ANNUAL REPORT
2019

CITY OF ATLANTA
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Atlanta, Georgia 30303
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Website: ACRBgov.org

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@ atlcrb
CHAIR’S LETTER

Dear Community Stakeholders:

It is my pleasure to present the 2019 Atlanta Citizen Review Board (“ACRB”) Annual Report to highlight the service that we provided to citizens, officers, and the Atlanta Police Department (“APD”) and Atlanta Corrections Department (“ACD”) throughout the year.

The agency’s actions in 2019 can be summed up with the adjectives connecting, correcting, advising, learning, and educating. Daily, the board and staff engaged in work that promotes transparency, encourages integrity, and supports better relationships between citizens and officers. The work of the agency could not be accomplished without the involvement of the citizens who engage the services and trainings and the unfettered cooperation of the APD and ACD.

I was honored to represent the City of Atlanta and the ACRB at the National Association for Civilian Oversight of Law Enforcement (“NACOLE”) national conference this past September in Detroit, Michigan. The annual conference provides the opportunity to interact with the growing community of police oversight professionals, law enforcement officials, academics, and others working to strengthen citizen review and promote greater police accountability in the United States and abroad. Most importantly, it provides the opportunity for board and staff to compare notes and discuss successes and challenges with cohorts.

The citizens and officials of Atlanta can be proud that the ACRB has built a reputation that places it among the leaders in the oversight community. This can be attributed to the hard work and dedication of the ACRB staff and board members who are committed to seeking truth, justice and transparency for citizens and officers.

This annual report emphasizes the ACRB’s ongoing effort to increase community awareness and engagement by educating citizens on interaction with police officers. I encourage you to read the information contained in this report and share it with others.

I look forward to serving the citizens of Atlanta as board chair for the coming year, and would like to thank my fellow board members, ACRB staff and the citizens of Atlanta for your continued support.

Respectfully,

Cecilia Houston-Torrence

Cecilia Houston-Torrence
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<td>30</td>
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Get Involved! Contact the ACRB at 404.865.8622
EXECUTIVE SUMMARY

The Atlanta Citizen Review Board’s ("ACRB") primary objective is to provide a fair and open forum for the receipt, investigation, and adjudication of citizen complaints against Atlanta police and corrections officers, and thereby promote confidence in the City’s law enforcement departments. We accomplish our objective through providing credible, independent investigations, mediation opportunities, community awareness-building and education campaigns. An essential part of establishing confidence is providing transparency of the agency’s work through the communication of complaint data and analysis of the challenges and opportunities.

This report provides a snapshot of the year-end data for 2019 related to citizen complaints against Atlanta police and corrections officers. The report is divided into three sections to allow ease of use. For a general understanding of the agency we have provided an agency overview in the first section. Complaint data collected during the year is in the second section. The last section discusses the agency programs: its highlights, challenges, and opportunities.

Throughout the year, the agency demonstrated its commitment to proactively addressing concerns related to officer accountability. Using ACRB-themed vehicles, Know-Your-Rights Trainings, and participation in community events, the ACRB increased its presence within the Atlanta communities.

The agency recognized a 13.33% increase in complaints received during the year. The Board increased the number of complaints deliberated by 41.02%. The ACRB staff decreased its investigative timeline by 29.9%. Body-Worn Cameras ("BWC") proved to be a valuable tool in the investigations of complaints resulting in an increase of 96.77% in sustained allegations. The greatest challenge continued to be the slowness of the APD response to sustained ACRB complaints and the departments percentage of agreement on ACRB sustained complaints. The tables below provide selected data from the end of the year reporting.

ACRB Highlights

<table>
<thead>
<tr>
<th>2019 Agency Data</th>
<th>Numbers</th>
<th>2019 APD Chief Responses</th>
<th>Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Complaints Received</td>
<td>153</td>
<td>Number of Total Complaints Pending Chief Decision</td>
<td>34</td>
</tr>
<tr>
<td>Assigned for Full Investigations</td>
<td>49</td>
<td>Number of Sustained Allegations Pending Chief’s Response</td>
<td>35</td>
</tr>
<tr>
<td>Dismissals</td>
<td>94</td>
<td>Number of Sustained Allegations Accepted by Chief</td>
<td>6</td>
</tr>
<tr>
<td>Completed Investigations</td>
<td>63</td>
<td>Number of Sustained Allegations Rejected by Chief</td>
<td>10</td>
</tr>
<tr>
<td>Complaints Adjudicated by Board</td>
<td>55</td>
<td>Number of Sustained Allegations Not Addressed by Chief</td>
<td>8</td>
</tr>
<tr>
<td>Number of Allegations Adjudicated</td>
<td>276</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Allegations Sustained</td>
<td>67</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
MISSION

Our mission is to provide the citizens of Atlanta credible, fair, and independent investigations and recommendations on Atlanta police and corrections officer misconduct complaints. Our work provides opportunities for both departments to consider policy change recommendations and correct officer behavior to promote the highest standards of conduct.

VISION

• To be known for integrity, competence, and results.
• To be recognized as national experts in improving community/police relationships.
• To provide the best citizen oversight of a local enforcement agency in the nation and be recognized as the experts in civilian oversight.

GOAL

To make Atlanta a safe community for residents and visitors, with mutual understanding and respect for citizens and law enforcement.

VALUES

• Integrity • Credibility • Fairness
• Commitment • Excellence • Justice
• Accountability • Results Driven
• Teamwork • Service • Objectivity

2019 BOARD MEMBERS

Cecilia Houston-Torrence
  Chairperson
Tamara Orange
  Vice Chairperson
Tracee McDaniel
  Secretary
Trudy Boyce
James Hardy
Keith Hasson
Gloria Hawkins-Wynn
Michael Hopkins
Shuntay Pitre
Barbara Ward-Groves
Sherry Williams

2019 STAFF

Samuel L. Reid II
  Executive Director
Charles Curry
  Public Information Officer
Brian Fleming
  Investigator Senior
Adrienne Gillis
  Administrative Assistant Sr.
Ronald Jackson
  Investigator Senior
Tonya Richardson
  Investigator Senior
Sheena Robertson
  Investigation Manager
Myola Smith
  Project Manager
Madison Trice
  Administrative Assistant Sr.
THE YEAR IN PICTURES
Get Involved! Contact the ACRB at 404.865.8622
INTRODUCTION

*If you are building a culture where honest expectations are communicated and peer accountability is the norm, then the group will address poor performance and attitudes.*
— Henry Cloud

Birthed out of feelings of distrust, disappointment, and frustration from decades of police abuse, the killing of Ms. Kathryn Johnston on November 21, 2006 ignited the fire for the demand for independent civilian oversight of the Atlanta police and corrections departments. As the home of the Civil Rights Movement, Atlanta’s creation and maintenance of independent civilian oversight is in effect a response to Rev. Dr. Martin Luther King, Jr.’s words in his 1963 March on Washington speech when he said, “We can never be satisfied as long as the Negro is the victim of the unspeakable horrors of police brutality.” The Atlanta Citizen Review Board (“ACRB”) is one of Atlanta’s answers to ensure an end to the unspeakable horrors of police misconduct and increase police accountability.

The path to correct societal wrongs is often marred with challenges that seem insurmountable. News reports, from around the nation and locally, often make us wonder if anything can ever be done to change the culture of police misconduct. The answer is yes, but it will require the commitment of all citizens, from the taxpayers who may never have to file a complaint against a police officer, to those who are perceived to be on the fringes of society and only considered to be after thoughts and most likely to experience police misconduct. Most importantly, the change will require law enforcement departments and officers acknowledging, accepting, and addressing the police misconduct issues. Everyone has an interest in proper police action and accountability of law enforcement departments and their officers. Citizens must know, understand, and exercise their rights and responsibilities.

As you read the report, we hope it causes you to ask questions that make you want to demand answers. We want this report to educate and motivate you to generate conversations with your family, friends, and neighbors. Lastly, we hope it inspires you to become involved with the ACRB.

In 2019, we made some of our biggest efforts to increase citizens’ awareness of and trust in the agency. The ACRB’s work is not performed in a vacuum, far away from the concerns and fears of the citizenry. It is involved in police accountability on an intimate level. While our primary work is to provide a fair and independent forum to review and investigate citizen complaints of officer misconduct, we are committed to the proactive work of education and awareness building and providing opportunities for understanding and mutual respect between citizens and officers with our mediation program.
This report highlights selected 2019 data in the context of the previous nine years data. The report is broken into the following sections:

- Agency Overview
- Selected 10 Year Complaint Data
- Agency Programs

The only way we succeed as a group is not simply following directions, but in keeping each other accountable for our actions.

— A.J. Darkholme
AGENCY OVERVIEW: HOW WE ARE MEETING OUR MISSION

Investigate
- Redress for citizens
- Full and Thorough Investigation
- Citizen Involvement in decisions
- Corrective Action
- Discipline

Mediate
- Perspective Sharing
- Mutual Respect
- Honest Dialogue
- Professional Assistance

Advocate
- Transparency
- Feedback
- Information Loopback
- Systemic Change

Educate
- Awareness building
- Community Engagement
- Know Your Rights Training
- Citizen Empowerment
- Website

Mission

Courage, Collaborations & Community
September 22-26, 2019
Detroit, Michigan

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Throughout the ACRB’s existence, we have focused on providing a public service that is credible, legitimate, and fair. Our strategic plan incorporates four goals that approach civilian oversight holistically.

**Strategic Goal 1 – Meaningful Results**
Provide meaningful results that will change the behavior of officers who receive sustained misconduct complaints and thereby reduce the costs associated with misconduct.

- Complaint investigations, mediations, and adjudications
- Growth of the agency
- Ordinance enhancements
- Training and policy recommendations
- Seek opportunities for the inclusion of restorative justice principles
- Pointing out officer compliance issues with APD policies and procedures.

**Strategic Goal 2 – Awareness Building**
Build awareness of the ACRB so every citizen will know that the ACRB will fairly, thoroughly, independently, and timely address concerns about misconduct involving APD and ACD officers.

- Monthly public Board meetings and community engagement program with Board meetings located in the community
- Integrity Street Team (IST)/Community Outreach Volunteer Ambassador Program (COVAP)
- Newsletters, social media, mass media, community involvement
- Coalition building

**Strategic Goal 3 – Education**
Educate citizens and officers about the importance of appropriate community/police relationships and of the rights/responsibilities that citizens and officers owe to society.

- Know Your Rights trainings
- Participation in community engagement activities
- Police Interactive Quiz Series and website

**Strategic Goal 4 – Positive Impact**
Positively impact the community/police relationship.

- Art and Essay Contests
- Board member participation in APD Citizen Academy
- APD Ride A-longs
- Surveys that enable the agency to meet citizens’ and officers’ needs
Stages of the ACRB Process

Investigation/Mediation
- Receive/Evaluate Evidence
- Recommendation

Board's Decision
- Review/Discuss
- Vote - Sustain/Not Sustain/Unfounded/Exonerated
- Recommendation

Chief's Decision
- Decision - Agree/Disagree
- No Action
- Discipline
- Oral/Written Reprimand
- Suspension
- Termination
- Training

Get Involved! Contact the ACRB at 404.865.8622
What’s in a Board Decision?

Integrity is a cornerstone of the ACRB’s work. It is the starting point of every agency action. ACRB Board decisions are a culmination of the investigative work that includes the filed complaint, evidence gathered, and staff recommendation, combined with the diversity of the board members’ perspectives and the collective experience training, and knowledge of the agency.
A Diverse Citizenry Reaching Out to You
SELECTED 10-YEAR COMPLAINT DATA

Complaints Received

The ACRB received 153 complaints in 2019, which is a 13.33% increase from 2018. All complaints received involved APD officers. The agency did not receive any complaints involving officers from the Atlanta Corrections Department. This could be attributed to several factors: decreasing detention center population over the years, the City’s move to signature bonds, and the short durations of those incarcerated in the detention center.

Approximately 90% of received complaints involved multiple allegations. In 2019, the top three allegations received were Appropriate Action Required, Excessive Force, and Conduct. Appropriate Action Required accounted for 38% of the allegations reported.1

The data collected from the 2019 complaints shows that African American males filed the overwhelming number of complaints. Most complaints were received from black males over 35 years old. The majority of officers receiving complaints in 2019 were over 35 years old, black males, and had more than five years of police experience.

ACRB Allegations

<table>
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<tr>
<th>Allegation</th>
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<tbody>
<tr>
<td>Abusive Language</td>
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<tr>
<td>Abuse of Authority</td>
</tr>
<tr>
<td>Appropriate Action Required</td>
</tr>
<tr>
<td>Conduct</td>
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<tr>
<td>Death</td>
</tr>
<tr>
<td>Discrimination</td>
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<tr>
<td>Discriminatory References</td>
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<tr>
<td>Excessive Force</td>
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<tr>
<td>Failure to Provide Identification</td>
</tr>
<tr>
<td>False Arrest</td>
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<tr>
<td>False Imprisonment</td>
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<tr>
<td>Harassment</td>
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<tr>
<td>Retaliation</td>
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<tr>
<td>Serious Bodily Injury</td>
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<tr>
<td>Violation of Department Standard Operating Procedures</td>
</tr>
</tbody>
</table>

1 “Appropriate action required” shall mean that employees shall respond in an appropriate manner to all situations by:
(a) Being considerate of the rights, feelings, and interests of all persons.
(b) Taking action in each situation to provide the necessary and appropriate service and insuring proper notification of the proper superiors or supervisors when indicated by the circumstances.
(c) Requesting the assistance of supervisors when the appropriate action required is unclear or not possible given the circumstances, or not within the scope of authority of the employee of whom such action was requested. Conversely, a supervisor will not direct a subordinate employee to undertake an action which is not within the scope of the supervisor’s authority.
(d) Performing official acts in a lawful, restrained, dignified, impartial, and reasonable manner.

“Excessive force” shall mean the use of more force than what is reasonable and necessary to affect an arrest, prevent an escape, necessarily restrict the movement of a prisoner, defend himself or another from physical assault, or to accomplish other lawful objectives.

“Conduct” shall mean that employees shall not act in an official or private capacity in a manner that shall bring discredit upon the police department or department of corrections, or themselves. Employee misconduct is considered but not limited to engaging in offensive, unprofessional, lewd and/or unethical behavior toward the public, inmates/detainees, fellow employees and/or supervisory personnel.
Most of the excessive force allegations involved strikes to the face, head and body, grabbing, shoving, pushing, dragging, stomping, and kicking. There were very few complaints involving a Taser or OC Spray.

Complaints Assigned for a Full Investigation

Despite receiving more complaints in 2019, the number of complaints assigned for full investigation slightly decreased by 3.92%. This may be explained by the early availability of Body-Worn Camera (“BWC”) footage during the preliminary investigative stage, which have allowed the investigators, in some instances, to determine the reliability of the reported actions prior to a full investigation. In 2019, the top three allegations assigned for investigation were appropriate action required, excessive force, and conduct. Officers assigned to Zones 1, 2, and 4 and Council Districts 1, 3, and 5 generated most complaints assigned for investigations during 2019.

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Because of the cyberattack, the data for 2011 could not be compiled.
**Completed Investigations**

ACRB investigators completed 63 full investigations, investigating 183 allegations. At the end of 2018, the ACRB hired two experienced investigators, which allowed the agency to increase its production by 31.91% during 2019.

![Completed Investigations](image)

**Investigative Timeline**

Completed investigations averaged an investigative time of 207 days, which is a 29.9% reduction in the investigative time from 2018 to 2019. While this is beyond the agency’s goal to complete investigations within 180 days, with the additional experienced investigators, the agency is making progress to reduce the investigative timeline. The agency constantly monitors its timeline because its goal is to render a thorough conclusion to the citizen complaint as quickly as possible. During 2019, the agency completed many of its aging complaints from previous years when the ACRB had an influx of complaints assigned for investigations, which increased the investigative timeline. Investigation timelines are always subject to the complexity of the investigation, availability of the complaint parties and witnesses, and investigator resources and number of complaints received and

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3 Because of the cyberattack, the data for 2011 could not be compiled.
4 Because of the cyberattack, the data for years 2009 – 2011 could not be compiled.
5 In 2018, the ACRB had two vacant investigator positions.
assigned to investigation. The ACRB’s current goal is to complete complaint investigations within 180 days.

**Board Determinations**

Board determinations increased by 16 complaints from 2018 to 2019, representing an increase of 41.02%. The Board held two Special Call meetings to review complaint investigations during 2019. For most of 2019, the Board had approximately 75% of the Board seats filled, which allowed the Board to operate more efficiently. Hearing more complaints means that those filing complaints with the ACRB will have closure to their incident sooner.

**Sustained Complaints**

The percentage of sustained complaints increased by 96.77% from 2018 to 2019. The percentage increase was due to the use of the BWCs. The video footages allowed the Board to sustain allegations that would have otherwise been determined as not sustained as in the past. Sustained complaints include those complaints having one or more sustained allegations.

Sustained complaints are decided based on the evidence uncovered during the investigation. City documents, recordings and complainant and officer statements are the most accessible evidence that the agency can obtain. The chart to the right shows, the annual percentage breakdown of the Board’s sustained complaints. Many of the sustained complaints involved allegations against officers for violating the APD BWC policy. We anticipate that as officers continue to adjust to BWC policy requirements that the number of sustained violations related to the BWC policy will decrease.

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6 Because of the cyberattack, the data for 2010 and 2011 could not be compiled.
7 The number of sustained complaints was not captured for 2010.
Board Determinations on Allegations

As the chart to the right shows, the Board sustained 24% of the allegations it heard during 2019. The percentage of not sustained complaints is the lowest data point for allegations decisions. For many years, the not sustained category had the largest percentage of distribution, which was always a source of concern for citizens and officers. The most notable difference from 2019, compared to previous years, is the increase in the percentages of unfounded\textsuperscript{8} and exonerated.\textsuperscript{9} These increases can be attributed to the BWCs. The 2019 data suggest that the BWCs have benefited citizens and officers. While it is too early to determine the true impact of BWCs, the data provides hope that the BWCs will prove to be a tool of behavior modification for citizens and officers. However, it should be noted that the BWCs are not a panacea to officer misconduct because the videos only show a perspective of the incident to be included in the investigation that must be viewed in the context of all the investigative evidence.

Chief's Decisions

One of the most critical data points for the ACRB is the APD Chief’s response to ACRB sustained complaints. Perceptions of the agency’s ability to address citizens’ concerns about police misconduct allegations are affected by the response times and decisions made by the APD. The legitimacy of the agency can be weakened by this data point because for most citizens, it is an indication of how serious the police department and the city are willing to address citizen complaints, related to the ACRB. Because the agency did not receive or assign any complaints involving Atlanta corrections officers during 2019, the data in this section focuses on the APD.

APD Action on ACRB Sustained Complaints

ACRB sustained complaints are provided to the APD/ACD for disciplinary decisions. The chiefs of police and corrections have the sole authority and responsibility to manage their departments with the use of appropriate discipline and corrective action. The ACRB does not have legal authority to compel the APD or ACD to take any action.

\textsuperscript{8} Unfounded means that the allegation against the officer as reported did not occur.

\textsuperscript{9} Exonerated means that the allegations against the officer occurred, but the officer’s actions were within policy.
Of the sustained complaints that the ACRB received a response from the APD in 2019, the department agreed with 31% of them. This is quite an improvement from previous years. The percentage rate of agreement includes those complaints where the Chief partially agreed with the sustained ACRB complaint. Note: At the time of the publishing of this report, the agreement rate had risen to 41%.

**Distribution of Chief’s Responses on Sustained ACRB Allegations – Accepted and Rejected Percentage**

If we remove the Not Addressed allegations and only considered allegations as accepted or rejected the Chief’s response rate is approximately 38%. In cases where an allegation is classified as Not Addressed, the APD did not address the allegations. Reasons that have been provided for not doing so include: department did not believe the action should have been an allegation; the department did not investigate the allegations during its internal investigation; the belief that the allegation was only an agency add-on that did not warrant an investigation because the citizen did not raise the allegation; and, in some instances, where the APD received the complaint from the citizen first, the allegation was not included in the department’s initial investigation of the incident.
Citizens expect the agency to investigate all allegations reported and those allegations uncovered during an investigation. The ACRB does not cherry-pick allegations or expect citizens to know the APD policy to bring a complaint. Our responsibility is to take the citizen concern and apply the APD policy and, while doing so, if a violation is uncovered during the investigation, we are compelled to address the violation. The ACRB will continue to work with the Chief and OPS to ensure that all allegations are addressed and that the APD is in compliance with the ordinance.

**APD Pending Complaints**
Despite the higher percentage of agreed upon sustained complaints, it should be noted that the majority of ACRB complaints were pending the APD Chief’s decision at the end of the year. As the chart below shows, 61% of the complaints sent to the department were still pending a chief’s response at the end of the year. The impact of so many pending complaints is a challenge for the ACRB because it affects citizens’ perceptions of the ACRB’s responsiveness to their complaints. Citizens who file with the ACRB expect the agency to respond with a resolution in a timely manner. While the APD provides a response in some cases, within 30 days to be in compliance, those responses do not meet the needs of the citizens or the ACRB. The ACRB does not have authority to compel the APD to respond after the initial response letter notifying the ACRB that the APD investigation is still pending.

![Complaints Pending Chief’s Decision Chart](image)

**Body Worn Camera (BWC) Impact**
The agency’s experience with the BWCs continues to be positive. The APD has been cooperative with providing access to the footage. There is no doubt the BWCs have impacted the agency’s ability to have additional evidence for an investigation. As shown in the charts, citizens and officers have benefited from the use of the BWCs. There were very few issues with officers intentionally turning off their BWCs during an incident. Many of the issues involving the BWCs that the agency saw in 2019 were related to BWCs falling off during scuffles, image distortion during officer action, and the audio silence during the buffering segments.
### 2019 Board’s Additional Recommendations to APD and APD’s Responses

<table>
<thead>
<tr>
<th>Additional Recommendations</th>
<th>Date Letter Sent to APD</th>
<th>APD’s Response &amp; Date Received</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Executive Director (&quot;ED&quot;) recommended to the APD that all officers, specifically those who work extra jobs, who have direct contact with citizens be assigned Body Worn Cameras.</td>
<td>May 30, 2019</td>
<td>Chief responded June 3, 2019 and agreed with the ACRB and is working to ensure that all employees who work extra jobs are assigned BWCs.</td>
</tr>
<tr>
<td>The ED recommended that the APD change it’s finding of “Not Sustained” regarding a Lt. for violating APD Work Rule, APD.SOP.2010, Section 4.2.23 (Giving Identification) to “Sustain.”</td>
<td>May 9, 2019</td>
<td>Chief responded July 31, 2019 and accepted the ACRB’s recommendation and changed their finding to “Sustained” and an Oral Admonishment, as penalty, was imposed on Lt.</td>
</tr>
<tr>
<td>The Board recommended that the APD do the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Look into the issue as to why a sergeant was unable to upload the Taser footage related to this incident into Evidence.com and ensure that those issues are/or have been resolved.</td>
<td>April 24, 2019</td>
<td>No Response</td>
</tr>
<tr>
<td>2. In a complaint, which arose out of this same incident, an officer was found in violation of APD.SOP.3133, Section 4.2.1 which requires an officer to ensure their Body Worn Camera is fully charged prior to the beginning of their shift. There was no BWC footage from the officer for this stated reason as it also relates to this incident which involved a use of force. The APD should ensure that this matter with the officer has been address and the officer has been disciplined accordingly.</td>
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<tr>
<td>3. Remind its officers of the importance of ensuring that prior to their shift, their BWCs are functionally properly.</td>
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<tr>
<td>The Board recommended that the APD investigate the following:</td>
<td>October 4, 2019</td>
<td>No Response</td>
</tr>
<tr>
<td>1. Why the SWAT team’s photographs of the damage to a citizen’s home are of poor quality.</td>
<td></td>
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<tr>
<td>2. Ensure that the SWAT team takes clear photographs when documenting damage that is subsequent to their execution of search warrants.</td>
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<tr>
<td>The Board recommended that the APD require all officers, who are authorized to performed extra off-duty jobs, wear a Body Worn Camera while working those assignments.</td>
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<tr>
<td>April 24, 2019</td>
<td>No Response; however, the ED sent the Chief a letter on May 30, 2019 addressing this issue and a response was provided on June 3, 2019 (see above).</td>
<td></td>
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<tr>
<td>The Board recommended that the APD investigate why a supervisor was not dispatched to the incident location as requested by the citizen and the subject officer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>October 4, 2019</td>
<td>No Response</td>
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Outreach: Celebrating, Learning, Honoring
2019 AGENCY PROGRAMS AND HIGHLIGHTS

Mediation

At the foundation of the ACRB mediation program is reaffirming the humanity of the citizen and officer, beyond the roles and perceptions that can influence how citizens and officers react and interact with each other. Mediation provides an opportunity for citizens and officers involved in a complaint to meet with an independent mediator to discuss the complaint and share perspectives and determine how to resolve the complaint. A preliminary investigation is conducted on each complaint. When the complaint meets the mediation qualifications, a mediation is offered to the citizen and officer. The citizen and officer must agree to mediate the complaint. If the mediation fails to settle the complaint, the complaint proceeds to investigation. If the mediation is successful, the complaint is closed.

Last year, most of the received complaints did not qualify for mediation; however, the agency did receive a few complaints that qualified for mediation and could have benefitted from the mediation program had the parties agreed to mediation. Those complaints included allegations of abuse of authority, conduct, and language. Frustration caused by the incident and lack of understanding of the mediation program often proved to be barriers to participation. Nevertheless, we know from citizen and officer comments after mediation participation that they were glad they did not let their hesitancy or concern about mediation stop them from participating because it gave them an opportunity to speak with the other side and gain understanding of the incident and express how the moment made them feel. Through conversation and reflecting, they were able to recognize the incident as a moment in time and not a reflection of all citizens or all officers.
Community Engagement

Awareness-building and education are fundamental activities of the ACRB community engagement program. The agency learned from the 2018 community engagement survey that awareness-building will need to be a continuous investment in its ability to serve the public. Since policing can touch every sector and station in society, the ACRB must invest in ways and methods that will reach all citizens. In 2019, the agency had several successful campaigns that included awareness materials on the Metropolitan Area Rapid Transit Authority (MARTA) and billboards. The agency is committed to establishing partnerships with community public service agencies, groups, and organizations.

The agency participated in more than 150 awareness-building opportunities during the year. The ACRB is grateful for the volunteers who gave their time to assist the agency with its outreach efforts. Without the support of the Integrity Street Team (IST) members, the agency would not be able to accomplish its aggressive community engagement goals. The agency accepts volunteers throughout the year.

The agency’s upcoming efforts include enhancing the process for the homeless community to utilize the ACRB, i.e., the filing of a complaint, and direct assistance by staff or an investigator in filling out the complaint form.
Below are examples of ACRB outreach in 2019.

- Meeting between Frazer Center, APD and ACRB to determine how to best serve the developmentally disable community
- 2019 Super Bowl LIII distribution of material over five days to tens of thousands of super bowl celebrants.
- Luncheon recognizing Integrity Street Team Workers for their outstanding participation in promoting the agency.
- Partnered with National Public Radio affiliate JAZZ 91.9 WCLK FM; and Atlanta Metropolitan State College, Criminal Justice Department and Kennesaw State University to present the agency’s work.
- ACRB Superhero participation in the 2019 Dragon Con.
- In partnership with Making The Transition, Inc., a national youth-based organization, the ACRB participated in public school assembly events, emphasizing the students’ civic duties.

Arts and Essay Contest Opening

The agency opened its fourth Art and Essay contest at the end of 2019. This contest included a new spoken word category. As with the previous contests, the ACRB chose a theme that encourages citizens, young and old, to express their thoughts feelings and concerns about police accountability. The agency is excited about the contest because the submissions are always informative, revealing, and creative.

Know Your Rights (KYR) Talks!

The agency conducts Know Your Rights Trainings throughout the year. Our trainings deal specifically with citizens’ rights and responsibilities when engaging with law enforcement officers. The information provided during the agency talks is based on the law, best advice taken from various sources (ACLU, lawyers, and officers) and from the experiences and knowledge gained from ACRB investigations of citizen complaints. This program is one of the agency’s most proactive campaigns. The KYR Staff conducted 20 KYR Trainings attended by more than 700 participants.
Police Interaction Quiz Series Winner

The agency’s Police Interaction Quiz Series concluded in May 2019 as a success. The series of tests ran for six months and was taken hundreds of times on the ACRB website, beginning in early November of 2018 and ending in early May of 2019. City employees, community members, law enforcement officers, elected officials, and judges participated in the quiz series.

Our goal with the quiz series was to provide citizens a fun and challenging way to test their knowledge and learn about police interactions. To ensure that the series had the educational impact that we sought to provide, we added an education page to our website for citizens to review as preparation for the quiz.

Hundreds of prizes were awarded to those who chose to keep taking the quizzes until they correctly answered at least 9 out of 10 of the multiple-choice questions.

For those who passed all three quizzes with 90% or better, Atlanta City Council President Felicia A. Moore drew the name of a grand prize winner, but not before thanking the agency. Council President Moore said, “What you do is important and actually needs to be expanded and heightened in the city. We need to work on our relationships between our citizens and police officers. When people don’t feel that they have their best service and best experience, it’s good to know they have somewhere they can go. The legacy of Ms. Kathryn Johnston (killed by corrupt APD officers 13 years ago) really helped get this initiated. Thank you all for what you do, and I am ready to draw the name.”

Council President Moore chose the Grand Prize winner, Rebecca Robinson, a Performance Auditor Senior with City of Atlanta. “I’m just happy to have participated,” said Robinson, “I found out about ACRB when we were doing the body-worn cameras audit. You all do amazing work here.” Robinson won a huge original framed Selma Glass Jazz Poster from the Atlanta Jazz Festival, two passes to Tony Award winner Kenny Leon’s True Colors Theatre and two passes to the Museum of Design Atlanta (MODA), compliments of the Mayor’s Office of Cultural Affairs.

Assistant City Attorney (ACA)/Atlanta Police Department Office of Professional Standards (OPS) Board Meeting Attendance and Support

ACA and OPS attend every ACRB monthly meeting. Their attendance is appreciated. The ACA provides parliamentary assistance and legal support for the Board. The OPS representative assists with Board questions related to APD policy and training. The ACA and the APD continued to assist the agency with request for assistance with training and other operational requests.
Official Opening and Dedication of the Kathryn Johnston Memorial Park

On November 21, 2019, the City of Atlanta performed an official Ribbon Cutting for the Kathryn Johnston Memorial Park dedicated to Ms. Johnston as a lasting and living memorial. The ACRB was present to witness the impact of the opening on the community, where citizens are still learning to cope with her death. As a citizen stated, “the park celebrates life and honors her life that was cut short of its time.”

ACRB-Themed Vehicles

In 2019, the ACRB deployed its newly acquired ACRB-themed vehicles throughout the city for at least 10 hours a week, covering over 6000 miles from April through the end of the year. These vehicles have allowed the ACRB to extend its reach into the communities and become a recognized presence.

Creation of the Ivory Lee Young Jr. Award

The ACRB created the Ivory Lee Young Jr. Award to honor Atlanta City Council Member Young for his vehement support of the agency over the years. The award will be given annually to the Board member who connects the ACRB with the most outreach opportunities that supports the agency’s awareness-building campaign. Ms. Tracee McDaniel won the 2019 Ivory Lee Young Jr. Award.
National Association for Civilian Oversight of Law Enforcement (NACOLE)

The ACRB participated in three professional association conferences in 2019 – 2019 NACOLE National Conference in Detroit, MI and NACOLE Regional Conferences in Nashville, TN and Washington DC. These conferences provided an opportunity for Board and Staff members to share, learn, and network with other civilian oversight practitioners.

Closing of the Atlanta Detention Center

The Atlanta Detention Center is scheduled to close in 2020. However, the closure will have no impact on the ACRB and its operation due to less than 1% of ACRB complaints are against Atlanta corrections officers. In 2019, there were no complaints received or assigned for investigation involving Atlanta correction officers.
Working Together: ACRB Quiz & Training
APD Response to ACRB Sustained Complaints

The APD has been most cooperative in the access of training, records, and officer availability. Considering the challenges that some oversight agencies face dealing with their local law enforcement departments, the ACRB and the APD have maintained a successful cooperative relationship, which is essential to the success of civilian oversight.

However, it is the agreement on sustained complaints that citizens consider to be the most important measure of success regarding the City’s officer accountability systems that include the ACRB, APD, ACD, and the elected officials. The percentage of agreement on ACRB sustained allegations is the most serious challenge facing the ACRB. While the percentage of agreement increased in 2019, the agency is not near where it wants to be. Nevertheless, there is hope that with continued discussions and developing better alignment between the ACRB and APD, citizens will recognize improvement in the percentage of agreement on ACRB sustained complaints.

Another challenge for the agency is the number of complaints still pending a chief decision at the end of the year. As stated under the APD Pending Complaints section of the report, delays in the ACRB’s response to citizens impacts citizens’ perception the agency’s ability to address their concerns. The ACRB recognizes the day-to-day APD and Chief challenges to maintain a viable police force, but administrative or procedural issues should not be the cause and effect of undue delay.

Lastly, it should be noted that there have been improvements in the quality of details in the letters that the agency has received from OPS, which is in greater alignment with the ACRB ordinance.

Establishing Motions for Reconsideration, Complaint Review Panels, and Electronic Meeting Processes

In 2020, the ACRB will study the feasibility of ordinance and bylaw changes to enhance the services that the agency provides to the citizens, officers, and Atlanta’s police and corrections departments. The opportunities for expansion include: establishing motions for reconsideration, complaint review panels, and electronic meeting processes. Currently, the ACRB does not provide an appeals process. Reconsideration of a decision will provide the parties and law enforcement departments the opportunity to apply for a second look on their complaint decisions when they believe the Board has misapplied the law, policy, or missed facts that would have caused a different outcome. Complaint Review Panels would extend the Board’s ability to handle cases more efficiently. Lastly, an electronic meeting process would allow the Board to continue business during times of inclement weather and emergency conditions beyond the Board’s control. The electronic process would also allow Board members to participate in
the meetings and complaint review panels during times of illness or physical inability to attend a meeting.

Growing the ACRB Mediation Program

The agency’s mediation program is still new. The ACRB is committed to growing the mediation program. The agency had very few complaints to qualify for mediation in 2019. Complaints must meet qualification requirements and the citizen and officer must both agree to participate in the mediation. At this time, the ACRB cannot compel citizens and officers to participate in mediation.

One of the agency’s 2020 goals is to have the APD join the ACRB mediation program as a full partner. During the initial drafting of the program from 2015, the APD was a partner and fully supported and understood the need and goals of the mediation program. Nevertheless, the APD declined to fully participate when the program was implemented in 2016. Since 2017, the APD Chiefs have expressed an interest and understanding of the mediation program. The police union has expressed an interest in the program being made more available to the APD. However, each year, there is a delay with the implementation of the APD as a full partner in the mediation program. Reasons in the past have included: (1) the City Attorney’s Office’s possible lack of understanding of how the mediation would fit with the APD disciplinary process and the agreement that the City entered to settle the Eagle Raid lawsuit; and (2) changes in the leadership of the OPS.

With each change in the OPS leadership, the ACRB must re-explain the benefits of the mediation program. Chief Erika Shields indicated that she likes the idea of mediation and needed to discuss the mediation program with the City Attorney’s office. There have been changes in the assistant attorney assignments since the last conversation with the chief; hopefully, the police department can start to work toward becoming a full partner in the mediation program.

While there are substantial benefits for the citizens and officers who participate in the program, one of the largest benefits for the APD is the reallocation of resources used on OPS and supervisors handling lower-level complaints to other departmental initiatives. The ACRB will continue to advocate for the department to utilize the ACRB mediation program as a full partner in 2020.

The agency will also continue to educate the public and officers on the benefits of the mediation program and place more emphasis on building the community’s awareness of the program.

Continuation of the Community Engagement Survey Program

Unfortunately, in 2019, the agency did not receive the necessary funding to continue with the survey program as it would have liked. The ACRB still believes the program is an integral part of the agency’s ability to measure success. The program would provide reliable data that allows the ACRB to determine the combined impact that the agency and the law enforcement departments are having on citizens’ perceptions of officer accountability. The agency views this program as an essential function
and will continue with the survey program in 2020. The goal is to partner with a local university to assist with the implementation and analysis.

**Lack of Trust and Confidence in Officer Accountability**

Despite being unable to conduct a community engagement survey in 2019, anecdotal evidence suggests that there is still concern about officer accountability. The inability to consistently measure perceptions of citizens’ trust and confidence in the officer accountability is a direct challenge to ensuring that the agency and law enforcement departments actions are having a positive impact on citizens’ perceptions. It is critical that the agency has reliable and consistent methods to measure its impact to allow for proper adjustments to be made to get the desired results. The measures are what separates the agency’s work from ordinary check-the-box government processes to extraordinary meaningful systemic changing type of work that will have a noticeable impact on citizens’ trust and confidence in officer accountability.

**Community Awareness of the Agency**

Citizen awareness of the agency is a constant challenge that requires the agency to commit significant resources. The agency’s mantra for community awareness is “they must know us to trust us and trust us to use us.” Our awareness program is committed to meeting citizens in their communities. We are also starting to get a better grasp on the social media and technology opportunities. With the help of our IST members, the agency has been able to maximize its person-to-person contact.

Our approach to awareness building is proactive and aggressive. One of the biggest challenges is maintaining a 365-day presence before the public. Although our service is a need-based service, it is not an everyday need of individual community members, which makes the awareness building a challenge. The agency must work that much harder, so citizens will remember us when and if they have a need. This is important because citizens’ awareness of the agency provides them with options that can be exercised after an incident with an officer, instead of attempting to handle the officer on the street. For many citizens something must occur to them involving an officer before they will inquire about who to contact to file a police misconduct complaint.

**Coalition Building**

Over the past several years, the ACRB has been diligent about establishing individual partnerships with other agencies and organizations. The agency has had success with this approach. As the agency moves forward, however, building coalitions with individuals and organizations will become an important tool for the agency.

"That says (to me) that we need the Atlanta Citizen Review Board because people don’t have a voice, they need a voice. People need to know that they have weapons. And the Atlanta Citizen Review Board is a weapon. You don’t fight these fights with guns."

~ IST member Andrea Boswell
Coalitions will allow the ACRB to continue to extend its outreach into the communities; but more importantly, coalitions will increase the agency’s proactive efforts through having like-minded individuals and organizations discussing and strategizing to address the complex issues involved in police accountability. While the ACRB has done a great job perfecting our work, the agency understands the systemic issues involved in officer accountability requires the efforts of many.

We are constantly seeking opportunities to share with and learn from community members and organizations. Our ongoing efforts to expand the community’s knowledge and understanding of the ACRB’s work include proposals to participate in Continuing Legal Education with the Georgia Bar, Seminar presentation with the GCFV, as well as, developing collaborations with community advocates, related to mental health, domestic violence and other entities.

**Ten-Year Study of Officer Accountability**

Over the next year, the agency should conduct a feasibility of a ten-year study of the entire City of Atlanta officer accountability mechanism. The study should include the years of 2010 through 2019 and focus on the data associated with lawsuits involving APD officers that stem from 4th Amendment violations and ACRB and OPS data. The study may be able to shed insight on what works and what could be improved.

**LOOKING AHEAD**

The ACRB will continue to be an active organization, seeking ways to proactively impact officer accountability. The filing of a complaint is a serious matter that requires a diligent pursuit of the facts. BWGs have aided the agency with discovering the facts, but the cameras are only a part of the solution. Building citizen awareness of the agency and increased understanding of mediation are critical to ensuring that citizens know that they have options to deal with officer misconduct.

Our challenge to increase the APD’s responses to the ACRB sustained complaints will continue to be addressed in 2020. With the challenge comes an opportunity for the agency to continue to identify and understand systemic reasons for officer misconduct. One of the best tools to measure the agency and law enforcement departments’ efforts to change citizens’ perceptions of officer accountability is community engagement surveys that would include soliciting the perspectives of citizens and officers.

Civilian oversight is a function that is open to all citizens and officers. Civilian oversight is not an us-against-them situation. It is an encompassing service that seeks to use the best of citizens and officers to address officer accountability and provide community education in an effective way. The agency is excited about what lies ahead and looks forward to increasing its service to the citizens of Atlanta. We would love to have you join us. To volunteer with the ACRB, contact the agency at 404-865-8622.

Stay informed. Get involved. Educate and Advocate.
The integrity of men is to be measured by their conduct, not by their professions.

– Junius
The Atlanta Citizen Review Board is a proud agency of the City of Atlanta.

Atlanta Citizen Review Board (ACRB)

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