Shades of Kathryn Johnston (Kentucky)

In 2006, 92-year-old Kathryn Johnston was killed in Atlanta during the execution of a “No Knock” warrant by the Atlanta Police Department. The recent killing of Breonna Taylor, a 26-year-old EMT worker in Louisville, Ky., who was shot in her bed after midnight on March 13, 2020 by three police officers serving a “no-knock” warrant is another shocking and senseless killing by law enforcement officers. It is even more appalling fourteen years later because the officers involved in the shooting were not required to wear and operate body worn cameras (BWCs). The facts, as reported by the local newspaper, raises many questions that must be asked and answers that need to be demanded in this incident. As the head of the City of Atlanta’s civilian oversight agency (Atlanta Citizen Review Board), incidents like these are frustrating and difficult to explain to communities where we try to replace mistrust and anger with understanding of legal rights and confidence that when things go wrong the wrongdoers will be investigated and held accountable. Implicit in what we do is to be proactive. Going forward, what can be implemented, utilized and required to stop unacceptable law enforcement practices must be a part of everyday conversations and actions until there is a seismic shift in law enforcement culture and tolerances.

In the Louisville shooting the officers did not and were not required to wear body worn cameras. Mandatory wearing of BWCs by police officers is a needed and vital step forward to the realization of officer accountability. Police departments and citizens across the country have hailed their arrival as the truth-telling serums that would assist the community and the departments with getting to the bottom of critical incidents. While this has happened in some instances, a caveat remains that cameras are not a panacea to the unwarranted killings of black and brown people by law enforcement officers. Nevertheless, the failure to use them is disturbing, and unacceptable.

While those who believe that it is too early to speak on the killing of Ms. Taylor because an investigation has not been completed, this is the time. A life has been lost and the violence continues. The technology to shed light on the activities of that night were not used and not required under the department’s policies. It is technique available and universally accepted as valid and needed tool for law enforcement.

As a civilian oversight independent investigative agency authorized to investigate citizen complaints against Atlanta police and corrections officers, we take interest in the police actions in Atlanta and those throughout the nation. The Atlanta Citizen Review Board (ACRB) was created in 2007 after the death Ms. Johnston. Recently, having experienced a critical incident where the body worn camera was not worn, the Atlanta Police Department (APD) updated its BWC policy to require and train officers to wear and activate their BWCs. That was a prudent measure to help increase confidence that, whether the loss of life was justified or not, the public would have a better opportunity to understand the incident. It also goes with saying that knowing one is being recorded can affect one’s behavior. A credit to the APD and their leadership is reflected by the fact that the APD withdrew from the Federal task forces because their policies prohibited local officers from wearing BWCs. It is that type of reasonable and responsive action that encourages greater confidence in law enforcement departments.
Mistakes, carelessness, and bad acts unfortunately happen in law enforcement. Police officers reflect society – some better than others, a few not so good, but the same remains unacceptable. The failure to use technology (BWCs) to document activities is a disservice to the community it is sworn to protect and serve and to the municipality that funds their actions.

As stated earlier, BWCs are not a panacea. At best, they show a perspective of what occurred, a glimpse of the action. They are a tool for investigators, supervisors, and officers. The footages can be used for training to improve, discipline, and commend. The BWC footages are a peek into the window of policing that has been closed for too long. This is 2020. The curtains in the window have been cracked, and all law enforcement departments should allow the light in through the use of BWCs, even with their tactical teams.

It has been more than a decade since the death of Ms. Johnston. Unfortunately, despite some improvements in law enforcement technology and training, the more things change, the more they remain the same.

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