APD Use of Force Advisory Council

Interim 14-Day Assessment & Recommendations

Photo: Luca Eandi

Letter from the co-chairs

Dear Honorable Mayor Keisha Lance Bottoms,

We are honored to serve as Co-Chairs of the Police Use of Force Advisory Council. We share your commitment to ensuring that our communities are safe and healthy and appreciate your recognition that this requires an examination of how to improve policing in our city. Atlanta has earned a reputation for being at the forefront of the nation's struggle for civil and human rights. Today, the national spotlight focuses on how law enforcement agencies interact with communities of color. As jurisdictions across America turn their attention to this aspect of the criminal justice system, we hope that Atlanta will serve as a model for police reform. We are excited for the opportunity to be a part of that.

Over the past several weeks, the world has erupted in protest over several highly publicized encounters in which police killed Black Americans. In fact, within days of forming this Council, Rayshard Brooks was shot in the back just two miles from City Hall. We are well aware that the unnecessary use of force in these killings is connected to a broader system in which communities of color are disproportionately policed and criminalized. To compound the problem, far too many challenges plaguing marginalized communities – from substance abuse to mental illness to lack of quality education to homelessness – are addressed through the criminal legal system.

Police violence is not the result of one or two wayward police officers and the issue is not unique to the Atlanta Police Department. We must examine the culture of policing that subjugates Black communities through highly disproportionate uses of force.

As a Council, we have been asked to propose recommendations to address some of the most obvious symptoms of this culture. We have worked hard to come up with a list of proposals that can be implemented right away. We are mindful, however, that to truly get at the root of this cultural challenge, Atlanta will need to couple these reforms with an explicit commitment to reimagine the current approach to policing.

If the past several weeks have taught us anything, it is that we have a lot of work to do to realize transformative change in Atlanta. We are grateful to you, Mayor Bottoms, for your willingness to take this first step in that direction.

Again, we are honored to have been invited to serve in this role on this critical journey.

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Tharon Johnson
Paramount Consulting

Jonathan Rapping
Atlanta's John Marshall Law;
Gideon's Promise

Tiffany Roberts
Southern Center for
Human Rights

Our team

Advisory Council

Tharon Johnson, Paramount Consulting **(Co-Chair)**

Tiffany Roberts, Southern Center for Human Rights **(Co-Chair)**

Jonathan Rapping, Atlanta's John Marshall Law School; Gideon's Promise **(Co-Chair)**

Rafiq Ahmad, NOBLE (Georgia Chapter)

Kenneth Alexander, Antioch Baptist Church

Shar Bates, My Vote is Hip Hop

Maya Beatty, Youth and Resident

Nelson Boyce, Google

J. Cannon Carr, Rotary; CornerCap Institutional

Mawuli Davis, Bozeman Davis Law Firm

Johnathan Davis, Covenant Community

Marissa Dodson, Southern Center for Human Rights

Miguel Dominguez, Criminal Justice PAWG; Morgan & Morgan

Jauan Durbin, Youth Advocate & Resident

Michelle Falconer, Bailey & Hunter, LLC

Maya Hadley, Youth and Resident

Jestin Johnson, City of Atlanta

Alvin Kendall, Kendall Law Group

Yonasda Lonewolf, Hip Hop 4 Foundation

Bryant Marks, Morehouse College

Toni Michelle Williams, SnapCo

Suzanne Wynn Ockleberry, AT&T

Rashad Richey, Radio Personality

Joyce Sheperd, Atlanta City Council

Brian Spears, G. Brian Spears, P.C.

Lovette Karbo Thompson, Black Alliance for Just Immigration

Shean Williams, Cochran Firm

Joycelyn Wilson, Georgia Tech

Invested over 2 weeks

800+
collective hours of meetings

200+
meetings and discussion forums

50+
ideas socialized

10+
stakeholders engaged

Photo: Luca Eandi

A Call for Action

Now more than ever is the time for us to come together and address needed changes to our policing policies.

There is pain within our communities – the traumatic effects of a damaged relationship between our black and brown communities and the police officers who took an oath to serve all. The sources of this pain are many, but police use of force experiences in the community are central and are deserving of this overdue conversation.

At the behest of Mayor Keisha Lance Bottoms, we have established a community-led Advisory Council. The role of our Advisory Council is to recommend a series of new use of force policing policies, that if acted upon immediately, should positively impact our city in the near term. Each recommendation is aligned to three distinct areas: ***Law & Policy, Culture & Mindset Shift,*** *and* ***Community & Partnerships***. They represent the voice of Atlanta's proud residents and what we've heard they expect from law enforcement.

With agreement, these recommendations will be a step in the journey to repair the trust between the Atlanta Police Department and the neighborhoods they serve. These inputs lay the groundwork for a 45-day analysis that we will conduct, and recommendations from this Advisory Council that will begin to transform and amount to a new standard of care between the Atlanta Police Department and the community.

We are the city where a dream was born. A dream that inspired many hearts and opened even more eyes. **We are better than this moment, and we will be better in this moment.**

We will face the injustices that have divided our community by embracing the diversity and unique values that we all share. While this Advisory Council is making the commitment to provide recommendations in good faith, the success of our city rests on the willingness of the Atlanta Police Department to do the same and move these recommendations forward.

Together, the APD and our Community will restore the trust, security, and future of our historic city, assuring the light that we shine will illuminate a new path forward.

Photo: Luca Eandi

Goals for this Advisory Council.

Review

our police use of force policies.

Engage

the Advisory Council on solutions informed by national expertise and appropriate to Atlanta context.

Report

the findings of our review to our community and seek feedback.

Reform

our community's police use of force policies.

Photo: Luca Eandi

What we do know

The City of Atlanta has invested in APD over the years but challenges exist that have deteriorated the trust of our community.

Atlanta continues to invest in improving public safety and its police department ...

Atlanta fields a racially diverse police force that is **largely representative of the city of Atlanta –** one of few major cities nationally.

In 2018, Mayor Keisha Lance Bottoms made an investment to **increase the pay of APD officers by up to 30%.**

APD invests significantly more in training its officers than most other police departments – APD's academy requires approximately **90% more training hours than the State of Georgia, and 70% more hours than the national average.**

APD also invests in relationship-building within Atlanta, with **70 community-facing programs,** including the Atlanta Police Athletic League and @Promise Youth Center, a learning and community facility that provides specialized services for local youths.

Mayor Bottoms began an effort to **reimagine the Atlanta Corrections and Detention Center** (ACDC) in 2019 and has made significant strides towards closing the ACDC and transitioning public safety resources to community-focused initiatives.

... but there are lingering issues and opportunities for improvement

Despite declining arrests over the past 7 years, reported **annual use of force incidents have increased on average 2% every year, with 615 total incidents in 2019.**

There is a racial and gender disparity in who is on the receiving end of uses of force by APD: **66% of use of force incidents were against black males.**

Photo: Luca Eandi

15 people have died in the custody of APD from 2013-2019, which places Atlanta 22nd among the top 50 US cities for in-custody deaths per capita.

8 of those persons who died in police custody were unarmed – Atlanta ranks **4th in unarmed deaths per capita** among the same set of 50 US cities.

While **use of force by firearm is down** in 2019, all deaths in APD custody were **the result of a firearm.**

The way forward demands we reconcile our differences, re-embrace one another as neighbors, and revive this city *together*.

reconcile

community perception and APD vision

"We always believe that when you look at APD, you have to see yourself. The department should reflect the people and values of the city."

Member of APD

re-embrace

APD as neighbors and servant leaders

"They should see themselves as facilitators of human development – their role is to create an environment where I can go after my passions. Their work should allow me to feel safe and free to pursue my interests."

Diversity and Implicit Bias Trainer

revive

the Atlanta we know

"There is humanity in caretaking. We are family. How do we treat people we really care about?"

Atlanta Law Professor

The Advisory Council landed on 3 focus areas to shape its recommendations

Established on June 10th, the council was mandated to present its recommendations within 45 days

June 10th
Creation of the Use of Force Advisory Council

June 24th
Publication of the **14-day interim report**, focused on immediate actions

July 24th
Publication of the **45-day final report**, covering a more comprehensive set of recommendations across focus areas

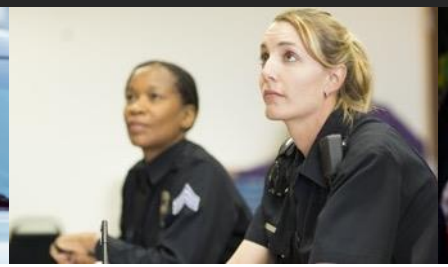
Shared Expectations

Aligning on a mutual understanding of expectations between APD and the residents of Atlanta

1 Law & Policy

Revisiting policies that shape the standard operating procedures

2 Culture & Mindset Shift



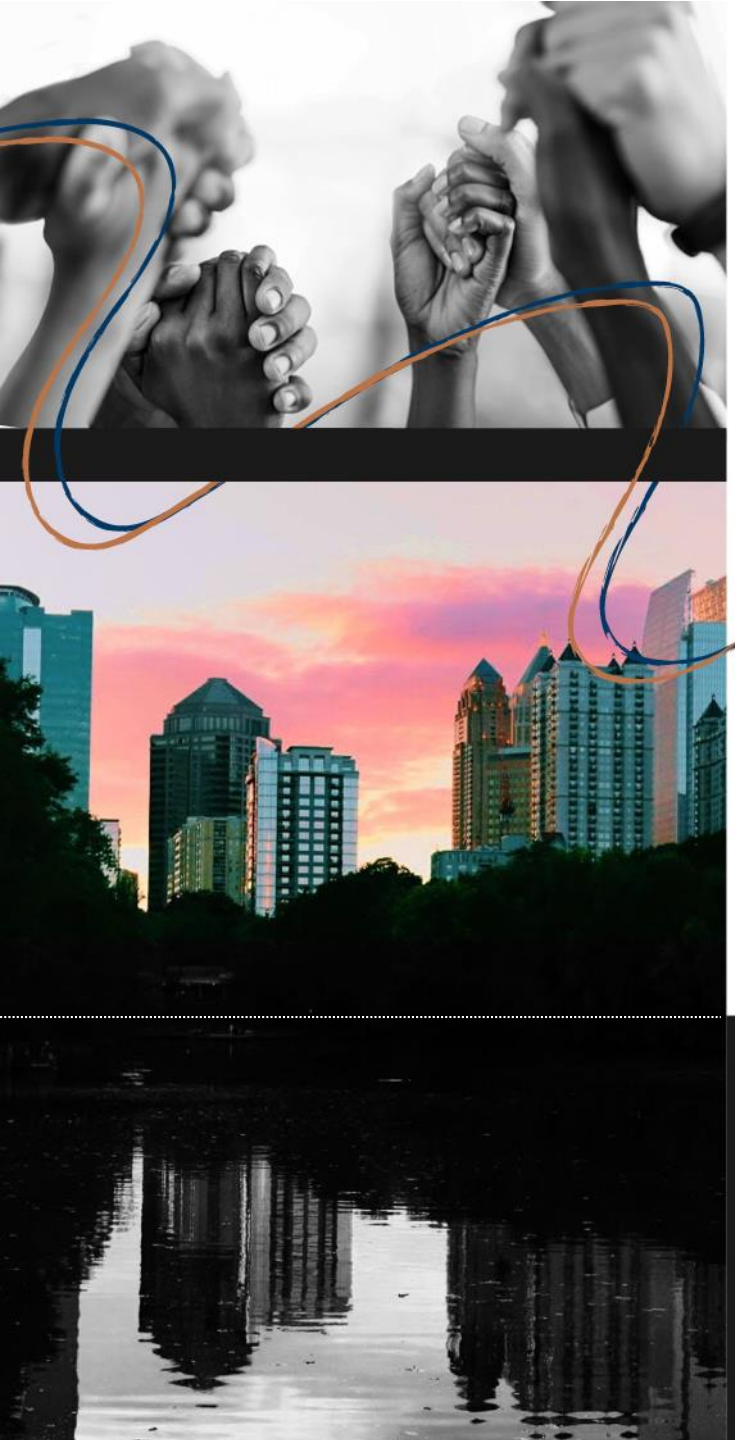
Cultivating a "servant leader" culture focused on service to the community

3 Community & Partnerships

Strengthening ties within the community to rebuild trust and improve safety for all

Accountability

Embedding sustainable change through increased transparency and oversight



These Recommendations are a subset of the opportunities identified by the Advisory Council

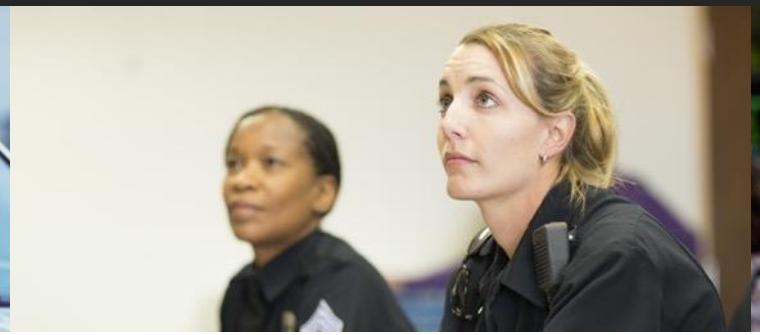
	Law & Policy	Culture & Mindset Shift	Community & Partnerships
Actions in focus **today**	5	3	2
Current initiatives **under consideration** for 45-day report	14+	13+	10+

Recommendation for immediate actions

Law & Policy

1. Commit to revising the Use of Force continuum in Standard Operating Procedures (SOP) to increase specificity and align with best practices
2. Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability
3. Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage
4. Create a centralized repository for witness footage of use of force by officers
5. Mandate immediate drug testing for officers when a use of force incident resulting in serious injury or death occurs

Culture & Mindset Shift



6. Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department
7. Conduct additional screenings - including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers
8. Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment

Community & Partnerships

9. Extend powers and community awareness of Atlanta Citizen Review Board (ACRB), including:
   - Mandated 3rd party audit of misaligned recommendations in use of force incidents
   - Increased funding to improve ACRB outreach, awareness, and program effectiveness
10. Begin to evaluate policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:
    - Evaluate partnership model, resourcing, and legal framework for non-law enforcement officials to respond to community
    - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones

Law & Policy

"If there is a place that could be a national model of good policing and strong communities, Atlanta is going to be the place."

Atlanta Citizen Review Board Staff Member

Photo: Luca Eandi

Recommended Immediate Action

1. Commit to revising the Use of Force continuum in Standard Operating Procedures (SOP) to increase specificity and align with best practices
2. Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability
3. Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage
4. Create a centralized repository for witness footage of Use of Force by officers
5. Mandate immediate drug testing for officers when a use of force incident resulting in serious injury or death occurs

Where We Stand Today

The APD's Standard Operating Procedures (SOP) currently has notable limits on actions involving use of force, including:

- Prohibition of chokeholds and strangleholds
- Prohibition of warning shots
- Restrictions on use of deadly force to situations that prevent "serious physical harm"

Recent Actions

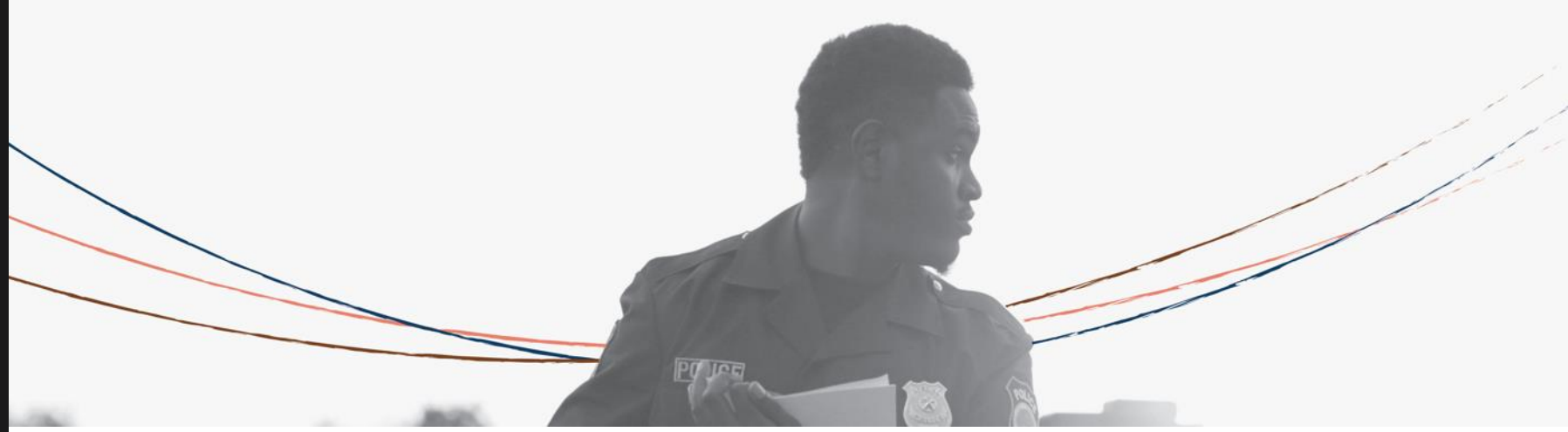
Recent administrative orders by Mayor Bottoms have mandated additional limitations, including:

- Requiring de-escalation
- Creating an explicit duty for officers to intervene in – and report - cases of unwarranted excessive force by their peers
- Banning shooting at moving vehicles

As the administrative order recognizes, there are additional best-in-class safeguards that can be implemented to further mitigate use of force.

Every APD officer is equipped with Body Worn Cameras (BWC) to record use of force incidents, and APD has invested in technology to improve capture rates, including automated activation of BWC using signal sidearm devices in officer holsters for both their tasers and firearms. However, additional steps can be taken to improve the current 94% BWC capture rate of use of force: Create alternative paths for members of the community to submit video footage they have recorded, and facilitate faster public access to all footage to improve transparency.

Detailed description of immediate actions



Recommended action	Category	Expected outcome
1 Commit to revising Use of Force Continuum – including incorporating de-escalation requirements; revisiting requirements for use of firearms / deadly force	Conduct guidelines	• Mitigate the frequency and severity of officer uses of force • Develop clear, prescriptive guidelines to support ongoing training
2 Ensure that changes taken under the Mayor's Administrative Orders 2020-18 align with best practice policy changes from other cities and continue measures for accountability	Conduct guidelines	• Bring APD Use of Force SOP guidelines to best in class • Develop clear, prescriptive guidelines to support ongoing training
3 Commit to identifying policies to improve officer compliance and public transparency of captured body worn camera footage	Reporting & transparency	• Improve percentage of use of force incidents captured using Body Worn Cameras (94% in current state) • Build trust and accountability between ATL community and APD
4 Create a centralized repository for witness footage of use of force by officers	Reporting & transparency	• Supplement existing APD Body Worn Camera footage of use of force incidents • Create a formal channel for community input into use of force investigations
5 Mandate immediate drug testing for officers when a use of force incident resulting in serious injury or death occurs	Reporting & transparency	• Expand available data for use of force investigations • Bring officers into alignment with current drug testing policy for other City of Atlanta employees

LAW & POLICY

CULTURE

COMMUNITY

Culture & Mindset Shift

"Our objective on every call should be to leave the neighborhood better than when we entered it."

Member of Atlanta Police Department

Recommended Immediate Action

6 Commit to re-evaluating and revising mission, vision, core values, and oath of the Atlanta Police Department

7 Conduct additional screenings - including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers

8 Require more exhaustive background checks with attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment

Where We Stand Today

The APD's current recruiting process is made up of three phases intended to both verify the applicant's background and qualifications, and evaluate their fitness for the role of policing. This includes:

- **Initial screenings**, including cognitive and Psychometric testing
- **Background checks** encompassing criminal history, employment history, and character reference assessments
- A **final confirmation** pending results of a thorough background interview and completion of a psychological interview, Georgia's Peace Officer Standards & Training (POST) screening, and drug testing

Upon accepting their offer, new Cadets attend the APD's academy, which includes over 780 hours of training (almost double that required by the State of Georgia) across a breadth of topics. All members of the APD are also required to complete 24 hours of training each year to refresh their knowledge. These comprise of:

- Mandatory Use of Force and De-Escalation training
- Elective Cultural Awareness, Procedural Justice, and Community Relations courses

In order to build and sustain a culture of accountability within the APD, monitoring systems have been put in place to preemptively minimize risks of putting officers unfit for duty on patrol. The Early Intervention and Early Warning System – implemented to identify employees with a pattern of detrimental behavior (including use of excessive force) - has been in place at the APD since 2016 and is maintained by The Office of Professional Standards (OPS) command.

The Council recognizes that truly transformative change requires a strategy to transform culture that cannot be implemented in the brief life-span of this Council. Transformation towards a servant leader culture takes time. However, the process must begin now.

Detailed description of immediate actions

Recommended action	Category	Expected outcome
6 Commit to re-evaluating and revising the mission, vision, core values, and oath of the Atlanta Police Department	Culture building	• Ensure that the principles that govern APD are in alignment with the principles that govern the community at large
7 Conduct additional screenings - including mental health and implicit bias assessments - for all applicants during the recruiting process, and on an ongoing basis for all officers	Recruitment	• Reduced exposure to individuals that are not fit to be officers • Help recruits identify potential biases prior to beginning service
8 Require more exhaustive background checks w/ attention to record of complaints from other agencies, previous applications to police departments, and social media sentiment	Recruitment	• Reduced exposure to individuals that are not fit to be officers • Improving APD's effectiveness in hiring officers aligned with core values of the department

Community & Partnerships

"I expect the APD to befriend the community before it polices the community."

Grady High School Student, Class of '20

Recommended Immediate Action

9 Extend the powers and community awareness of Atlanta Citizen Review Board (ACRB), including:

- Mandated 3rd party audit of misaligned recommendations in use of force incidents
- Increased funding to improve ACRB outreach, awareness, and program effectiveness

10 Begin to evaluate policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including:

- Evaluate partnerships, resourcing, and legal framework for non-law enforcement officials to respond to community
- Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones

Where We Stand Today

The APD in tandem with non-profit orgs ran **~70 unique community engagement initiatives** in the past year to bridge the gap between law enforcement and the community. This includes a range of programs, spanning from athletic leagues to youth centers to special projects (e.g., Coffee with a Cop).

The **Atlanta Citizen Review Board (ACRB),** established 2007, investigates residents' complaints and provides recommendations on disciplinary action to APD Chief. While scope and alignment across APD and ACRB has improved, there is currently a 124-day median response time. In 2019, 26% of opinions on excessive use of force had differing APD/ACRB recommendations. In cases with differing opinions, the APD's recommendation is upheld without further third-party arbitration or audit.

Recent administrative orders have mandated reporting of all uses of deadly force to the ACRB, expanding the scope and influence of the ACRB further.

The City of Atlanta has also invested in piloting **least harm initiatives** (e.g., Pre-Arrest Diversion program, @Promise Youth Center) to partner with APD in alternative outcomes. Opportunities exist to increase coverage to all zones and increase use of these initiatives for eligible persons.

Expansion of these initiatives presents an opportunity to support APD in response to situations regarding mental health, homelessness, substance abuse, domestic violence, human trafficking, and child abuse.

Detailed description of immediate actions

	Recommended action	Category	Expected outcome
9	Increase powers and awareness of ACRB - Enforce 30-day APD response - Mandate 3rd party audit of misaligned cases - Increase funding to increase outreach and program effectiveness	Community collaboration	• Shorter delays in APD response to ACRB recommendations • Greater APD/ACRB alignment on complaints • Increased community reporting of excessive UoF incidents
10	Begin to evaluate policies, procedures, and partner organizations for least harm approach to reduce the likelihood of use of force long-term, including: - Evaluate partnerships, resourcing, and legal framework for non-law enforcement officials to respond to community - Expand and incentivize adoption of Pre-Arrest Diversion program across additional zones	Community integration	• Reduced reportable use of force incidents • Increased community goodwill & trust • Reduced arrests for minor infractions • Reduced risk of needless escalation

LAW & POLICY

CULTURE

COMMUNITY

Photo by Luca Eandi

Continued input from community members will be an integral part of our work as we proceed past these initial recommendations.

Additional information on the work of the Advisory Council, including materials presented during meetings to date:

https://www.atlantaga.gov/government/mayor-s-office/projects-and-initiatives/Use-of-Force-Advisory-Council

For questions and comments, please reach the Council via:

useofforce@AtlantaGa.Gov