ATLANTA CITIZEN REVIEW BOARD
MINUTES OF THE MEETING
July 12, 2018
Metropolitan Library
1332 Metropolitan Pkwy, SW
Atlanta, Georgia 30310
6:30 p.m.

(Special Note: ACRB staff has made every effort to capture comments as stated by each speaker; however, in some instance the words may have been inaudible and therefore, unable to transcribe verbatim. In such cases, staff attempted to capture, at best, the essences of the statement.)

The July meeting was called to order at 6:34 p.m. by Vice Chair Pitre.

AGENDA

ROLL CALL
(The ACRB consist of thirteen board members.)

ACTIVE MEMBERS PRESENT

GLORIA HAWKINS-WYNN (Hawkins Wynn)  TAMARA ORANGE (Orange)
MICHAEL HOPKINS (Hopkins)            SHUNTAY PITRE (Vice Chair Pitre)
CECILIA HOUSTON-TORRENCE (Sec. Torrence)  SHERRY WILLIAMS (Williams) (Arriva 6:34p)
TRACEE MCDANIEL (McDaniel)

ACTIVE MEMBERS ABSENT

BARBARA WARD-GROVES (Ward-Groves)

VACANT BOARD SEATS

APAB NPU-Group A-F (two (2) month)
Gate City Bar Association (three (3) month)
Atlanta Bar Association (six (6) months) Nomination Pending Confirmation
Atlanta Business League (one (1) year)
City Council President (2 years and one (1) month) Nomination Pending Confirmation

ACRB STAFF & CITY EMPLOYEES ATTENDEES
SAMUEL LEE REID, Executive Director (Reid); MYOLA SMITH, Project Manager (Smith); SHEENA ROBERTSON, Investigation Manager (Investigator Robertson); BRIAN FLEMING, Investigator, Senior (Investigator Fleming), LYNN GARRETT, Executive Assistant (Garrett/Transcriber); REGINAL MCCLENDON, COA Law Department, (Attorney McClendon), LIEUTENANT BRYAN PADEN (Lt. Paden), Atlanta Police Department, Office of Professional Standards

APPROVAL OF MINUTES FOR JUNE 2018

Houston-Torrence moved to approve the minutes. McDaniel seconded. Hearing no further discussion, the motion was unanimously approved by Pitre, McDaniel, Orange, Hawkins-Wynn, Cecilia Houston-Torrence, Hopkins, Williams.

POLLING OF THE AUDIENCE FOR CASE INFORMATION

The Vice Chair opened the floor for additional information from the public with regards to the cases on the agenda.

Investigator Robertson informed the board that the Complainant of Case #18-005 was in the audience and that she had spoken to Investigator Robertson regarding her case. Hearing no new information from the audience, the Vice Chair moved the agenda forward.

EXECUTIVE DIRECTOR’S REPORT

The Board received a comprehensive Executive Director Report in advance of the meeting. Reid highlighted the following information taken from the report:

- **Staff Change**
  Investigator Brathwaite resigned effective June 28, 2018. We wish him much success in his future endeavors.

- **Board Appointment Update**
  The legislative first reading for City Council President Nominee, Trudy Boyce, and Atlanta Bar Association Nominee, Keith Hassen, is Monday, July 16, 2018. Following the first reading, the nominees will appear before the Public Safety Committee. We are working on two other nominees to seat on the board.

- **Special Thanks**
  Director Reid gave special thanks to Board Member Michael Hopkins and the NPU-V President, Columbus Ward for getting out the word to his NPU members about the ACRB meeting being held in the NPU-V neighborhood at the Metropolitan Library. Director Reid recognized former board members Maceo Williams and Bill Bozarth in the audience.

- **ACRB Intern**
  Director Reid introduced ACRB Summer Intern, Brianna Morton. Brianna is a rising senior at Hapeville Charter School. Brianna has been an asset to our department. We are happy to have her with us.
• **Former Board Member William “Bill” Bozarth Presentation**
Director **Reid** presented a service award plaque to William “Bill” Bozarth. Bill dedicated six years of service to the residents of Atlanta, beginning in 2012. He served as a vice-chair of the ACRB from 2015-2016. **Reid** stated that Bill was the “most engaged active board member.”

**Comments from Bill Bozarth:**
Mr. Bozarth expressed his appreciation for the Atlanta Citizen Review Board and the Atlanta Police Department. Bill stated that it was an honor serving on the board and working with the staff.

**Comments:**
**McDaniel** thanked Bill Bozarth for sharing his wisdom and knowledge while serving on the board and his presence will be missed.

• **10-Minute Training Modules for Board**
Executive Director **Reid** distributed the key answers to last month’s quiz. The questions on the quiz pertained to the role of board members and their knowledge and understanding of reviewing complaints.

**Discussion and Comments:**

1. **(Hawkins-Wynn)** Where do you find this information? Is this from the training manual?
2. **(Reid)** Doing your training orientation, we talked about a lot of this, in your orientation manual. That is where you pick it up from. So, go back and read the orientation manual and if we need to have another sit-down for an orientation discussion, we can do that. I am not opposed to that. If you have been present in the meetings, a couple of the answers came directly from observations. Like #3, What contributes to confusion during a board meeting? Failure to prepare for the meeting (reading cases, getting clarification on facts and issues prior to the meeting), failure to observe parliamentary procedure, failure to focus on the discussion that is occurring. That is something just from observation.
3. **(Hawkins-Wynn)** For example, question #2, unless it was coming directly from a manual, the question was, presented as such…I thought that it meant outreach, case review and reporting to appointing agency. Which are apparently responsibilities.
4. **(Reid)** And those are important. The top one though, as far as activities go, deals with preparing for your case discussion, attending board meetings on time and being prepared to discuss the cases and vote accordingly to your individual understanding of the facts. Those are the things that directly relate to the cases that you are dealing with. But, if you are talking about the overall obligations for a board member, you can look at the duty of care, duty of loyalty and duty of obedience. We will go back and look at those things as well. What we are trying to do now is set a baseline so that everybody knows where we need to be. We can continue to touch on those things. When we have one of the judges come in and train...within the next month, we will be able to touch on it some more.
5. **(Williams)** I appreciate that fact staff saw the need to do a review because periodically, we do need to go back and review. Sometimes you get caught on in what you are doing right now, you just must go back to the basic to make sure that you stay on task. I want to say #4 reminds us...one of the best thing that we can do is...when we get the cases is read them and then read them again right before the meeting so that if we have a questions initially about something, we can contact the investigator, which could do away with a 30-minute discussion, which could have been taken care of prior to. Sometimes, we will have 7-8 cases and it would make a difference that we understand the facts...get our questions out of the way and make that part of our discussion....
6. **(Reid)** Next month, I will have something else for you. I am trying to keep these modules to 10 minutes...just enough time for us to hit on it quickly...then move to something else.
7. **(Hawkins-Wynn)** One other example, when you look at the board case review sheet, that is included in the training manual, I spoke with Executive Director **Reid** today...for example...the note section is for you to read and record your thoughts and impressions about the case.
You would want to note your support for your finding. I know that the direction of the board is to take in consideration the investigator’s report and then decide if the board agrees. Is that correct?

8. **(Reid)** It is not the agreement with the investigators that’s the central point. The central point is, do the facts from the investigation support the decision that the board wants to make. The investigator makes a recommendation, you guys are to read everything that is in the report. Look at the recommendation, determine if you like it or can support it. The main thing is, from what you read in the case, and the facts that you have gotten out of the case, can you decide and can that decision be supported by what’s in the file? At the end of the day, it’s about what’s in the file that support your decision. The investigator’s recommendation is not the central point. One of the answers that I have in here…when the board chooses to disregard the investigative facts contained in the completed investigation, what should the board do? You need to be able to point to something in the facts that carry more weight than what the investigator has recommended, to make sense when it goes over to the police department. Your decision is the binding decision for us. That is the decision that APD pays attention to. They don’t pay attention to the staff’s recommendation. They pay attention to your decision.

9. **(Hawkins-Wynn)** In our conversation today, for example, one case was not sustained. However, I thought the bigger discussion was that I agree with there not being ample evidence to determine one way or the other what happened.

10. **(Reid)** No. That part of that discussion is this, in that note section, when you are looking at a case and you make your notes and concerns, there will be times when some other issues are larger than the allegations that are contained in the case, but it’s not the allegation. When we are looking at the cases, we want to focus on the allegation. The policy issues and or changes on how the police department can consider doing some things, that is something that we can talk about in a committee meeting or talk about in new business and follow up on so that, if you want to make a policy recommendation, you can make those policy recommendations. The whole idea is that you want to pull it out of the discussion on the case. You want to acknowledge it, but you want to pull it out of the discussion of the case... sometime what will happen is, you forget about the allegation that you are dealing with and now you are talking about policies, about feelings...what I think, what should be happening, but that is not related to what the person can in to complain about. So, deal with what the person came in to complain about. If there is some policy stuff that you noted in that section, then you want to bring it up to the board in new business. That is what we talked about.

**INTAKE REPORT FOR JULY**

Investigation Manager **Robertson** reported that for the month of June 2018, the ACRB received Fourteen (14) complaints.

A. **COMPLAINT BREAKDOWN AND STAFF RECOMMENDATIONS**

The ACRB staff is seeking approval to possibly dismiss nine (9) of the fourteen (14) complaints. Three (3) complaints are recommended for investigation and two (2) is awaiting a signed complaint. It should be noted that the proper referrals were given to those citizens whose complaints fell outside of ACRB’s jurisdiction.

The following is a list of the complaints that are being recommended for dismissal and the reason for the recommendation:

1. **ACRB Case No. 18-052 – Unwarranted Traffic Citation**

   The Complainant alleged an Atlanta Police Department officer unfairly issued her a traffic citation.
Recommend dismissal for lack of jurisdiction because it involves a traffic dispute that needs to be resolved in the courts.

2. **ACRB Case No. 18-054 – Harassment**
   The Complainant alleged that an APD officer harassed him on May 26th & June 2 of 2018 when he made him removed his artwork from outside the front of his business.

   Preliminary investigation revealed that the Complainant was displaying his artwork and jewelry on the sidewalk without a permit. City of Atlanta Ordinance Sec. 138-15 forbids obstructing sidewalk by placing goods/merchandise on display without a permit. **Therefore, recommend dismissal for lack of merit.**

3. **ACRB Case No. 18-056 – Failure to Write Traffic Accident Report**
   The Complainant alleged that on January 28, 2018, her granddaughter was involved in a traffic accident and the responding APD officer failed to write an accident report.

   The Complainant was not present when the accident occurred and was advised that her granddaughter would have to file the complaint. **Recommend dismissal for lack of firsthand knowledge.**

4. **ACRB Case No. 18-057 – False Arrest**
   The Complainant alleged that he was falsely arrested by an APD officer on June 8, 2018. The Complainant subsequently contacted the ACRB office and withdrew his complaint. **Therefore, recommend dismissal.**

5. **ACRB Case No. 18-058 – Illegal Lock-Out**
   The Complainant alleged that in 2016, he was living with two APD officers when they illegally evicted him. **Recommend dismissal because the incident occurred over 180 days and is time barred.**

6. **ACRB Case No. 18-059 – Inadequate Service**
   The Complainant came to the ACRB office to obtain an update on his OPS case because he has not heard from anyone at that office.

   **Preliminary investigation revealed that the Complainant’s case is still under investigation. Recommend dismissal for lack of merit.**

7. **ACRB Case No. 18-060 – Failure to Provide Documents**
   The Complainant alleged that the APD’s Open Records Department has failed to provide her with requested documents.

   **Preliminary investigation revealed that the information that the Complainant has requested is still inaccessible due to the cyber-attack that affected the City of Atlanta on March 22, 2018. Therefore, recommend dismissal for lack of merit.**

8. **ACRB Case No. 18-062 – Mistreatment**
   The Complainant alleged that the correction officers at the Fulton County Jail are mistreating her son. **Recommend dismissal for lack of jurisdiction.**

9. **ACRB Case No. 18-063 – Inaccurate Traffic Accident Report**
   The Complainant alleged that on April 14, 2018, he was involved in a car accident with another motorist and the responding APD officer conducted an inadequate investigation and put inaccurate information on the accident report. **Recommend dismissal for lack of jurisdiction because it involves a traffic dispute that needs to be resolved in the courts.**
Awaiting Signed Complaint:

ACRB Case No. 18-055 – False Arrest
The Complainant alleged that he was falsely arrested by an APD officer on May 31, 2018. Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.

ACRB Case No.18-064 – False Arrest
The Complainant alleged that on June 22, 2018, he was falsely arrested by an APD officer. Awaiting the Complainant’s signed complaint. If complaint is received within the next few weeks and has merit, then recommend investigation as an Appropriate Action Required complaint. If not, then recommend dismissal.

Signed Complaints:

1. ACRB Case No. 18-053 – False Arrest & Excessive Force
   The Complainant alleged that on May 27, 2018, she was falsely arrested by an officer. She further alleged that the officer engaged in excessive force when he forcibly grabbed her, twisted her arm, threw her against the wall and handcuffed her very tightly. Recommend investigation as an Appropriate Action Required and Excessive Force complaint.

2. ACRB Case No. 18-061 – Failure to Investigate & False Report
   The Complainant alleged that on June 15, 2018, APD officers falsified an Incident Report and failed to investigate his case. Recommend investigation as an Appropriate Action Required and Conduct complaint.

3. ACRB Case 18-065 – Failure to Take Statement & Rude Behavior
   The Complainant alleged that on June 2, 2018, she was involved in an altercation with a group of females and the responding APD officer(s) failed to take a statement from her. She further alleges that an officer was rude to her. Recommend investigation as an Appropriate Action Required and Conduct complaint.

B. BOARD VOTES ON INTAKE REPORT

*Houston-Torrence* moved to accept the Intake Report for June 2018. *Williams* seconded. Hearing no further discussion, the motion was unanimously approved by *Pitre, McDaniel, Orange, Hawkins-Wynn, Houston-Torrence, Hopkins, Williams.*

OLD BUSINESS

None

COMPLAINTS REVIEW:

ACRB CASE NO 17-048

A. ALLEGATION SUMMARY

The Complainants alleged that on December 23, 2016, Atlanta Police Sergeant Germain Dearlove and Officer Ryan Bucki used excessive force when they shoved him into a wall during his arrest.
B. STAFF RECOMMENDATION

The ACRB staff recommends that the allegation of **Excessive Force** against Sergeant Dearlove and Officer Bucki be assigned a finding of **Not Sustained** (*the investigation failed to prove or disprove that the alleged act(s) occurred*).

**Discussion and Comments:**

1. **(McDaniel)** Just for clarification. If no weapon was found at the scene, why was the complainant charged with possession of a firearm?
2. **(Fleming)** We reached out to Fulton County. They did not get back to us to tell us why he was found guilty on all charges. So, I cannot speculate and give you an answer.
3. **(Hawkins-Wynn)** He was found guilty, he pleaded…Alford v North Carolina, which is a plea. It’s a plea that says, I am not pleading guilty, I am just doing it for the sake of getting out of jail. If you look at the sentencing sheet…charges were upgraded once they got to the solicitor. The officer did not charge him with any weapon charges. It was upgraded at the solicitor’s level. That was part of the conversation that me and Mr. Reid had. Maybe some policy that we can consider is APD and closer relationship with the prosecutors...more to the officers first impression. Because she is right, there were not weapon. They spent 30-40 minutes looking for one. If you compare what the 911 report…the wife’s statement, she never mentioned that he pointed a gun at her. The officer who charged him, three months later, he was no longer there…he resigned. The plea was to get out of jail. There was likely some excessive force because nobody walks in here…someone brandishing a gun and say, hey, what’s going on?

C. BOARD’S VOTE ON EXCESSIVE FORCE ALLEGATION

**Williams** moved to accept staff’s recommendation to assign a finding of **Not Sustained** for allegation of **Excessive Force** against Sergeant Dearlove and Officer Bucki. **Houston-Torrence** seconded. Hearing no further discussion, the vote was call and the motion was approved by **Pitre, Williams, McDaniel, Orange, Houston-Torrence, Hawkins-Wynn, Hopkins**.

ACRB CASE NO 17-105

A. ALLEGATION SUMMARY

The Complainants alleged that Atlanta Police Officer Anthony Anderson harassed him between April 2017 through July 2017 when he: (1) falsely arrested him on April 12th and July 11th and, (2) made inappropriate comments to him at his place of employment, such as, when he jokingly asking if he had an active warrant, if he was a drug dealer and inquiring about his incarceration and court status.

B. STAFF RECOMMENDATION

I. **Allegation of Harassment**

Based on the information obtained during the investigation, there is insufficient evidence to support the Complainant’s claim of **Harassment** against Officer Anderson. Therefore, the ACRB staff recommends a finding of **Not Sustained** (*the investigation failed to prove or disprove the alleged act(s) occurred*).

II. **Allegation of Violation of Department Standard Operating**
It was determined through the investigation that Officer Anderson failed to activate his Body worn Camera upon his arrival at the scene of the April 12th arrest and failed to capture his initial interaction with Mr. Childs which is in violation of APD.SOP.3133, Section 4.3.2

Therefore, the ACRB staff recommends that the allegation of **Violation of Department Standard Operating Procedures** against Officer Anderson be assigned a finding of **Sustained** (the investigation established that there is sufficient evidence that the officers committed the allege acts of misconduct).

C. **BOARD’S VOTE ON ALLEGATION OF HARASSMENT**

**Discussion & Comments**...

1. (Houston-Torrence) Reading the case, I could not find anything to substantiate his claim and there was no corroborating evidence.
2. (McDaniel) He turned off his body worn camera in the middle of the conversation. My question is, why did he do it and what are the penalties.
3. (Williams) That will be the second allegation.
4. (Pitre) The first one will be harassment. If he was harassed. Is there a motion or a discussion?

**Williams** moved to accept staff’s recommendation to assign a finding of **Not Sustained** against Officer Anderson. **McDaniel** seconded. Hearing no further discussion, the vote was called, and the motion was approved unanimously **Pitre, Williams, McDaniel, Orange, Hawkins-Wynn, Houston-Torrence, Hopkins**.

D. **BOARD’S VOTE ON ALLEGATION OF VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES**

**Discussion & Comments**...

1. (McDaniel) What are the penalty for deactivating the camera and for not using the camera at certain points?
2. (Robertson) If it was sustained, it would pretty much like any other sustained...for Officer Anderson, based on his disciplinary history, it would be a Category A

**Williams** moved to accept staff’s recommendation to assign a finding of **Sustained** against Officer Anderson. **Houston-Torrence** seconded. Hearing no further discussion, the vote was called, and the motion was approved unanimously **Pitre, Williams, McDaniel, Orange, Hawkins-Wynn, Houston-Torrence, Hopkins**.

E. **BOARD’S DISCIPLINE RECOMMENDATION**

**Officer Information and Professional Standards History:**
Officer Anderson has been employed with APD since August 20, 2015. Officer Anderson has had five (5) complaints. Of those five (5), four (4) are internal complaints which involved vehicle accidents and he has one citizen complaint that is still pending.

**Discussion & Comments**...

1. (Williams) Is it (pending citizen complaint) this one?
2. (Robertson) No.
3. (Pitre) Those that are violating the department’s standards and operating procedures in the past, we have recommended training. Of course, we know that the body worn camera are
new, but those that have had them for a while, they know what they are supposed to do. Especially, when they are engaged in a certain situation. I think that we should consider that when we make our recommendation in regard to, whether we do training or additional training.

McDaniel moved to recommend that Officer Anderson receive a written reprimand and Body Worn Camera Training (BWC). Houston-Torrence seconded. Hearing no further discussion, the motion was approved. Pitre, Williams, McDaniel, Orange, Hawkins-Wynn, Houston-Torrence, Hopkins.

ACRB CASE NO 17-114

A. ALLEGATION SUMMARY

The Complainant alleged that on July 30, 2017, Atlanta Police Officer Shanquisha Murray failed to complete a report documenting the FBI’s misconduct towards him.

B. STAFF RECOMMENDATION

The ACRB staff recommends that the allegation of Appropriate Action Required against Officer Murray be assigned a finding of Exonerated (the investigation established that the alleged act occurred but was justified, legal or proper within Department policy).

Discussion & Comments…

1. (Williams) Investigator Fleming, when you talked to the complainant, did you detect any paranoia…just anything out of character? Because based on the background and how many times he has been to the zone, he believes that they are out to get him.
2. (Fleming) He believes that the FBI is out to get him, and they have told him numerous of times, that that’s not their jurisdiction. APD does not have jurisdiction over the FBI. He constantly goes back to the Zone; complaining about the FBI.
3. (Williams) Obviously, it has been explained to him that the FBI is at a much higher level than APD.
4. (Fleming) Yes.
5. (Williams) And still, he keeps coming back.
6. (Fleming) Yes.
7. (Hawkins-Wynn) The real relevance here is that she acted pursuant to the…policy and chain of command. Correct? He told her that she didn’t have to write a report that she just needed to give him the previous report...
8. (Fleming) That’s is correct.

C. BOARD’S VOTE ON APPROPRIATE ACTION REQUIRED ALLEGATION

Orange moved to accept staff’s recommendation to assign a finding of Exonerated for Appropriate Action Required allegation against Officer Murray. Houston-Torrence seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Williams, McDaniel, Orange, Houston-Torrence Hawkins-Wynn, Hopkins.

ACRB CASE NO 18-005

A. ALLEGATION SUMMARY

The Complainant alleged that on January 5, 2018, Atlanta Police Officer Chanel Chisholm inappropriately conducted a computer check on her.
B. STAFF RECOMMENDATION

I. Appropriate Action Required Allegation

Based on the facts, the ACRB staff recommends that the allegation of Appropriate Action Required against Officer Chisholm be assigned a finding of Exonerated (the investigation established that the alleged act occurred but was justified, legal or proper with Department policy).

II. Allegation of Violation of Department Standard Operating Procedures

It was determined through the investigation that Officer Chisholm’s interaction with the Complainant was not recorded due to the malfunctioning of her Body Worn Camera (BWC); which occurred because of a low battery.

According to APD.SOP.3133, Section 4.2.1, “Prior to the beginning of the shift, employees shall turn on the BWC, ensure the device has powered up correctly, has a fully charged battery, and is functioning properly. 4.2.2 Employees shall inspect the BWC to ensure there are no visible or obvious signs of damage.

C. BOARD’S VOTE ON APPROPRIATE ACTION REQUIRED ALLEGATION

Discussion & Comments...

1. (McDaniel) If the officer did not include in the report that Ms. Russel was on the scene, how was he able to run an ID check?
2. (Robertson) There were various officers on the scene. There’s another case that involves the same situation...that will address all these other issues. But, her name is not mentioned in the report and she was not the officer that handled this case.
3. (Hawkins-Wynn) Am I correct in understanding that the Complainant admitted that she was there, and a check was run...the question was whether it was proper or improper to run the check...
4. (Robertson) Correct.
5. (Hawkins-Wynn) And that comes out of the SOP 4.16.6 (1). Which says that the operator has the authority to release their vehicle to whomever they like. However, the officer has the responsibility of confirming that that person is a qualified driver to take the vehicle. Is that correct?
6. (Robertson) Correct.
7. (McDaniel) So, if that’s the case, would it have been ok if he had seen the ID and saw that it was valid. Why would you have to run a background check on the person that is getting the property?
8. (Orange) A lot of times, you may have a driver license and have not been notified by the state that your license has been suspended or there’s an issue going on in another jurisdiction. You must go through the CAD System or computer system to figure out whether the license is valid.
9. (Hawkins-Wynn) The face of the document doesn’t always stress the current state of that person’s privilege to drive. Sometimes they are fraudulent as well.
10. (Pitre) I don’t know if it was a typo, August 8, 2017 and it was file August 14, 2017...what happened?
11. (Robertson) That was a typo. Thank you.

Hawkins-Wynn moved to accept staff’s recommendation to assign a finding of Exonerated for Appropriate Action Required allegation against Officer Chisholm. Hopkins seconded. Hearing no
further discussion, the vote was call and the motion was approved by Pitre, Williams, McDaniel, Orange, Houston-Torrence Hawkins-Wynn, Hopkins.

D. BOARD’S VOTE ON VIOLATION OF DEPARTMENT STANDARD OPERATING PROCEDURES ALLEGATION

Discussion & Comments...

1. (Williams) This one (allegation) talked about the batteries. Then it talked about in the Standard Operating Procedures (SOP). Prior to the shifts, they are supposed to turn on their body worn cameras to ensure that it has powered up correctly and have a fully charged batteries. Can we get information on her jacket?
2. (Robertson) OK, but You will have to vote on issue first.
3. (McDaniel) I just want to make a comment. There is absolutely no reason why their equipment shouldn’t have been properly working, once they are on their shift.
4. (Hawkins-Wynn) When was a decision made to levy additional charges that was not created by the individual... when was the decision made? It was not the original complaint of the individual...but, we have a second violation.
5. (Robertson) Anytime during an investigation, if we see where there is a violation of something that you can investigate, we are going to investigate that and decide.
6. (McDaniel) So, it’s not uncommon that you get a complaint and the investigator sees additional violations.
7. (Robertson) Correct.
8. (McDaniel) I am just curious, not about the body worn camera, I mean the equipment...low battery. It is about the drugs that was found in the car. When did they find the drugs and if they knew that the drugs were in the car before the complainant came on the scene or asked to receive the property, didn’t they know before they ran the ID check and they would have explained to her...well, no matter what, we can’t release this property to you?
9. (Robertson) Like I said before, there’s another case pending that involves false arrest, false imprisonment and excessive force that will...the investigation will go further and deeper into those allegations. Allegedly, drugs were found. I don’t want to sit here and say that they found drugs when they haven’t even finished the investigation into what that complaint entails.
10. (McDaniel) So, that is something totally different than what...Ok.
11. (Hawkins-Wynn) The stop initially had something to do with licensing. The stop was not because of contrabands. Is that correct?
12. (Robertson) Again, I don’t want to comment on that investigation while it is still pending.

McDaniel moved to accept staff’s recommendation to assign a finding of Sustained for Violation of Department Standard Operating Procedures allegation against Officer Chisholm. Williams seconded. Hearing no further discussion, the vote was call and the motion was approved by Pitre, Williams, McDaniel, Orange, Houston-Torrence Hawkins-Wynn, Hopkins.

F. BOARD’S DISCIPLINE RECOMMENDATION

Officer Information and Professional Standards History:
Officer Chisholm has been employed with the Atlanta Police Department since August 29, 2013. Officer Chisholm has had two (2) complaints; one (1) internal (vehicle accident) and one (1) is pending. This complaint will be a Category A.

Houston-Torrence moved to recommend that Officer Chisholm receive a written reprimand and Body Worn Training (BWC). Williams seconded. Hearing no further discussion, the motion was approved. Pitre, Williams, McDaniel, Orange, Hawkins-Wynn, Houston-Torrence, Hopkins.
Discussion & Comments…

1. **(Orange)** Before we move on, I have a question regarding body worn cameras. I know that we had our training as far as BWC... Was there a period, a grace period for them to get acclimated to using that body worn camera? If so, do we need to take that into consideration when we are looking at these cases.

2. **(Robertson)** Maybe Lt. Paden can answer the first question.

3. **(Lt. Paden)** There’s no grace period about any direct equipment. It is like, using your firearm. Once you’re trained to use that firearm, you need to use it. That is basically the way that works. Any part of your equipment should be ready to go, and just like your Taser...you need to know how to use it when you hit the streets because you had explicit training on that piece of equipment and if you are not ready to use that equipment in a defensive way, then you have no business out on the streets.

NEW BUSINESS

SPECIAL ELECTION OF OFFICERS FOR BOARD CHAIR & SECRETARY

Discussion & Comments…

1. **(Pitre)** For those of you that are new, we recently had an election in February, and we elected new officers. A lot of our board members have transitioned from the board and they have gone on to do other things. This year, when I was elected as vice chair and we elected Gino Brogdon as the chair, unfortunately, he was not able to serve as chair...so I didn’t get to officially serve as vice chair. In one meeting, I immediately had to assume the chair’s role. I wanted to remain as Vice Chair and have more time to continue to learn before moving up to the chair’s role. That is why I am not listed on the ballot for Chair. I prefer to remain as the Vice Chair. Tonight, we will hold another election to replace Gino as Chair and we also must elect a new secretary.

2. **(Williams)** If anyone wants to run for secretary, it is fine with me. I just didn’t want the position to be vacant. If there is someone interested, I say, go for it. I would welcome you to be the secretary.

3. **(Reid)** So far, there is one for the board chair, Cecilia Houston-Torrence, and we have nominee for the board secretary, Sherry Williams, who is open to someone nominating themselves or someone else to take the position.

4. **(Hawkins-Wynn)** Who amongst the board has not held an executive seat? Has everybody held an executive...?

5. **(Williams)** No one on the board has held a seat prior other than myself. All the previous officer terms were up, and they are no longer on the board. I am the only person on the board now that has ever held an executive position


7. **(Williams)** She was just elected this year and same for Houston-Torrence.

Executive **Director Reid** facilitated the special election announcing the two open positions and the names of the candidates who had expressed an interest:

<table>
<thead>
<tr>
<th>Board Chair</th>
<th>Board Secretary</th>
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<tbody>
<tr>
<td>Cecilia Houston-Torrence</td>
<td>Sherry Williams</td>
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</tbody>
</table>

**Smith** opened the floor for additional nominations. **Houston-Torrence** nominated Tracee McDaniel to be Board Secretary. Ms. McDaniel was added to the ballet as a candidate for secretary.
Following the comments, each member received a ballot. While the ballots were being tallied, the meeting continued.

Announcement…

Williams reminded everyone that the Georgia Primary Run-Off Elections for early voting has begun. “You can go to myvoterpage.gov to find locations and voting information.”

PUBLIC COMMENTS:

(Special Note: ACRB staff has made every effort to capture comments as stated by each speaker; however, in some instance the words may have been inaudible and therefore, unable to transcribe verbatim. In such cases, staff attempted to capture, at best, the essences of the statement.)

Speaker Alfred Garner, Community Manager NPU-V

Mr. Garner works for CHRIS 180. Currently CHRIS 180 is partnering with Annie Casey Foundation; which provides healing circles and a trauma response network for NPU-V. Mr. Garner expressed that CHRIS 180 purpose is to address acts of violence that occur in communities and to have a safe place to discuss these issues. Mr. Garner said that the Metropolitan Library and the Emmaus House host community circles twice a month and is currently trying to start a healing circle at Pittman Park. Flyers and cards were provided.

Speaker Maceo Williams, Former ACRB Board Member

Mr. Williams requested more information pertaining to the Alford vs. North Carolina plea as discussed in Case #17-048. Board Member Hawkins-Wynn explained that plea involves a person who wishes to move their case forward but does not admit to any guilt. Mr. Williams expressed his concerns about Body Worn Cameras (BWC) not being activated during police stops. He stated, “During a previous NACOLE Conference that I attended, one of the topics was about body worn cameras and I believe that the camera can record up to 30 minutes before the actual real-time. Also, I am currently working with an organization that deals with voting rights and there will be a walk on October 6, 2018. Flyers and sign-up sheets are available on the table at the back of the room.” Mr. Williams also announced that Mayor Keisha Lance-Bottoms will host a back-to-school giveaway at the William Walker Recreation Center, 2405 Fairburn Road SW, Atlanta, Georgia 30331.

CLOSING REMARKS AND FINAL COMMENTS:

Announcement…

Hawkins-Wynn announced that Lakewood is having its Annual National Night Out on August 7, 2018. This annual event will be held at the South Bend Park at the gazebo. This is a community/law enforcement relations event.

Discussion & Comments...
1. (Smith) We do that every year. It’s something that we have been doing since the beginning of the ACRB. You will be receiving information regarding the community that we will partner with to celebrate National Night Out.
2. (Hawkins-Wynn) So, are you all going to come to my community?
3. (Smith) Well, we haven’t been out that way, so that’s a possibility. I will check with Charles to make sure we haven’t already committed to another community.
4. (Hawkins-Wynn) So we are on board.
5. (Smith) Charles or I will follow up with you.
6. (Reid) Gloria (Hawkins-Wynn) reminded me of something. It is in your ED Report. The new Office of Professional Standards Commander Tyus, who's replacing Major Murphy, who is going to Zone 3. It's in your ED Report.

SPECIAL ELECTION RESULTS

Here are the results of the election

New Board Chair: Cecilia Houston-Terrence (vote unanimous)
Secretary: Tracee McDaniel (vote unanimous)

(Smith) “Congratulations new ACRB officers. Please be prepared to conduct your first meeting, August 9, 2018 at 6:30 p.m. Your term of office begins immediately up until the next election in February 2019.

Special Note: Reid informed the board that in the future, the voting process will be handled by Myola Smith.

Discussion & Comments...

1. (Hawkins-Wynn) The by-laws did not speak to what we do when an officer leaves...is that correct?
2. (Reid) No it doesn’t. That is something that we would have to look into.
3. (Houston-Torrence) Do we need to review the bylaws at this point? I know that it is as needed...what is that ad hoc committee?
4. (McDaniel) Are we talking about forming a by-laws committee?
5. (Houston-Torrence) Yes.
6. (Smith) If you look at the By-Law’s Policies and Procedures, there is some information regarding the roles of all three of the officers. The vice chair not only takes the place of the chair when they are absence during the regular monthly meetings...but assumes the Chair’s role if the chair is unable or no longer able to serve. It also addresses setting up meetings. Which is the Chair’s responsibility.

Director Reid and Smith extended congratulations to the newly elected officers. New elected officers will resume their roles at the next month’s meeting.

ADJOURNMENT

No further business. Williams moved to adjourn the meeting. Houston-Torrence seconded. The meeting adjourned at 7:42 P.M.

ACRB Minutes for July 12, 2018 were approved: August 9, 2018

Cecilia Houston-Torrence, Board Secretary

Transcribed: LG/MS