

# **SUBJECT: City Council**

## *Atlanta Progressive News*

### **ATLANTA IMPLEMENTS NO CASH BAIL FOR MISDEMEANORS, AFTER FIERY DEBATE**

By: Gloria Tatum

(APN) ATLANTA — On Thursday, March 01, 2018, the City of Atlanta began implementing its “no cash bail” policy for certain non-violent misdemeanor offenses.

Under the new process, most persons who are arrested for non-violent, misdemeanor offenses will be booked in under charges for which they were arrested; receive a self-bond (“signature bond”) designation; and be released.

“The Chief of Corrections shall not accept cash bonds on any offenses under the jurisdiction of the Atlanta Municipal Court except as set forth in Section 62-31 (b), (c), (d) and (f) of this Chapter,” the ordinance states.

The exceptions—which were subject to vigorous debate among Councilmembers—include “Disorderly Conduct – Act of violence toward another;” “Disorderly Conduct – Fighting;” “Disorderly Conduct – Physical obstruction of another;” “Driving Under the Influence;” any citation that includes domestic violence written on the ticket; idling and loitering for illicit sex; and “Other offenses the Corrections Chief reasonably believes involve violence or threat of violence to a person.”

Additional exceptions are offenses that are only bailable before a superior court judge; and defendants who are currently on probation or parole.

Any person whose case falls under one of the above exceptions may be considered for cash bond; however, the municipal judge is required to consider their ability to pay.

“The Court’s written determination shall include a finding regarding the defendant’s present ability to pay the financial condition set,” the ordinance states.

“The Municipal Court shall not establish a financial condition for pre-trial release that results in a defendant being detained solely because he or she does not have enough money to meet the financial requirement,” the ordinance states.

“Since Mayor Keisha Lance Bottoms signed the cash bail ordinance into law, the Department of Corrections has worked tirelessly with the City’s Law Department, our jail management system, the bond clerk, the municipal judges and courts, Office of the Public Defender, Solicitor’s Office, and Department of Atlanta Information Management to ensure we address all potential issues and concerns in preparation for the implementation of our new digital signature bond process,” Chief Patrick Labat, Department of Corrections, said in a statement.

The Office of the Public Defender will provide additional legal and social services so that defendants are not released into the public without the necessary support and resources needed to successfully integrate back into their communities, according to the City.

# SUBJECT: APD

## *The Atlanta Journal-Constitution*

### **Atlanta cops under investigation by Fulton DA waiting years for resolution**

By: Christian Boone

One side seeks justice. The other, exoneration. The family of 24-year-old Deandre Phillips, and the officer who shot and killed him, have been waiting 13 months for the Fulton County district attorney to decide whether the force used in this case was necessary or over the line.

In Fulton, the resolution of cases involving police officers can be an agonizing process measured in years, not months. It's a delay that leaves the officers as well as the victims and their families in a harrowing limbo.

APD Officer Yasin Abdulahad, who fired the lethal shot at Phillips, is back at work but could face criminal charges if prosecutors conclude he exercised excessive force. Even if he's not charged, Abdulahad's law enforcement career could be in jeopardy, depending on the findings of the investigation.

Still, he is among the more fortunate ones. Of the 28 APD officers currently under investigation by the Fulton DA, 20 cases, mostly officer-involved shootings, are pending. All but seven of the cases predate 2017. Five of Abdulahad's APD colleagues have been waiting since 2014 for their investigations to be closed. Four officers are currently without police powers as a result of these probes, according to the department's Office of Professional Standards.

After being asked about the delays by The Atlanta Journal-Constitution, Fulton County District Attorney Paul Howard issued a statement blaming a chronic budget shortfall and pledged that the APD cases from 2014 that remain open will be resolved in the next 40 days.

"We agree with the Atlanta Police Department – PIU needs more staff," the statement read. "Our office will continue to investigate and prosecute the cases as quickly as possible, more importantly, our office we will continue to petition the Fulton County Board of Commissioners for more staff for this department."

Attorney Chris Stewart, who represents the Phillips family agreed that the office is underfunded and left "juggling a million cases."

"It's hard to preach patience," Stewart continued. "The longer it takes, the more suspicious they become of the process. It gives the appearance that (investigators) are dragging their feet on behalf of the officer."

Six to 12 months is a reasonable time frame, said Stewart — "Anything over that is ridiculous."

Atlanta's police chief Erika Shields said the delays have taken a toll on the department.

"When you put someone in such a prolonged holding pattern you can see the stress it takes on them," Shields said. That stress is only exacerbated by the increased scrutiny on police conduct, she said, leaving some officers under investigation to worry "they'll be offered up as sacrificial lambs."

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