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Report Supports Atlanta Citizens’ Right to Review Police Department Activities

ATLANTA, GEORGIA, June 29, 2009 – The Atlanta Citizen Review Board was created to provide a voice to the people of Atlanta who have grievances against the police. Despite the enthusiastic support that it received initially and the tragic circumstances that led to its creation, the Atlanta Citizen Review Board (ACRB) is under attack and in danger of being stripped of any real power it has to investigate the complaints of the citizens of Atlanta. **In response, today the Southern Center for Human Rights (SCHR) released *A Report Supporting an Effective and Fair Atlanta Citizen Review Board* that includes a snapshot of other cities’ programs, discusses at length the various concerns raised about the existing ACRB and offers several suggestions for improvement.**

“The phrase you always hear is ‘who will watch the watchman,’ but here the watchman is blindfolded,” said Gerry Weber, senior attorney at SCHR. “The Citizen Review Board must have full and timely information to do its job.”

Atlanta has a history of failed attempts to create civilian boards that would have the power to monitor police abuses. However, following the attempted cover-up of the shooting of Kathryn Johnston, a 92-year-old woman, in her home by police during an unlawful raid, the city of Atlanta decided to put some legislative force behind the protection of its citizens’ right to review police activity. In 2007, the ordinance creating the ACRB was passed unanimously by the Atlanta City Council and was signed into law by Mayor Shirley Franklin. The ACRB was given the important task of reviewing Atlanta citizens’ grievances against the Police and Corrections Departments. However, since then, these departments have responded to this mandate by blocking the ACRB’s attempts to access documents and witnesses.

The current Review Board is a significant improvement over its predecessors. A survey of police review practices in the fifteen largest United States cities revealed that independence and subpoena power are two keys to successful review boards. The ACRB was specifically given that independence and the ability to request subpoenas from the City Council’s Committee on Council, yet it is now in a state of functional paralysis, due to roadblocks and hurdles placed often by the very entities that supported it in the first place. Until very recently, the Committee on Council has routinely delayed or flat-out refused to issue subpoenas to force compliance.

The Southern Center for Human Rights Report states:

- The Review Board should be given direct subpoena powers in order to achieve the independence that the public deserves and expects.
- The ACRB's power to subpoena police officers, essential in meeting its objectives, is already subject to strict legal standards and scrutiny, which prevent any abuse.
- Police officers are adequately insulated from self-incrimination by the protections of the United States Supreme Court's ruling in *Garrity v. State of New Jersey* (1967).
- Requesting that pertinent documents be released to the ACRB is not a violation of the public disclosure protections in the Georgia Open Records Act.

The report concludes that there are adequate safeguards in place to ensure the rights of accused police officers, and that timely and complete information production is an absolute necessity for the Atlanta Citizen Review Board to accomplish the goals of the City Council.

Lauren Sudeall Lucas, an attorney at SCHR, insists, "We must ensure that citizen oversight is a reality and not a hollow promise."

To read the report, visit www.schr.org,

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