

**PUBLIC SAFETY ADVISORY COMMISSION ORDINANCE
COMMITTEE**

Meeting Minutes
October 20, 2020

OPENING:

The regular meeting of the PUBLIC SAFETY ADVISORY COMMISSION ORDINANCE COMMITTEE was called to order at 11:07 A.M. on October 20, 2020 on the Arena Floor of the Columbus Civic Center, 400 4th Street, Columbus, Georgia by Mayor B. H. “Skip” Henderson, III.

PRESENT:

State Representative Carolyn Hugley, Councilor Jerry “Pops” Barnes, Councilor Walker Garrett, Tyson Begley, Major Freddie Blackmon and Reverend Adrian Chester. Assistant City Attorney Lucy Sheftall and Recording Secretary Tameka Colbert were also present.

ABSENT:

Shameika Averett and Councilor Judy Thomas

INVOCATION:

Offered by Reverend Adrian Chester.

MINUTES:

Minutes of the October 20, 2020 Public Safety Advisory Commission Ordinance Committee Meeting were distributed to the Committee Members. There were no changes.

SUBPEONA POWERS DISCUSSION:

The following documents were distributed to Committee Members and explained by Assistant City Attorney Lucy Sheftall. After explaining each document, she responded to questions from the Committee Members. *(A copy of the documents have been filed in the Clerk of Council’s Office.)*

- 1) Description of the Personnel Review Board Subpoena Powers and the legal authority for it**

Questions/Responses:

Reverend Chester said in the explanation on the top page, resolution 225-71 is listed but on the second page it is notated as 115-71. He asked if this was a typo.

Assistant City Attorney Sheftall said yes, this was a typo. The correct citation is 115-71.

State Representative Carolyn Hugley asked if the Police Review Board and the Personnel Review Board were covered under this resolution in 1971.

Assistant City Attorney Sheftall said that is correct. She said the Personnel Review Board originally did not handle disciplinary cases involving Police Officers but ultimately as time went on the Police Review Board matters were given to the Personnel Review Board. She said Council eventually abolished the Police Review Board and gave the Personnel Review Board jurisdiction over those cases.

State Representative Hugley asked if there have been any problems or issues with the way the subpoena powers have been utilized under the resolution.

Assistant City Attorney Sheftall said there have not been any issues or problems.

2) “Hybrid” Ordinance prepared by the City Attorney

Questions/Responses:

State Representative Hugley asked would Section 2 (d) of the ordinance include excessive force occurrences as well as deadly force occurrences.

Assistant City Attorney Sheftall said deadly force is defined in the police regulations. She then requested that Major Freddie Blackmon expound further on the police regulations.

Major Blackmon then provided an explanation of deadly force. He said a deadly force incident would be where an officer is met with a severe incident where he/she is trying to protect the life of themselves or the life of someone else by use of firearm or any other weapon of opportunity.

State Representative Hugley said if an officer uses a taser inappropriately, which could be excessive force, would it be included in this ordinance.

Assistant City Attorney Sheftall said the term “deadly force” is in connection with the subpoena powers. She said as far as the investigation and the information that would be provided to the Commission by the Police Department would be all uses of force. She said it is outlined in Section 2 (c) that the Commission would be receiving information on all cases involving use of force.

State Representative Hugley expressed that she feels the language is limited by using the term “deadly force”. She said in recent cases there was no deadly force used but the use of force was inappropriate and may have required a subpoena to get the necessary information.

After several minutes of discussion regarding this matter with Committee Members expressing their views and concerns, Councilor Garrett made a motion to remove the word “deadly”. Seconded by State Representative Hugley and carried unanimously by the six

members present for this meeting, with Councilor Judy Thomas and Shameika Averett being absent from the meeting.

Councilor Barnes strongly expressed his desire to take information to the community and receive feedback before voting on matters. He said we are representing a large demographic of the Columbus community and the citizens deserve the respect of having information brought before them before the committee votes. He said he is here to represent the concerns of the people.

Reverend Adrian Chester said at the pleasure of the Committee, he would take on the responsibility of laying out a timeline as it relates to the next steps that would be taken. The timeline would also include a community feedback portion. He said our task is to look at what we have here now, massage it and come up with one or two options to present to the community. He said we should give a period to the community to provide feedback. Once feedback has been given, we should discuss the options and then make a recommendation to Council.

State Representative Hugley said even though we have different ways of expressing it, we are all saying the same thing. She said from a legislative perspective, we work to perfect the legislation and we continue to work all the way through the process. She said what she is hearing from Committee members is that we want to continue to work on this in conjunction with the public. She said she has heard from her constituents that they would not want subpoena power to be limited just to deadly force.

After further discussion, State Representative Hugley asked would Section 2 (d) work in conformance of how the Personnel Review Board operates.

Assistant City Attorney Sheftall said no it would not. She said the Personnel Review Board operates pursuant to the resolution where Council made findings for the purposes of carrying out hearings. She said they wanted the Clerk of Council to be able to issue the subpoenas without coming back to Council with routine personnel matters each time.

Reverend Chester asked if the Public Safety Advisory Commission were to mirror the Personnel Review Board, would it open the door for possible litigation and challenges.

Assistant City Attorney Sheftall said that is a possible argument that people could make. She said the Personnel Review Board subpoenas have only been used in very routine ways to compel the presence of individuals who are city employees.

State Representative Hugley asked would it be possible for the Public Safety Advisory Commission to follow the Personnel Review Board if it is not asking for subpoenas outside of what the Personnel Review Board does.

Assistant City Attorney Sheftall said that is a possible option that could be structured in the governing ordinance or resolution that directs the subpoena power for the Public Safety Advisory Commission.

3) Alternatives for the requirements of PSAC subpoena

REQUEST(S):

- Councilor Tucker conveyed on behalf of Committee Member Shameika Averett a request to have the PSAC Ordinance Committee meetings recorded and made public through Facebook or YouTube.
- Reverend Chester requested that the November 3rd meeting be rescheduled due to it being election day.
- Mayor Henderson requested a time change for meetings held on the 3rd Tuesday of each month meeting.

ADJOURNMENT:

Meeting was adjourned at 12:12 p.m. by Mayor B. H. “Skip” Henderson, III. The next general meeting will be at 2:00 p.m. on November 2, 2020, at the Columbus Civic Center.

Minutes submitted by: Name