

#2

10-0-1421

(Do Not Write Above This Line)

AN ORDINANCE BY *Ivory Lee Young, Jr.*
COUNCILMEMBER IVORY LEE YOUNG, JR.

TO REPEAL CHAPTER 2, ADMINISTRATION, ARTICLE XVI, BOARDS, COUNCILS, COMMISSIONS AND AUTHORITIES, DIVISION 6, CRIMINAL JUSTICE COORDINATING COUNCIL, IN ITS ENTIRETY, SO AS TO ELIMINATE THE CONFLICT BETWEEN THE PROVISIONS CONCERNING THE CRIMINAL JUSTICE COORDINATING COUNCIL THEREIN AND THOSE IN CHAPTER 98, LAW ENFORCEMENT, ARTICLE 1, IN GENERAL, SECTION 98-2, CRIMINAL JUSTICE COORDINATING COUNCIL; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

APPROVED BY:

ADOPTED BY

IVORY LEE YOUNG, JR.
COUNCILMEMBER

AUG 16 2010

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred *7/19/10*
 Referred To: *Public Safety*
 Date Referred
 Referred To:
 Date Referred
 Referred To:

First Reading

Committee _____
 Date _____
 Chair _____
 Referred To _____

PSLA Committee
7/27/10 Date
~~*XXX*~~ Chair
Overnight Action
 Fav, Adv, Hold (see rev. side)
 Other
40-200 Members
Bottom
Open Shop
Adrian
Walter Refer To

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

- 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 AUG 16 2010
 ATLANTA CITY COUNCIL PRESIDENT
CC

CERTIFIED
 AUG 16 2010
Ronda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 AUG 24 2010
[Signature]
 MAYOR



AN ORDINANCE BY

COUNCILMEMBER IVORY LEE YOUNG, JR.

TO REPEAL CHAPTER 2, ADMINISTRATION, ARTICLE XVI, BOARDS, COUNCILS, COMMISSIONS AND AUTHORITIES, DIVISION 6, CRIMINAL JUSTICE COORDINATING COUNCIL, IN ITS ENTIRETY, SO AS TO ELIMINATE THE CONFLICT BETWEEN THE PROVISIONS CONCERNING THE CRIMINAL JUSTICE COORDINATING COUNCIL THEREIN AND THOSE IN CHAPTER 98, LAW ENFORCEMENT, ARTICLE I, IN GENERAL, SECTION 98-2, CRIMINAL JUSTICE COORDINATING COUNCIL; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has established the Criminal Justice Coordinating Council (CJCC); and

WHEREAS, the purpose of the CJCC is to develop, and coordinate cooperation among the citizens of the city and all components of the city's criminal justice system and law enforcement agencies operating within the city; and between the criminal justice system and the citizens of the City of Atlanta; and

WHEREAS, the language establishing and enabling the CJCC appears in the City of Atlanta Code of Ordinances at Sections 2-2011 et seq. and at Section 98-2; and

WHEREAS, while Sections 2-2011 et seq. and at Section 98-2 both independently establish and enable the CJCC, there are certain provisions of these two sections which are in conflict; and

WHEREAS, an examination of both enabling ordinances reveals that Sections 2-2011 et seq. should be repealed in favor of Section 98-2; and

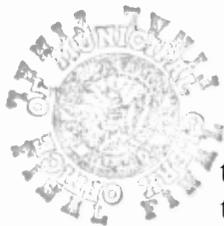
WHEREAS, upon repeal of Sections 2-2011 et seq. City of Atlanta Code of Ordinances Section 98-2 would be controlling; and

WHEREAS, Section 98-2 provides as follows:

Sec. 98-2. - Criminal justice coordinating council.

(a) There is hereby created a criminal justice coordinating council to study, monitor, assess, and make recommendations for improving all aspects of the city's criminal justice system.

(b) The criminal justice coordinating council shall consist of the following members: the mayor or his designee, the president of the city council or his designee, the chief of police, the commissioner of the department of corrections,



the chief judge and the associate judges of the municipal court, the chairperson of the city council committee on public safety, the city solicitor, the public defender, and two members of the community, one appointed by a majority of the other members of criminal justice coordinating council, who has substantial experience in alcohol or substance abuse treatment and facilities, and one appointed by the Metro Atlanta Crime Commission.

(c) Each member shall serve ex officio, during the term of his or her service to the city, or at the pleasure of his or her appointing authority.

(d) The criminal justice coordinating council shall meet no less than four times annually. A majority of its members shall constitute a quorum for conducting business. The chairperson shall be elected from among the council's members. The members shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

(e) The criminal justice coordinating council shall undertake and fulfill the following duties:

(1) To develop, encourage and coordinate communication and cooperation among all components of the city's criminal justice system, and all law enforcement agencies operating within the city; and between the criminal justice system and the citizens of this city;

(2) To study, research, investigate, monitor, evaluate, and report objectively all aspects of the criminal justice system;

(3) To take steps to ensure the maximum possible appearance rate for police officers for all hearings on all charges of violations of the city;

(4) To put in place an effective system for reporting to the police chief any absences from scheduled court appearances by police officers;

(5) To take steps to educate the court system and judges as to appropriate alcohol and substance abuse facilities for repeat offenders of the Atlanta City Code's public intoxication or substance abuse ordinances, including but not limited to sections 10-8 and 10-9 of the city Code, and to encourage the use of alcohol and substance abuse treatment facility rehabilitation as alternative sentencing measures for such repeat offenders;

(6) To study the effectiveness of the probation office in monitoring and supervising repeat offenders of violations of the Atlanta City Code;

(7) To create, when directed by council and the mayor, a public report which reflects the performance of the criminal justice system for the city, including convictions and dismissal rates, reasons for dismissals, if any,



numbers of repeat offenders and sentencing for such repeat offenders, including the numbers of repeat offenders convicted of public intoxication or substance abuse ordinances referred to alcohol or substance abuse program, as well as having mentally impaired persons referred to the appropriate evaluation and diagnostic facility for care and treatment;

(8) To make findings and recommendations to the mayor, the city council, the police chief, department of corrections, the chief judge and administrator of the court, and the public, no less than annually as to needed changes in the criminal justice system, and legislation required to effectuate such changes; and

(9) To develop recommendations for innovative programs that may be undertaken to address identifiable problems with the objective of preventing and reducing crime and enforcing and properly prosecuting violations of the City Code.

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

SECTION 1. That Chapter 2, Article XVI, Division 6, of the City of Atlanta Code of Ordinances which currently reads:

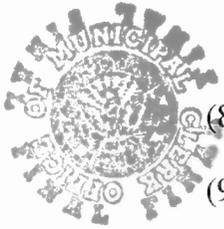
Sec. 2-2011. - Created.

The criminal justice coordinating council is created.

Sec. 2-2012. - Composition.

The composition of the criminal justice coordinating council shall be as follows, with the total membership not to exceed 38 persons:

- (1) The mayor, who shall serve as chair;
- (2) The director of the crime analysis team, who shall serve as executive director;
- (3) The chair or a member of the Fulton County board of commissioners;
- (4) The chief judge or a judge of the superior court of Fulton County;
- (5) The chief judge or a judge of the municipal court of the city;
- (6) The chief judge or a judge of the state court of Fulton County;
- (7) The chief judge or a judge of the juvenile court of Fulton County;



- (8) The sheriff of Fulton County;
- (9) The district attorney of Fulton County;
- (10) The chair of the committee on public safety and legal administration of the city council;
- (11) A member of the committee on public safety and legal administration of the city council;
- (12) A member of the Fulton County house or senate delegation;
- (13) A member of the DeKalb County house or senate delegation;
- (14) Two of the following DeKalb County officials:
 - a. Chief judge or judge, superior court;
 - b. Chief judge or judge, state court;
 - c. District attorney;
 - d. Solicitor;
- (15) The state commissioner of corrections;
- (16) The chief of police of the city;
- (17) The chief financial officer of the city;
- (18) The director of human services of the city;
- (19) The chief of corrections of the city;
- (20) The director of adult probation of Fulton County;
- (21) The director of the youth services agency of the state department of human resources;
- (22) The superintendent of the Atlanta Public Schools;
- (23) The commissioner of the Fulton County health department;
- (24) The chair of the public safety task force of the Atlanta Chamber of Commerce;



(25) A member of the CJCC citizen's advisory task force; and

(26) Eleven discretionary appointments from persons qualified by their expertise in criminal justice and related fields and demonstrated commitment to community crime prevention and being representative of youth under the age of 25 or minorities or women or ex-offenders or any of such.

Sec. 2-2013. - Term and compensation of members.

The members of the criminal justice coordinating council shall serve at the pleasure of the mayor without compensation.

Sec. 2-2014. - Duties.

The criminal justice coordinating council shall have the following duties:

(1) Develop, encourage and coordinate communications and cooperation among all components of the criminal justice system and between the criminal justice system and the citizens;

(2) Study, research, investigate, monitor and objectively evaluate all aspects of the criminal justice system;

(3) Prepare recommendations as to needed legislation in the area of criminal justice in order to facilitate the prevention and reduction of crime in the city;

(4) Develop a crime specific criminal justice master plan based on detailed study and data collection;

(5) Coordinate and review all criminal justice related grant applications sponsored by the city;

(6) Develop recommendations for innovative criminal justice programs that may be undertaken by the city and other agencies which address identifiable problems with the intent to prevent and reduce crime within the city;

(7) Advise and provide recommendations to the mayor on all aspects of the criminal justice system; and

(8) Provide for a mechanism for coordinating policy making decisions in the criminal justice system.

Sec. 2-2015. - Staff.

The staff of the city's crime analysis team shall serve as supporting staff and be responsible to the criminal justice coordinating council through the director.



Secs. 2-2016—2-2045. - Reserved.

be repealed in its entirety such as Chapter 2, Article XVI, Division 6, Sections 2-2011 through 2-2045, of the City of Atlanta Code of Ordinances shall be reserved and shall read as follows:

Secs. 2-2011----2-2045. - Reserved

SECTION 2. The amendment in this ordinance shall become effective immediately upon approval.

SECTION 3. That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

A true copy,

Rhonda Daughia Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

AUG 16, 2010
AUG 24, 2010

RCS# 487
8/16/10
3:14 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1338,10-R-1416

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	B Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	B Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I

		08-16-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT	
1. 10-O-1422	38. 10-R-1381	
2. 10-O-0603	39. 10-R-1382	
3. 10-O-1279	40. 10-R-1383	
4. 10-O-1345	41. 10-R-1384	
5. 10-O-1421	42. 10-R-1385	
6. 10-O-1276	43. 10-R-1386	
7. 10-O-1417	44. 10-R-1387	
8. 10-O-1272	45. 10-R-1388	
9. 10-R-1368	46. 10-R-1389	
10. 10-R-1369	47. 10-R-1390	
11. 10-R-1370	48. 10-R-1391	
12. 10-R-1372	49. 10-R-1392	
13. 10-R-1409	50. 10-R-1393	
14. 10-R-1411		
15. 10-R-1412		
16. 10-R-1413		
17. 10-R-1414		
18. 10-R-1415		
19. 10-R-1423		
20. 10-R-1424		
21. 10-R-1425		
22. 10-R-0727		
23. 10-R-1394		
24. 10-R-1401		
25. 10-R-1402		
26. 10-R-1403		
27. 10-R-1404		
28. 10-R-1405		
29. 10-R-1406		
30. 10-R-1426		
31. 10-R-1427		
32. 10-R-1375		
33. 10-R-1376		
34. 10-R-1377		
35. 10-R-1378		
36. 10-R-1379		
37. 10-R-1380		