

**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1486

AN ORDINANCE BY COUNCILMEMBER ANTONIO BROWN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REQUESTING THAT THE ATLANTA POLICE DEPARTMENT TO PROVIDE INFORMATION AND COOPERATE WITH THE PROSECUTING ATTORNEY’S OFFICE WITH APPROPRIATE JURISDICTION AS NECESSARY TO FACILITATE, IMPROVE THE EFFICIENCY AND ENHANCE THE TRANSPARENCY OF INVESTIGATIONS INVOLVING OFFICER INVOLVED SHOOTINGS, INCIDENTS OF SERIOUS BODILY INJURY AND ACCUSATIONS OF SEXUAL MISCONDUCT; AND FOR OTHER PURPOSES.(HELD 7/13/20 AT THE REQUEST OF THE COMMITTEE 6 YEAS, 1 ABSTENTION)

WHEREAS, according to a study produced by the Stanford Criminal Justice Center, “close to a thousand police shootings of civilians occur each year in the United States and the victims are disproportionately young men of color”, but criminal charges rarely result from those fatalities; and

WHEREAS, as cities around the country begin to contemplate and adopt changes to reform law enforcement policies, including additional training requirements, there must be an improved process to hold officers accountable who, despite the reforms, may be involved in incidents that may be deemed criminal; and

WHEREAS, recent officer involved incidents have generated considerable discussion regarding the training of officers, use of force policies, and the internal and criminal investigations of these incidents; and

WHEREAS, the public has lost confidence in law enforcement and have become skeptical that rouge officers are ever held accountable for misconduct; and

WHEREAS, true police reform must include a process which minimizes any apparent conflicts of interest in the way investigations of police related incidents are conducted; and

WHEREAS, law enforcement agencies, policymakers, and the public all have a stake in identifying opportunities to increase community trust and agency/officer legitimacy surrounding investigations of incidents involving police officers; and

WHEREAS, in addition to the Georgia Bureau of Investigations, the various prosecuting attorney’s offices of counties in the state of Georgia are tasked with investigating alleged criminal activity, including that allegedly committed by police officers, including incidents which lead to death, serious bodily injury or sexual misconduct; and

WHEREAS, to improve the efficiency of these investigations the following reform proposals have been identified as crucial:

1) *Incident Reporting*- APD must immediately report incidents to the appropriate prosecuting attorney's office expeditiously, using all appropriate communication methods;

2) *Sharing of Information* - APD must be required to produce evidence requested by the prosecuting attorney in accordance with state and federal law, which may include certain documents, 911, radio, and other forms of communication and other evidence deemed necessary to support an investigation;

3) *Cooperation with Investigation* -APD shall not retaliate or engage in any form of retribution against any officers who are not directly involved in an incident who choose to cooperate with the prosecuting attorney during the investigation of alleged criminal police misconduct;

4) *Body and Dash Cams* - APD has instituted a policy requiring that all officers engaging with the public must wear body cameras, this information and dash cams recordings should be provided to aid during an investigation in accordance with state and federal law;

WHEREAS, amid the debates surrounding modern-day policing practices, there is a growing demand for more neutral and unbiased reviews of officer involved incidents; and

WHEREAS, the proposed reforms may help to restore public confidence once a process is established to hold police officers accountable for alleged criminal activity while providing a clear process for police officers to provide evidence and information which may support their innocence.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

SECTION 1: That the Atlanta Police Department is hereby requested to provide information and cooperate with the prosecuting attorney's office with appropriate jurisdiction as necessary to facilitate, improve the efficiency and enhance the transparency of investigations involving officer involved shootings, incidents of serious bodily injury and accusations of sexual misconduct, as provided herein.

SECTION 2: Accordingly, the Atlanta Police Department is hereby requested to adopt certain reforms to improve the efficiency of investigations to be conducted by the appropriate prosecuting attorney's offices which include the following:

1) *Incident Reporting*- APD should immediately report incidents to the appropriate prosecuting attorney's office expeditiously, using all appropriate communication methods;

2) *Sharing of Information* - APD should be required to produce evidence requested by the prosecuting attorney in accordance with state and federal law, which may include certain documents, 911, radio, and other forms of communication and other evidence deemed necessary to support an investigation;

3) *Cooperation with Investigation* -APD should not retaliate or engage in any form of retribution against any officers who are not directly involved in an incident who choose to cooperate with the prosecuting attorney during the investigation of alleged criminal police misconduct; and

4) *Body and Dash Cams* - APD has instituted a policy requiring that all officers engaging with the public must wear body cameras, this information and dash cams recordings should be provided to aid during an investigation in accordance with state and federal law.

SECTION 3: That the various prosecuting attorney's offices are hereby encouraged to consider creating independent investigative bodies in partnership with the Georgia Bureau of Investigation (GBI) to mandate that police report all officer involved shootings, incidents of serious bodily injury and accusations of sexual misconduct and that the independent body will control the investigation and collect all evidence related to the investigation and create a dedicated whistleblower hotline for police officers to provide confidential information related to investigations. Additionally, the prosecuting attorney's offices are encouraged to establish benchmarks to provide information to the public after an incident involving a police officer(s) and timeline for issuing a final report upon conclusion of the investigation.

SECTION 4: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1486

SPONSOR SIGNATURES



Antonio Brown, Councilmember, District 3

**CITY COUNCIL
ATLANTA, GEORGIA**

20-O-1486

AN ORDINANCE BY COUNCILMEMBER ANTONIO BROWN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REQUESTING THAT THE ATLANTA POLICE DEPARTMENT TO PROVIDE INFORMATION AND COOPERATE WITH THE PROSECUTING ATTORNEY’S OFFICE WITH APPROPRIATE JURISDICTION AS NECESSARY TO FACILITATE, IMPROVE THE EFFICIENCY AND ENHANCE THE TRANSPARENCY OF INVESTIGATIONS INVOLVING OFFICER INVOLVED SHOOTINGS, INCIDENTS OF SERIOUS BODILY INJURY AND ACCUSATIONS OF SEXUAL MISCONDUCT; AND FOR OTHER PURPOSES.(HELD 7/13/20 AT THE REQUEST OF THE COMMITTEE 6 YEAS, 1 ABSTENTION)

Workflow List:

| | | |
|--|-----------|--------------------|
| Atlanta City Council | Completed | 07/06/2020 1:00 PM |
| Public Safety & Legal Administration Committee | Completed | 07/13/2020 2:00 PM |
| Atlanta City Council | Pending | 08/03/2020 1:00 PM |

HISTORY:

| | | |
|----------|----------------------|----------------------------|
| 07/06/20 | Atlanta City Council | REFERRED WITHOUT OBJECTION |
|----------|----------------------|----------------------------|

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

| | |
|----------------|---|
| RESULT: | REFERRED WITHOUT OBJECTION |
| 07/13/20 | Public Safety & Legal Administration CommitteeHELD IN COMMITTEE |

| | | |
|------------------|---|-------------------------------|
| RESULT: | HELD IN COMMITTEE [6 TO 0] | Next: 8/3/2020 1:00 PM |
| MOVER: | Dustin Hillis, District 9 | |
| SECONDER: | Cleta Winslow, District 4 | |
| AYES: | Sheperd, Smith, Farokhi, Winslow, Hillis, Boone | |
| ABSTAIN: | Michael Julian Bond | |

AN ORDINANCE BY COUNCILMEMBER ANTONIO BROWN AS SUBSTITUTED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REQUESTING THAT THE ATLANTA POLICE DEPARTMENT TO PROVIDE INFORMATION AND COOPERATE WITH THE PROSECUTING ATTORNEY'S OFFICE WITH APPROPRIATE JURISDICTION AS NECESSARY TO FACILITATE, IMPROVE THE EFFICIENCY AND ENHANCE THE TRANSPARENCY OF INVESTIGATIONS INVOLVING OFFICER INVOLVED SHOOTINGS, INCIDENTS OF SERIOUS BODILY INJURY AND ACCUSATIONS OF SEXUAL MISCONDUCT; AND FOR OTHER PURPOSES.

| Certified by Presiding Officer | Certified by Clerk |
|--|--------------------|
| | |
| <p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p> | |