

1 A RESOLUTION AUTHORIZING NEGOTIATIONS BETWEEN THE FULTON COUNTY
2 SHERIFF AND THE CITY OF ATLANTA TO TEMPORARILY UTILIZE THE ATLANTA
3 CITY DETENTION CENTER AS A LOCATION TO PROVIDE ADDITIONAL
4 PROGRAMS AND SERVICES REGARDING JUSTICE REFORM AND TO ADDRESS
5 FULTON COUNTY JAIL HOUSING CONCERNS, AND FOR OTHER PURPOSES.
6

7 WHEREAS, Fulton County and Fulton County's law enforcement partners,
8 including the Fulton County Sheriff, are constantly assessing opportunities to improve
9 public safety within Fulton County and promote community health, immigration justice,
10 and criminal justice reform; and

11 WHEREAS, the City of Atlanta seeks to temporarily use the Atlanta City Detention
12 Center as a location to alleviate overcrowding at the Fulton County Jail, in addition to
13 providing additional programs and services to promote public safety, community health,
14 immigration justice, and criminal justice reform; and

15 WHEREAS, on May 3, 2021, the City of Atlanta passed Resolution 21-R-3259
16 (attached hereto as "Exhibit A"), authorizing the City to discuss the utilization of the Atlanta
17 City Detention Center for the mutual benefit of the City, Fulton County, and the Fulton
18 County Sheriff; and

19 WHEREAS, the City of Atlanta has invited Fulton County to take part in a unique
20 opportunity to bridge the gap between restorative justice and social change with the intent
21 to enhance public safety through a mutually agreeable utilization of the Atlanta City
22 Detention Center as a resource to alleviate the current detainee and inmate population
23 concerns at the Fulton County Jail; and

24 WHEREAS, Fulton County and the Fulton County Sheriff desire to take advantage
25 of the unique opportunity offered by the City of Atlanta to enhance public safety by
26 partnering with the City to provide additional programs and services to promote public

1 safety, community health, immigration justice, criminal justice reform and to provide
2 additional housing for detainees and inmates currently incarcerated at the Fulton County
3 Jail.

4 **NOW, THEREFORE, BE IT RESOLVED**, that the Fulton County Board of
5 Commissioners, authorizes the Fulton County Sheriff or his designee to negotiate a lease
6 with the City of Atlanta to allow the Fulton County Sheriff to temporarily house up to five
7 hundred detainees in the custody of the Fulton County Sheriff at the Atlanta City Detention
8 Center for a period up to five years under terms agreeable to the City and the Fulton
9 County Sheriff; and

10 **BE IT FURTHER RESOLVED**, that the Sheriff shall complete or substantially
11 complete negotiations with the City on or before June 15, 2021, or the Sheriff and Fulton
12 County will be forced to pursue other options to house excess inmates; and

13 **BE IT FINALLY RESOLVED**, that any agreement proposed by the Sheriff and the
14 City be subject to final approval as to form by this Commission prior to execution.

15 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
16 Georgia, this 2ND day of June, 2021.

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18 **FULTON COUNTY BOARD OF**
19 **COMMISSIONERS**
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21
22
23 **SPONSORED BY:**
24

25 
26 _____
27 Marvin Arrington Jr.,
28 Commissioner, District 5
29

Commissioner, District 5

Natalie Hall

Natalie Hall,

Commissioner, District 4

ATTEST:

Tonya R. Grier

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Kaye Woodard Burwell

Kaye Woodard Burwell
Interim County Attorney

EXHIBIT A

A RESOLUTION BY

21-R-3259

COUNCILMEMBERS MICHAEL JULIAN BOND, JOYCE SHEPERD, HOWARD SHOOK,
J.P MATZIGKEIT, CLETA WINSLOW, AND MARCI COLLIER OVERSTREET

AS SUBSTITUTED BY THE ATLANTA CITY COUNCIL

A RESOLUTION URGING MAYOR KEISHA LANCE BOTTOMS' ADMINISTRATION AND THE FULTON COUNTY COMMISSION AND CHAIRPERSON ROB PITTS AND SHERIFF PATRICK LABAT TO CONCLUDE THEIR NEGOTIATIONS CONCERNING A PROPOSED LETTER OF INTENT WHICH OUTLINES HOW THE CITY OF ATLANTA COULD TEMPORARILY UTILIZE THE ACDC FACILITY AS A LOCATION TO PROVIDE ADDITIONAL PROGRAMS AND SERVICES, IN COLLABORATION WITH FULTON COUNTY AND OTHER PARTNERS, BY NO LATER THAN MAY 31, 2021; AND TO PROVIDE THAT IF THERE IS NO CONCLUSION TO THESE NEGOTIATIONS BY MAY 31, 2021, THAT THE ATLANTA CITY COUNCIL SHALL ESTABLISH AN ATLANTA-FULTON COUNTY JOINT COMMITTEE CONSISTING OF REPRESENTATIVES FROM THE CITY OF ATLANTA AND FULTON COUNTY GOVERNMENTS TO CONDUCT THE ONGOING ASSESSMENT AND PROVISION OF RECOMMENDATIONS REGARDING JUSTICE REFORMS AND THE RESOLUTION OF THE COUNTY'S JAIL OVERCROWDING ISSUES; AND FOR OTHER RELATED PURPOSES.

WHEREAS, since the 1950s, the City of Atlanta has operated a municipal jail and in 1995, opened the 1300-bed Atlanta City Detention Center ("ACDC"); and

WHEREAS, the City of Atlanta has taken important steps toward reforming our public safety, community health, immigrant justice, and criminal justice systems to better reflect our values of equity, inclusion, justice, and effectiveness; and

WHEREAS, the reforms of Pre-Arrest Diversion, Marijuana Reclassification, and Bail Reform have been necessary steps toward a shared commitment to end the use of arrest and jail as solutions to the problems of extreme poverty, addiction, and mental health challenges and instead provide vital community-based services and supports; and

WHEREAS, the Atlanta City Council, as the governing body of the City of Atlanta, convened and participated in a series of worksessions led by the Public Safety and Legal Administration Committee, and its Chair, the Honorable Joyce Sheperd wherein policies related to the transformation of ACDC and justice reform plans were discussed; and

WHEREAS, these worksessions included presentations from Mayor Keisha Lance Bottoms' administration in support of the closure of ACDC and in support of a focusing of efforts and resources on systems of equity and opportunity; and

WHEREAS, these worksessions also included a presentation from the Fulton County Sheriff Patrick Labat regarding why ACDC should not be closed, but could instead be utilized to alleviate the current overcrowding at the Fulton County jail; and

WHEREAS, the City and Fulton County have a unique opportunity to bridge the gap between restorative justice and social change resulting in enhanced public safety; and

WHEREAS, the Atlanta City Council is committed to a strong, collaborative relationship between the City of Atlanta and Fulton County and a deepening City/County partnership so as to enhance public safety, improve quality of life, improve conditions for pretrial detainees in Atlanta, and expand wraparound services to include vocational training and education, housing, community-based mental health services and case management to ensure successful reintegration; and

WHEREAS, there are numerous areas of potential collaboration with the Board of Commissioners, Fulton County Sheriff, and other justice partners; and

WHEREAS, on April 25, 2021 Mayor Bottoms' administration transmitted a memorandum to the Atlanta City Council, a copy of which is attached hereto as Exhibit 'A', which wherein the Atlanta City Council was informed of the discussions which have taken place thusfar between Mayor Bottoms' administration and Fulton County regarding how the City of Atlanta and Fulton County could partner on justice reforms and to resolve the County's jail overcrowding issues; and

WHEREAS, this memorandum outlined how Mayor Bottoms' administration has met several times with Fulton County staff leaders to discuss needs and areas for partnership, developed a proposed letter of intent, a copy of which is attached hereto as Exhibit 'B', based upon those discussions and has shared and discussed this letter of intent with Fulton County Commission Chairperson Rob Pitts; and

WHEREAS, pursuant to the proposed letter of intent, the City of Atlanta would temporarily utilize the ACDC facility as a location to provide additional programs and services, in collaboration with Fulton County and other partners; and

WHEREAS, these programs and services outlined in the proposed letter of intent would include the establishment of a 24 hours / 7 days per week pre-arrest diversion drop-off site and services location at ACDC for law enforcement diversion, community referrals, and self-referrals; and

WHEREAS, these programs and services outlined in the proposed letter of intent would also include the establishment of a re-entry program for up to 150 Fulton County inmates at ACDC wherein they would be transferred to the custody of the City of Atlanta for the program and would be provided housing and access to job and other services during the day, and for which Fulton County would provide partial funding; and

WHEREAS, Mayor Bottoms' administration's proposed letter of intent also calls for the establishment of a multi-jurisdictional state and local working group which would finalize details related to the development of a collaborative resources services center, to be supported through staffing and funding by the City of Atlanta, Fulton County, and State and other partners, and which would include access to services such as vocational training opportunities, job placement, behavioral health services, housing services, legal services, and healthcare services; and

WHEREAS, Mayor Bottoms' administration has advised that they are awaiting action from Chairman Pitts on the draft letter of intent, and that if alignment occurs, that they will develop a formal intergovernmental agreement that will be brought before the Atlanta City Council and Fulton County Board of Commissioners for authorization; and

WHEREAS, it is the desire of the Atlanta City Council that Mayor Bottoms' administration and the Fulton County Commission and Chairman Pitts and Sheriff Patrick Labat shall conclude their negotiations regarding the proposed letter of intent by no later than May 31, 2021 and shall thereafter announce the results thereof to the Atlanta City Council; and

WHEREAS, prior to May 31, 2021, the Atlanta City Council shall schedule a worksession wherein Mayor Bottoms' Administration and the Fulton County Commission and Chairperson Rob Pitts and Sheriff Patrick Labat shall be requested to appear and discuss the terms of the proposed letter of intent; and

WHEREAS, if there shall be no conclusion to the negotiations between Mayor Bottoms' administration and the Fulton County Commission and Chairman Pitts and Sheriff Patrick Labat by May 31, 2021, that the Atlanta City Council shall establish an Atlanta-Fulton County joint committee consisting of representatives from the City of Atlanta and Fulton County Governments to conduct the ongoing assessment and provision of recommendations regarding justice reforms and the resolution of the County's jail overcrowding issues.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Atlanta City Council hereby urges Mayor Bottoms' administration and the Fulton County Commission and Chairperson Rob Pitts and Sheriff Patrick Labat to conclude their negotiations concerning the proposed letter of intent which outlines how the City of Atlanta could temporarily utilize the ACDC facility as a location to provide additional programs and services, in collaboration with Fulton County and other partners, by no later than May 31, 2021.

BE IT FURTHER RESOLVED, that prior to May 31, 2021, the Atlanta City Council shall schedule a worksession wherein Mayor Bottoms' Administration and the Fulton County Commission and Chairperson Rob Pitts shall be requested to appear and discuss the terms of the proposed letter of intent.

BE IT FURTHER RESOLVED, that following the conclusion of these negotiations, Mayor Bottoms' administration is requested to present the results thereof to the Atlanta City Council.

BE IT FURTHER RESOLVED, that if there shall be no conclusion to the negotiations between Mayor Bottoms' administration and the Fulton County Commission and Chairman Pitts and Sheriff Patrick Labat by May 31, 2021, the Atlanta-Fulton County joint committee consisting of representatives from the City of Atlanta and Fulton County Governments shall be established to conduct the ongoing assessment and provision of recommendations regarding justice reforms and the resolution of the County's jail overcrowding issues.

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward a copy of this Resolution, upon adoption, to Fulton County Commission Chairperson Rob Pitts and Sheriff Patrick Labat and all members of the Fulton County Commission.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon approval.

BE IT FINALLY RESOLVED, that any resolution in conflict with this resolution is hereby waived to the extent of the conflict.

