

1 STATE OF GEORGIA
2 COUNTY OF FULTON
3 CITY OF SOUTH FULTON

RES 2023-____

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6 **A RESOLUTION URGING THE SOUTH FULTON POLICE DEPARTMENT AND**
7 **OTHER LAW ENFORCEMENT AGENCIES WITH JURISDICTION WITHIN THE CITY**
8 **TO EXPAND THE USE OF DIVERSION SERVICES, ENCOURAGING FULTON**
9 **COUNTY AND THE FULTON COUNTY SHERIFF TO TAKE SIMILAR MEASURES IN**
10 **ADDRESSING OVERCROWDING AND SAFETY CONCERNS AT THE FULTON**
11 **COUNTY JAIL, AND EXPLORING FUNDING OPPORTUNITIES TO SUPPORT**
12 **DIVERSION SERVICES (NONI’S LAW)**

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14 **(Sponsored by Mayor khalid)**

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16 *Plain Text Explanation: Stopping the transfer of South Fulton Residents who arrested to*
17 *the current Fulton County Jail (901 Rice Street).*
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20 **WHEREAS**, the City of South Fulton ("City") is a municipal corporation duly
21 organized and existing under the laws of the State of Georgia;

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23 **WHEREAS**, the duly elected governing authority of the City is the Mayor and
24 Council thereof ("City Council");

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26 **WHEREAS**, this Resolution is in the best interests of the health, safety and general
27 welfare of the City, its residents, the general public and humane and restorative justice
28 interventions for the broader diaspora;

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30 **WHEREAS**, the Fulton County Jail is currently under investigation by the United
31 States Department of Justice after "credible allegations... that the Fulton County Jail is
32 structurally unsafe, the prevalent violence has resulted in serious injuries and homicides,
33 and that officers are being prosecuted for using excessive force," including the strangling
34 of an inmate;

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36 **WHEREAS**, ten Fulton County residents, not convicted and awaiting trial, have
37 been found dead in the Fulton County Jail this year;

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39 **WHEREAS**, one of the ten dead was Noni Battiste-Kosoko, a diagnosed,
40 schizophrenic, 19 year-old who attended South Fulton's Langston Hughes High School,
41 died in the Atlanta City Detention Center (in which Fulton County leases jail space) where
42 she was being held for missing a court date;

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44 **WHEREAS**, diversion services offer a compassionate and forward-thinking
45 solution to minimize jail bookings, thus addressing jail overcrowding and the related
46 safety concerns; and

47 **WHEREAS**, funding is pivotal for the successful implementation and scaling up
48 of diversion services to meet the intended outcomes;

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50 **THE COUNCIL OF THE CITY OF SOUTH FULTON, GEORGIA, HEREBY**
51 **RESOLVES** as follows:

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53 **Section 1.**

- 54
55 1. **Law Enforcement Action.** The South Fulton Police Department shall not send,
56 nor contract to send, any human being it takes into custody to the current Fulton
57 County Jail or the Atlanta Detention Center; and shall urge all other law
58 enforcement agencies operating within the city limits of the City of South Fulton
59 to not send, nor contract to send human being it takes into custody to the current
60 Fulton County Jail or the Atlanta Detention Center. The City shall urge all other
61 law enforcement agencies operating within the city limits of the City of South
62 Fulton to significantly bolster their utilization of diversion services, in order to
63 reduce admissions into the Fulton County Jail and the Atlanta Detention Center,
64 as well as other incarceration facilities contracted to hold South Fulton residents.
- 65 2. **Engagement with Fulton County.** The City calls upon Fulton County and its
66 Sheriff and Marshall to prioritize the enhancement of diversion services,
67 recognizing their potential to ease overcrowding and deadly conditions in the
68 Fulton County Jail and Atlanta Detention Center, as well as other incarceration
69 facilities contracted to hold South Fulton residents.
- 70 3. **Public Awareness and Advocacy.** The City shall commit personnel and
71 financial resources to collaborating with Fulton County to intensify public
72 awareness efforts about available diversion services, ensuring residents are
73 adequately informed about these alternatives.
- 74 4. **Funding Exploration:** The City shall actively seek and explore funding
75 opportunities, grants, and partnerships to financially support and expand
76 diversion services within the city, including mental health intervention and
77 response units proven effective in preventing or ameliorating criminal activity.
- 78 5. **Stakeholder Collaboration:** The City shall orchestrate dialogues with harm
79 reduction organizations, entities focused on treatment and addiction, churches,
80 violence reduction organizations, and other pivotal stakeholders to cultivate a
81 community-centric approach to diverting human beings to carceral facilities.

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86 **Section 2.** It is hereby declared to be the intention of the City Council that: (a) All
87 sections, paragraphs, sentences, clauses and phrases of this Resolution are or were,

88 upon their enactment, believed by the City Council to be fully valid, enforceable and
89 constitutional.

90 (b) To the greatest extent allowed by law, each and every section, paragraph, sentence,
91 clause or phrase of this Resolution is severable from every other section, paragraph,
92 sentence, clause or phrase of this Resolution. No section, paragraph, sentence, clause
93 or phrase of this Resolution is mutually dependent upon any other section, paragraph,
94 sentence, clause or phrase of this Resolution.

95 (c) In the event that any phrase, clause, sentence, paragraph or section of this Resolution
96 shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise
97 unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is
98 the express intent of the City Council that such invalidity, unconstitutionality or
99 unenforceability shall, to the greatest extent allowed by law, not render invalid,
100 unconstitutional or otherwise unenforceable any of the remaining phrases, clauses,
101 sentences, paragraphs or sections of the Resolution.

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103 **Section 3.** All Resolution and parts of Resolution in conflict herewith are hereby
104 expressly repealed.

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106 **Section 4.** The City Attorney and City Clerk are authorized to make non-substantive
107 editing and renumbering revisions to this Resolution for proofing, codification, and
108 supplementation purposes. The final version of all resolutions shall be filed with the City
109 Clerk.

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111 **Section 5.** The effective date of this Resolution shall be the date of adoption, unless
112 provided otherwise by the City Charter or state and/or federal law.

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114 **[signatures and voting tabulations appear on the following page]**

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