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[head] Power gone wrong

[deck] Five years later, GSU professor Louis Ruprecht shares the juror's view of the infamous case that rocked the Atlanta police department to its core.

[byline] By Sarah Gilbreath

In late 2006, the Atlanta Police Department made headlines around the world for all the wrong reasons: 92-year-old Kathryn Johnston had been shot to death in her own home by cops in a botched drug raid. Louis Ruprecht, the William M. Suttles Chair in Religious Studies, happened to be on the jury, and had a front row seat in a trial that exposed serious flaws in the drug squad's methods. Now, on the eve of the event's fifth anniversary, he shares an inside look at the trial in his new book, *Policing the State: Democratic Reflections to Police Power Gone Awry*. "There was so much suspense and drama in that trial," says Ruprecht. "It was like watching a car accident in slow motion."

On the afternoon of November 21, Atlanta officers Smith, Junnier and Tesler arrested a local drug dealer and demanded that he reveal his supplier. The frightened dealer pointed to Johnston's house, possibly at random. "They took him to that street and told him to point out the house," says Ruprecht. "He was trying to hide. He was scared of his supplier. My feeling was that it was probably the right street, but he pointed out the wrong house."

The offices then ignored the procedural controlled buy (a legal requirement to prove that a person actually is dealing drugs) and falsified an affidavit, claiming that the house was occupied by someone named Sam and had a high-tech surveillance system. They obtained a no-knock warrant through a computer kiosk, assembled a riot team, and went directly to Johnston's house.

Once there, they cut through burglar bars and forced the door. Terrified that she was being robbed, Johnston fired a single warning shot from a rusty pistol into the ceiling; in retaliation, the riot squad unleashed a hail of bullets, hitting Johnston several times. She was handcuffed while she lay dying on the floor, and was pronounced dead on the scene. There were no drugs anywhere in the house. The three officers quickly tried to cover their tracks by planting drugs in the house and trying to force a man named Alex White to claim that he had bought drugs at Johnston's house.

"He was my hero," says Ruprecht of White. After realizing what had happened, White refused to stay quiet. "He went to Alcohol, Tobacco and Firearms (ATF). He went to the FBI. He went to the news – he was on Fox 5." When the three officers

tried to take him to their station, he jumped out of the car and ran, diving across streets and through buildings, until the ATF put him in protective custody.

Ruprecht was stunned and horrified by the facts that the case brought to light: the supposed arrest quotas that each officer had to fill, the falsified information the officers submitted on the no-knock warrant request, the flagrant disregard for proper protocol that protects citizens, and the hasty attempt at a cover-up. “This story shows that accountability structures are so important,” says Ruprecht. “That’s what the book is really about. It’s not a story of good guys or bad guys; it’s about abusive power arrangements with insufficient accountability structures.”

Much of the trial revolved around the officers’ claim that officers in the precinct were required to meet certain quotas every month. “We always heard ‘Nine and two, nine and two,’ which means nine arrests and two search warrants each month per officer,” Ruprecht explains. “This shows a culture-wide problem. We’ve adapted this quantitative method of assessment from the business world, but it just doesn’t work well [in real life]. There are really dangerous consequences.” The urgency the officers felt to meet those quotas before the Thanksgiving holiday likely played a part in the affair. “The scariest thing about this case to me was how quickly it all happened. Two hours separate that guy [the dealer] telling a lie and her being dead,” says Ruprecht.

The case had strong ramifications for the Atlanta Police Department. “The Atlanta Narcotics Unit was disbanded. There was none for a full year, so the narcotic industry moved up here from Miami,” says Ruprecht. “The chief said it would take ten years to undo the damage.” Unfortunately, the computer systems that the officers used to secure the warrant haven’t changed. “We’ve committed to these technologies,” says Ruprecht, “and I doubt policing will be forced to slow down.” He believes that a similar case could happen again. “If there’s insufficient oversight, it’s too easy to cut corners,” he cautions. “Power can always be arbitrary and dehumanizing.”

Still, he remains hopeful for the future. “Parts of this are success stories. The ATF and the FBI got involved. The courts and we the people did our jobs. That’s democratic citizenship: when it’s your turn, you step up.” He hopes his work will show that by being “intelligently suspicious of limited accountability structures,” future tragedies like Kathryn Johnston’s might be avoided.