

11- R -1262

(Do Not Write Above This Line)

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA ("CITY"), TO ENTER INTO AN INTER-GOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF STATE, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS ("INL"), FOR THE PARTICIPATION OF THE ATLANTA POLICE DEPARTMENT ("APD") IN THE TIMOR-LESTE POLICE DEVELOPMENT PROGRAM ("TLPDP"), FOR THE PURPOSE OF INCREASING THE CAPACITY OF THE POLICIA NACIONAL DE TIMOR-LESTE ("PNTL"), THROUGH THE DEVELOPMENT AND DELIVERING OF TRAINING IN POLICE INVESTIGATIONS, AND FOR OTHER PURPOSES.

ADOPTED BY
SEP 06 2011
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____
Date Referred: _____
Referred To: _____

Committee	PSLA	Committee	
Date	8/30/11	Date	
Chair	<i>[Signature]</i>	Chair	
Action	<i>[Signature]</i>	Action	
Fav, Adv, Hold (see rev. side)		Fav, Adv, Hold (see rev. side)	
Other		Other	
Members	<i>[Signatures]</i>	Members	
		Refer To	
Committee		Committee	
Date		Date	
Chair		Chair	
Action		Action	
Fav, Adv, Hold (see rev. side)		Fav, Adv, Hold (see rev. side)	
Other		Other	
Members		Members	
		Refer To	

CERTIFIED

CERTIFIED
SEP 06 2011
COUNCIL PRESIDENT PROTEM

CERTIFIED
SEP 06 2011
Rhonda Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 15 2011

WITHOUT SIGNATURE
BY OPERATION OF LAW



11- R-1262

RESOLUTION BY:
PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, ON BEHALF OF THE CITY OF ATLANTA (“CITY”), TO ENTER INTO AN INTER-GOVERNMENTAL AGREEMENT WITH THE UNITED STATES DEPARTMENT OF STATE, BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS (“INL”), FOR THE PARTICIPATION OF THE ATLANTA POLICE DEPARTMENT (“APD”) IN THE TIMOR-LESTE POLICE DEVELOPMENT PROGRAM (“TLPDP”), FOR THE PURPOSE OF INCREASING THE CAPACITY OF THE POLICIA NACIONAL DE TIMOR-LESTE (“PNTL”), THROUGH THE DEVELOPMENT AND DELIVERING OF TRAINING IN POLICE INVESTIGATIONS, AND FOR OTHER PURPOSES.

WHEREAS, the U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs (“INL”) has asked the City of Atlanta (“City”) for the participation of the Atlanta Police Department (“APD”) in the Timor-Leste Police Development Program (“TLPDP”), for the purpose of increasing the capacity of the Policia Nacional de Timor-Leste (“PNTL”), through the development and delivering of training relating to the application of the Timor-Leste civil law system in police investigations, and in conducting specialized police investigations, and for other purposes; and

WHEREAS, INL has presented to the City a draft agreement (“Exhibit A”) to establish the framework for cooperation between INL and the City; and

WHEREAS, pursuant to the agreement, INL agrees to reimburse the City in full for all City-costs related to its participation, including, but not limited to, the salaries and benefits of the APD officers assigned to the TLPDP; and

WHEREAS, both the Mayor and Chief of Police recommend that the City of Atlanta enter into the agreement.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the Mayor be and is hereby authorized, on behalf of the City of Atlanta (“City”), to enter into an Intergovernmental Agreement (“Agreement”) (see attached as Exhibit “A”) with the U.S. Department of State, Bureau of International Narcotics and Law Enforcement Affairs (“INL”) for the participation of the Atlanta Police Department (“APD”) in the Timor-Leste Police Development Program (“TLPDP”), for the purpose of increasing the capacity of the Policia Nacional de Timor-Leste (“PNTL”), through the development and delivering of training relating to the application of the Timor-Leste civil law system in police investigations, and in conducting specialized police investigations, and for other purposes.



BE IT FURTHER RESOLVED, pursuant to the agreement, INL agrees to reimburse the City in full for all City-costs related to its participation, including, but not limited to, the salaries and benefits of the APD officers assigned to the TLPDP.

BE IT FINALLY RESOLVED, that the Agreement shall not become binding upon the City and the City shall incur no obligation or liability hereunder until the same has been signed by the Mayor and attested to by the municipal clerk, and delivered to the INL.

A true copy,

A handwritten signature in black ink, appearing to be "Les [unclear]".

Deputy Municipal Clerk

**ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403**

**Sept. 6, 2011
Sept. 15, 2011**

Draft - Appendix to the MOU – June 02, 2011
Bureau of International Narcotics and Law Enforcement Affairs (INL)
and the Atlanta Police Department (APD)

Timor-Leste Police Development Program (TLPDP)

Background:

The Timor-Leste Police Development Program (TLPDP) is a capacity building program for the Policia Nacional de Timor-Leste (PNTL) by the Government of Australia (GoA). The TLPDP seeks to address the potential instability faced by Timor-Leste as the United Nations Mission in Timor-Leste (UNMIT) and the Australian –led International Stabilization Force (ISF) reduce their security presence and devolve security responsibilities to the Timorese authorities between 2010 and 2012. One of the key components of potential instability is the Timorese security forces' lack of both the human and technical capacity to maintain peace and stability at this volatile stage in Timor-Leste's development.

Up to December 2007, the Program was jointly delivered by the Australian Federal Police (AFP) and AusAid. In May 2008, the GoA approved funding for an enhanced police development program to be delivered solely by the AFP from July 2008 to June 2010. As part of the GoA federal budget measures announced in May 2010, the TLPDP received further funding to continue the Program over four years from 2010 to 2014.

On November 4, 2010, the AFP requested U.S. Embassy assistance with three levels of investigations training for the PNTL. The three levels of training will generally encompass:

- Level 1 – The delivery of basic investigations training;
- Level 2- The delivery of more complex investigations training (e.g. murder, sexual assault, etc.); and
- Level 3 – The delivery of specialized criminal investigations training (drugs, organized crime, money laundering, etc.).

On _____ 2011, the Department of State, Bureau of International Narcotics and Law Enforcement Affairs (INL) and the Atlanta Police Department (APD) entered into a Memorandum of Understanding (MOU) establishing the framework for cooperation to support law enforcement and anti-crime efforts. INL now seeks to launch the first cooperative activity under that MOU framework.



Objective and Mission of the APD:

In this initial project, INL proposes that the APD and INL partner with the AFP on the TLPDP to provide investigative training to police and prosecutors. Specifically, APD will deploy police training instructors/advisors to assist with both curriculum development and training as follows:

- **One civil law training advisor (police instructor with legal background):**
This person will advise and assist in developing and delivering training packages relating to the application of the Timor-Leste civil law system in investigations. The person will have experience in police curriculum development as well as a legal background. This advisor will also work closely with the U.S. Department of Justice, Office of Overseas Prosecutorial Development, Assistance and Training (**OPDAT**) Resident Legal Advisor (RLA) at the Embassy. This position is for a period of six months with a potential renewal for an additional six months either by the same or a different police instructor. Depending on training obligations and course schedules, temporary periods of leave not to exceed {ten days} may be scheduled after consultation with the senior AFP officer and subject to the approval of the INL Police Training Advisor and INL/EA Program Officer.

- The APD will also send **key training specialists** (for 30 to 60 day short term assignments) in the areas of money laundering, drug investigations, and other complex investigative training as identified in consultation with the AFP, Embassy, and INL. The officers will be deployed in support of the U.S. Embassy and coordinate in the field specifically with the AFP, the PNTL, Timor-Leste Prosecutors, and the UNMIT. The specialists will provide the services outlined below:
 1. **Training:** APD officers will deliver training through scenario and action based learning approaches.
 2. **Mentoring:** Classroom based training will need to be supplemented with extensive “on the job” training and mentoring to ensure learned techniques are applied in the work-place.
 3. **Train-the-Trainer:** APD trainers will ensure that PNTL trainers are engaged in every aspect of the training package development and delivery.



4. Testing and Evaluation: Where appropriate, APD trainers will measure training effectiveness through survey testing and capability assessment.

- APD training officers will be assigned to PNTL training academies or to work in locations with the AFP as part of the TLPDP efforts.
- APD officers will work in close coordination with the U.S. Embassy, INL Police Training Advisor and INL/EA.

Roles and Responsibilities of the APD Police Mentors/Trainers:

- The primary role of the APD officers will be to work and meet with the AFP, UNMIT, the PNTL, and the OPDAT RLA to determine key investigative and training requirements needed by the PNTL and Prosecutors to effectively combat crime in Timor-Leste.
- APD officers will evaluate training needs and propose courses to improve the capacity of the PNTL. APD officers will provide direct assistance with the development of investigation training packages across the previously outlined three levels of training and thereafter, providing training in a classroom or a seminar type setting. This is further detailed below.
- The “lead APD” officer (or long term officer) will be responsible for coordinating the follow-on assistance of the shorter term officers to ensure they are used effectively in their assistance to the PNTL.
- APD officers will work in coordination with the AFP who is implementing the TLPDP.
- APD officers, in consultation with the U.S. Embassy, will coordinate with the UNMIT and other U.S government entities engaged with the PNTL in law enforcement activities regarding training and crime related activities.
- APD officers are expected to interact daily with PNTL, Timor-Leste Prosecutors, AFP law enforcement officers, and UNMIT personnel, to observe and ask questions on the full range of investigative law enforcement responsibilities and capabilities.



- The APD officers will have no police powers in Timor-Leste. They will not serve in a law enforcement capacity. As an observer, they may accompany PNTL officers in order to better understand their law enforcement requirements but cannot lead or conduct operations on their own; PNTL officers must take the lead for law enforcement operations.

- **Development of PNTL Capacity:** Working with the PNTL and in coordination with the INL Police Training Advisor, the APD curriculum development and training team will review the capability of the PNTL to perform investigations in the key jurisdictions where they are assigned. APD officers will work with the PNTL station leadership and officers to review processes, procedures, and statistics related to investigations and civil law. The fundamental goal of the APD day-to-day training mission is to develop and strengthen the capacities of the PNTL in the following areas:
 - ❖ Identify key areas of criminal activity, types of crimes committed, and investigative requirements related to each;
 - ❖ Analyze existing training vulnerabilities and priority areas for improving the structure of the PNTL and other Timor-Leste justice organizations;
 - ❖ Analyze and improve interview and interrogation techniques used by the PNTL;
 - ❖ Develop methods and procedures for the use of informants, including analysis of the resulting information/intelligence;
 - ❖ Develop and review operational plans;
 - ❖ Improve the PNTL's capability to identify targets and ability to make arrests; and
 - ❖ Analyze the process to preserve evidence, and work with institutions of the criminal justice system to effect real prosecutions.

Communication:

During their deployment, APD officers will provide monthly reports and status updates to the INL Police Training Advisor, the INL/EA Program Officer, and the INL Principal Representative. APD will also provide status reports upon request. The reports will cover:

- Assessment of PNTL needs for ongoing training of personnel, equipment and supplies to carry out their operational mission;
- Adequacy of PNTL's investigative resources;

RCS# 1360
9/06/11
2:40 PM

Atlanta City Council

REGULAR SESSION

CONSENT

CONSENT AGENDA SECTION II

REFER

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

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

CONSENT