

# ATLANTA CITIZEN REVIEW BOARD

## OFFICIAL MINUTES\*

---

MEETING: December 11, 2008; 6:30 PM PLACE: 55 TRINITY AVENUE, SW  
ROOM #2  
ATLANTA, GA 30303

**IN ATTENDANCE: BOARD MEMBERS:** SHARESE SHIELDS (SS); SETH KIRSHENBAUM (SK); RODERICK EDMOND (RE); JOY MORRISSEY (JM); OWEN MONTAGUE (OM); LASHAWN HOFFMAN (LH); KATHY CRAWFORD (KC); JOHN M. MICHAEL (JMM); CHARIS JOHNSON (CJ); OWEN MONTAGUE (OM); EXECUTIVE DIRECTOR (ED): CRISTINA BEAMUD (CB);

ABSENT: J.L. BOOKER (JB);

**CALLED TO ORDER:** 6:33 PM CHAIRPERSON SHARESE SHIELDS

**ADDITIONAL ATTENDEES:** William Castings (WC) - Atlanta Legal Department;  
Roger Bandari (RB)- Atlanta Legal Department;

### **APPROVAL OF MINUTES**

- 1) KC moved with amendments; JM 2<sup>nd</sup>; approved- unanimous;

### **PRESENTATION**

- 1) CRB presented a plaque to Myola Smith for her work and dedication to establishment of the Atlanta Citizen Review Board;

### **PUBLIC COMMENTS** - SS read rules for presenting public comment:

- 1) Mr. Dave Walker (citizen)
  - a. Noted that CRB meetings are not on channel 26. Noted that the proposed amendment to the ordinance should not be considered. Noted that the Mayor should direct the Chief of Police to give the Board every piece of information for the Board to do its job.
- 2) Senator Vincent Fort (District 39)
  - a. Stated that the proposed amendment to the ordinance is a bad idea and an insult to the memory of Katherine Johnston. Stated that the police department determining what information the board sees is not right. Noted that Councilman C.T. Martin suggested that the Board should not be discouraged by the proposed variance to the ordinance but should continue at this time to work. However, Senator Fort recommended that the entire Board resigns if the amendment passes. Noted that public officials have been surprisingly silent on this issue.
- 3) Mr. Ron Shikor
  - a. Noted that in light of the present economic and political climate, the proposed amendment is not good for the City. Noted that transparency

should be the goal. Asked for the Board to oppose the amendment. Noted that the Board should have all information pertinent to the duties of the Board.

4) Councilwoman Mary Norwood

- a. Thanked the Board for its work and reconfirmed her support for our efforts.

**NEW BUSINESS**

1) PROPOSAL TO AMEND ORDINANCE GOVERNING THE ACRB

- a. SS gave a synopsis of the proposed amendment;
- b. CB- noted that the Board has reviewed 12 complaints; noted that an investigation was requested by the Board in one (1) of the cases; gave overview of the case which involves alleged unlawful detention by a police officer; noted that all efforts to get statements from the police officers involved have been futile; received a copy of the proposed amendment;
- c. RE gave account of Tuesday Public Safety Committee meeting;
- d. LH moved to subpoena the information that has yet to be given to the Board;
- e. SS noted that she had a conversation with Councilman C.T. Martin who asked for a memo from the Board stating why the ordinance will not work for us; noted the conflict of the Atlanta Legal Department;
- f. SK noted that, as per the ordinance, all agencies are to fully cooperate with the Board; noted that the ordinance provides the Board full access to all relevant documents; Police said that they would not provide OPS reports until the status of the amendment is determined; CB noted that this information came from the legal department; relayed what occurred during a meeting between himself, legal and the police; noted that the legal department attorneys were taking positions in support of the amendment; addressed the defenses of the police department via the law department; noted that the amendment would result in the Board not having access to information until OPS has completed its investigation and therefore would completely control the ability of the Board to function;
- g. RE noted the inherent conflict of interest in having the Atlanta Legal Department represent both the Board and the APD and recommended that the Board get its own representation;
- h. JMM made comments about the circumstances
- i. RB (Atlanta Legal Department) noted that it is commonplace for municipal legal departments to be represent different entities within the structure of a city so long as there is a “Chinese firewall”; stated that this wall exists; noted that Jerry DeLoach represents the Police Department; noted that the CRB has its own lawyers from the City;
- j. SK noted the unanimous support of the original ordinance and the fact that the CRB members volunteered base on the support of the original ordinance; asked about any action that can be taken against the Police Department to force them to comply with the existing ordinance; asked

about serving a subpoena to get the Police Department to comply and whether non-compliance by the police subjects them to penalty including jail;

- k. RB answered the question; gave instruction about obtaining a subpoena;
- l. JMM asked about the using the Open Records Act (ORA) to get records; RB said an ORA could be proposed but the ORA has exemptions; SS noted that the ordinance provides ability to get information without exemptions;

## 2) RESULTS FROM THE SCREENING PANELS

- a. CB referred to the report;
- b. Recommended Executive Director doing 1<sup>st</sup> view of complaints, making recommendations and presenting recommendations to the screening panels;
- c. SS agreed with the screening process; explained how CB could make sure that all complaints that get screened comply with the ordinance; CB wants to proceed with investigations on viable complaints; LH asked for clarification; KC got clarity on dismissals, namely that the ED will not dismiss without direction from the Board;
- d. KC moved to accept Recommendations of the Screening Panels; JMM 2nd LH asked if these were not accepted at last months meeting; the answer was “no”; passed unanimously;

## 3) ED DECEMBER REPORT- CB

- a. Noted that Public Awareness Committee approved the branding vendor- Beard/Daily.
- b. Noted installation of IAPro;
- c. Noted her attendance of NPU meeting;
- d. Noted that ORA training will occur in March;
- e. Noted that a professor of Criminal Justice at GA State will give Board training;
- f. LH requested quarterly training, not at board meetings; SS suggested keeping the currently scheduled training;

## 4) EXECUTIVE SESSION

- a. To discuss both legal and personnel matters; (in session 7:50 PM-8:19 )

## 5) HIRE OF SENIOR ADMINISTRATIVE ANALYST

- a. KC moved to hire Myola Smith as Senior Administrative Analyst ; 2<sup>nd</sup> JMM; passed- unanimously;

## **OLD BUSINESS**

- 1) None;

## **OTHER ISSUES**

1) None;

**ADJOURNED:**

LH moved to adjourn; KC 2nd; Approved- unanimous; adjourned @ 8:20 PM.