



## Input for Country Visit to the USA 24 April-5 May 2023

## Via Email ohchr-emler@un.org

International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement (EMLER)
United Nations
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The SPLC Action Fund and Southern Center for Human Rights jointly submit the following input regarding the over-policing of Black people and communities in Atlanta, Georgia, and invite the EMLER to include Atlanta in its upcoming country visit and to meet with impacted community groups.

The extreme over-policing of Black people and communities in the US is not limited to majority white cities. The City of Atlanta, Georgia, where the population stands at nearly 50% Black, provides a stark example of how the systemically racist underpinnings of law enforcement in the US permeate police departments regardless of who oversees them. Publicly reported data<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> The Police Scorecard is the largest public national database evaluating and comparing police department outcomes in The United States. The data sample includes 13,200 municipal police departments and 2,800 county sheriff's departments respectively. To calculate comparisons across departments, each agency is assigned a score from 0-100 based on how well it addresses serious threats to public safety, avoids the use of force, is accountable for employee misconduct, solves serious crimes, minimizes bias and discriminatory practices, and minimizes financial burden on communities. The scores are aggregated to show how each agency compares to others across four areas of policing. To ensure appropriate comparisons, municipal police departments are evaluated in comparison to similar-sized jurisdictions. For example, Atlanta's police department would be compared to other municipal police departments in jurisdictions with populations above 200,000 people. More information about The Police Scorecard's methodology is available here.

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demonstrates that, compared to other metropolitan areas in the US, the Atlanta Police Department (APD) has more officers per capita than 89% of other police departments and receives funding exceeding that of more than 70% of other departments. While representing just under 50% of the city's population, Black Atlanta residents make up 90% of arrests by APD, and 88% of those killed by APD. The vast majority of all uses of force by APD are inflicted on Black people – 85% of men, and 91% of women, who experienced a use of force in 2022 were Black.<sup>2</sup>

Atlanta also illustrates that excessive and violent policing do not make cities safer. Despite greater uses of force (53% more force used during arrests than other US police departments) and more frequent police shootings per arrest (56% more), the incidence of gun violence in Atlanta remains high. At the end of December 2022, the Atlanta Journal-Constitution reported that the city experienced a record-breaking homicide rate for the third year in a row. The 162 homicides investigated by APD during 2022 represented the highest number since 1996. Meanwhile, Atlanta's Office of Violence Reduction remains almost entirely unstaffed.

While all of the evidence suggests that more and more policing is not the answer, Atlanta seeks to further escalate its over-policing through the construction of the proposed "Atlanta Public Safety Training Center." Popularly dubbed "Cop City" because it would include a mock city for training exercises, the facility's estimated cost is more than \$90 million. Atlanta business interests pushing for the construction of Cop City through organizations like the Atlanta Committee for Progress include the leadership of major corporations, a number of which were also involved in the ultimately successful efforts several years ago to push a major provider of shelter and services for the homeless (a mostly Black population in Atlanta) out of the building it owned on prime downtown real estate.

Atlanta's push to build Cop City brings anti-democratic and environmental racism dimensions to the already well-recognized negative impacts of over-policing on Black

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<sup>&</sup>lt;sup>2</sup> This data derives from Atlanta's Use of Force Dashboard, a collaborative effort between the Mayor's Office, Atlanta Police Department (APD), the Atlanta Citizen Review Board (ACRB), and Atlanta Information Management (AIM). Its purpose is to increase transparency, build public trust, and encourage fact-based discussions around police performance in Atlanta. The dashboard is updated quarterly and includes data on use of force incidents, demographics of subjects and officers involved, outcomes of investigations, and a video evidence submittal portal for the public to report incidents.

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communities. The site, in the far southeastern reaches of the Atlanta, abuts <u>heavily Black</u> <u>neighborhoods that have often been ignored</u> over past decades. For example, the area is a food desert that lacks adequate grocery stores to offer ready access to fresh foods.

An <u>earlier plan</u> to preserve the forest and make improvements that would have enhanced the area's appeal was abandoned in favor of Cop City despite enormous public outcry. Importantly, the construction site is city owned, but outside of city limits. This leaves Black residents who are most impacted by the plan no formal avenues to resist it. "Public input" sessions hosted by the Atlanta Police Foundation, which is coordinating funding for Cop City, featured slide show presentations by police department representatives, but members of the public were not given an opportunity to speak, suggesting that the sessions were mere window dressing for decisions that were already firmly made. 70% of callers who left comments on the project with the Atlanta City Council before the final vote spoke in opposition to it.

Cop City also presents a number of environmental threats to the residents of the surrounding area. The construction of Cop City would destroy between 85 and 380 acres of forest that city officials had previously called vital to the environmental health of the region. In addition to causing the destruction of important forest acreage, the facility would include several shooting ranges, some operating in close proximity to a waterway known as Intrenchment Creek, which is popular for sport fishing. The US Environmental Protection Agency says placing a shooting range near a waterway poses the risk of lead contamination to local wildlife and to people who may come in contact with the water. Heavy metal runoff would also result from explosives trainings at the facility. Toxic chemicals that leach from police munitions into ground water and soil can remain for decades and can threaten human health when they enter the water system and the food supply through agriculture and fishing.

Since even before Atlanta's city council voted to proceed with the construction of Cop City, community and environmental activists have engaged in ongoing protests, and many have occupied the forest in an effort to prevent it from being bulldozed. Government response to the protests have been extreme. Georgia Governor Brian Kemp and Atlanta Mayor Andre Dickens have <u>labeled the forest protestors "terrorists,"</u> and police have repeatedly raided the area, arresting protestors and charging them with "domestic terrorism."

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Police violence at the Cop City site came to a head on January 18, 2023, when dozens of police officers from state and local law enforcement agencies conducted a "clearing" operation to forcibly evict protestors from their forest encampment. One activist, 26-year old Manuel Terán (also known as Tortuguita), died after being shot at least thirteen times. Law enforcement agencies involved in the operation initially insisted that officers fired in self-defense and announced that there was no bodycam footage of the raid, but APD later released video relevant to the shooting. One of the most disturbing aspects of the footage is that it indicates a wounded officer, whose injuries were the basis for the claims of self-defense, was likely the victim of "friendly fire" after the shooting of Tortuguita.

Atlanta's planned Cop City represents an alarming escalation of the over-policing of Black people and communities in the US. We urge the EMLER to include Atlanta in its US country visit plans to hear from representatives of the numerous community groups that have organized to oppose it. SCHR and SPLC will be pleased to facilitate a meeting with the community, to invite city council members to also meet with the experts, and to organize a tour of the area to potentially include a Cop City site visit.

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