC Study and Focus Group Report that was provided to the Administration, City Council, APD, and ACD. We further believe that many of the concerns raised in the study and report should be addressed before the implementation of the APD BWC program, with the intention of implementing BWCs in a manner that will allow citizens to realize the potential that has been touted by law enforcement and citizens. The ACRB concerns and recommendations are below.

ACRB Concerns and Recommendations:

- External input in BWC policy changes
- Clear policies on recording in private
- Strict adherence to access to recordings
- Provide notice of recording when possible
- A reasonable recording retention period

- Limited officer discretion to record
- Explicit policy prohibiting discrimination in recording
- Redaction request process for uninvolved persons wishing to have their images redacted
- Strict enforcement of BWC policies
- Supervisor reviews of recordings for training and correction
- Officer review of recordings prior to writing official police reports
- Formation of an advisory group of stakeholders, such as citizens, ACRB, officers, to discuss the issues related to BWCs.
- Initial implementation of the BWCs on a limited basis to zones that have the most complaints and highest potential of citizen engagements and include those officers who are experiencing trouble interacting with the public and those officers who choose to volunteer to wear cameras
- APD one-year review of the BWC program
- Officer engagement early in the process to address officer questions and concerns
- ACRB requirement to audit and report the APD's use of BWCs. External review of BWC program would ensure the integrity of the program is maintained.
 - This requirement would help avoid the issues that Judge Batten's Order addressed, specifically the 4th Amendment violations and policy changes that would have an impact on constitutional rights.

ACRB Focus Group Recommendations:

- Implement a BWC program that includes external auditing and intense training
- Ensure that there is available access to the recordings, especially those individual not involved in a criminal matter
- Ensure citizens' rights to privacy (*BWCs should have a visible indicator for active recording, if recordings are officer controlled*)
- BWC system should have the ability to redact images
- Enforcement of ADP policies swiftly, decisively, and appropriately
- Involve an external entity to monitor and audit the BWC program to ensure compliance
- Involve citizens in the on-going discussion and implementation of any BWC program

We, the undersigned (*ACRB Members of the Board*), encourages the APD, ACD, and the City to include the ACRB in policy changes, auditing and monitoring of the BWC program. Working together, the APD, ACD, and Law Department can ensure that BWCs provide the citizens of Atlanta the perceived expectations of more transparency and a greater opportunity for increased officer professionalism.

Respectfully,

*Williams Harrison, Bill Bozarth, Paul Bartels, Alan Morris, Ruth Price,
Gerald Souder, Sherry Williams*

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