2010 - 2011
Biennial Report

Atlanta Citizen Review Board
55 Trinity Avenue, SW • Suite 9100 • Atlanta • Georgia • 30303
Office: 404-865-8622 • Fax: 404-546-8401
Website: http://acrbgov.org/

Date Published: May 2012
ACKNOWLEDGEMENTS

The Atlanta Citizen Review Board owes a debt of gratitude to those who have supported the Board and its mission from the beginning. An oversight agency is only as good as the support it receives from the stakeholders in the community it serves. We are fortunate to have so many vested in our success.

We would like to extend a special thanks to:

The inaugural ACRB members who helped launch the ACRB as a new agency in 2007: J.L. Booker; Kathy Crawford; Roderick Edmond, (Secretary, then Chair); Heather Fatzinger; Lashawn Hoffman; Charis Johnson (Secretary); Seth Kirschenbaum (Vice Chair, two terms); John Michael; Owen Montague; Joy Morrissey (Secretary, one term; Chair, two terms); and, Sharese Shields Ages (Chair, two terms).

Cristina Beamud, the first Executive Director of the ACRB, who opened the ACRB office in 2008 hired the current staff and was instrumental in developing the ACRB complaint process, file management system and website.

Atlanta City Councilmembers H. Lamar Willis, C.T. Martin and Ivory Lee Young, Jr., for authoring the ordinance that created the Atlanta Citizen Review Board.

Bill Castings for his role as legal advisor to the ACRB.

Terry Grandison for his role as former legal advisor to the ACRB.

Office of the Mayor, Honorable Shirley Franklin, for providing resources and staff (including support from the current ACRB administrative analyst, Myola Smith) before the ACRB opened its office and hired its staff.

State Senator Vincent Fort, for being a vocal advocate and supporter of the ACRB.

Additionally, the ACRB recognizes and appreciates the support of the following:

- Atlanta Bar Association
- Atlanta Business League
- Atlanta City Council
- Atlanta Department of Corrections, Office of Professional Standards
- Atlanta Planning & Advisory Board, City of Atlanta
- Atlanta Police Department
- Atlanta Police Department, Office of Professional Standards
- BLOCS
- Board of Ethics, City of Atlanta
- City Council President Ceasar Mitchell
- City Council Member Felicia Moore
- Department of Human Resources, City of Atlanta
- Gate City Bar Association
- Georgia State University School of Law
- International Association of Chiefs of Police
- John Gordon
- John E. Reid & Associates
- League of Women Voters, Atlanta & Fulton County
- Mayor Kasim Reed
- National Association of Civilian Oversight of Law Enforcement
- National Institute for Truth Verification Federal Services
- Northwestern Center for Public Safety
- The People’s Agenda
- Gary Sams, Esq.
- University of North Florida, Institute of Police Technology and Management
Message from the Chair:

Since its inception, the Atlanta Citizen Review Board has benefitted greatly from the hard work and contributions of its members, staff and stakeholders. In particular, the founding members of the Board created an excellent foundation for all of us who follow in their footsteps. I am pleased to succeed Joy Morrissey, chair of the ACRB for two terms, who has done so much to further the Board’s purpose and support its members.

In the near future, we will be hiring a new Executive Director to replace Cris Beamud, who contributed immeasurably to the ACRB during her tenure. In the meantime, we are very fortunate to have Sharese Shields serving as Interim Director.

The ACRB remains committed to the legacy of Kathryn Johnston and our role as an independent body where citizens can seek redress when officers abuse their authority.

We take great pride in giving thorough consideration to all complaints that fall within the Board’s jurisdiction, and doing so in a manner that is fair to all parties involved.

Recently, the ACRB adopted a community outreach plan that we will charge our next Executive Director with refining and implementing over the coming months. It is our hope that, through community partnerships and outreach efforts, we will continue educating the public on the role of the ACRB while also developing initiatives that will serve to foster public trust in and cooperation with the Atlanta Police Department. We recognize that when law enforcement and communities work together, the quality of life improves for us all.

Thank you for your interest in the ACRB. Please share this Biennial Report with anyone who may benefit from it. And, as always, we welcome your comments and feedback.

Best regards,

Paul E. Bartels
Greetings,

When I came into office over two years ago, the city of Atlanta faced serious challenges. My administration, in partnership with the Atlanta City Council, made a series of hard decisions that are now moving the city in the right direction.

In law enforcement, our police force has increased to 1,959 officers, only 41 officers short of our goal of 2000 officers, making this the largest police force in Atlanta’s history. Crime is down and our citizens feel safer. Despite our progress, I realize that as the police force grows larger, oversight becomes even more critical.

During my campaign for Mayor, I pledged to support the Atlanta Citizen Review Board (ACRB) and backed that pledge by increasing the ACRB’s budget during my first year in office. More funding, however, is needed to make sure the ACRB can do the job that they were established to do. Oversight of a growing police force is a responsibility that cannot be ignored or underfunded.

The City of Atlanta is grateful for the work of the ACRB and we hope to make our partnership even stronger in the coming years. I offer my congratulations to the ACRB’s Board and Staff and thank you for your work in making our government more effective and accountable.

Sincerely,

Kasim Reed
Table of Contents

Overview ................................................................................................................................. - 6 -
Agency Structure .................................................................................................................. - 6 -
Atlanta Citizen Review Board Members ............................................................................. - 7 -
Atlanta Citizen Review Board Staff ..................................................................................... - 11 -
ARCB Complaint Intake Process .......................................................................................... - 13 -
2010-2011 In Review .......................................................................................................... - 14 -
Organizational Website – acrbgov.org .............................................................................. - 14 -
Training of ACRB Board Members and Staff ..................................................................... - 16 -
Board Members ..................................................................................................................... - 16 -
ACRB Staff ............................................................................................................................ - 17 -
Community Outreach Efforts .............................................................................................. - 17 -
Highlights of Proposed Outreach Plan ................................................................................ - 18 -
IAPro ...................................................................................................................................... - 18 -
Operating Budgets .............................................................................................................. - 19 -
Statistics ............................................................................................................................... - 20 -
Complaints Received ........................................................................................................... - 20 -
Allegations Investigated ...................................................................................................... - 21 -
Trends in allegations 2009-2011 ...................................................................................... - 22 -
Investigated Allegations Years 2010 and 2011 ................................................................ - 23 -
ACRB Studies/Recommendations ....................................................................................... - 24 -
Cooperation from APD and DOC ......................................................................................... - 25 -
Atlanta Police Department ................................................................................................. - 25 -
Atlanta Corrections Department ......................................................................................... - 25 -
Looking Ahead ..................................................................................................................... - 26 -
OVERVIEW

Agency Structure

In March 2007, the City of Atlanta passed legislation creating the Atlanta Citizen Review Board (ACRB), a revamped version of the Civilian Review Board. The purpose of the legislation is to ensure that city departments directly responsible for public safety, particularly the Police Department and the Department of Corrections, have the proper support of the government and its various agencies. It is designed to provide citizen oversight of misconduct accusations against sworn members of the police and corrections departments in the City of Atlanta.

Pursuant to Sections 2-2201 and 2-2211 of the Code of Ordinances of the City of Atlanta, Georgia, the ACRB is empowered to review and investigate grievances of citizens who have complaints against any sworn employee of the Atlanta Police or Corrections Departments with respect to: (1) abusive language; (2) false arrest; (3) false imprisonment; (4) harassment; (5) use of excessive force; (6) serious bodily injury; and, (7) death which is alleged to be the result of the actions of a sworn employee of the Departments.

This impartial body serves to help ensure the highest level of equality under the law for all people by providing a voice to citizens of the Atlanta community at-large. According to the ordinance, members of the Board are appointed as follows:

1. One (1) member shall be appointed by the Mayor (Currently vacant)
2. One (1) member shall be appointed by the City Council
3. One (1) member shall be appointed by the President of Council with previous experience as a law enforcement professional
4. One (1) member shall be appointed by Neighborhood Planning Unit (NPU) Group A – F
5. One (1) member shall be appointed by NPU Group G – L
6. One (1) member shall be appointed by NPU Group M – R
7. One (1) member shall be appointed by NPU Group S – Z
8. One (1) member shall be appointed from the Gate City Bar Association
9. One (1) member shall be appointed from the Atlanta Bar Association
10. One (1) member shall be appointed by the League of Women Voters
11. One (1) member shall be appointed by the Atlanta Business League

The ACRB office opened in September 2008 when the Board hired its first Executive Director and shortly thereafter a staff of two full-time investigators and an office manager. Since becoming a fully functional office, the ACRB has processed more than 197 complaints against sworn officers of the Atlanta Police and Corrections Department and completed a study on the functional operations of the Atlanta Police Department.
Atlanta Citizen Review Board Members

The City Ordinance mandates that the Atlanta Citizen Review Board be comprised of eleven members selected from various constituencies throughout the City of Atlanta. The selection process is designed to reflect the diversity and interests of a broad spectrum of the community. Members of the Board serve on a volunteer basis and receive no compensation. At present, there is one vacant seat on the Board.

The current Board members are as follows:

Paul Bartels, Esq., the Chair, was appointed to the Board by the Atlanta Bar Association. Mr. Bartels is an attorney at Davis, Zipperman, Kirschenbaum & Lotito, LLP, where he specializes in criminal defense. He has a Bachelor of Arts degree from the University of South Alabama, a Master's degree from the University of Southern Mississippi, and a law degree from Georgia State University School of Law. Mr. Bartels is a member of the Stonewall Bar Association, State Bar of Georgia, Georgia Association of Criminal Defense Attorneys and the Atlanta Bar Association.
William Harrison, the Vice Chair, was appointed to the Board by the Atlanta City Council. Mr. Harrison was raised in Houston, Texas and moved to Atlanta for a short while in 1989; then again in 2001. Since his relocation to Atlanta, he has worked for the Fulton County Public Defender’s Office where he assisted with the development and implementation of a program which monitored the City of Atlanta judges to ensure compliance with the appropriate appointment of Public Defenders. Upon leaving Fulton County, Mr. Harrison joined the civil litigation law firm of Drew, Eckl & Farnham, LLC. He is the founding Director of AVH Mediation and Arbitration, LLC. Mr. Harrison received his Bachelor of Science degree in Criminology and Corrections from Sam Houston State University and a law degree from Thurgood Marshall School of Law. He is a charter member of the Sam Houston State University Criminal Justice Alumni Association, and a member of the American Arbitration Association and the Alpha Phi Alpha Fraternity, Inc.

Pamela Aliniece was appointed to the Board by the Atlanta Business League. Ms. Aliniece has been an Atlanta resident for over 23 years and has been actively involved in community service since 1992. Over the years, she has vigorously advocated for programs and resources that enhance the lives of patients suffering with leukemia. She is the Founder, President, and CEO of Laughing at Leukemia (“L@L”) Inc., a non-profit organization located in the downtown Atlanta area. L@L's mission is to provide educational, emotional, financial, and job-related support to families of children diagnosed with cancer. Ms. Aliniece is a member of the Atlanta Business League.

Barbara Hubbard was appointed to the Board by the Atlanta Planning Advisory Board (APAB) representing NPUs ‘G’ through ‘L.’ Ms. Hubbard has been a resident of Atlanta since 1978. For the past 21 years, she has resided in the Carroll Heights Adamsville Community in NPU-H. She is an APAB delegate and serves as the Secretary for NPU-H. She also serves as the Chair for Code Enforcement and the Assistant Poll Manager for Precinct 03L. Ms. Hubbard is a member of the Atlanta League of Women Voters and an active member of the United Methodist Church.

Charis L. Johnson, Esq., was appointed to the Board by the Gate City Bar Association. Ms. Johnson is an Atlanta native and has been practicing law for over 20 years. She is an attorney with Ronnie Moore & Associates, Staff Counsel for Allstate and Encompass Insurance Companies in Atlanta. She received her undergraduate degree from Spelman College and her law degree from Howard University Law School. Ms. Johnson is a member of the National Bar Association, State Bar of Georgia, the U.S. District Court of the Northern District of Georgia, the Georgia Association of Black Women Lawyers, Gate City Bar Association, Atlanta Judicial Commission and the Atlanta League of Women Voters where she previously served as President.
Joy Morrissey was appointed to the Board by the Atlanta Planning Advisory Board ("APAB") representing NPUs 'A' through 'F.' Ms. Morrissey has been an Atlanta resident since 1979. Her business and professional experience includes teaching in the Metro Atlanta school systems for ten years. She received her Bachelor of Science degree in Education from Georgia Southern University and took graduate level courses in education, program development, management, and technology from Georgia Southern University, Georgia State University and Southern Polytechnic Institute. Ms. Morrissey is a member of the Piedmont Heights Civic Association and the Citizen Advisory Committee for the Atlanta Police Department’s Zone 2 Precinct.

Ruth Price was appointed to the Board by the current President of the Atlanta City Council. Ms. Price is a resident of Atlanta, who served over 25 years with the Atlanta Police Department (APD). When she retired from APD in 1998, Ms. Price had retained the rank of Major. Since her retirement, Ms. Price has worked for the Department of Juvenile Justice, the TSA and the City of Atlanta Municipal Court’s Community Court Division. She attended Georgia State University where she majored in Special Education and is a graduate of the Southern Police Institute in Louisville, Kentucky.

Alan H. Morris, the Secretary, was appointed to the Board by the League of Women Voters. Mr. Morris has a distinguished career in the field of Rehabilitation. He spent most of his career working for the Georgia Department of Human Resources’ Division of Rehabilitation Services. Mr. Morris received many awards and recognitions, including a Lifetime Achievement Award from the Georgia Rehabilitation Association. He earned an Associate’s degree in Psychology from Oxford College of Emory University and his Bachelor of Arts degree in Psychology from Georgia State University. He also received Master's degrees in Rehabilitation Counseling and Public Administration from Georgia State University.

Ryan Johnson was appointed to the Board by APAB representing NPUs 'M' through 'R.' Mr. Johnson resides in the Kirkwood area of Atlanta and is originally from Baltimore, Maryland. He is employed with the Decatur-DeKalb Family YMCA where he provides information on the types of services the YMCA offers. Prior to his relocation, Mr. Johnson served for four years as a Transportation Security Officer with the Transportation Security Administration (TSA). He attended the University of Maryland University College where he pursued a degree in Homeland Security Management and Foreign Language. He attended the Federal Bureau of Investigations (“FBI”) Citizens Academy where he met various community and business leaders across Georgia. According to Mr. Johnson, his greatest accomplishment is fathering his eleven-year-old daughter.
Maceo Williams, Sr., was appointed to the Board by APAB representing NPUs ‘S’ through ‘Z.’ Mr. Williams was raised in Chicago and moved to Atlanta in 1977. While living in Chicago, he was instrumental in starting the South End Jaycees, as well as being one of many who helped start the movement to get Harold Washington elected as Chicago’s first black mayor. Since his relocation to Atlanta, Mr. Williams became involved in the cosmetology industry. In 1997, he served as a lobbyist on behalf of the cosmetology industry during the Senate Bill #287, Senate Bill #615, and Senate Bill #95 Hearings which passed in 2000. He also served on a Senate Study Committee designed to help promote Aerospace Development. Currently, Mr. Williams writes a monthly article called ‘Civil Rights and You’ for the Georgia Informer. He is also working on a project called Georgia Stand Up, a community affiliate of labor using professional research, communication, education, canvassing, lobbying and community organizing to demand that politicians address the priorities that matter most to working class people.

Past Board members are: J.L. Booker, Kathy Crawford, Roderick Edmond, Heather Fatzinger, Lashawn Hoffman, Seth Kirschbaum, John Michael, Owen Montague and Sharese Shields Ages.

The Board meets on the second Thursday evening of each month. At these meetings, Board members deliberate regarding investigations of complaints and vote on disciplinary and/or policy recommendations, which are then submitted to the Chief of the Atlanta Police and Corrections Departments. The ACRB staff updates the Board on various issues, including, developments in office infrastructure, outreach and City-related matters. The Executive Director provides a report of all complaints received by the Office during the prior month, along with a recommended course of action for each complaint.
Atlanta Citizen Review Board Staff

The ACRB operates under the supervision of the executive director, who is appointed by the Board. Currently, the office is staffed by an investigator who processes and investigates complaints. Additionally, ACRB has an administrative analyst who provides administrative support to the staff. The members of the staff are as follows:

Sharese Shields Ages, Esq., the Interim Director, was hired by the Board to serve on a temporary, part-time basis as Interim Director of the ACRB following a vacancy of the Executive Director position in December 2011. She received her undergraduate degree from Clark Atlanta University and her law degree from Chicago-Kent College of Law, Illinois Institute of Technology. Ms. Ages has been licensed to practice law for more than a decade. Before attending law school, she worked as a newspaper journalist. After graduating from law school, she worked as a prosecutor and criminal defense attorney in Chicago, Illinois. Currently, Ms. Ages is the principal attorney of The Shields Law Firm, LLC, where she primarily practices in the area of Education Law and Personal Injury. Ms. Ages initially was appointed to serve as a member of the newly created ACRB by former Mayor Shirley Franklin in May 2007 and was reappointed to serve a three-year term in June 2008. While sitting as a member of the Board, the ACRB elected Ms. Ages to serve as Chair for two terms.

Sheena Robertson, Investigator was the first investigator hired by the ACRB in February 2009 and has over ten years of investigative experience. Prior to joining the agency, Ms. Robertson worked with the City of Atlanta Department of Law as an Internal Investigator in their Compliance Unit for two years. She was responsible for investigating allegations of police corruption, fraud, and misconduct of elected officials, employees and other individuals or entities doing business with the City of Atlanta. Ms. Robertson received her bachelor's degree from the City University of New York at Queens College and her law degree from Hofstra University School of Law.

Myola Smith, Administrative Analyst joined the ACRB in December 2008. Prior to that, Ms. Smith provided administrative support to the former Atlanta Mayor’s Deputy Chief of Staff and later became the former Mayor Shirley Franklin's Scheduling Coordinator. Ms. Smith was considered the main point of contact for the public and news media regarding complaints and general inquiries prior to opening of the ACRB office. She assisted the former Chair and other board members with getting the agency functional. She has over 25 years of business and management experience and her skills are an integral part of the process of the office's daily operations. Ms. Smith attended C.S. Mott College and the University of Michigan where she pursued a degree in Business Administration.
ARCB Complaint Intake Process

The ordinance creating the ACRB sets forth the complaint process. The law embodies a hybrid model for civilian oversight – an independent authority that investigates complaints and makes policy recommendations to the police and correction departments. Consequently, the agency operates independently of the Atlanta Police and Corrections Departments, while at the same time interacting with Department officials and fostering a mutually beneficial working relationship.

In order for the ACRB to pursue investigation of a matter, the complaint must be in writing and under oath. Additionally, the complaint must be received within 180 days of the alleged misconduct and must fall within at least one of the seven categories of conduct that the ACRB is authorized to review: 1) abusive language; 2) false arrest; 3) false imprisonment; 4) harassment; 5) use of excessive force; 6) seriously bodily injury; 7) death that is alleged to be the result of the actions of a sworn employee of the Atlanta Police or Corrections Departments.

Complaints may be submitted to the ACRB via the internet, mail, telephone or in person. Once a complaint is initially accepted the complaint then goes through the intake process. During this process, an ACRB investigator conducts a preliminary review of the complaint to determine if the allegations contained in the complaint fall into one of the seven designated areas that are within the ACRB’s investigative jurisdiction. Investigators contact listed complainants and witnesses to conduct a preliminary interview concerning the complaint, review geographical data as it relates to the complaint and compile relevant reports and supporting documents that are relevant to the review of the complaint. After completing the initial evaluation, the staff prepares and presents a recommendation to the Board for consideration. At this point, the Board may decide to do one of the following:

- Investigate the allegations;
- Refer the complaint to the Office of Professional Standards and the Chief of Police or Corrections;
- Conduct a more extensive review of the complaint to determine if the Board has the authority to review the complaint; or,
- Dismiss the complaint

When the Board authorizes that a complaint be fully investigated, it is assigned to one of the ACRB’s internal investigators. The investigator then initiates the formal administrative investigation. The investigator conducts in-depth interviews with the complainant(s), subject officer(s), and any associated witnesses, whether civilian or law enforcement, identified during the investigation. Additionally, the investigator collects and reviews other evidence that is pertinent to the administrative investigation. This evidence includes, but is not limited to, the following: associated police reports, medical records, court records, photographs, and jail documents. Some investigations require outside expert consultation, such as medical personnel, polygraphers, transcriptionists, and “use of force” consultants. When the investigation is complete, the investigator summarizes his/her findings in a comprehensive investigative report that includes a recommendation of finding in the complaint. This report is submitted to the executive director for review and is subsequently distributed to the Board for its consideration.

After reviewing the investigative report, the Board considers the evidence and votes to accept, reject or amend the staff’s recommendation. If the Board determines that it requires additional information the Board may refer the case back to staff for further investigation and reconsideration. Additionally, the
Board may also conduct a hearing involving investigated complaints and has the power to subpoena witnesses and documents relevant to the investigation. If the Board sustains a complaint, the Board next considers a recommendation for disciplinary action. The ACRB staff then sends the Board’s findings and recommendations to the police or corrections chief for review and imposition of discipline. The ordinance requires that the Chief of the appropriate agency respond in writing within thirty (30) days regarding which allegations are accepted, rejected, or will be implemented with modifications. In addition to completing investigations, the ACRB Board may also conduct studies into the activities and actions of the Atlanta Police and Corrections Departments in an effort to address the quality of public safety services in the City of Atlanta.

**ACRB Complaint Intake Process**

1. **Complaint Intake** (accepted via website, mail, in-person)
2. **Complaint Reviewed and Processed**: Enrolled into IA PRO, ACRB staff issues monthly complaint intake report with recommendations to investigate complaints based on jurisdictional criteria, as outlined in the Atlanta City Ordinance.
3. **Does ACRB initiate an investigative study?**
   - Yes: Study completed by staff and presented to the Board
   - No: ACRB Votes to investigate?
     - Yes: Board determines complaint is outside jurisdiction and complaint is dismissed
     - No: Board determines complaint is within jurisdiction and an administrative investigation is initiated
4. **ACRB Staff Investigator conducts detailed review of allegation. Presents case to board with suggestion to either Sustain, Not Sustain, Unfound, or Exonerate the allegation.**
5. **Board votes on Staff Recommendation**: Note: If allegations are sustained, officer records are reviewed and disciplinary action is proposed per APD/ADOC SOP
6. **Further investigation needed?**
   - Yes: Further investigation is completed with direction from the Board
   - No: Sustained allegation?
     - Yes: Formal notification to Chief of Police/Corrections of ACRB findings
     - No: Complainant notified of ACRB decision in writing
7. **All complaints are compiled in monthly report to appropriate agency’s OPD**
2010-2011 IN REVIEW

Organizational Website – acrbgov.org

The ACRB launched its website in 2010. The use of technology adds transparency and accessibility to the oversight and complaint process.

This user-friendly website allows the public convenient access to information regarding the ACRB:

- Annual and Quarterly Reports
- The ACRB Policy and Procedures
- The entire ACRB yearly meeting schedule
- Links to other resources, such as National Association of Civilian Oversight of Law Enforcement and Atlanta Police Department, Office of Professional Standards
- Board and Staff Credentials
- ACRB office contact information
- Driving directions to City Hall, Downtown Atlanta
- An opportunity to sign up and stay informed
- Information about the complaint process and easy-to-read instructions on how to file a complaint against an Atlanta law enforcement officer
- A downloadable Complaint Form in pdf. format
- An electronic Complaint Form that is submitted immediately to the ACRB staff to review
The website reflects a distinct identity for the ACRB by enhancing the awareness of the Board’s image, philosophy, ethics and achievements. It is designed to educate and communicate with the public, through the interactive use of visual and written communications.
ACRB.gov.org provides up-to-date information on the board's processes, meetings/hearings, key issues and cases of importance to the ACRB, as well as how the complaint process works.

To be added to the ACRB list of Stakeholders and supporters, please go www.acrb.gov.org, click on the Home page and register your name and email address. We will keep you personally informed about pressing issues impacting the Board's work as it strives to add new features that will enhance communication and provide the information Atlanta citizens need.

Training of ACRB Board Members and Staff

Board Members

Pursuant to Section 2-2201(d) of the Code of Ordinances, Board members shall receive training on the issues of abusive language, false imprisonment, harassment, use of excessive force, serious bodily injury, death which is alleged to be the result of the actions of an employee of the Department of Corrections or Police. ACRB members have received the following training:

- **Effective Meeting Management**, University of Georgia, Carl Vinson Institute of Government, April 11, 2011
- **Community Policing: The Comprehensive Approach**, Dr. Robert R. Friedman, January 8, 2009
- **What Does Police Oversight Look Like?** Georgia State University, College of Law, Assoc. Prof. Russell Covey and Asst. Prof. Nirej Sekhon, November 7, 2009
- **Georgia Open Meetings Act**, Kristin Denius, Esq., City of Atlanta, Law Department, August 13, 2009
• Fourth Amendment Law, Atlanta Police Academy, August 19, 2011 and September 26, 27, 28, 2011
• Ethics Training, Jabu M. Sengova, Esq., City of Atlanta, Ethics Office, October 13, 2011
• Force Science Seminar, Force Science Institute, Ltd., October 26-27, 2011

ACRB Staff

ACRB staff development and training are a high priority for the agency. During 2010-2011, ACRB investigators participated in training offered by the Institute of Police Technology and Management at the University of North Florida in Jacksonville, Florida, John E. Reid and Associates, the International Association of Chiefs of Police and the Northwestern Center for Public Safety in Evanston, Illinois. The training topics included: investigative techniques, internal affairs, interviewing and interrogation, shooting reconstruction and officer involved shootings, Fourth Amendment Law and use of force. Staff members also attended the National Association of Civilian Oversight of Law Enforcement (NACOLE) Conference and workshops at NACOLE’s Annual meetings in Seattle Washington of 2010 and in New Orleans, Louisiana in 2011. In addition, ACRB investigators have obtained certification as Computer Voice Stress Analyzer (CVSA) Examiners by the National Institute for Truth Verification Federal Services (NITV). This is a valuable investigative tool that can be used to assist the investigators with assessing the validity of statements obtained from witnesses and officers.

Community Outreach Efforts

In 2008, the ACRB hired an Executive Director and shortly thereafter, three staff people to manage the office and investigate complaints. Finally, a well-oiled complaint system with subpoena power was securely in place and cases were being investigated and adjudicated by the board. After this was accomplished, the Board then turned its attention to community outreach.

ACRB was about to enter its fourth year of operation, yet there was some evidence suggesting the public still had a general lack of knowledge regarding the Board and its purpose. The staff shared this belief as the office continued to receive calls and complaints regarding issues that did not fall under the jurisdiction of the Board. This was further indication that ACRB needed to improve communication with the public.

Accordingly, the Board formed a committee to develop a strategic outreach plan. Four members agreed to serve on the committee: Maceo Williams, Sr., William Harrison, Pamela Aliniece and Ryan Johnson. For several months, the committee met to brainstorm, research and compile information. Finally, with the assistance of staff, the committee drafted a plan and presented it to the Board.
The proposed Community Outreach Plan is currently under review by the Board.

**Highlights of Proposed Outreach Plan**

- Report achievements and successes to City Council, the Administration, stakeholders/public and media
- Identify target audiences and how to prioritize them based on available resources
- Develop key messages
- Provide community education and empowerment training and workshops
- Address recurring issues resulting in citizen complaints against and mistrust of sworn officers
- Identify critical support and resources needed
- Use technology to communicate up-to-date information
- Use marketing items and promotional aids
- Increase visibility by attending and supporting community fairs, events and festival
- Identify key distribution sites for brochures, complaints forms and general information

IAPro A significant issue in the area of managing police accountability with civilian oversight is determining the significance of reported complaints and findings generated by the agency being monitored. This empirical data assists stakeholders in the identification and analysis of any trends that may occur in allegations against the department’s officers. The Atlanta Citizen Review Board uses the IA PRO software as its case management system to log, categorize and report the complaints that it receives and investigates. IA PRO's Professional Standards/Internal Affairs software ensures the efficient handling of citizen complaints and administrative investigations. It allows the Atlanta Citizen Review Board to effectively manage and track its investigative process to fulfill the Board's mission of providing a fair, open, transparent and independent venue for complaints against sworn members of the Atlanta Police and Corrections Department.
From FY-09 to FY-10, the Board received a modest budget increase of approximately 9%. The third fiscal year, the budget increased another 9% and the following year, FY-12, funding was slightly decreased. From the first budget to the current budget, funding over the past four (4) fiscal years, increased an average of 8.5%.

Although funding increased slightly over the past three years, the budgets pale in comparison to other cities of similar size which are funding police oversight. For example, in 2011, New Orleans' budget for police oversight was $1.2 million; Detroit had $2.8 million; District of Columbia, $2.6 million; and San Francisco's budget was $2.9 million. Our proposed budget for 2011 was $370,706.

The City of Atlanta has made public safety a priority. Our hope is that the function of ACRB will be held in the same regard as the other public safety departments within the City and the funding, going forward, will reflect that.
Statistics

Complaints Received
The Atlanta Citizen Review Board received 85 total complaints in year 2011; this is a 16.4% increase over the 73 complaints received in 2010 and an overall increase of 117.9% from year 2009.

Complaints not accepted for full investigation were 75% of all filed complaints. This category of complaints requires a preliminary screening investigation by ACRB staff investigators that consist of preliminary interviews, document review, database logging, and a final memo of recommended dismissal.

2010 Breakdown of Complaints Screened & Complaints Fully Investigated
Allegations Investigated

In 2011, there were 28 allegations that were deemed to be within the Board's investigational jurisdiction; this is a 40.4% decrease from the 47 allegations that were investigated in 2010. The below charts depicts the breakdown of allegations that were investigated by board staff in years 2009, 2010 and 2011.
Trends in allegations 2009-2011

ACRB Investigated Allegations year 2011

- False Arrest
- False Imprisonment
- Abusive Language
- Harassment
- Excessive Force
- Death/Injury

<table>
<thead>
<tr>
<th>Allegation</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>False Arrest</td>
<td>32%</td>
<td>30%</td>
<td>28%</td>
</tr>
<tr>
<td>False Imprisonment</td>
<td>18%</td>
<td>20%</td>
<td>16%</td>
</tr>
<tr>
<td>Abusive Language</td>
<td>18%</td>
<td>20%</td>
<td>16%</td>
</tr>
<tr>
<td>Harassment</td>
<td>3%</td>
<td>2%</td>
<td>1%</td>
</tr>
<tr>
<td>Excessive Force</td>
<td>28%</td>
<td>30%</td>
<td>32%</td>
</tr>
<tr>
<td>Death/Injury</td>
<td>0%</td>
<td>2%</td>
<td>0%</td>
</tr>
</tbody>
</table>
**Investigated Allegations Years 2010 and 2011**

The Table below lists each of the resolved and currently open investigations from years 2010 and 2011 in the order in which they were resolved and identifies the allegations in the complaint, the recommendations of the ACRB Staff, and the decisions reached by the Board and the Chief of Police.

<table>
<thead>
<tr>
<th>Complaint #</th>
<th>Allegation(s)</th>
<th>ACRB Staff Recommendation</th>
<th>Board Findings</th>
<th>Chief Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-01</td>
<td>False Arrest</td>
<td>Unfounded</td>
<td>Unfounded</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-16</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-02</td>
<td>Abusive Language</td>
<td>Sustained</td>
<td>Not Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-07</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Not Sustained</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-08</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-09</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-10</td>
<td>False Arrest</td>
<td>Not Sustained</td>
<td>Sustained</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-11</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-12</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-13</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-14</td>
<td>False Arrest</td>
<td>Not Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-15</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-16</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-17</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-19</td>
<td>False Arrest</td>
<td>Not Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-24</td>
<td>False Imprisonment</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-25</td>
<td>Excessive Force</td>
<td>Exonerated</td>
<td>Exonerated</td>
<td>Agreed/Board</td>
</tr>
<tr>
<td>10-20</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-34</td>
<td>Abusive Language</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-38</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-40</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-43</td>
<td>Excessive Force</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-49</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-66</td>
<td>Excessive Force</td>
<td>Not Sustained</td>
<td>Not Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-67</td>
<td>Excessive Force</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-68</td>
<td>False Imprisonment</td>
<td>Not Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-70</td>
<td>Excessive Force</td>
<td>Not Sustained</td>
<td>Not Sustained</td>
<td>Sustained Other</td>
</tr>
<tr>
<td>10-70</td>
<td>Abusive Language</td>
<td>Not Sustained</td>
<td>Not Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-71</td>
<td>False Imprisonment</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-04</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-05</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-06</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Sustained Other</td>
</tr>
<tr>
<td>10-07</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-08</td>
<td>False Arrest</td>
<td>Not Sustained</td>
<td>Not Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-09</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-10</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
<tr>
<td>10-11</td>
<td>False Arrest</td>
<td>Sustained</td>
<td>Sustained</td>
<td>Rejected/Board</td>
</tr>
</tbody>
</table>
ACRB Studies/Recommendations

During the summer of 2010, the ACRB investigated complaints filed against officers of the Red Dog Unit and Vice Squad of the Atlanta Police Department by twelve individuals who were either patrons or employees present at the Eagle Bar nightclub located in Midtown Atlanta during a police investigation/raid. One of the complaints alleged false arrest; two complaints alleged abusive language, including use of gay slurs and profanity; and, nine complaints involved allegations of both abusive language and unlawful imprisonment. The incident garnered local media coverage and later was the subject of civil lawsuits filed by the patrons and employees of the Eagle Bar.

Over the course of several months, ACRB staff interviewed and obtained statements from more than three dozen witnesses, including 24 of the officers present during the raid, as well as from the patrons and employees who filed the complaints.

The Board voted to sustain allegations of abusive language, false arrest and unlawful imprisonment against the officers present at the Eagle Bar. The Board further requested a study to consider the supervisory responsibility for oversight of the officers involved in the incident and to determine whether members of the Vice Squad and Red Dog Unit violated the Standard Operating Procedures of the Atlanta Police Department.

The study concluded that supervisors did not ensure that the officers conducting the investigation at the Eagle Bar and making the subsequent arrests were familiar with the constitutional requirements for conducting a search and/or seizure. Similarly, supervisors failed to follow standard operating procedures for evaluating information and ensuring that officers did not violate the constitutional rights of the patrons. Consequently, the ACRB recommended that many of the officers involved in the police investigation/raid be required to attend training on the Fourth Amendment, in addition to receiving disciplinary sanctions ranging from written reprimand to 30-days unpaid suspension.

Prior to the Eagle Bar case, the ACRB had expressed concern about the number of cases it reviewed that included possible Fourth Amendment law violations related to “stop and frisk” and search and seizures. The ACRB found that some officers were not meeting the legal standard for conducting searches and seizures.
and pedestrian stops as determined by the U.S Supreme Court and APD policies and procedures. During 2010 and 2011, the ACRB made several recommendations to the Chief to provide its officers with on-going training to align them with current law and court decisions. APD agreed to provide its sworn officers with mandatory in-person training every two years on Fourth Amendment law related issues. Additionally, as a result of the Eagle case, APD made several changes to their Standard Operating Procedures (SOPs) as it relates to arrest and search and seizures.

Additionally, on the heels of ACRB investigative findings of various search and seizure violations, including findings from the Eagle Bar case as well as other cases involving APD’s Red Dog Unit, the Police Chief announced in February 2011 that he was disbanding the Red Dog Unit.

Cooperation from APD and DOC

The ordinance creating the ACRB requires all City of Atlanta employees to cooperate fully with its investigations and submit to interviews. This mandate applies to both sworn and unsworn officers, as well as all other employees of both the Atlanta Police Department and Department of Corrections.

Atlanta Police Department

During the first few years of operation, the ACRB experienced considerable difficulty securing attendance and participation of Atlanta Police Department (APD) officers at investigative interviews conducted by the ACRB staff. From 2009 to 2010, approximately 28 officers either failed to appear or refused to be interviewed. In all instances, the Chief was notified of the officers’ non-compliance, however, APD failed to take any disciplinary action against any of the officers. This seriously undermined the ACRB’s ability to conduct credible, thorough and impartial investigations. In response to concerns about APD officers’ noncompliance, in late May 2010, the City Council enacted legislation that amended the ordinance to include the following language:

"Upon notification by the executive director of the board that an employee has not cooperated as requested, the police chief or corrections chief shall cause appropriate disciplinary action to be instituted against the employee, and shall notify the board of the outcome of such action."

This amendment gave “teeth” to the ordinance by requiring the Chief to impose discipline on officers who fail to cooperate with the ACRB, a tremendous victory for the Board. Since the amendment passed, there have been no instances where an officer has refused to appear for an investigative interview with the ACRB.

Despite the natural tension that often exists between any oversight agency and the law enforcement departments it oversees, the ACRB has developed a mutually respectful working relationship with the APD administration and its internal affairs division.

Atlanta Corrections Department

The ACRB has received only a very small number of complaints against Atlanta Corrections Department (ACD) officers. To date, only one of those complaints has fallen within the type of complaints the ACRB has jurisdiction to review. The Corrections Department has cooperated fully with the ACRB investigative process.

---

3 The ordinance was also amended to provide the Board with subpoena power and ensure that the release of the Board’s findings was consistent with the Georgia Open Records Act and the City ordinance (see Sections 2-2211(i) & 2-2212(b).
Looking Ahead

The Atlanta Citizen Review Board will continue providing independent oversight of the Atlanta Police and Corrections Departments in a manner that is fair, balanced and transparent. We remain committed to our mission of increasing public confidence in and promoting accountability of Atlanta police and corrections officers.

In the very near future, the ACRB will select a permanent, full-time Executive Director to fill the vacancy left by Cristina Beamud. Our new Executive Director will be expected to not only manage the agency's day-to-day operations and investigative functions but also provide leadership and direction in the ACRB's community outreach initiative.

We recognize that in order to identify and address issues most pressing to the communities that we serve, the ACRB must remain in constant contact with the citizens of Atlanta. We will continue strengthening relationships with our stakeholders and determining new ways the ACRB can become more accessible to those who seek redress of grievances against police and corrections officers. We will explore how the use of technology (e.g., our website), as well as traditional modes of communication, can help us achieve this goal.

The ACRB is uniquely positioned to facilitate initiatives that help bridge the disconnect that often occurs when citizens lack trust and confidence in the police department. We will continue to evaluate trends in public safety, identify recurring incidents that occur during citizen-officer encounters and explore solutions to help reduce future incidents of civil unrest.

We recognize the importance of citizens and police departments working together. The ACRB remains committed to building a mutually respectful working relationship with the police and corrections departments.

The Board members appointed to serve on the ACRB reflect the diversity of Atlanta. They come with their own unique life experiences and occupational backgrounds. They demonstrate their commitment to working hard and making a difference by the sheer number of hours they spend each and every month reviewing cases, attending meetings and exploring ways to make the ACRB better for our Atlanta. We will continue finding ways to support our Board members by offering them the training and resources necessary to equip them with the understanding and knowledge of topics relevant to the work of the ACRB.