ATLANTA CITIZEN REVIEW BOARD
MINUTES OF THE LAST MEETING
55 Trinity Avenue, SW, Committee Room Two
Atlanta, Georgia 30303
March 8, 2012 / 6:30 P.M

ROLL CALL
(Eleven Members of the Board)

ACTIVE MEMBERS PRESENT
PAMALA ALINIECE (Aliniece)  RUTH PRICE (Price)
PAUL BARTELS (Chair/Bartels)  ALAN MORRIS (Morris)
WILLIAM HARRISON (Harrison)  JOY MORRISSEY (Morrisey)
CHARIS JOHNSON (C. Johnson)  MACEO WILLIAMS (Williams)
RYAN JOHNSON (R. Johnson)

ACTIVE MEMBERS ABSENT
BARBARA HUBBARD (Hubbard)

ONE VACANT APPOINTMENT
Office of the Mayor (vacant 8 months)

STAFF ATTENDEES
MARC ADDINGTON (Addington), Investigator; WILLIAM CASTING (Casting), City Law Department, Assigned Board Attorney; SHEENA ROBERTSON (Robertson), Investigator; SHARESE SHIELDS, Interim Executive Director; MYOLA SMITH, Transcriber (Smith)

AGENDA

MEETING CALLED TO ORDER

The meeting was called to order at 6:31 p.m. The Chair welcomed the Atlanta Police Department represented by Major Elder Dancy and staff of the Office of Professional Standards. The Chair also announced Public Comments would be taken at the end of the meeting and if anyone cared to speak, to please sign up. Comments are limited to three (3) minutes per person.

APPROVAL OF MINUTES OF THE LAST MEETING

The Chair asked if there were any corrections to the minutes of the last meeting held February 9, 2012 at 6:30 p.m. Williams noted one minor correction. Hearing no others corrections, it was moved by Morrissey to accept the minutes with the noted correction. Williams seconded. Hearing no discussion, the minutes were approved.
CONSIDERATION OF INVESTIGATION #11-76, COMPLAINT OF ABUSIVE LANGUAGE / INVESTIGATION BY MARC ADDINGTON

A. ALLEGATION
   Addington reported that ACRB Case #11-76 was filed by Monica Moody. The incident occurred on October 16, 2011 regarding an allegation of abusive language.

B. THE INVESTIGATION
   As summarized by Addington, according to Monica Moody, the complainant, she and her mother were in the area of Marietta Street attempting to find a parking lot when they encountered Officer Peter Trotta. Officer Trotta was directing traffic on an extra job at the location. Ms. Moody apparently, made a mistake when she inadvertently passed the lot where she was attempting to park and committed a traffic violation.

   An interview was conducted with the complainant and her mother, Ms. Edith Buchanon.

   Both complainant and witness provided similar accounts of what occurred on the date of the incident. They described that while attempting to locate a parking lot, they encountered the subject officer, Peter Trotta, who they described as “harsh and abrasive” when he told them “he didn’t give a damn where they were going.”

   Officer Trotta was on leave due to an injury and unavailable for an interview by the ACRB staff. In lieu of the interview, Officer Trotta’s OPS interview was used in the investigation. In Officer Trotta’s OPS interview, he was working an extra job, directing traffic when he observed the vehicle, driven by the complainant commit a traffic offense as she attempted to reach a parking lot located on Marietta Street. Officer Trotta, admits to saying the words “I don’t give a damn” when he confronted the complainant who was trying to explain why she committed the offense. Officer Trotta stated that he didn’t want to argue with the complainant and allowed her to leave.

C. STAFF RECOMMENDATION
   Addington stated that his recommendation is to sustain the complaint of abusive language against Officer Trotta. He indicated that his findings were based on the evidence presented by the complainant and the witness to the incident in conjunction with the admission by Officer Trotta that he told the complainant “I don’t give a dam” when she tried to converse with him.

D. BOARD VOTE ON STAFF RECOMMENDATION
   Before the vote, the Chair entertained discussion and questions:

   Questions...
   Bartels: “When you interviewed Ms. Buchanon and the other witness, it looked like she didn’t specify exactly what words the officer used. Addington answered “She was reluctant to say them is what I recall. I don’t have my notes in front of me, but she did recall the officer using a curse word but she just didn’t want to repeat it. She just defined it as a curse word.

   It was moved by Morrissey to accept the staff’s recommendation to Sustain the allegation. The motion was seconded by Morris. Hearing no discussion, the motion was approved.

E. BOARD VOTE ON DISCIPLINE RECOMMENDATION
   Before the discussion and vote, Investigator Addington provided information on Officer Trotta’s disciplinary record:
Addington stated that Officer Trotta has been employed by the Atlanta Police Department since 2007. The work rule that Officer Trotta violated is APD.SOP.2010 Courtesy. This violation is category “A” and carries a punishment of either oral admonishment or written reprimand and/or a proactive correction action such as training or counseling. Officer Trotta had a couple of excessive force investigations, but they were not sustained and they were not in the past three years.

Williams stated that he felt the officer should receive Fourth Amendment and Courtesy training.

Price moved to recommend that Officer Trotta receive a written reprimand and include training in Courtesy and public interaction. The motion was seconded by Williams. Hearing no further discussion, the motion passed with one Nay vote (R. Johnson).

CONSIDERATION OF INVESTIGATION #11-82, COMPLAINT OF HARRASSMENT, INVESTIGATION BY MARC ADDINGTON

A. ALLEGATION

Addington reported that Complaint #11-82 was filed with the ACRB alleging Harassment against Officer Sherrod Snell, of the Atlanta Police Department (APD) regarding an incident which occurred on August 12, 2011 and another related incident on October 9, 2011.

B. THE INVESTIGATION

The complainant, Cynthia Thomas, alleges Officer Sherrod Snell has harassed her on two separate occasions when she allowed friends to park on her property located at 146 Electric Avenue.

Cynthia Thomas Interview: According to Ms. Thomas, she owns the property located at 146 Electric Avenue and during the Atlanta Falcons football season she allows individuals, whom she described as “friends,” to park on her property without having to pay a fee. Ms. Thomas went on to describe she first encountered the officer on August 12, 2011 and that during this time, she claims Officer Snell issued her a citation for operating a business without a license even though she maintains that she does not require a license since there is no money exchanged by her and the business.

Officer Snell’s Interview: According to Officer Snell, he was assigned to the “Quality of Life” unit with APD and City of Atlanta Code Enforcement. Officer Snell indicated that the “Quality of Life” unit is often assigned to enforce ordinances related to nuisance violations such as parking issues and they (the unit) frequently work code enforcement when addressing these violations.

According to Officer Snell, he was assigned to the “Quality of Life” unit on August 12 and October 9, 2011. Officer Snell stated he observed a large number of vehicles parking at the property located at 146 Electric Avenue. Having seen this, the Officer claims that he approached the complainant who was identified as owning the property. The Officer claimed that he asked the Ms. Thomas if she had a business license and she explained to him that she did not because the rules for licensing were always changing.

Officer Snell then claimed Ms. Thomas claimed that the cars that were parked on the lot were part of a club and that the members paid dues before the football season to take care of maintenance and things such as food and beverages. Upon hearing this and observing the amount of vehicles parked at the location, the officer believed there was enough probable cause
to issue a citation for violating city ordinances pertaining to operating a business without a license.

When Officer Snell was questioned regarding the second incident, he responded that he was assigned to the same unit and he again observed the complainant, Ms. Thomas, parking a number of cars on her property. According to Officer Snell, he contacted the complainant again regarding a business license. She also stated again that she did not have a license because she did not need one because the cars parked on her lot were friends and they did not pay to park. During the interview, Officer Snell indicated that based on his previous encounter, he felt as though enough probable cause existed to indicate Ms. Thomas was still operating the business without a license and he elected to issue a citation for operating a business without a license.

**Code Enforcement Officer D. Richardson’s interview:** As part of the investigation Officer Richardson, who was present during the second incident, was interviewed. He indicated that after witnessing a number of vehicles parking at the location, she approached the complainant, Ms. Thomas, to investigate if she was operating a business parking cars during the Falcons season. Officer Richardson alleges Ms. Thomas became irate and that is when Officer Snell arrived and got involved.

C. **STAFF RECOMMENDATION**

*Addington* stated that the staff’s recommendation is to assign a finding of *Unfounded* to the allegation of harassment against Officer Snell. Based on the information provided by Officer Snell, it is permissible to believe that there was enough probable cause to issue citations on both days that the officer interacted with the complainant. Moreover, the fact that Officer Snell was assigned to a unit that is tasked with enforcing ordinances, it is conceivable that Officer Snell may encounter the same individuals whether they were legally or illegally operating a parking lot near the Georgia Dome. The investigation into the allegations of the complainant, Cynthia Thomas, does not reveal any significant or relevant facts that lead one to believe Officer Snell was harassing Ms. Thomas.

D. **BOARD VOTE ON STAFF RECOMMENDATION**

Before calling for a motion, the Chairman entertained questions for the investigator.

**Discussion & questions...**

1. **R. Johnson** asked for clarification of the meaning “Park for Hire.” *Addington* stated the term “Park for Hire” is defined by the city ordinance and it basically means and the language says, “Charging people to park in a lot.”

2. **Chair Bartels** stated, “As far as you know according to the city ordinance, is there a requirement that in order for you to be in violation, they have to be making a profit; or is it possible or colorable that anybody paying any kind of money could fall under that.” *Addington* stated, “I’m not a lawyer, but from my interpretation, it does appear that if you are transacting business, exchanging money, there is a business license required by the City. Based on Officer Snell’s first encounter with the complainant, she claims that she didn’t get a license because she found the process too complicated. Also, when the complainant, came to the interview, she produced several letters from the individuals parking at the lot, saying they were Ms. Thomas friends and they didn’t transact any business. However, the letters were dated after the second ticket and not prior to. There were three individuals contacted by ACRB, and all three people said they signed the letter after the second ticket.”

3. **R. Johnson** asked if the officers stated they did not witness any monetary exchange occurring at the location. *Addington* answered, “That is correct, but he said the complainant made an admission to collecting dues and in his mind that was probable cause to issue the citation.”
4. Williams asked if this was a situation whereby Ms. Thomas had been doing this for so long and it had been previously done by a member of the family for a couple of generations and just thought she didn't see a need to obtain a license. "Does this kind of situation fall into that category?" Addington answered, "Based on your explanation, I would assume that would not be a business...based on the way you explained it; but if you made an admission that you were collecting due, that may influence the decision."

5. Aliniece asked if there was an actual club with dues. Addington responded, "She (complainant) claims no and she produced letters of all the people parking but they were dated after the second ticket."

6. Bartels asked, "Did Ms. Thomas acknowledge to you that she charged money or is that something the officers said she admitted?" Addington answered, "She denied it to me in the interview.

Following the questions, it was moved by Price to accept the staff's recommendation of Unfounded against Officer Sherrod Snell. Morris seconded the motion.

Discussion...

1. Williams asked for the meaning of 'Unfounded.' Addington replied, "The officer was operating within the parameters of his duties and what he did was not a violation." Addington then asked Major Dancy, APD, OPS, about the meaning of Unfounded and how it applied in this case. Dancy stated that the correct term regarding this complaint would be Exonerated. Unfounded means the allegation are false against the officer.

2. Williams asked that for the allegation against the officer to be corrected from Unfounded to Exonerated.

3. Bartels stated, "We do have the option to have another finding. It is possible that it could be Not Sustained instead of Unfounded or Exonerated, we just need a motion.

4. Price indicated that the motion she made earlier should remain as "unfounded," "Unfounded means there was no evidence to support the lady's allegation that she was being harassed."

Hearing no further discussion, the motion was approved.

INTAKE REPORT FOR JANUARY, 2012

The monthly Intake Report was presented by Investigator Robertson. One (1) complaint was received for the month of February, 2012. Staff recommended investigating the complaint.

- Complaint #12-03 involved an allegation of Abusive Language against Atlanta Police.
  Staff recommends investigation as an abusive language allegation.

The Chair entertained a motion to accept the Intake report and recommendation. It was moved by Williams to accept the report and staff recommendations. The motion was seconded by Bartels. The Chair called for a discussion. Hearing none, the motion was approved by all.

DISCUSSION OF MATERIAL POSTED ON ACRB WEB SITE

Interim Director Sharese Shields addressed the Board laying the foundation for the discussion. She prepared a memo and other information for the board to review and consider regarding information on the website and how that information would be disseminated. She stated, "A few weeks ago, we removed from the website, the minutes, as well as, the recommendation letters that we send to Chief Tuner and a grid of all the complaints that
included the complainant’s name alone with the case number. The memo in the packet outlines the reasons why this information was removed. I am asking the Board to consider some sort of policy or practice in handling and managing information that we receive from our investigative function.”

Shields went on to state, “The concern is citizens are not apprised that when they come to us that their names will be publicly disclosed. There is nothing on our complaint form that says that we are, first subject to the Open Records Act and second, that the information pertaining to the complaint will be posted to our website. This was discovered as we were working on the Biennial Report and we wanted to include in the report, a mention of our website. I went to the website and looked at it. I never really paid a whole lot of attention to the website as a board member because there was never a need to go to it on a regular basis. While looking at the site, I discovered the complainant names were there, as well as, the officer names. If you do a Google search on any name that is contained in the recommendation letter to Chief Turner, you would find these reports and that is disturbing, particularly, when those same citizens have not given us authority to disclose this information. We are dealing with a sensitive matter here and so we removed it. The same information is included in our minutes. I have outlined in the memo that you have in your board packet, some alternatives that your Board was incline to consider. Some of them are alternatives to continue, until the complainant names, witness names and even officer names in our reports either that appear on the website or that are publicly disseminated in our marketing materials, such as the Biennial Report.”

Shields indicated that other jurisdictions website, i.e., District of Columbia, San Francisco, New York and Chicago, cities with over eight boards like ACRB post names. She said, “None of those jurisdictions post the names of complainants, witnesses or officers on the website. I am not aware of the reasons why the Board or the former Executive Director put that information on the website. I don’t remember the discussion that we had about that issue, but it is something that I have particular knowledge of Georgia Open Records and Dissemination of Information, so we took it upon ourselves to remove it. If you will see in the memo, I have outlined five alternatives:

- Completely defer to the Director.
- Adopt a policy as a Board.
- Modify the Complaint Form to disclose to the complainant that their names will be disclosed to APD and DOC and that we are a public entity subject to the Open Records Act. We may even consider giving them that option to opt-out of having their information on our website or in our marketing materials. However, they cannot opt-out their names being in any reports because obviously, we are subject to the Open records Act.
- Redact the names of complainants and witnesses from our recommendations letters and instead of referring to Jane Doe or John Doe, we simply refer to them as ‘Complainant’ or ‘Witness’ or ‘Officer’. This is how the other jurisdictions report data in their reports.

The Board will need to decide if they want to do this across the board to include complainants, witnesses and officers or just include complainant and witnesses. When it comes to officers, they are public servants and don’t enjoy the same privacy as a private citizen coming to us; but, there will be good arguments to be balance if you are going to redact complainant and witness names then perhaps you should consider doing the same thing for officers.

Another consideration is to redact information from just material that appears on the website or just materials that are publically disseminated, like in a Biennial Report. You should consider the same thing regarding the minutes. If you will notice, the minutes you have today, do not include names and the January minutes were redacted, as well and are currently, posted on the website. Since we have taken some information down, but not everything, we have time to flush this out, and decide how we want to handle it. If you want the minutes back on the website, I would ask that you consider only going back maybe six months, and later, maybe gradually go back and do more.

- Going forward, you will continue using the generic terms instead of actual names. Also, going forward you will agree to continue reporting the minutes in that fashion with anonymous generic titles.
This is something that has generated media publicly. We have always held ourselves to be transparent and we want to certainly maintain that but we have to balance or goals and missions and maintain transparency with the privacy interest of the citizen and witness who come to us.”

Discussion questions...
1. R. Johnson asked if there had been any complaints about their information being placed on the website. Shields responded, “No one complained or came to me. This is something we discovered as we were preparing for the Biennial. I saw the information and we were just being proactive.”
2. R. Johnson asked, “We can discuss this further and move forward with the adoption of policies?” Bartels responded, “Yes absolutely. I think this is something we have to discuss and we can do that later on tonight and vote on it.”
3. Aliniecee asked, “Is this something that goes into our By-Laws so that it does not happen again?” Shields said, “I don’t think so. I know that the information that was originally placed on the website is not something that I believe was ever presented to the board by way of discussion or vote. However, that does not mean that it can’t be that going forward, but this is something that the Executive Director has done as an executive decision or within her discretion. Again, the Board can always curtail or taper or limit the administrative authority of the Director.”
4. Williams stated, “If we redact these types of things from the website, could we then move to get us put on the TV regularly? I am just concerned about how people will know who we are if we are not on TV or if you take stuff off the website.”
5. Bartels said, “We just need to decide. I think the first question to address is at the initial stage, when somebody comes in to file a complaint. Do we believe that they should be advised of the Open Records Act applies and if they don’t ask to redact their names that their names will be posted on the website.”
6. Morrissey indicated that she could see both sides.

Following the discussion, Morrissey made a motion asking the Chair to appoint a committee to study the and also have conversation with the new Executive Director. The motion was seconded by Williams. Hearing no further discussion, the motion passed.

Following the motion, Harrison raised the question of what to do with information in the meantime. Bartels stated, “The simplest most direct thing to do would be to continue posting the material, complaints and the minutes, but redact names of witnesses, complainants and officers as a stop gap measure for the time being. I think that balances the need for privacy and I can understand that some people are concerned that they don’t want anybody to be able to Google their name and pull that up right away, but on the other hand, we need to be transparent as a board. I also think the community needs to be able to go to our website and not just read our statement of what we do but they need to able to pull up something on the website that shows in a concrete way what it is we do.”

Following more discussions, Harrison made a second motion to leave the website as it is today without the information or there and begin to place on the website a report with all the personal information of the complainants, witnesses and officers redacted. Price seconded. The Chair called for discussion.

Discussion questions...
1. Harrison explained, “I made the motion because if we develop a committee to work it out then in a month or so, we can go back to include what Mr. Williams has concerns about later after we figure out and discuss, in committee, how we can actually do that without putting in the public eye, personal information. If we go with what we got right now, and leave it as that and then post the reports, it gives us enough of an opportunity to go back and include everybody’s input.”
2. R. Johnson asked, “Basically what you are saying is you want to talk about the allegations against the officers in the report, but we just want have the names of the individuals in it?” Harrison answered that is correct.
3. **Williams** asked, "So what happens when we go to our community meetings? What do we have to say to them face to face?"

4. **Price** responded asking, "What difference does it make who committed the allegation as long as all the information is there. If you call the police department right now and ask for a background on Ruth Price, I don’t want you talking about everything that happened because it is not fair to the officer. Everybody all over the world can go to that website and see that Ruth Price was accused of doing such and such a thing. The name is irrelevant and these allegations can interfere with the officer getting a future job somewhere. If you called the Department the only they can legally tell you is 'I will not hire Ruth Price again.' They do not go into everything I did the entire 26 years while I was there. It is not fair."

5. **Morrissey** said, "If I understand it correctly, the ACRB office, through our IAPro software does keep track of statistically records of each officer who has been complained on. Is that true?" **Shields** answered, "Yes."

6. **Bartels** said, "Just as a point of discussion, my main concern with that motion is that it will be sometime before there is a significant body of work on the website that individual citizens can go look at. Right now there is nothing. I guess going forward from this date, there will be two complaints. Maybe we need to consider whether that is sufficient or whether we want to go back three month."

7. To clarify what is currently seen on the website, **Shields** pointed out, "When you go to the website, in the menu bar, there is a tab that reads, 'Complaints Reviewed.' If you click on that tab, there is a chart that will show case numbers of every complaint this Board has ever reviewed. It will show the nature of the allegation and whether it was sustained or not sustained and what the Chief's' response was to the allegation. The complainant's name is not listed and I think there might be a few officers in the comment section, but their names are not listed. So just to clarify, it's not that there is nothing on the website currently, that information is still there, we just took out the Complainant's name on that chart.

8. **Morrissey**, "If I understand correctly, anyone who wants that information through the Freedom of Information Act can get it. Can we make that an easier process than what is normally, the official way of doing it?"

9. **Shields** replied, "In looking at what other jurisdictions are doing, one of the things we notice, is there is a link on there for Georgia, if you want to file an open records request. I think that is a good idea. The Open Records Act is great detail on how to handle request for information and I would suggest we follow that; but certainly, we can make it easy for people to get more detail information. Again, just to emphasize, by law, if we get a request for information, we have to disclose the complainant's name, the officer's name and witness and there is nothing we can do to change that. The question is do you want to put that out there on the website and marketing materials when it is not in keeping with apparently what other jurisdictions are doing."

10. **Aliniece** stated, "As we put this committee together, can we make sure that we make a public announcement to let citizens know this is the way they can get this information at any given time?" **Bartels** agreed.

Hearing no further discussion, the motion was approved with one ‘Nay’ vote by Williams.

**CHAIR’S REPORT**

**Chair Bartels** stated, “As the new Chair, the website issue is going to be one of my very top priorities. I understand everybody’s concern about transparency. I think the number of issues that are involved and the number of opinions that need to be discussed regarding that are too numerous to handle in one meeting tonight. It is something that we need to have a committee explore and deliberate carefully.”

“I do appreciate everybody’s support and trust electing me. It means a lot to me and I will do my best.”

**INTERIM EXECUTIVE DIRECTOR’S REPORT**
Shields provided a copy of the legislation Councilmember Lamar Willis is proposing that applies to the Atlanta Citizen Review Board, Internal Auditor and Ethics Review Board. Regarding the legislation, she said, "While it (legislation) is clear, it is not entirely clear how it is going to be carried out. What it is intending to accomplish is to get Public Safety Committee's input and Council's input into who this Board selects as its permanent Executive Director. Page two of the proposed ordinance, Section One, applies to ACRB, and the other sections apply to the Ethics and the Internal Auditor. The first question I had, when I saw it, was what prompted it. I don't know, but I do know the Ethics Board is searching for an Executive Director. They have recently made an appointment but the candidate is still before Council and Committee and do not believe it has not been approved by either. There are two openings for Executive Director, ACRB and Ethics but they are much further alone in the process than this Board. We are still trying to figure out the implication of this ordinance. We know it is suppose to go before Committee on Council on the 19th and where it goes from there, I am not certain. A bigger question is will this ordinance apply to the selection process that is currently taking place. I think, practically speaking, it could conceivably be passed before this Board has made its appointment. We will try as quickly as we can to get answers to that question. We certainly need to know when this person is going to start and whatever hurdles you are going to have to overcome before they are in place. The Board really needs to look at this very closely. You may have a different interpretation of it than I have but I think you need to decide what your position is. That position needs to be expressed to Council.”

Discussion Highlights:

1. Bartels stated, “The first part of the ordinance is pretty clear. We as a board send to the Committee our three finalists and attach all materials relied upon by the board. 'I’m not sure what that means. Does that mean resumes or interview notes, which I don’t feel comfortable turning that over? It looks like the Public Safety Committee makes a final recommendation and are you clear if that final recommendation is binding?’ Shields replied, ‘I don’t know and that is a good question. It is not clear to me if the final recommendation comes from the board and is presented to Public Safety and they at that time say they approve or disapprove. Or if they just make their own decision, which essentially means, they are the ones selecting the Executive Director.”

2. C. Johnson asked Shields if she was aware of any Committee Meetings or a Public Safety Committee Meeting coming up next week. Shields indicated there is a meeting on the 19th. She said, “Initially, we were told that this was going to come up at next Tuesday’s Public Safety Meeting. Then got word today that it was going to the Committee on Council on the 19th.

3. C. Johnson stated, “It was suggested by some Ethics Board people that maybe people should appear on behalf of, you know once we get a clear understanding of what this ordinance means, to voice our opinion about what we think about this. If on the surface, it may be circumventing the process and independence of these board that need to have a lot of independence, and not be under, if you will, the City Council from that standpoint, in making its selection of our own person to head the boards and their staffing.”

4. Shields said, “I absolutely would encourage every single one of you to show up at that meeting on the 19th, but you all need to decide before that time, where you stand as a board...what your issue are...what your concerns are...what your questions are.”

5. Price said, “My problem with that is if I was called tomorrow before the Board of Public Safety, I cannot say that I approve of the way we have handled things here with this Board regarding the selection process, as far as, who the three people are that we have selected. I don’t know who the three people are and I have an issue with me being on the Board for another two and half years and I have deal with someone who I have had no real input at all in the selection or hiring. So I can’t support it if you call me and tell me to come go to the Public Safety Board or to City Council and try to sell that our way of doing it is the best way. I can’t do it because, to this day, I don’t know who the three people are. Why can’t we know?”

6. Williams voiced his agreement with Price.

7. Bartels said, “That is the next step in the process to narrow it down to the finalist and present them to the Board."
8. Price asked, “Will they be presented in person or do you plan to just submit a Bio or resume? Can we meet these people fact-to-face?” Bartels answered, “Yes.”

9. Morrissy said, “If what I am looking at is what I think I am looking at, I will resign. This strips us all of our independence. I have been on this Board since the inception and if I knew it was going to end up like this, I would never have started if they want to take us and make us up into a bunch of puppets.”

10. R. Johnson commented, “I think, we as a Board and a respectful board, will not inform Council of our top selection. There is nothing on paper legally that will require us to do so, but I think out of common courtesy, we expect to present that information. We do have meeting on Thursdays at this time, and they are more than invited to come down here too just like the community does, just like the officials do, they can devote their time come down here and see what we do. It is not like we are hiding anything and just to piggy back on what Paul (Bartels) was tell you Ruth (Price), we do intend on allowing the Board to meet the candidates. There is nothing here being done in the dark here. So it is not clear to me as to why Council feels as though, and it is not clear to me if they are saying here also, that they are the end all, be all to our decision for our Executive Director.”

11. Shields stated, “This came as a complete surprise. I don’t believe anyone in the office, I certainly was not contacted before we got it.”

12. Harrison indicated that he would volunteer to go an talk to Lamar Willis, the Council member proposing the ordinance, and get clarification of the intent.

13. Bartels said, “To briefly outline my concerns about this, I have talked about the vagueness and I don’t understand exactly what this process is. The process of hiring, doing the interviews, plus hiring a new Executive Director is complicated enough as it is, if we are going to do our job and be careful about this and this would add another layer of complexity to it. I’m afraid that if the process extends into months and months, when we get qualified candidates, they are not going to sit around indefinitely. We as the Board were founded as an independent check on its city agency and if the City Council has veto, this erases what we were created to do.”

14. C. Johnson stated, “If you understand, they are actually targeting those areas where there should be independence. Having dealt with the Ethics part of this, there is probably some hidden agenda and purpose that we are not aware of, besides the point that everyone should be outraged about this. Having the City Council people make that decision, takes away completely what the whole intent was for those three bodies.”

15. Williams said, “I have got to call the spade a spade. The writing has been on the wall the whole time. The Mayor not putting in a replacement for Sharese (Shields), because she was appointed by Shirley Franklin to the Board, has taken too long and we need someone put in that place. It seems to (Bartels attempts to urge Williams). Oh I’m sorry, everybody can talk but me, I understand, but the bottom line is we have to hit them smack in the face, because they are going to hit you smack in the face and the citizens are going to be the ones to lose.”

16. Bartels, “I intend to be at the meeting on the 19th. I have marked my calendar and intend to be there unless there is an unforeseen emergency. I would encourage everybody who is interested to attend.”

17. Aliniece suggested that the Board have a conference call, to discuss beforehand, the 19th meeting. Shields responded that the call, like a meeting, would be subject to Open Meetings law.

18. Aliniece said, “I really think, we as a board need to talk before the 19th. Can we get a room and for those who are able to attend, meet to discuss what we are going to do.” Bartels said, “But before we can do that, we need to get some clarification about what it says and how this process will work if it is passed.”

19. Williams added, “This goes back to the Police Foundation Report that I mentioned last year, this is the next step. Pay attention.”

PUBLIC COMMENTS

Chair Bartels opened the floor for public comments reminding each speaker of the three (3) minutes time limit allowed per person. The following eight (8) people spoke:
1st Speaker: Mother Mamie Moore  
Mother Moore is a member BLOC and a resident of English Avenue. She stated that she believes people should be given the opportunity to say if they want their names marketed but she personally, does not have a problem with it. She stated that she would like to know the names of the policemen so they can be held accountable. She said, “You all exist by virtue of the assignation of Kathryn Johnson. I am glad you are getting a little backbone about what is being proposed in Public Safety and I applaud you for that. But what bothers me a little bit is that you all only posted the position for new director, four (4) days. This is a big time job and this should have a national search.”

2nd Speaker: Ted Brodek  
Mr. Brodek is a resident in the Lakeside, Candler Park area since 1969. He said, “I have been involved in the NPU structure and I was an NPU Chair once, so I know of some of the underlying dynamics that have lead to the formation of this Board, just as Mother Moore stated, with the killing of Ms. Johnson. I would hate to see the power that the Board has, be diluted. The fact that this thing has landed in Committee and you all didn’t know about it, is indicative that there are probably other things to put in place to change the structure of his committee.”

3rd Speaker: Tobin Brittan  
Mr. Brittan is a member of the ‘9 to 5’ organization. His concerns were with the Board losing some of its power. He also expressed concern about not including policemen names on the website. “The police, just like the thugs, should be exposed.”

4th Speaker: Charmaine Davis  
Ms. Davis is a member of BLOCS, 9 to 5 National Association of Working Women and Jobs for Justice. She also expressed concerns about the hiring process and posting the Executive Director position for only four (4) days. “We want the best and most qualified candidates and in order to get that, I believe you have to post the position for longer than four days.”

5th Speaker: Wande Ogunlusi  
Mr. Ogunlusi is also a member of 9 to 5 organization. His stated, “I believe that every human being’s life is very important and I think it is important for this review board to believe that too. As far as that goes you don’t want to have the police officer do something to a human being and not have them held responsible. I believe that is the job of this board.”

6th Speaker: Rev. Anthony Motley  
Rev. Motley has been a long term supporter of ACRB right from the board's inception. He said, “I am very adamant about Maceo (Williams) being a member of this Board. He and I served with Dr. Lowery on the People’s Agenda. You need a good ‘noise maker’ like Maceo on this Board and every other Board. Anyone on this Board, who does not possess the spirit of Kathryn Johnston in the sense of having a sense of moral outrage, because of what happened to her, then you are not qualified to be on this Board. Doesn’t matter how intelligent you are, or what other credentials you bring to the table. If you don’t have the sense of outrage, and a deep appreciation for what actually happened to her and what could happen to any one of you and anyone of us, then you shouldn’t be on this Board. I say that as a person who has a deep appreciation for the police department. I consider Chief Turner and the Mayor as my friend, but they have a different agenda altogether and that does not mean they are not sensitive to the issue that you represent, that’s just not their agenda. It is this Board’s agenda to represent the citizens and everything you do must be citizen friendly.” “We need groups like you, Maceo and others to make some noise and raise some hell.”

7th Speaker: Marshall Rancifer  
Mr. Rancifer is a BLOCS members and he represents Central Presbyterian Church. He said, “I hope you will not let the City Council take any more of your power away.” Mr. Cain also expressed concerned about information being removed from the website.

8th Speaker: Moki Macias  
Ms. Macias is a member of BLOCS and a resident of Southwest Atlanta. Ms. Macias stated, “One issue that I want to draw out and highlight. I hope that when this committee that’s going to be looking at the
transparency guidelines for the Board as a whole, when you take a look at them, I hope for one, there really is a strong commitment on the part of the committee." She also stated expressed concerned regarding complainant, witnesses and policemen names being omitted. She said, "Police officer, as Ms. Shields stated, are public officials and they are actually not entitled to have their name being redact off the report."

PERSONNEL MATTERS (Executive Session)

The Chair entertained a motion to go into Executive Session to discuss personnel matters.

The motion was made by C. Johnson to go into Executive Session and seconded by R. Johnson. Hearing no opposition, the motion was approved.

** Members of the Board met in closed session starting at 8:25 p.m. to 9:22 p.m. **

It was moved by C. Johnson to end the closed session. The motion was seconded by Williams.

BOARD VOTES FOLLOWING CLOSED SESSION

- Interim Executive Director’s Contract
  Harrison moved to extend contract for interim Exec Director for four (4) weeks. Seconded by Price. The Chair called for the vote. The motion passed 8-0 in favor.

- Salary Adjustments for Staff
  C. Johnson moved Interim Executive Director should proceed with salary adjustments for staff based on individual evaluations. Seconded by Price. Following a brief discussion, the Chair called for the vote. The motion passed 8-0 in favor.

- Personnel Committee Recommendation
  Morrissey moved to accept Personnel Committee recommendation. Seconded by Aliniece. Hearing no discussion, the motion was unanimously approved.

ADJOURNMENT

Chair Bartels entertained a motion to adjourn. R. Johnson moved to adjourn the meeting. The meeting adjourned at 9:31 p.m.

Alan Morris,
Board Secretary

April 18, 2012
Date: